



2023 ANNUAL SECURITY & FIRE SAFETY REPORT

Containing Crime Statistics for 2022, 2021 and 2020

University of California, Riverside

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I. Introduction

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*, commonly referred to as the “Clery Act,” is a federal law that requires each university receiving federal financial aid to annually compile and report specific crime and fire statistics for the university campus and to provide other safety and crime information to members of the campus community. The Clery Act also requires universities to:

- Have emergency response programs, including evacuation procedures for students.
- Notify the community of emergencies and issue warnings of threats.
- Maintain a daily crime log and a fire log.
- Have policies and procedures relating to sexual assault, dating and domestic violence, and stalking.

This is the *Annual Security & Fire Safety Report* for the University of California, Riverside (UCR). This report provides important information to current and prospective students, employees, and others about crime in relevant geographical areas and UC Riverside’s programs and policies relating to crime prevention, safety, and emergency response.

UCR’s main campus is in the northeastern part of the city of Riverside, California. UCR also has a campus in Palm Desert. This document is the Annual Security & Fire Safety Report for both campuses. Unless otherwise noted, the policies and statements in this report are implemented at both the UCR main campus and UCR Palm Desert Center; crime statistics are presented separately for each campus.

A. About University of California, Riverside

UC Riverside is a member of the world’s most prestigious public university system, the University of California.

Situated on nearly 1,200 scenic acres in Inland Southern California, UCR’s strong core programs and new and emerging disciplines are housed within three colleges, four professional schools, and more than 20 interdisciplinary research centers.

Our diverse, inclusive, and globally focused community is creating a new model for what a great public research university can achieve. With more than 26,000 students and 1,100 faculty—including two Nobel Prize winners and 15 members of the National Academies of Science and Medicine—we are pioneering research with economic, scientific, and social impact on the real-world challenges we face in California and beyond.

The reach and importance of our work is gaining in prominence. To highlight just a few recognitions, UCR was ranked the top public university in the United States for social mobility, four years in a row, by U.S. News & World Report, No. 20 public university by Princeton Review Best Schools for Making a Public Impact, and No. 2 in the country for financial aid by Business Insider. The main campus is located in the vibrant city of Riverside, close to a variety of desert, mountain, and coastal destinations, and dozens of major cultural and recreational sites.

UCR Extension provides professional certificate programs year-round. A professional certificate program is a sequence of courses that provides attendees with practical instruction to stay current with new

developments in career fields, qualities for a new job, or provides the opportunity for advancement. UCR Extension's academic programs are developed in conjunction with, and may be taught by, UCR faculty, ensuring that students receive the same uncompromising standard of excellence upheld by the University.

B. About UCR Palm Desert

The University of California has been active in the Coachella Valley for nearly 100 years, initially supporting the agriculture industry and more recently impacting modern growth issues through research in areas such as transportation, air quality and energy and water conservation.

Established in 2005, the UCR Palm Desert Center offers a Master of Fine Arts Degree in Creative Writing and Writing for the Performing Arts, as well as a wide selection of UCR Extension courses and certificate programs, community lectures, films, and art exhibitions, and is a base for several UCR research programs. UCR Palm Desert is also home to the University of California Cooperative Extension Coachella Valley Master Gardener, and University of California Agricultural and Nature Resources California Naturalist and Climate Steward programs.

The Palm Desert Center is located 65 miles from the main, Riverside campus. The Center is not residential; there are no on-campus student housing facilities.

C. Nondiscrimination Statement

The University of California is committed to non-discrimination, equal employment, and affirmative action. UCR does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy (including childbirth and medical conditions related to pregnancy or childbirth), physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services (includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services). Harassment based on sex, including gender, gender identity or expression, sex- or gender-stereotyping, or sexual orientation, is prohibited by the UC Policy on Sexual Violence and Sexual Harassment. [UC nondiscrimination policies](#) cover admission, access, and treatment in University programs and activities, as well as all employment practices.

Questions regarding these nondiscrimination policies or complaints may be directed to the Office of Title IX, Equal Opportunity & Affirmative Action (Title IX/EOAA) at titleix@ucr.edu or <https://compliance.ucr.edu/office-title-ix-equal-opportunity-affirmative-action>. Complaints may also be filed via the [UC system hotline](#) at 1(800) 404-4744.

D. UCR's Response to COVID-19; Campus Closure and Return to Campus

Due to the COVID-19 (coronavirus) pandemic, during the spring quarter 2020, UC Riverside made the decision to limit in-person instruction until further notice. Beginning in Summer 2021, UCR began preparing for return to in-person instruction and some continued online classes beginning fall quarter in September 2021. During the campus closure, on-campus services were significantly limited, with most offices providing services remotely, and significantly reduced density in residence halls. Residential housing reopened to students in September 2021. [UCR's Campus Return](#) and [UCR Environmental Health](#)

[and Safety](#) websites provide the most current information, guidance and resources, additional health and safety guidance is available on the [CDC's COVID-19 website](#).

II. Preparing and Publishing the Annual Security & Fire Safety Report

The University of California, Riverside prepares the Annual Security & Fire Safety Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The purpose of this report is to provide crime and other safety-related information to members of the UCR community. This report contains three years' worth of crime statistics (2020-2022), as well as statements regarding specific campus policies and procedures, including policies regarding sexual and gender-based violence and alcohol and other drugs. This report also includes disclosures of fire safety policies and procedures and fire statistics for on-campus housing facilities from the previous three years, in compliance with the Clery Act and the Higher Education Opportunity Act (HEOA), which require colleges and universities that have on-campus housing to report and submit fire safety information and statistics annually.

- **Collection of Crime and Fire Statistics.** Crime reports are collected from all Clery-defined geography, including on-campus, on-campus student housing, non-campus, and public property locations. Fire data relating to on-campus student housing is also reported. This data is compiled by the Clery Officer, with assistance from the UC Riverside Police Department, Campus Fire Marshal, Student Conduct and Academic Integrity Programs (SCAIP), Title IX/EOAA, Education Abroad, Human Resources, UCR Palm Desert Center, local law enforcement agencies, and those individuals identified as Campus Security Authorities (CSAs). This report also includes disciplinary referrals from SCAIP and Human Resources, which administer conduct for students and employees, respectively, for drug, alcohol, weapons, and other Clery Act Crimes not otherwise reported as an arrest or crime.
- **Policy and Program Information.** The policies and statements provided in this report are updated annually and include the most current information at the time of publishing. **Unless otherwise noted, the policies and statements in this report are implemented at both the UCR main campus and UCR Palm Desert Center.**

In accordance with the University of California [Clery Act Policy – Campus Safety and Security Reporting](#) (Section IV.C), by October 1 of each year, UC Riverside “will publish and distribute an ASR and AFSR, if applicable, that is compliant with the Clery Act” and respond to the Department of Education’s Campus Safety and Security Survey by “submitting crime and fire statistics .”

The *Annual Security & Fire Safety Report* can be found at [UC Riverside’s website](#) or by contacting the Clery Act Compliance Coordinator. The Clery Act Policy also provides that UC Riverside will “distribute the ASR and AFSR to current employees, enrolled students, prospective employees, and prospective students with a notice that includes a statement of the reports’ availability, the exact electronic address at which the report is posted, a brief description of the reports’ contents, and a statement that the campus will provide a paper copy of the report upon request”. In accordance with the policy and the Clery Act, by October 1st* of every year, each member of the UC Riverside community receives a *Notice of Availability* email that describes the report and provides its web address. For comments or paper copies of this publication, please contact:

Olga Snopok
Clery Act Compliance Coordinator
clery@ucr.edu
(951) 827-7431

*Note: The 2021 Annual Security & Fire Safety Report (ASFSR) was issued on September 30, 2021 and revised in June, 2022. The revision was issued to provide updated information regarding the revised [Interim Sexual Violence and Sexual Harassment \(SVSH\) Policy](#) and associated adjudication frameworks that went into effect on January 1, 2022. The updated information can be found in the [Chapter X](#) of this report: UC Riverside's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking. The revised version of the report also included minor revisions to Section IX, UC Riverside Policy and Prevention Programs on Alcohol and Drugs.

III. UC Riverside Police Department

The mission of the University of California, Riverside Police Department (UCRPD) is to enhance the quality of life by providing a secure and safe environment through professional service to the University community. UCRPD is located at 3500 Canyon Crest Drive and operates 24 hours per day, 365 days a year. The **non-emergency** phone number is (951) 827-5222 and **emergency** phone number is 911 (when dialed from on-campus phone lines). UCRPD employs sworn police officers, non-sworn Campus Safety Responders, and Highlander Student Safety personnel (student employees of the Police Department) to deliver public safety services to the campus community.

UC Riverside police officers provide a full range of police-related services, including primary emergency responses; preventative patrols; investigation of observed, reported, or suspected crimes; enforcement of all applicable laws; follow-up and specialized criminal investigations; crime prevention; community liaison and relations; V.I.P./dignitary protection; special event security; and traffic activities (enforcement and accident investigations).

Since the Summer 2021, UCRPD has been part of UCR's new division of Health, Well-being, and Safety. With the objective of enhancing overall campus safety while being more responsive to the full range of student and community needs, the new division brings together several departments including UCRPD, CARE (Campus Advocacy, Resources & Education), Basic Needs, and those departments previously organized under Student Health & Wellness Services: Student Health Services (SHS), Counseling and Psychological Services (CAPS), The Well, Student Affairs Case Management, and the Student Disability Resource Center (SDRC).

A. Authority, Personnel and Jurisdiction

UCRPD is an approved law enforcement agency under the guidelines and regulations established by the California Commission on Police Officer Standards and Training (CA POST) and vested with the authority and responsibility to enforce all applicable local, state and federal laws, in addition to university policies. All UC Riverside Police Officers are duly sworn peace officers with statewide authority as defined in California Penal Code Section 830.2(b), are authorized to carry firearms, and have the authority and duty to conduct criminal investigations and make arrests. At times UCRPD supplements its staff with officers from other agencies who have arrest authority under mutual aid agreements. Officers from other agencies have the authority to enforce university policies. Officers from other agencies have jurisdiction to operate on UCR owned or controlled property only when operating under orders and direction of UCRPD personnel.

Highlander Safety Associates (HSA) are student employees of the police department. HSA are primarily assigned to assist UCRPD with building watch and campus patrols. These student employees are not authorized to carry firearms and do not have arrest authority. HSA have the authority to enforce University policies. HSA have jurisdiction to operate on UCR owned or controlled property only when operating under orders and direction of UCRPD personnel.

The University may also occasionally hire contract event staff that are exclusively security or crowd management, are not authorized to carry firearms, and do not have arrest authority. Contract event staff have the authority to enforce University policies only when operating under orders and direction of

UCRPD personnel. Contract event staff have jurisdiction to operate on UCR owned or controlled property.

UCRPD has primary jurisdiction over UC Riverside, as well as properties owned, leased, or controlled by the University in adjacent areas.

B. Working Relationship with State and Local Law Enforcement Agencies

UCRPD enjoys a close working relationship with the Riverside Police Department, the Riverside County Sheriff's Department, as well as the local branches of the California Highway Patrol. UCRPD personnel regularly meet with agents assigned to the Riverside Field Office of the FBI to exchange information to prevent criminal activity on campus.

UCR has a memorandum of understanding with the Riverside Police Department. The MOU addresses the investigation of criminal incidents occurring at this location.

C. Security at UCR Palm Desert Center

UCR Palm Desert Center has contracted a third-party security service to perform drive-by and walk-through safety and security checks of the Center during the hours when campus is closed in the evening from 10 PM to 6 AM and on weekends. Security personnel at Palm Desert are not sworn law enforcement officers, are not authorized to carry firearms, and do not have the authority to make arrests. The jurisdiction of security personnel at UCR Palm Desert Center extends to property owned by UCR and California State University, San Bernardino, Palm Desert Campus, immediately adjacent to the UCR Palm Desert Center.

Memorandum of Understanding with Palm Desert Sheriff's Department

The UCR Palm Desert Center has a close working relationship with the Palm Desert Sheriff's station. Both parties have agreed to a Memorandum of Understanding (MOU) in which deputies assigned to the Palm Desert Sheriff's station will take reports and conduct any criminal investigations pertaining to the UCR Palm Desert Center.

D. Accurate and Prompt Crime Reporting

UC Riverside encourages accurate and prompt reporting of crimes and other emergencies as soon as possible to UCRPD, including when the victim elects to, or is unable to, make such a report. Safety is a shared responsibility. If you observe a crime or other emergency, report it immediately, especially if it appears the victim may be unable to. UCRPD Dispatchers are available by phone at (951) 827-5222, 911 for emergencies, or in person 24 hours per day at 3500 Canyon Crest Drive. Although the University offers many support resources and options for reporting, UCR highly encourages campus community members to report all crimes or concerning behavior or activities directly to UCRPD regardless of whether they want to pursue a formal investigation or other law enforcement action. This allows the University to assess security and threat concerns and notify the UC Riverside community if there is an ongoing threat. For a discussion of UCR's process for notifying the UC Riverside community of threats, see the "*Timely Warning Reports*" section of this report. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, UCRPD will take the required action, either dispatching an officer or asking the victim to report to UCRPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public

record. All UCRPD incident reports are forwarded to the Dean of Students Office for review and referral to the Student Conduct and Academic Integrity Programs Office (SCAIP) for potential action, as appropriate. UCRPD Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to SCAIP. If assistance is required from the Riverside Police Department, Sheriff's Department, or the Riverside Fire Department, UCRPD will contact the appropriate unit. If a sexual assault should occur, staff on the scene, including UCRPD, will offer the victim a wide variety of services.

The University and campus have policies specifying reporting obligations for certain types of crimes:

- The [UC Policy on Reporting Child Abuse and Neglect](#) implements the California Child Abuse and Neglect Reporting Act ("CANRA"), California Penal Code 11164-11174.3, including by requiring that those individuals who are Mandated Reporters identify and report incidents of child abuse and neglect.
- The SVSH Policy requires reporting of sexual violence to Title IX/EOAA and provides that the campus will support those who wish to report to law enforcement. (For further detail, refer to Section X of this report).
- The Violence Prevention in the UCR Community – Zero Tolerance for Violent Behavior policy requires that all members of the UCR community report any incident of Violent Behavior or Threat to Self that they are aware of or have witnessed.

Further information on crime reporting is provided in Section V, *"Reporting Crimes and Other Emergencies"*.

E. Daily Crime Log

UCRPD maintains a daily crime log and a fire log containing specified information about all crimes or fires (must have an actual flame to appear on this daily fire log) that occur within the patrol jurisdiction of, and are reported to, the UCRPD. The daily crime log and fire log may be viewed online at <https://ucrpd.crimegraphics.com/> or at UCRPD Office.

Daily crime and fire logs older than 60 days are maintained for seven years and will be made available for public inspection within two business days, upon request. Requests may be made in person or submitted via email to UCPDrecords@ucr.edu.

More information about the fire log may be found in the [UC Riverside Annual Fire Safety Report](#) below.

F. Monitoring and Recording Crimes Involving Recognized Student Organizations at Non-Campus Locations

UC Riverside does not have any recognized student organizations with non-campus buildings or properties; therefore, UCRPD does not have a formal program to monitor and/or record criminal activity at these locations.

IV. Campus Security, Crime Prevention, and Safety Awareness Programs

This section of the *Annual Security & Fire Safety Report* provides information about campus security programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others. These programs include education and awareness activities designed to reduce the occurrence and severity of crime, and to mitigate its effects.

A. UCRPD Crime Prevention Programs

UCRPD operates as a proactive crime prevention unit that works closely with the members of the community to make UCR a safer place to work, live and learn.

UCRPD provides and/or collaborates in presentations on topics such as personal safety, vehicle and residential security, office and equipment security, and rape prevention. Brochures and literature on crime prevention and personal safety are available through the department's investigations/crime prevention office via email at crimeprevention@ucr.edu or by calling (951) 827-1597.

In order to increase the level of crime awareness and campus safety at UCR, incidents of criminal activity within the campus community are publicized in many ways including distribution of the [UCRPD Annual Report and Crime Statistics](#) and maintaining an up-to-day log of incidents, arrests, and the crime and fire logs available at <https://ucrpd.crimegraphics.com/2013/default.aspx>.

Responding to a Crisis Situation

This in-person course, led by UC Riverside Police Officers, guides faculty, staff, and students on how to respond in a crisis situation. The course uses the “RAIN” acronym (Respond, Assess, Isolate, and Notify) and discusses the following topics:

- How to respond in a crisis situation using “RAIN”
- Early violence intervention
- UCR’s Emergency Notification System
- A brief introduction on how UCRPD trains to respond to violent incidents.

B. Highlander Orientation Programs

Highlander Orientation was held remotely for 2021 and in-person for 2022 and 2023. During this two-day mandatory orientation, first-year and transfer students engage in a variety of programs, ranging from meetings with their colleges to introductions to student services available on campus. Students receive safety information through training programs with UCRPD, Campus Advocacy, Resources & Education (CARE), Title IX/EOAA and Student Life.

- [UCRPD Safety Orientation](#): First-year and transfer students participate in a safety orientation with UCRPD during Highlander Orientation. Topics covered:
 - Safety contact information
 - Emergency call boxes
 - Escort Service

- Personal Property Protection
 - Bicycle Safety
 - General Personal Safety tips
- Lessons Learned and Student Life: First-year students participate in the “Lessons Learned” presentation, which is a skit program that depicts real-life scenarios students may encounter while on campus. Students learn about campus resources available at UCR to help navigate these situations. After “Lessons Learned” presentation, the Student Life office shares information on getting involved in student organizations along with hazing and high-pressure group awareness.
 - Consent with CARE, and Sexual Violence and Discrimination: “Consent with CARE” provides students with information about CARE advocates and services and resources relating to sexual violence. Staff from Title IX/EOAA also provide students with information about UC nondiscrimination policies and Office services relating to sexual violence, discrimination, and harassment.
 - Transfer students participate in the “Consent with CARE” portion of the presentation only.

Orientation staff, both professional and student employees, participate in annual training during the spring and summer prior to orientation sessions. This includes:

- In-person training from various campus partners, including:
 - Title IX/EOAA
 - CARE Advocate
 - Counseling & Psychological Services (CAPS)
 - Student Affairs Case Management
- Behind Closed Doors—active scenarios staff may encounter during orientation sessions.
- Public Safety with UCRPD

The Well, UCR's student well-being and health promotion department, gives a presentation for parents, guardians and family members during summer orientation. The presentation provides information on UCR's wellbeing resources through [Health, Well-being and Safety Organization](#) including CARE, UCRPD and CAPS.

More information about CARE and Title IX/EOAA primary prevention and awareness programs is provided in the “*UC Riverside's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking*” section of this report.

C. Safety Training and Awareness Programs in Residence Halls

Residential Life staff, both professional and student employees, participate in annual training during the Fall quarter, as well as follow-up training throughout the year at various times. During the 2022-2023 academic year, UCR offered approximately eight crime prevention and security awareness programs. This number however does not account for fliers, brochures, hall meetings which may discuss these topics. Topics covered during this training include:

- Residence hall policy and procedure overview

- Incident response and reporting requirements, including how to write reports and reporting to Student Conduct & Academic Integrity Programs (SCAIP)
- Live training from various campus partners, including:
 - Title IX/EOAA
 - CARE Advocate: the following [protective and risk-reduction strategies](#) are offered in order to encourage healthy and safe encounters as well as to mitigate the risk of experiencing or perpetrating sexual violence as outlined by best practices in violence prevention education models.
 - [Counseling & Psychological Services \(CAPS\)](#)
 - Student Affairs Case Management
- Behind Closed Doors—active scenarios staff may encounter when on rounds in the residence halls.
- Emergency response training, including fire extinguishers, and building evacuations
- Active Intruder Training with UCRPD.

Each Resident Advisor (RA) is trained to discuss safety and security issues in their opening community meetings. Topics include but are not limited to: reminders about locking doors, reviewing the location of fire exits, giving out contact and resource information on who/how to contact for assistance, and maintenance requests. RAs provide this safety and security-related information to residents who move in mid-year as well.

More information about fire safety and evacuation trainings can be found in Section XIII, “*UC Riverside Annual Fire Safety Report.*”

D. Employee Training Courses

The following courses are examples of safety and crime prevention programs available to all employees (faculty, staff, and student employees) through the UCR Learning Center:

- **UCR Staff Orientation:** This course provides new UCR staff with a range of information regarding UCR. It includes a presentation by UCRPD regarding Safety. The course is mandated for specific incoming staff and encouraged for others.
- **UC Cyber Security Awareness Training:** This Cyber Security Awareness training provides information and reminders on threats facing the University and what we do to mitigate them. It is mandated for new employees. Refresher trainings are also required.
- **Safety Orientation:** Overview of safety fundamentals, injury & illness prevention, and emergencies for all faculty, staff, and students. Topics covered:
 - Hazard Identification
 - Control Measures
 - Risk Management
 - Injury & Illness Prevention Plan (IIPP)
 - Safety Resources
 - Hazard Report
 - Accidents & Injuries
 - Emergency Procedures
 - Fire & Life Safety

- Earthquake Safety
- **Clery Act Training for Campus Security Authorities (CSAs):** This training course provides campus CSAs with more detail on how to report a crime, how UC security policies work and how to communicate essential information on campus in accordance with the federal Clery Act requirements. This training is assigned to CSAs on a biennial basis.
- **Sexual Violence and VAWA Training Courses:** These courses are described in more detail in the section “UC Riverside’s Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking.”
- **Responding to a Crisis Situation (RAIN):** Overview of how to respond to an active shooter. Topics covered:
 - What is an active shooter?
 - R.A.I.N. technique and what to expect during an incident.
- **Eliminating Harassment, Intimidation, and Bullying:** Harassment, intimidation, and bullying (HIB) can occur anywhere, at any time, and to anyone. These behaviors can lead to low morale, decreased productivity, and poor job satisfaction in the workplace. Eliminating these destructive behaviors before they do irreparable harm is essential for a safe, healthy, and productive workplace. Topics Covered:
 - Defining HIB and its various form.
 - Learn tools and techniques to handle inappropriate behaviors.
 - Learn where to obtain appropriate resources to minimize HIB behaviors.

E. Other Security, Crime Prevention, and Safety Programs

Policies and procedures encouraging the reporting of crimes and other threats to safety to UCRPD are another important aspect of crime prevention. When crimes and threats are reported to the Police, action can be taken to prevent further crimes and/or reduce safety threats relating to the UCR community. The Sections V and VI of this report, “*Reporting Crimes and Other Emergencies*” and “*Timely Warning Reports*,” describe these policies and procedures.

In addition, UCR has specialized safety-related programs and services, including a campus escort service and resources dedicated to helping distressed students.

Campus Safety Escort Service

The Campus Safety Escort Service (CSES) is safe and easy to use. It is available to students, staff, faculty, and anyone else who needs a safety escort. The service is free. There are four ways to get a safety escort:

1. Call the dispatcher at (951) 827-3772.
2. Pick up any red phone on campus that reads “Campus Safety Escort Service”, it will automatically connect you to the dispatcher desk. You will be connected to the [UCR Police Department](#) when the service is not in operation.
 - Red CSES phones are installed near the exits and lobbies of most campus buildings. Refer to the [CSES map](#) to find the nearest phone.
3. Stop by the dispatcher desks at the HUB information desk or Rivera Library to request a safety escort in person.

4. If you see a safety escort on campus (look for the yellow shirt and ID badge), wave them down and they will walk you to your destination.

The CSES operates from dark to 11:30 p.m., Sunday through Thursday. After 11:30 p.m., call UCR police at (951) 827-5222.

The Red Folder

[The Red Folder](#) is a resource published by CAP that walks faculty, students and students) through steps they can take and resources they can be active for support working with a distressed student. This online, downloadable resource helps connect students who may pose a danger to themselves or others with help, to prevent harm, and to help with other distressed student situations. The Red Folder emphasizes to call UCRPD if you feel unsafe and includes information about reporting sexual harassment or sexual assault. This resource may help reduce the incidents of violence.

Critical Student Incident Team

The Critical Student Incident Team is coordinated by Student Affairs Case Management. The team was created to work with the students, staff and faculty of the UCR community who are concerned about students who may be a threat to themselves or others. The team provides action and support to address the needs of students who are distressed while maintaining a safe and secure campus for the entire UCR community.

Policies Promoting Safety

An important aspect of the University of California and UC Riverside's efforts to prevent violence and promote a safe and secure campus, is the establishment and enforcement of expectations for how employees, students, and others conduct themselves and treat one another. These expectations are communicated in policies, and violations of these policies may be addressed through disciplinary and other processes. Some of the most important policies are:

- Violence Prevention in the UCR Community—Zero Tolerance for Violence Behavior. This policy, which applies to all members of the campus community, prohibits violence, and establishes a protocol for response to violent behavior including threats.
- The Student Code of Conduct, and the University Policies Applying to Campus Activities, Organizations and Students (PACAOS) 100.00, Policy on Student Conduct and Discipline, which prohibits physical assault, threats of violence, and other conduct that threatens the health or safety of any person, and other types of conduct.
- The Faculty Code of Conduct, APM – 015, which prohibits disruptive conduct, incitement that would constitute a clear and present danger of violence or abuse against persons or property, threats of physical harm, and other types of behaviors.
- Policies preventing substance abuse, discussed further in Section IX, *"UC Riverside Policies and Prevention Programs on Alcohol and Drugs."*
- The UC Policy on Sexual Violence and Sexual Harassment, discussed further in Section X, *"UC Riverside's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking."*

The campus also has policies relating to safety in the conduct of research, events, and other activities. Some of the most important policies are:

- The UCR Environmental Health & Safety policy outlines the responsibilities of campus officials as it relates to health and safety on campus and summarizes the UCR EH&S programs. EH&S has plans, programs, and manuals for specific areas, such as Laboratory Safety, Biosafety, Chemical Hygiene, Bloodborne Pathogens, Controlled Substances Use, Asbestos, Lead, and more.
- UCR also implements the UC Laboratory Safety Training policy that identifies minimum training requirements applicable to all workers granted unescorted access to laboratory/technical areas.
- UCR Major Events policy requires UCRPD to conduct a security assessment for certain large events based on objective and credible evidence of specific risks.
- UCR has also implemented policies to help ensure safety when UCR community members engage in certain activities, such as using wheeled devices and bicycles, motorized carts, or vehicles on campus, or bringing pets on campus.

Resources for Employees

The University provides a robust set of benefits, including health and welfare benefits programs and disability benefits, for eligible employees. Health and welfare programs include behavioral health plans, providing access to therapists and mental health providers.

The Faculty and Staff Assistance Program (FSAP) offers confidential counseling, referral and other needed services to staff, faculty, and their family members with personal concerns. FSAP offers assistance with a wide range of issues, including alcohol and drug abuse, at no charge. Please visit the [UCR Faculty Staff Assistance Program](#) webpage to learn more about the benefits that GuidanceResources® offers.

V. Reporting Crimes and Other Emergencies

UC Riverside has established a number of ways for campus community members and visitors to report crimes, public safety-related incidents, and other emergencies to law enforcement and appropriate University officials. Campus Security Authorities (CSAs) are required to report Clery Crimes to UCRPD or the Clery Compliance Coordinator, and all community members are strongly encouraged to accurately and promptly report all crimes and other emergencies to UCRPD so that the situation can be investigated and follow-up actions can be taken as needed. As explained in this report, crime reports are also used to timely warnings or emergency notifications, and the annual statistical disclosure.

Office	Types of Crimes to Report	Campus Address	Phone Number	Website/Email
UC Riverside Police Department	All crimes	3500 Canyon Crest Drive	(951) 827-5222 Emergency: 911	police.ucr.edu
Human Resources-Employee and Labor Relations	Crimes relating to Employees	University Village, Suite 208	(951) 827-3641	hr.ucr.edu
Title IX, Equal Opportunity and Affirmative Action	Dating or domestic violence, stalking, and/or sexual assault involving UCR affiliates*	349 Skye Hall	(951) 827-7070	titleix.ucr.edu
Clery Coordinator	All Clery reportable crimes	349 Skye Hall	(951) 827-5747	clery@ucr.edu
Student Conduct and Academic Integrity Programs (SCAIP)	Crimes involving students	119 Costo Hall	(951) 827-4208	conduct.ucr.edu
Residential Life & Housing Services	Crimes occurring in UCR housing and residence halls	Resident Services Offices; 3595 Canyon Crest Drive	Various; (951) 827-6350	housing.ucr.edu
Palm Desert Center	Crimes occurring at the UCR Palm Desert Center	Facilities & Administration 75080 Frank Sinatra Drive, Palm Desert, CA 92211	(760) 834-0800	palmdesert.ucr.edu

*UCR faculty, students, staff, or others participating in UCR programs or activities or seeking to do so.

Members of the community are helpful when they immediately report crimes or emergencies to the University of California, Riverside Police Department and/or other CSAs for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary. A complete list of designated CSA can be provided upon request to clery@ucr.edu.

Among Campus Security Authorities to whom a student or an employee can report incidents are college deans, divisional deans, department chairs, student advisors, residence and housing staff, athletics

coaches, police department staff and dean of students, Title IX, and chief compliance office team. Here is a list of a few CSAs you may report Clery crimes and incidents to:

First Name	Last Name	Title	Department	UCR Email Address
CHRISTINE	BENDER	Director of Residential Life	Student Affairs	cbender@ucr.edu
CHRISTINE	MATA	Associate Vice Chancellor for Student Affairs and Dean of Students	Student Affairs	cmata@ucr.edu
CHRISTOPHER	LYNCH	Dean of Bourns College of Engineering	Bourns College of Engineering	cslynch@engr.ucr.edu
DARYLE	WILLIAMS	Dean of College of Humanities, Arts & Social Sciences	Coll of Hum, Arts & Social Sci	darylew@ucr.edu
DEBORAH	DEAS	Vice Chancellor for Health Sciences	School of Medicine	debdeas@medsch.ucr.edu
GEORGE	WILLIAMS	Director of Employee and Labor Relations	Employee and Labor Relations	gwilliam@ucr.edu
HOLLY	HARE	Assistant Vice Chancellor and Title IX Officer	Office of Title IX & EO/AA	hollyh@ucr.edu
JEFFREY	TALBOTT	Chief of Police	Police	italbott@ucr.edu
JOI	SPENCER	Dean of the School of Education	School of Education	jois@ucr.edu
PETER	ATKINSON	Interim Dean, College of Natural and Agricultural Sciences	College of Nat & Agr Sciences	peter.atkinson@ucr.edu
KIERSTEN	BOYCE	Chief Compliance Officer and Locally Designated Official	CCO Immediate Office	kiersten@ucr.edu
LOUIE	RODRIGUEZ	Vice Provost & Dean of Undergraduate Education	Undergraduate Education	louiefr@ucr.edu

First Name	Last Name	Title	Department	UCR Email Address
MARK	LONG	Dean of the School of Public Policy	School of Public Policy	marklong@ucr.edu
OLGA	SNOPOK	Clery Coordinator	Office of Title IX & EEO/AA	osnopok@ucr.edu
ROBERT	BRUMBAUGH	Senior Director	Housing Services	bobbrum@ucr.edu
LIDIA	KOS	Vice Provost and Dean of Graduate Studies	Graduate Division	shaunb@ucr.edu
TAMARA	HEDGES	Executive Director at Palm Desert Center	Palm Desert Center	tamarah@ucr.edu
TASHA	YULES	Director of Student Conduct Programs	Student Conduct Programs	tashay@ucr.edu
WESLEY	MALLETTE	Athletics Director	Athletics	wesley@ucr.edu
YUNZENG	WANG	Dean of School of Business	School of Business	yunzengw@ucr.edu

While students and employees may report crimes to any designated Campus Security Authority, the table above contains contact information for university organizations/officials to whom it is preferred for crimes to be reported.

Emergency Call Boxes

UC Riverside has installed 70 call boxes for emergency use throughout campus. The purpose of the emergency call boxes is to provide a direct line to alert UCRPD of any emergency or suspicious circumstances. The locations of these emergency call boxes are shown on the campus map, available in various locations on campus and online at [UCR Campus Map](#).

A. Campus Security Authorities (CSAs)

Campus Security Authorities (CSAs) are a critical link within our community—they help ensure the campus remains informed and that individuals coming forward have access to the information and resources they deserve. In most cases, CSAs can maintain victim confidentiality while maintaining their expectation to report.

The University of California [Clery Act Policy – Campus Safety and Security Reporting](#) provides that Campus Security Authorities are those individuals “who because of their functional role have an

obligation to notify the UCRPD of alleged Clery Crimes that are reported to or witnessed by the CSA.” CSA is a Clery-specific term that encompasses four groups of people:

1. Employees who work in a campus police department (UCRPD)
2. Staff responsible for security and monitoring access to university buildings
3. Employees designated within institutional campus security policies to receive crime reports, and
4. “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.”

CSAs are identified, assigned training, and notified annually of their responsibilities to report crimes by the Clery Act Compliance Coordinator, with help from the Clery Act Committee and UC Learning.

If a CSA becomes aware of (such as by receiving a report) or witnesses a Clery Crime occurring on UCR’s Clery Act geography, they are to inform UCRPD, or the Clery Act Compliance Coordinator, as soon as reasonably possible for timely warning and emergency notification consideration and inclusion in the annual disclosure of crime statistics. The CSA is not a confidential resource, but can protect (keep confidential) the identities of people involved in certain reported Clery Act crimes: if a CSA becomes aware of or receives a report of a sexual assault, hate crime, or Part 1 Violence Crime, the CSA shall *not* disclose to local law enforcement the identity of the alleged victim or perpetrator unless the victim consents to being identified after being informed of their right to anonymity, unless the victim is a minor, which may trigger separate reporting obligations (e.g., CANRA). This means that CSA reports for these types of crimes will not identify the victim unless they consent. CSAs are encouraged to inform victims of crimes of campus confidential resources, as discussed in the following section.

CSAs are not responsible for investigating, or determining the validity of, a reported incident.

The [Clery Act Policy – Campus Safety and Security Reporting](#) provides information about CSA reporting obligations and reporting protocols. Training for CSAs is also available through the UC Learning Center in a 30-minute e-course that provides campus CSAs with more detail on how to report a crime, how UC security policies work, and how to communicate essential information on campus in accordance with the federal Clery Act requirements.

For a full list of CSAs on campus, please contact the [Clery Act Compliance Coordinator](#).

Pastoral and Professional Counselors

Pastoral counselors and mental health counselors at the University are **not** Campus Security Authorities and are therefore exempt from disclosing or reporting allegations of crimes and incidents. However, to be exempt from the Clery Act reporting requirements, the counselor must be acting in their professional role of pastoral or mental health counselors for the University. If and when they deem it appropriate, pastoral and professional counselors are encouraged to inform their clients of reporting options, including the ability to make a voluntary, confidential report.

B. Voluntary, Confidential Reporting and Anonymous Reporting

UC Riverside has established voluntary reporting options for victims and/or witnesses of a crime to report incidents, while maintaining the anonymity of the reporter and/or the victim to the highest extent possible. Clery Act crimes reported confidentially—without the identity of the victim—are

included in the annual disclosure of crime statistics, as required, and timely warnings may be made in response. In addition, administrative or law enforcement action may be taken in response to anonymous or confidential reports, if appropriate.

In accordance with the University of California [Clery Act Policy – Campus Safety and Security Reporting](#) as revised in August 2023, confidential resources include employees whose official responsibilities include providing professional or pastoral counseling to members of the UC community and who are functioning within the scope of their license or certification. According to the recent changes made to the policy, CARE and Ombuds employees are no longer categorically exempt from CSA status.

Confidential campus resources that are exempt from CSA reporting requirements include Counseling and Psychological Services (CAPS) and Faculty & Staff Assistance Program (FSAP). Disclosures made to Professional Counselors, licensed psychologists, and Pastoral Counselors, are privileged and confidential and are exempt from the CSA reporting requirements.

The CARE office also provides information about available campus/community resources for survivors of sexual violence including the rights and options regarding reporting the crime to the police. Disclosures about sexual violence incidents to CARE Advocates will not trigger a University investigation.

Reporting to UCRPD

- **Anonymous Reports:** Anyone may call UCRPD at (951) 827-5222 to report concerning information. If you would like to report a crime or related concern but do not wish to reveal your identity, UCRPD offers an anonymous tip form that allows for both confidentiality and anonymity. The “[Submit a Tip](#)” form is available at <https://app.smartsheet.com/b/form/d6303cf41768472aaf901ab3e090c5a4>. This anonymous tip form should **NOT** be used for emergency purposes.
- **Non-Anonymous Reports:** Because police reports are public record under California law, confidentiality of reports made to UCRPD cannot be guaranteed. Exceptions exist for sexual assault and crimes where victims or witnesses would be at risk should their names be released to the public. The University will inform individuals during the reporting process if confidentiality may not be assured.

Reporting to a Campus Office Anonymously or Confidentially

- **Anonymous Reports:** Reports of illegal conduct may be made anonymously through the [UC's Whistleblower Hotline, Online](#), or by phone at (800) 403-4744. Sexual violence may be reported anonymously to the TIX/EOAA Office at [File a Report of Sexual Harassment, Discrimination, Sexual Violence or other Prohibited Conduct](#).
- Disclosures made to Professional Counselors, licensed psychologists, and Pastoral Counselors are privileged and confidential and are exempt from the CSA reporting requirements.
- **Non-Anonymous Reports** to Confidential Resources: Reports, including reports of sexual violence, made to confidential on-campus resources are not required to be reported to the Title IX Officer or UCRPD without consent of the survivor. These confidential resources are not required to report even if they are otherwise designated as a CSA, provided that they are functioning within the scope of their license or certification:
 - Counseling and Psychological Services (CAPS) counselors
 - CARE Advocates who are providing professional counseling

- Ombuds staff providing professional counseling and
- Faculty & Staff Assistance Program (FSAP) personnel providing professional counseling.

For more information about confidential resources and reporting options relating to sexual violence incidents, see the “*UC Riverside’s Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking*” section of this report.

C. Reporting at UCR Palm Desert Center

Students and employees at the UC Riverside Palm Desert Center should immediately report all crimes and other emergencies to the Facilities & Administration Office at (760) 834-0800. If you have an emergency and cannot reach administrative staff, please contact the Palm Desert Sheriff’s Department by calling 911. The Clery Act Compliance Coordinator also maintains a list of UCR Palm Desert Center CSAs.

D. Other Obligations to Report Crimes

Certain UCR employees have additional obligations arising from other laws and/or UC policies to report information that may include information about criminal incidents.

The table below summarizes information about these mandatory reporting obligations. To learn more about whether and why some matters need to be shared with a central office or reported externally, visit UCR’s [Mandatory Reporter website](#).

Your Position & Matter Reported	Required Action
If you are a manager, supervisor, faculty, UCRPD officer, HR or AP administrator or Title IX professional, and you learn that anyone affiliated with UCR may have experienced conduct prohibited by the UC Policy on Sexual Violence and Sexual Harassment (SVSH Policy) or the UCR Discrimination, Harassment and Retaliation Complaint and Resolution Policy ,	then you must promptly contact UCR’s Office of Title IX, Equal Opportunity & Affirmative Action (Title IX/EOAA).
Unless you are a Confidential Resource (professional counselors, licensed psychologists, and Pastoral Counselors), if you learn that a student may have experienced Prohibited Conduct under the SVSH Policy ,	then you are required to promptly notify the Title IX Officer. Please complete the online report form or email titleix@ucr.edu .
If you are a Campus Security Authority (CSA) and you become aware of a report or allegation that a Clery Act crime is alleged to have occurred on UCR’s Clery Act geography,	then you are required to notify UCR Police Department or the Clery Act Coordinator. Please visit UCR’s Clery Act webpage for further guidance.

Your Position & Matter Reported	Required Action
<p>If you are a Mandated Reporter under CANRA and you become aware of actual, reported or suspected child abuse or neglect occurring on UCR's campus or at an official UCR activity or program,</p>	<p>then you are required to make a verbal external report to any of the following:</p> <ul style="list-style-type: none"> • local law enforcement, child protective services, or county welfare departments; no later than 36 hours after the verbal report, • fill-out Form SS 8572 and submit it to the agency with whom a verbal report was made; • and (c) make an internal report (may be anonymous) to a supervisor or through the University Compliance Hotline at (800) 403-4744 or online.
<p>If you receive or are aware of violence in the workplace,</p>	<p>then any perceived violations of the policy are to be reported to the next-in-line supervisor or to an academic administrator. See Section V of the Violence Prevention in the UCR Community Policy.</p>
<p>If you receive a report or information that alleges an Improper Governmental Activity (IGA),</p>	<p>then you must elevate it to the Locally Designated Official (LDO) if:</p> <ul style="list-style-type: none"> • The reported IGA results from a significant internal control or policy weakness likely to exist elsewhere on campus or in the system • Media or public attention is likely • The matter involves misuse of UC resources • There is potentially significant liability • There is a significant possibility of a criminal act (such as disappearance of cash) • There is a significant threat to the health and safety of employees or the public. <p>When in doubt, refer the matter to the LDO so that it can be assessed. Visit UCR's whistleblower website for guidance.</p>

VI. Timely Warning Reports

The University will issue a Timely Warning in the event a Clery crime is reported to have occurred on UCR's Clery geography (or observed by a CSA occurring on UCR's Clery geography and, in the judgment of the Timely Warning Designee in consultation with other university officials, there is a serious or continuing threat to the community. Such crimes include, but are not limited to, Clery Crimes that are reported to a local police department.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter;
- A string of Burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another;
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger UCR community);
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis);
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the UC Riverside Police Department). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice;
- Major incidents of Arson;
- Other Clery crimes as determined necessary by the UC Riverside Police Department's Chief of Police, or his or her designee in his or her absence.

Timely Warning Notices will provide the UCR community with relevant, available information that promotes safety and aids in the prevention of similar crimes. This may include:

- Summary of alleged incident.
- Time and location of occurrence.
- The nature of the threat to the campus community; and
- Other available pertinent information, such as physical description of the person(s) involved.

The University may, in some circumstances, issue a Safety Notice if one or more criteria for Timely Warning Notice have not been met. Examples may include a series or a pattern of non-Clery reportable criminal behaviors against persons or property, an off-campus crime if a crime occurred in a non-University-owned property used and frequented by the University community members.

A. Issuing a Timely Warning Notice

A Timely Warning Notice will be issued as soon as pertinent information is available and as soon as reasonably practicable after an incident has been reported to any CSA and/or UCRPD, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Decisions about Notices will be made on a case-by-case basis, considering relevant factors, including:

- The nature of the reported crime.
- Whether the report is suspected to be part of a series of related incidents.
- The continuing threat to the campus community (including whether the suspected perpetrator has been apprehended); and
- The possible risk of compromising law enforcement efforts.

B. Authorized Users of Timely Warning Notices

The Timely Warning Designee shall be responsible for determining whether a Timely Warning Notice should be issued. UCR has identified the following users as Timely Warning Designees:

- UC Riverside Police Department's Chief of Police
- UC Riverside Police Department's Lieutenants.

C. Dissemination of Timely Warning Notices

Timely Warning Notices are typically written and distributed by the UC Riverside Police Department.

Timely Warning Notices will be sent via e-mail to UCR students, faculty, and staff subscribers listed on a campus group e-mail. UCRPD will electronically post Crime Alerts on UCRPD's website. UCR Departments, staff, and faculty can also post these alerts in highly visible areas and lounges.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

VII. Security and Access to Campus Facilities

UC Riverside employs many systems for building access and security. These systems vary from mechanical door locks to electronic access devices, silent alarms, motion detectors, and associated security systems. UCR Policy [Security \(Facility and Equipment\)](#) outlines security programs related to individual buildings or areas and recognizes that:

The responsibility for buildings, equipment, and materials belongs to those who occupy the buildings. Additional support is provided by Police Department personnel on patrol, plus the custodians, grounds and maintenance people who regularly service the buildings. As Police Department employees patrol the campus and discrepancies in security are found, they respond as necessary to correct the matter, and forward a *Security Deficiency Report* to those responsible for that particular area.

UC Riverside is a public university and, as such, most campus buildings are unlocked and open to the public during business hours. However, certain facilities such as research laboratories and student residential housing facilities (discussed below) have access limitations.

Only authorized faculty, staff, and students are admitted into facilities once the building has been locked through use of assigned keys/access card.

A. Building Access

The UCR *Security (Facility and Equipment)* Policy specifies the protocol for locking and unlocking of buildings.

1. Building Lock-Up

Normal Work Week: Facility Services will lock up the buildings (exterior doors) since the custodians are already in most buildings performing their custodial services. Timing of the lock-up will vary, depending upon the building.

On the rare occasion when a building is found to be unlocked after Facility Services has initially locked the building and the custodian has completed his/her custodial work and departed the building, the Campus Police will secure the building.

Weekends and Holidays: Facility Services has contracted with the Police to lock buildings on weekends and holidays.

2. Building Opening

Normal Work Week: During the normal work week, Facility Services is responsible for the unlocking of campus buildings, between 6:00 a.m. and 7:00 a.m. Some buildings have established times, such as Pierce Hall, the others vary within the hour. Facility Services will also unlock buildings as requested during the normal workday.

Weekends and Holidays: Facility Services has contracted with the Police to unlock buildings on weekends and holidays.

3. Room Lock-Up

If a Facility Services employee needs to enter a locked room to perform custodial services, he/she relocks the room upon completion of service. If a room is unlocked, they do not lock the room.

4. Room Opening

Facility Services personnel unlock rooms only to perform custodial services. Requests to unlock individual rooms for access should be directed to the responsible department assigned that space.

B. Security Considerations Used in Campus Residences

UC Riverside provides housing to approximately 8,500 students, from apartments designed for students with children to multi-student apartment complexes and residential buildings. *(Note: Beginning March 2020 through September 2021, due to COVID-19, on-campus housing was significantly reduced.)* UCRPD, Student Housing staff, and apartment managers for on-campus private housing work closely together to create a safer and more comfortable living and learning environment. The security of residential areas involves on-duty housing staff, apartment managers, Highlander Student Safety and around-the-clock UCRPD patrols. All residence halls are accessible 24 hours a day by key/access card only. Student housing and apartment staff promptly post all timely warnings (also known as crime alert bulletins) in order to provide residents with timely notice of major crimes or threats to the campus.

While access to all Residence Hall living areas is restricted, visitors are not monitored and therefore students are encouraged to take a proactive approach to safety and security:

- Residents and their guests must ensure that locked buildings stay secure by not propping doors or letting unknown people into the building.
- Residents should keep their assigned room/apartment door locked, take precautions to protect their keys against theft or loss, and immediately report any theft/loss of property to Residential Life staff, Housing Services or UCRPD.
- UCRPD should be notified of any suspicious activity or unknown persons attempting to gain access into university facilities.

C. Security Considerations Used in the Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UCRPD regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to the Facilities Services Department for correction. Other members of the University community are helpful when they report equipment problems to UCRPD or Facilities Services.

Facilities Services performs maintenance and repair (preventive maintenance, deferred maintenance, trouble calls, etc.) on the state-funded facilities, utilities, and infrastructure. The Service Call Desk (x24214 from on-campus phones) receives and handles routine and emergency problem/trouble calls (e.g. lights out, plugged faucets/drains, roof leaks, fire alarms, smell of gas, etc.) from the campus community. Their Customer Service Representative works out of the Service Call Desk. Service requests may also be submitted online at <https://facilities.ucr.edu/requests>.

Students in University housing and residential facilities may submit a service request to Resident Services staff, or online at <https://hosingservicerequest.ucr.edu/>. Service requests are usually

completed within 48 hours, depending on availability of materials. In the event of a health or safety emergency, students are encouraged to contact the Residence Service Office or Resident Advisor on-duty. Maintenance staff is available 24 hours a day to conduct emergency/urgent repairs.

D. Security and Access to Campus Facilities at UCR Palm Desert Center

UCR Palm Desert Center (PDC) is a satellite center, 65 miles away from the Riverside Campus. Palm Desert Center has two buildings (A and B building) that are unlocked and open to the public during business hours, Monday through Friday from 8 a.m. to 5 p.m. Access is through the main entry doors, with other points of access generally locked unless there is an event or activity taking place that requires additional doors be unlocked. Evening and weekend access varies depending upon the class and event schedule. Only authorized faculty, staff and tenants have access into facilities once the buildings have been locked, via assigned keys. Both buildings are monitored by UCR PDC personnel during regular business hours and third-party security service on weeknights and weekends.

UCR Palm Desert Center utilizes several systems for building access and security. The systems include manual door locks, alarm systems, silent/panic alarms, and security cameras. UCR Policy [“Security \(Facility and Equipment\)”](#) outlines security programs related to individual buildings or areas and recognizes that:

The responsibility for buildings, equipment, and materials belongs to those who occupy the buildings. Additional support is provided by third-party security service on drive-by and walk-through patrol after hours, plus the custodians, grounds and maintenance staff who regularly service the buildings. When UCR employees and third-party security service patrol the center and discover discrepancies in security, they respond as necessary to correct the matter, and forward a *Security Deficiency Report* to the UCR Palm Desert Center Facilities Manager.

Building Access

The UCR Palm Desert Center *Security (Facility and Equipment)* Policy specifies the protocol for locking and unlocking buildings.

1. Building Lock-Up

Normal Work Week: Facility Services will lock up the buildings (exterior doors) Timing of the lock-up will vary, depending upon the building activities.

Weekends and Holidays: Building access after-hours, on weekends, and holidays is prearranged with the Palm Desert Center Facilities Department, who will provide access as appropriate.

2. Building Opening

Normal Work Week: During the normal workweek, the facilities team is responsible for the unlocking of campus buildings, at 8:00 a.m. The B building opening times depend on the daily event activities. Facility Services will also unlock buildings as requested during the normal workday.

Weekends and Holidays: UCR PDC facilities or events staff unlock the buildings on weekends and holidays as needed.

3. Room Lock-Up

If a Facility Services employee needs to enter a locked room to perform custodial services, he/she relocks the room upon completion of service. If a room is unlocked, they do not lock the room.

4. Room Opening

Facility Services personnel unlock rooms only to perform custodial services. Requests to unlock individual rooms for access should be directed to the responsible department assigned that space.

Security Considerations used in Palm Desert Center Residences

UCR Palm Desert Center does not have any on-campus housing facilities.

VIII. Emergency Response, Evacuation Procedures, and Emergency Notifications

A. Emergency Management at UC Riverside

UCR's Office of Emergency Management (OEM) assists the campus community in predicting, preparing, mitigating, responding and recovering from any adverse event that disrupts the campus mission. Through emergency preparedness and response, continuity planning, training, exercises and communications, OEM (a) serves the campus leadership and community by strengthening how the campus mitigates and prevents risk; (b) prepares for, responds to, and recovers from emergencies; and (c) protects the campus mission from disruption.

The Office of Emergency Management is responsible for the development and implementation of the campus Emergency Action Plan (EAP), Emergency Operations Plan (EOP), and Hazard-Specific Annexes. The purpose of these plans is to establish operational procedures necessary for campus personnel to respond to, and recover from, a significant emergency event in a timely and organized fashion. The UCR Office of Emergency Management aligns with Incident Command Systems (ICS) of the Federal Emergency Management Agency (FEMA, California Governor's Office of Emergency Services (Cal-OES), and the Riverside County Emergency Management Department, which includes preparation, mitigation, response, and recovery actions.

- The EAP serves as the baseline from which all organizational and unit level plans, strategies and recovery procedures are developed. More information about the Emergency Action Plan can be found at https://ehs.ucr.edu/emergency/emergency_action_plan.pdf.
- The purpose of the EOP is to establish policies, procedures, and organizational structure for the preparedness, response, and recovery of emergency events impacting the campus of UCR.
- The hazard-specific annexes detail Standard Operating Procedures (SOP's), Department Operations Center Plans (DOC), with established checklists distributed to emergency operations staff when activated by the Executive Management Policy Group (EMPG)

In addition to the information found in the campus action plan, OEM provides the University community with preparedness training ranging from emergency response, safety education, disruption recovery and response services. OEM is also responsible for testing and implementing the campus emergency communications system. More information about these trainings, and other services and resources provided by OEM are available at <https://emergency.ucr.edu>.

B. Drills, Exercises, and Training

Unannounced evacuation (fire) drills are conducted by UC Riverside's Fire Prevention program as required by the California Fire Code for all on-campus student housing facilities. Additional evacuation drills are also conducted each year for federally funded campus facilities.

During these exercises, participants are trained on the locations of emergency exits, general evacuation paths for their building, and their Emergency Assembly Areas. For longer-term evacuations, additional designated evacuation areas may be identified based on time of day, location of the building being evacuated, the availability of various locations on campus, and other factors such as the location and

nature of the threat. When a building is evacuated, UC Riverside police officers and building staff on the scene will communicate information regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants, students, faculty, and staff for an organized evacuation in a fire or other emergency. In addition to educating the occupants of each building about the evacuation procedures during the drill, the process also provides UC Riverside an opportunity to test the operation of fire alarm systems.

Emergency Evacuation Procedure – Overview and Testing

Evacuation procedures are maintained online at <https://emergency.ucr.edu/emergency-procedures> and shared through training courses with the campus community. The purpose of these Emergency Management training courses is to provide the blueprint for integrating prevention, protection, mitigation, response, and recovery-related training and exercise activities into a comprehensive program.

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The UCRPD does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, UCRPD staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At UCR evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants ‘practice’ drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify UCRPD (951- 827-5222) Police Emergency or dial 911.

1. Remain Calm
2. Do NOT use Elevators, us the stairs.
3. Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform UCRPD or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

Shelter-in-Place Procedures

What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, UCRPD, Housing Staff members, other University employees, Local PD, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room.
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to UCRPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

C. Emergency Notifications

The Clery Act requires all colleges and universities to have an Emergency Notification policy and procedures in place in accordance with Clery Act emergency notification criteria. Emergency Notifications must be issued to the campus community (or segments of the campus community) upon confirmation of a significant emergency or dangerous situation occurring on campus, involving an immediate threat to the health or safety of students and employees. As described below, the UC Riverside Police Department (UCRPD) has developed a comprehensive emergency notification policy that sets forth university guidelines in issuing an Emergency Notification.

In the event of a substantiated emergency or on-going threat to public safety on or near university property, UCR will without delay determine the content of the notification and initiate the notification system, unless such notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. Emergency notifications differ from timely warnings. Timely warnings focus on Clery Act crimes, are triggered by crimes that have already occurred, and are issued as soon as pertinent information is available. Emergency notifications are comprehensive in nature and are used to alert the campus community of dangerous situations. Notifications are triggered by an event that is occurring on or imminently threatening the campus and are issued upon confirmation that a dangerous situation or emergency exists.

An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed. More information about timely warnings is available in the [“Timely Warning Reports”](#) section of this report.

How to Report Emergencies

UCRPD is available 24 hours a day, 7 days a week. Individuals can report emergencies occurring at University of California Riverside by calling UCRPD’s Dispatch Center at **(951) 827-5222**, or 911 as soon as possible. All members of the campus community are encouraged to notify UCRPD of any significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus.

Decision to Issue an Immediate UCR Emergency Notification

The UCR Emergency Notification System is used when a credible emergency or dangerous situation involving an immediate threat to the health or safety of students or employees is occurring on campus. On a case-by-case basis, the University may defer notification only if doing so compromises efforts to assist victims or contain, respond to, or otherwise mitigate the emergency. An Emergency Notification may or may not be related to criminal activity. Examples of circumstances under which the University may issue an Emergency Notification include, but are not limited to:

- an active threat to the health, welfare, and safety of the campus community
- mass casualty
- mass evacuation

- bomb threat
- building collapse
- a natural disaster on or threatening the campus
- large explosion or major fire
- hazardous spills.

In the event of an emergency, University of California Riverside will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors.

If the Chief of UCRPD, or designee, in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UCR community, the University of California, Riverside Police Department and University Communications will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the UCR Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The decision to send UCR Emergency Notifications may be made by the UC Riverside Police Department on-duty watch commander or Director of Emergency Management. Depending upon the circumstances, the decision may be made in consultation with campus or local officials for information related an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

An emergency, including its location and who is affected, determines the method(s) of dissemination of the notification as described in the following section.

Dissemination of UCR Emergency System Notifications

The UCR Emergency Notification System includes the following tools:

- UCR Emergency Text Messaging (Everbridge)
- UCR Desk top Emergency Notifications (Alertus)
- Bell Tower Speaker Emergency Warning System (Alertus)
- UCR Campus Status Website <https://campusstatus.ucr.edu/>
- Emergency Communications Listserv (UCR wide e-mail)
- 888-UCR-WARN (UCR recorded message line)
- Voicemail Blast (UCR wide distributed voicemail)
- R'Web – Student Portal <http://rweb.ucr.edu/>
- R'Space – Faculty/Staff Portal <http://portal.ucr.edu/>
- Voice announcements via campus loudspeakers
- Scotmail (UCR communication listserv)
- Building fire alarm systems

If any these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

The Emergency Notification System will be activated as soon as reasonably possible and without delay. Depending on the circumstance, various components of the Emergency Notification System will be utilized (e.g., text messaging and email only) that best address and ameliorate the situation at hand. In conjunction with broad campus messaging, the Emergency Notification System allows for information to be addressed to specific segments of the campus community (faculty, staff, students, buildings, departments) and information to specific campus populations may be disseminated using the system.

The most common and expedient method of disseminating an emergency notification is to use the emergency text messaging system (Everbridge).

The procedure for sending an emergency text message is as follows: The message will be sent via the Everbridge emergency notification system via the website, mobile phone application, or via a phone operator. An emergency text message to the UCR community briefly informs the recipient of 1) the nature of the emergency, 2) location of the emergency, and 3) directions or instructions on actions the community should take in response. After the initial notification, updated information may be disseminated to the community via additional text messages or other mediums as follows:

After the initial emergency notification is sent, or if the text messaging system is not available, the following methods may be employed depending on the situation:

- The emergency message can be sent to all University computer desktops using the Alertus system.
- The emergency message can be announced via the Alertus Belltower emergency speaker system.
- The campus status page will be updated with information about the situation at hand. The campus status page will be updated with the latest information throughout the incident. For more information about the Campus Emergency Status, please visit <https://campusstatus.ucr.edu/>.
- The emergency information can be sent by email using the University Emergency Communications Listserv.
- The emergency information can be recorded and made available via 888-UCR-WARN (University recorded message line)
- The emergency information can be recorded and made available via Voicemail Blast (University wide distributed voicemail).
- The emergency information can be posted on R'Web – Student Portal <http://rweb.ucr.edu/>
- The emergency information can be posted on R'Space – Faculty/Staff Portal <http://portal.ucr.edu/>
- The emergency information can be announced via available campus loudspeakers.
- The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents, and other interested parties.

Authorized Users of the UCR Emergency Notification System

The following personnel are authorized and trained to utilize the Emergency Notification System:

- Director of Emergency Management
- Chief of Police
- Lieutenant of Police

- UC Riverside Police Department Public Safety Dispatchers (or police staff as determined by the Chief of Police)

Business and Operational Continuity

Depending upon the nature of the incident and corresponding emergency notifications, some or all campus operations, services or business activities may be delayed or discontinued until safe conditions are re-established. Depending on the nature of the incident, UCR’s leadership team (Chancellor, Provost, Vice Chancellors, Deans, etc.) or UCR’s [Emergency Management Policy Group \(EMPG\)](#) will be notified via text, phone call or e-mail by the Vice Chancellor of Planning, Budget, and Administration, the Director of Emergency Management, or the UC Riverside Police Department to ensure appropriate continuity, logistic and safety information is disseminated to faculty, staff, and students. Information that may be appropriate could include:

- Alternative classes or instructional schedules and locations
- Information pertaining to daily operations and services, such as Housing & Dining, Transportation & Parking
- Cancellation of pre-planned or on-going special events or meetings.

The UCR Enterprise Continuity Plan (ECP) maintains a high level of preparedness and is ready to be implemented without significant warning. It should be implemented fully no later than 12 hours after activation and provide guidance to sustain operations for 30 days. Business Continuity Plans are based on the university’s essential functions. It serves as an operational guide to facilitate the relocation of university staff to an Emergency Relocation Site (ERS), if appropriate, and backup of critical systems and vital records so that essential functions may continue or can be restarted. The Business/Mission Continuity plans help provide critical information and strategies needed during the recovery process. A few critical functions that continuity planning prepares UC Riverside for in an incident are communication, relocation, system outages, and change in operational status.

While keeping all these things in mind, continuity plans will help keep up the university’s mission, even when disaster strikes, and at times functions alongside the UCR Emergency Operations Plan (EOP). The ECP is an all-hazards plan to preserve and protect property, critical infrastructure and provides internal and external communication while restoring normal activities after a disruptive event or Emergency. Critical business processes are detailed and addressed in unit-specific Business Continuity Plans (BCP) in the Fusion Risk Management (UC Ready) System. The UCR Enterprise Continuity Plan (ECP) strives to map out the restoration of normal operations and failed facilities or equipment with a recovery team of pre-identified essential staff and minimum resources needed to achieve this task. The ECP focus is based on “worst-case scenarios,” highlighting the university’s critical functions and recovery methodology; due to the confidential content, the distribution is limited to UCR faculty and staff by contacting OEM at Emergency@ucr.edu.

Regular System Testing

UC Riverside is committed to providing a safe and secure environment for all campus stakeholders. An essential aspect of this commitment is ongoing testing and refinement of the various communications technologies, systems, and processes used during emergencies. In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop

exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

UCR conducts emergency response and evacuation procedures tests at least annually and in conjunction with the test, will publicize its procedures at least once per calendar year. The University will document the test to include the date and time of the exercise, and whether it was announced or unannounced. The actual use of the Emergency Notification System also constitutes additional system testing. Additionally, the components of the Emergency Notification System will be reviewed quarterly by a technology oversight group comprised of:

- AVC/CIO – Information Technology Solutions
- UC Riverside Police Department Chief of Police (or designee)
- University Communications
- Director of Emergency Management

The campus also conducts an Alertus Bell Tower Speaker Test on the first Friday of the month at 12:00 PM (noon). During this time multiple tones are heard periodically from the Bell Tower. A loud steady siren will sound varying in intensity and type, followed by a verbal broadcast. Annually in September, ENS subscribers receive an inquiry on participation to receiving campus notifications; if no response is received, the subscriber is removed; UCR's ENS license provides up to 40,000 total subscribers.

Panic Alarms Testing

UCRPD conducts quarterly testing of approximately 650 Panic Alarms (also known as panic buttons) located across various UCR buildings and departments. The testing is completed physically by a member of UCRPD and verified with UCRPD Dispatch, UCRPD also provides information on how the panic alarms work and when they shall be used. UCRPD is responsible for testing of the alarms, while the UCR Alarm Shop is responsible for installation, maintenance, and mechanical failures to the alarm within the buildings and/or departments.

IX. UC Riverside Policies and Prevention Programs on Alcohol and Drugs

UC Riverside provides comprehensive alcohol and drug prevention initiatives, programs and services that focus on policy, environmental management, education and prevention, sanctions, treatment, recovery, research, and assessment. In addition, in accordance with the *Drug Free Schools and Communities Act*, UC Riverside annually provides every employee and student with a notification that includes the following:

- Standards of conduct that prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school property or part of school activities.
- A description of the applicable legal sanctions under federal, state, or local law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol.
- A description of counseling and treatment programs available to students and staff.
- A clear statement and description of the disciplinary sanctions UC Riverside will impose on students and employees.

A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <https://well.ucr.edu/alcohol-other-drugs>.

A. University of California Policy on Substance Abuse

The [*University of California Policy on Substance Abuse*](#) recognizes dependency on alcohol and other drugs as a treatable condition and offers programs and services for University employees and students with substance dependency problems. Employees (including student employees) and students are encouraged to see assistance, as appropriate, from Employee Support Programs, health centers, and counseling or psychological services available at university locations or through referral. Information obtained regarding an employee or student during participation in such programs or services will be treated as confidential, in accordance with Federal and State laws.

The University strives to maintain campus communities and worksites free from illegal use, possession, or distribution of alcohol or of controlled substances, as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code 812, and by regulation at 21 Code of Federal Regulations §1308. Unlawful manufacture, distribution, dispensing, possession, use, or sale of alcohol or controlled substances by university employees and students in the workplace, on university premises, at official university functions, or on university business is prohibited.

The University of Riverside Police Department has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

In addition, employees and students shall not use illegal substances or abuse legal substances in a manner that impairs work performance, scholarly activities, or student life.

Employees found to be in violation of this Policy, including student employees if the circumstances warrant, may be subject to corrective action, up to and including dismissal, under applicable university policies and labor contracts, or may be required, at the discretion of the University, to participate satisfactorily in an Employee Support Program.

Students found to be in violation of this Policy may be subject to corrective action, up to and including dismissal, as set forth in the University of California *Policies Applying to Campus Activities, Organizations, and Students (Part A)* and in campus regulations, or may be required, at the discretion of the University, to participate satisfactorily in a treatment program.

Special Requirements for Employees Engaged on Federal or State Contracts and Grants

The Federal Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and the California Drug-Free Workplace Act of 1990 require that University employees directly engaged in the performance of work on a Federal or State contract or grant abide by the *University of California Policy on Substance Abuse* as a condition of employment.

Employees working on Federal contracts and grants shall notify the University within five calendar days if they are convicted of any criminal drug statute violation occurring in the workplace or while on University business. This requirement also applies to all indirect charge employees who perform support or overhead functions related to the Federal contract or grant and for which the Federal government pays its share of expenses, unless the employee's impact or involvement is insignificant to the performance of the contract or grant. The University is required to notify the Federal contracting or granting agency within ten calendar days of receiving notice of such conviction and to take appropriate corrective action or to require the employee to participate satisfactorily in available counseling, treatment, and approved substance-abuse assistance or rehabilitation programs within thirty calendar days of having received notice of such conviction.

B. University of California and UC Riverside Policies on Substance Abuse by Students

The [*Policies Applying to Campus Activities, Organizations and Students \(PACAOS\)*](#) are a compendium of University-wide policies relating to student life. Section 100.00 describes the University's policy on student conduct and discipline. Relevant provisions include:

102.00 Grounds for Discipline: Chancellors may impose discipline for the commission or attempted commission (including aiding or abetting in the commission or attempted commission) of the following types of violations by students, as well as such other violations as may be specified in campus regulations:

- **102.17 Controlled Substances:** Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances, identified in federal and state law or regulations.
- **102.18 Alcohol:** Manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, University policy or campus regulations. This includes underage alcohol consumption.

There are also policies specific to student organizations:

Good Neighbor Guidelines, II. Code of Conduct, D. Alcohol and Other Drugs states that students and members of recognized student organizations will set good examples and will:

1. Observe state and local laws governing alcohol and drug use.
2. Develop positive attitudes to combat and encourage moderation. Recognized student organization officers should set good examples.
3. Not allow illegal drugs.
4. Where possible, sponsor alcohol and drug education programs including programs by national organizations or campus programs.
5. Encourage social events where only non-alcoholic beverages are served.
6. Provide, at events where alcohol is served, a variety of accessible nonalcoholic beverages and food.
7. Provide non-drinking monitors at all functions where alcohol is served.
8. Educate all student organization members regarding national risk management and insurance policies and hold members responsible where applicable.

In addition to any penalties resulting from violating local, state, and/or federal laws, any student who violates University policy is subject to disciplinary action, including sanctions as outlined in the *UCR Standards of Conduct*. Disciplinary actions range from warning/censure and disciplinary probation to loss of privileges (such as living on campus) and exclusion from activities, suspension, or dismissal from the University. In most cases, Student Conduct & Academic Integrity Programs (SCAIP) will assign developmental and educational interventions. These include participation in educational workshops, motivational interviewing, and/or online educational programs such as *Judicial Educator*, *eCheckUpToGo*, and *Alcohol Edu for Sanctions*.

C. University of California, Riverside Policy on Substance Abuse in the Workplace

UCR has a campus policy that is consistent with and helps implement the University (systemwide) Policy on Substance Abuse. The following summarizes key provisions of the *Substance Abuse in the Workplace* policy may be found on the [UCR Policies and Procedures](#) website.

The University strives to maintain a workplace free from the illegal use, possession, or distribution of controlled substances (as defined by law). Unlawful manufacture, distribution, dispensation, possession, or use of controlled substances by university employees in the workplace or on university business is prohibited. In addition, employees shall not use illegal substances or abuse legal substances in a manner that impairs performance of assigned tasks.

Employees found to be in violation of this policy may be subject to corrective action, up to and including dismissal, pursuant to applicable university policies and collective bargaining agreements, or may be required, at the discretion of the university, to participate satisfactorily in a treatment program in conjunction with the Faculty and Staff Assistance Program (FSAP).

D. Alcohol and Drug Laws and Sanctions

There are numerous federal, state, and local statutes and ordinances relating to the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol. These statutes impose legal sanctions for both felony and misdemeanor convictions related to violations of applicable

laws and ordinances. This is not intended to be a comprehensive list of all applicable laws. Moreover, laws may change over time. Individuals are expected to be aware of current federal, state, and local laws.

Federal Laws Governing Controlled Substances:

- The manufacture, sale, or distribution of all scheduled (illicit) drugs constitutes a felony. (21 USC 841). Scheduled drugs are listed in Scheduled I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulations (21 CFR 1308.11 through 1308.15).
 - Scheduled drugs include the various narcotics, barbiturates, amphetamines, cocaine, cannabis, hallucinogens, and synthetic drugs, e.g., PCP MPTp, MDMA (21 USC 812). Simple possession of controlled substances can be punished by civil fines of up to \$10,000 per violation and a jail sentence (21 USC 844, 844a).
- Distribution or possession with intent to distribute a controlled substance on university property requires a sentence enhancement of up to twice the prescribed sentence for the original offense, and at least twice the prescribed amount of parole time. This provision also calls for a mandatory sentence of not less than one year in prison for any offense except possession of less than 5 grams of marijuana (21USC 845a).
- Persons convicted of possession or distribution of controlled substances can be barred from receiving benefits from all federal programs including student grants and loans, except some long-term drug treatment programs (21 USC 853a).
- Aliens convicted of violation of any law or regulation of a state, the United States, or a foreign country are subject to deportation and exclusion from entry to the United States (8 USC 1182, 1251).
- Persons who are health care providers are barred from receiving payment from federal insurance programs upon conviction of a criminal offense involving distribution or dispensing a controlled substance (5 USC 8902a).
- Property including vehicles, vessels, aircraft, money, securities, or other things of value which are used in, intended for use in, or traceable to transactions that involve controlled substances in violation of federal law are subject to forfeiture to the United States (21 USC 881).

California Laws Regarding Controlled Substances:

California law regarding controlled substances is in many respects similar to federal law. One set of sanctions, however, of which we should be aware is that most professionals subject to licensing under the Business and Professions Code are subject to discipline, up to and including loss of license, for conviction of offenses involving controlled substances.

California Laws Governing Alcohol:

- No person may sell, furnish, give, or cause to be sold, furnished, or given away, any alcoholic beverage to a person under the age of 21, and no person under the age of 21 may purchase alcoholic beverages (Cal. Business and Professions Code 25658).
- It is unlawful for any person under the age of 21 to possess alcoholic beverages on any street or highway or in any place open to public view. (Cal B&P Code 25662)
- It is a misdemeanor to sell, furnish, or give away an alcoholic beverage to any person under the age of 21 (Cal. B&P Code 25658) or to any obviously intoxicated person (Cal. B&P Code 25602).

- It is a misdemeanor to sell alcoholic beverages any place in the state without a proper license from the Department of Alcoholic Beverage Control (Cal. B&P Code 23301).
- It is unlawful for any person to drink while driving, or to have an open container of an alcoholic beverage in a moving vehicle.
 - With a blood alcohol level of .08 or higher, a driver is presumed under the influence of alcohol. Between .05% and .08% a person may be found guilty of driving under the influence.
 - The California Attorney General has offered the opinion that operating a bicycle on a highway while intoxicated is a violation of Vehicle Code 21200(b). This law provides that bicyclists enjoy the same rights, but are subject to the same regulations as motor vehicle operators.

UC Guidance on Use and Possession of Marijuana on UC Property:

The University of California prohibits the use, possession and sale of marijuana in any form on all university property, including university-owned and leased buildings, housing, and parking lots. Marijuana is also not permitted at university events or while conducting university business.

On November 8, 2016, California voters passed Proposition 64 legalizing the use of recreational marijuana among people over the age of 21. It is important to understand that Prop. 64 does not change UC policy; marijuana remains prohibited on all university property and at all university events, except for approved academic research.

Academic research involving marijuana may be conducted at the university to the extent authorized under both federal and state law; such research must be conducted in compliance with all applicable regulations and policies, including but not limited to federal registration and licensing requirements administered by the U.S. Drug Enforcement Agency and applicable to research use of controlled substances.

Notwithstanding Proposition 64, using, distributing, and possessing marijuana remains illegal under federal law. The federal Controlled Substances Act criminalizes possession and distribution of controlled substances, including marijuana, with a limited exception for certain federally approved research. The *Drug Free Schools and Communities Act* and the *Drug Free Workplace Act* require that UC, as a recipient of federal funding, establish policies that prohibit marijuana use, possession, and distribution on campus and in the workplace.

Violating the university’s policies may be grounds for discipline or corrective action, which may include required participation in a treatment program, with a maximum penalty of dismissal (for students) or termination (for employees).

Local Codes and Ordinances:

Although there is some variation from one local jurisdiction to another, nearly all have some control over the public consumption of alcohol. The following are typical prohibitions, and are found in the City of Riverside municipal code (Chapter 9) and the City of Palm Desert municipal code (Chapter 9):

- It is unlawful for any person to possess an open container containing an alcoholic beverage in public on city property.

- It is unlawful to drink an alcoholic beverage in public places such as at the beach, in parks, on the streets or in malls.

Local ordinances may also prohibit drug trafficking and limit display and sale of drug paraphernalia.

E. Health Risks Associated with Substance Abuse

Substance abuse may result in a wide spectrum of extremely serious health and behavioral problems. Substance abuse results in both short- and long-term effects upon the body and mind. There are specific health risks related to alcohol and drug use, and there are general health risks related to impairment and addiction. Alcohol and drugs are toxic to the body's systems. In addition to the problem of toxicity, contaminant poisonings often occur with illegal drug use. HIV (AIDS) infection associated with intravenous drug use is a prevalent hazard.

Acute health problems may include heart attack, strokes, and sudden death—which, in the case of some drugs such as cocaine, can occur after first-time use. Long-lasting health effects of drugs and alcohol may include disruption of normal heart rhythm, high blood pressure, leaks of blood vessels in the brain, bleeding and destruction of brain cells and permanent memory loss, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver and pulmonary damage. Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties.

Safety and Performance

A person who is mentally or physically impaired because of drug or alcohol use may behave in careless and unsafe ways. In addition, substance abuse may noticeably affect a student's performance, which may, over time, decline in quality.

Detailed information and literature about the health risks associated with substance abuse are available from UCR Student Health Services and the Counseling Center.

F. Alcohol, Tobacco, and Other Drug Prevention Programs and Resources

UCR recognizes that substance abuse is treatable and offers a variety of confidential programs and resources to assist those with substance abuse problems. Information disclosed by a student or employee will be considered confidential, in accordance with federal and state laws and University policies. These programs include:

- **Faculty & Staff Assistance Program (FSAP):** FSAP is designed to offer confidential counseling, referral and other needed services to staff, faculty, and their family members with personal concerns. FSAP offers assistance with a wide range of issues, including alcohol and drug abuse, at no charge.
 - Please visit the [UCR Faculty Staff Assistance Program](#) webpage to learn more about the benefits that Guidance Resources® offers.
- **Counseling and Psychological Services (CAPS):** CAPS offers students walk-in service for consultations, same-day appointments for crisis situations, and access to counselors 24 hours a day by calling (951) UCR-TALK.

- **Student Health Services:** The mission of the Student Health Services is to promote academic excellence, enrich the student experience and support retention by providing high quality, accessible and comprehensive medical care to students, with a focus on multidisciplinary services, health education and prevention.
- **Golden ARCHES (Advocating Responsible Choices through Health Education and Support):** Golden ARCHES is a peer health education program at UC Riverside, focused on the topics of alcohol and other drugs, safe partying, and sexual health. It consists of trained Certified Peer Health Educators that provide workshops, resources and activities on alcohol and substance use safety. Peer Health Educators also provide peer coaching in those areas. Golden ARCHES believes in providing UC Riverside's students with accurate and honest health information, skills, and resources, so students can make informed decisions that enhance their personal health and well-being.
- **Online Modules:**
 - **Online Substance Use Assessment-eCheckUpToGo:** Offered by The Well, this assessment is fast, informative and, most importantly, completely confidential. Students and staff are always available to help answer questions, interpret test results, and suggest ways for you to start developing healthier habits.
 - **Alcohol EDU:** As part of the University's alcohol prevention program, all new incoming undergraduate students are required to complete this confidential, online alcohol education course. The course uses science-based research to educate students about alcohol and its effects, alcohol poisoning, laws and policies in that area including driving under the influence, rape drugs and sexual assault awareness.
- **The Well,** UCR's student well-being and health promotion department, provides the University community with a variety Alcohol, Tobacco, and Other Drug resources, both on- and off-campus. The Well provides [FREE opioid overdose safety kits](#) for UCR students; students can get up to one kit per quarter which contains a pouch with 2 NARCAN nasal sprays, 2 fentanyl test strips, instructions, educational brochure and promotional items (a training is required to receive a kit <https://well.ucr.edu/narcan>). More information about The Well programs can be found at <http://well.ucr.edu/selfhelp/findhelp.html> and <https://well.ucr.edu/alcohol-other-drugs>.

X. UC Riverside’s Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking (VAWA Offenses)

The University of California is committed to maintaining a community dedicated to the advancement, application and transmission of knowledge and creative endeavors through academic excellence, where all people who participate in university programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation.

UCR has programs designed to prevent the occurrence of domestic violence, dating violence, sexual assault, and stalking, including mechanisms to respond to reported incidents including investigation and adjudication procedures. The [UC’s Sexual Violence and Sexual Harassment Policy](#) (the “UC SVSH Policy”) is the keystone of these programs. The UC SVSH Policy prohibits relationship violence (dating and domestic violence), sexual assault, and stalking, as well as other forms of sexual harassment (together, “Prohibited Conduct”) to ensure an equitable and inclusive education and employment environment. The Policy defines Prohibited Conduct and explains the administrative procedures the University uses to resolve reports of Prohibited Conduct, including the processes used to investigate and adjudicate incidents and, when warranted, sanctions to be applied. The Policy was revised effective January 1, 2022.

Prohibited Conduct is defined to include, but be broader than, conduct that constitutes sexual assault, stalking, and dating and domestic violence as defined by the Clery Act, as amended by the Violence Against Women Act (“VAWA”). In other words, these so-called “VAWA Offenses” are prohibited by the SVSH Policy, which also prohibits other conduct. Clery Act-specific crime definitions including definitions of the VAWA Offenses are provided in the “Annual Disclosure of Crime Statistics” section of this report. State penal code definitions of related crimes are provided below under [VAWA Offenses as Defined by the State of California - Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking](#).

Note on Federal Regulations: The Title IX regulations issued by the U.S. Department of Education (DOE) that went into effect August 14, 2020, require the University to follow a specific grievance process (“DOE Grievance Process”) in response to conduct covered by the regulations (“DOE-Covered Conduct”). The University advocated strongly for DOE to change some components of the DOE Grievance Process before DOE issued the regulations; DOE did not. Because compliance with the regulations is a condition of federal funding, the University has nonetheless revised its policies to fully implement them. This Policy is more expansive than the regulations in both conduct prohibited and its coverage. The University applies the DOE Grievance Process only when required, in response to DOE-Covered Conduct. It follows its existing processes for all other reports.

UC SVSH Policy: Consent and Prohibited Conduct Definitions

A. Consent

Consent is *affirmative, conscious, voluntary, and revocable*. Consent to sexual activity requires of each person an affirmative, conscious, and voluntary agreement to engage in sexual activity.

It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone,

constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity.

The existence of a dating relationship or past sexual relations between the Complainant and Respondent will never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct).

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the factfinder will consider all the facts and circumstances the Respondent knew, or reasonably should have known, at the time. In particular, the Respondent's belief is not a valid defense where:

1. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or
3. The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - a. asleep or unconscious;
 - b. unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
 - c. unable to communicate due to a mental or physical condition.

Note: Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.

B. Prohibited Conduct

1. Sexual Violence:

- a. **Sexual Assault - Penetration:** Without the consent of the Complainant, penetration, no matter how slight, of:
 - the Complainant's mouth by a penis or other genitalia; or
 - the Complainant's vagina or anus by any body part or object.
- b. **Sexual Assault - Contact:** Without the consent of the Complainant, intentionally:
 - touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks);
 - making the Complainant touch another or themselves on any intimate body part; or
 - touching the Complainant with one's intimate body part,whether the intimate body part is clothed or unclothed.

Note: This definition (Sexual Assault – Contact) encompasses a broad spectrum of conduct, not all of which is sexual violence. So, the Title IX Officer must sometimes determine whether an allegation should be charged as sexual violence or sexual harassment.

Conduct that meets the definition of both Sexual Assault—Contact and Sexual Assault—Penetration will be charged as Sexual Assault—Penetration.

Note: *Sexual Assault—Penetration* and *Sexual Assault—Contact* are aggravated when they include any of the following:

- Overcoming the will of Complainant by:
 - *force* (the use of physical force or inducing reasonable fear of immediate or future bodily injury);
 - *violence* (the use of physical force to cause harm or injury);
 - *menace* (a threat, statement, or act showing intent to injure);
 - *duress* (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship (including a power imbalance), to do or submit to something that they would not otherwise do); or
 - deliberately causing the Complainant to be incapacitated (for example, through drugs or alcohol);
- Deliberately taking advantage of the Complainant’s incapacitation (including incapacitation that results from voluntary use of drugs or alcohol);
- Recording, photographing, transmitting, or distributing intimate or sexual images of Complainant without Complainant’s prior knowledge and consent-; or
- Engaging in the conduct during or in connection with a clinical encounter (as defined in Appendix V) in which the Complainant was a patient and the Respondent was a health care provider or health care worker.

c. **Relationship Violence:**

Note: *“Dating Violence” and “Domestic Violence”, as defined in the Violence against Women Act (VAWA) and Clery Act, are covered in UC policy under “Relationship Violence.” Clery Act-specific crime definitions of VAWA Offenses are provided in the “Annual Disclosure of Crime Statistics” section of this report.*

Relationship Violence is:

- physical violence toward the Complainant or a person who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative), or
- intentional or reckless physical or non-physical conduct toward the Complainant or someone who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative) that would make a reasonable person in the Complainant’s position fear physical violence toward themselves or toward the person with whom they have the close relationship,

that is by a person who is or has been in a spousal, romantic, or intimate relationship with the Complainant, or who shares a child with the

Complainant, and that is part of a pattern of abusive behavior by the person toward the Complainant.

- i. Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.
- ii. Patterns of abusive behavior may consist of or include non-physical tactics (such as threats, isolation, property destruction, abuse of pets, economic control, displaying weapons, degradation, or exploitation of a power imbalance).
- iii. The nature of the relationship between the Complainant and Respondent is determined by the length and type of relationship, and the frequency of interaction between them. Relationship violence includes both “dating violence” and “domestic violence.”
- iv. Conduct by a party in defense of self or another is not Relationship Violence under this Policy. If either party asserts that they acted in defense of self or another, the Title IX Officer will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

d. **Stalking:** Repeated conduct directed at a Complainant (for example, following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual, romantic or other sex-based nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking that is not sex-based is addressed by other University policies including but not limited to the. Non-sex based stalking is also discussed further in [Other UC Riverside Policies](#) section of this document.

e. **Sexual Exploitation:**

- i. Sexual Exploitation is taking sexual advantage of another, where the conduct is not otherwise addressed in this Policy, in the following circumstances:
 - a. The trafficking or prostituting of another without their consent: Inducing the Complainant to perform a commercial sex act through force, fraud, or coercion, or where the Complainant is under the age of 18;
 - b. Knowingly making a material false representation about sexually transmitted infection, birth control, or prophylactic status with the specific intent and effect of inducing the Complainant to participate in a specific sexual act or encounter;
 - c. Providing alcohol or drugs to the Complainant with the specific intent and effect of facilitating Prohibited Conduct;
or
 - d. Actively facilitating or assisting another person in committing Prohibited Conduct.

- ii. As used in the above definition of Sexual Exploitation:
 - a. Coercion is overcoming the will of Complainant through:
 - i. credible threats of serious physical or non-physical harm to the Complainant or another person;
 - ii. a plan intended to make the Complainant believe that failure to perform an act would result in serious physical or non-physical harm to the Complainant or another person; or
 - iii. the abuse or credible threat of abuse of a legal or University policy process.
 - b. A commercial sex act is any sex act for which anything of value is given to or received by any person.
 - c. Force is physical conduct that would reasonably overcome the will of another.
 - d. Fraud is intentional deception that would reasonably overcome the will of another.

2. Sexual Harassment:

- a. Sexual Harassment is when:
 - i. *Quid Pro Quo*: a person's submission to unwelcome sexual conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a university program or activity; or
 - ii. *Hostile Environment*: unwelcome sexual or other sex-based conduct is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs or activities of the University, and creates an environment that a reasonable person would find to be intimidating or offensive.
- b. Sexual conduct includes sexual or romantic advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.
- c. Other sex-based conduct includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, gender identity, gender expression, sex- or gender-stereotyping, or sexual orientation.
- d. Consideration is given to the totality of the circumstances in which the conduct occurred.
- e. This Policy will be implemented in a manner that recognizes the importance of the rights to freedom of speech and expression and will not be interpreted to prohibit expressive conduct that is protected by the free speech and academic freedom principles.

3. Other Prohibited Behavior:

- a. Invasions of Sexual Privacy.
 - i. Without a person's consent, watching or enabling others to watch that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy;

- ii. Without a person’s consent, making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material, depicting that person’s nudity or sexual acts in a place where that person has a reasonable expectation of privacy; or
 - iii. Using depictions of nudity or sexual activity to extort something of value from a person; or
 - iv. Threatening to post or share depictions of nudity or sexual activity unless a person takes a particular action.
- b. Sexual intercourse with a person under the age of 18.
 - c. Exposing one’s genitals in a public place for the purpose of sexual gratification.
 - d. Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under this Policy.
 - e. Engaging in Retaliation. Retaliation is an adverse action against a person based on their report or other disclosure of alleged Prohibited Conduct to a University employee or their participation in, refusal to participate in, or assistance with the investigation, reporting, remedial, or disciplinary processes provided for in this Policy. An adverse action is conduct that would discourage a reasonable person from reporting Prohibited Conduct or participating in a process provided for in this Policy, such as threats, intimidation, harassment, discrimination and coercion. Good faith actions lawfully pursued in response to a report of Prohibited Conduct (such as gathering evidence) are not, without more, retaliation.

Note One: To determine whether conduct is DOE-Covered Conduct the Title IX Officer will do the assessment and apply the definitions in Appendix IV of the UC SVSH Policy. The definitions here are broader than and encompass all conduct included in the Appendix IV definitions.

Note Two: When Prohibited Conduct allegedly occurs in the context of patient care, the Title IX Officer will refer to Appendix V and, when indicated, apply the definitions in that Appendix.

C. Other Definitions:

1. **Complainant:** A person alleged, in a report to the Title IX Officer, to have experienced Prohibited Conduct.
2. **Confidential Resources:** The following employees who receive information about Prohibited Conduct in their confidential capacity:
 - a. CARE,
 - b. Ombuds,
 - c. Licensed counselors in student counseling centers and in employee assistance programs,
 - d. Any persons with a professional license requiring confidentiality (including health center employees but excluding campus legal counsel), or someone who is supervised by such a person, and
 - e. Pastoral counselors (persons associated with a religious order or denomination, who are recognized by that religious order or denomination as someone who provides confidential counseling).

Designation as a “Confidential Resource” under this Policy only exempts a person from reporting to the Title IX Officer. It does not affect other mandatory reporting obligations the person may have under *UC CANRA (Child Abuse and Neglect Reporting Act) Policy*, the Clery Act as a Campus Security Authority (CSA), and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

3. Supportive and Remedial Measures.

- a. Supportive measures include both Interim Measures and mitigating measures. The University provides Supportive Measures as appropriate and reasonably available, without fee or charge.
 - i. Interim Measures: Services, accommodations, or other measures put in place temporarily after the Title IX Officer receives a report of Prohibited Conduct to assist or protect the Complainant, the Respondent, or the University community; restore or preserve a party’s access to a University program or activity; or deter Prohibited Conduct. Interim measures may:
 - remain in place until the final outcome of a Resolution Process or a subsequent disciplinary or appeal process;
 - change or terminate depending on the parties’ evolving needs, as assessed by the Title IX Officer; or
 - become permanent as part of the resolution of a report.
 - ii. Mitigating Measures: Services, accommodations or other measures for a Complainant who is not in a Resolution Process, including a Complainant who was previously in a Resolution Process that did not result in a finding of a policy violation. Mitigating measures may be implemented to provide support, restore or preserve access to a University program or activity, or deter Prohibited Conduct.
- b. Remedial Measures: Services, accommodations, or other measures put in place as a result of a completed Resolution Process.

Examples of services, accommodations, and other measures are in Appendix III of the Policy. The Title IX Officer will consult with the Complainant and, when appropriate, the Respondent, to identify suitable services, accommodations and other measures.

In matters involving DOE-Covered Conduct, the Title IX Officer will ensure Supportive Measures are non-disciplinary and non-punitive, and that they do not unreasonably burden a party.

Campuses may take other measures per other University policies.

1. **Location:** “Location” is any University campus, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.
2. **Preponderance of Evidence:** A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.
3. **Respondent:** A person alleged, in a report to the Title IX Officer, to have engaged in Prohibited Conduct.

4. **Responsible Employee:** Any University employee who is not a Confidential Resource. If a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct, or that Prohibited Conduct may have occurred in the context of patient care, they must promptly notify the Title IX Officer or designee. This includes resident assistants, graduate teaching assistants, and all other student employees, when disclosures are made to them in their capacities as employees.

In addition, if any of the following people learn, in the course of employment, that any other person affiliated with the University may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee:

- Campus Police,
- Human Resources Administrators, Academic Personnel Administrators, and Title IX Professionals,
- Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units,
- Faculty members.

Despite the above, Responsible Employees need not report possible Prohibited Conduct they learn of while attending a public awareness event, such as “Take Back the Night”, or disclosed by someone while participating in human subjects research that has either been approved by an Institutional Review Board (IRB) or certified as exempt from IRB review.

G. Reporting Sexual Violence and Sexual Harassment

UCR recognizes that experiencing sexual harassment or an act of sexual violence (sexual assault, dating violence, domestic violence and stalking) can have a profound impact on one’s education and personal life. UCR takes all reports of sexual harassment and sexual violence seriously and is committed to ensuring that persons who may have experienced such conduct understand the rights and options afforded to them under Federal and State laws and the *UC SVSH Policy*. The information below includes the various rights and options provided to Complainants who report an incident of sexual harassment and/or sexual violence to the University.

Complainants who have experienced prohibited conduct may file a report with the University. The Office of Title IX, Equal Opportunity and Affirmative Action (Title IX/EOAA) is the primary office designated by UCR for oversight of the administrative reporting and response process. To file a report:

- Online: [Sexual Violence and Sexual Harassment Incident Report Form](#)—online reporting is encouraged.
- In person: Title IX/EOAA, 365 Skye Hall, Monday-Thursday, 8am-4:30 pm. Scheduling an appointment by calling or emailing in advance is encouraged.
- By phone: (951) 827-7070
- By email: titleix@ucr.edu

UCR has designated the following employees to coordinate its efforts to comply with and carry out its responsibilities under *Title IX of the Education Amendments Act of 1972* and implementing regulations, including investigation of complaints:

- Holly Hare, Title IX Officer, titleix@ucr.edu

If an act of sexual violence is reported to a non-confidential party at the University who is designated as a Responsible Employee, that employee must notify Title IX/EOAA, which will make a determination as to whether or not a formal University investigation may be necessary to address the concerns reported.

Any student or employee who has experienced sexual violence, regardless of the location of the incident, will receive written explanation of their rights and options upon notification to Title IX/EOAA.

Although UC Riverside encourages the timely reporting of all crimes, individuals impacted by sexual violence are not required to report to UCRPD, Title IX/EOAA, or any other campus office. Seeking support through CARE, or any other *confidential* resource, does not trigger a report to the Title IX Office.

Reporting at UCR Palm Desert Center

If a student, employee, or visitor has been the victim of an incident of sexual violence, or other prohibited conduct as defined under the *UC SVSH Policy*, they should immediately report the incident to Facilities & Administration at **(760) 834-0800** or with Title IX/EOAA (contact information above). If there is an emergency and administrative staff cannot be reached, please contact the Palm Desert Sheriff's Department by calling **911**. Online complaints may be filed at <https://uctitleix.i-sight.com/portal/Riverside>.

Reporting to UCRPD

In addition to filing a formal complaint with the Title IX/EOAA, Complainants may also file a criminal complaint of sexual violence (sexual assault, dating and domestic violence, and stalking) with law enforcement, to UCRPD, or to the law enforcement agency in the jurisdiction where the incident occurred. To file a report with UCRPD:

- In Person: 3500 Canyon Crest Drive, 24 hours/7 days
- By Phone: (951) 827-5222, 24 hours/7 days

During the criminal investigation, Complainants may request a restraining order or similar lawful orders issued by the criminal or civil courts.

It is important that evidence is preserved (even if you are unsure that you want to report the matter) to assist in proving that a criminal offense occurred or to obtain a protection order. If you have experienced a sexual assault, you should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way.

It is important to understand that the administrative (Title IX) and criminal (law enforcement) complaint processes are considered two separate investigations, and they may run concurrently to each other. When this occurs, Title IX/EOAA will coordinate with law enforcement as needed.

Complainants who file a law enforcement report but do not wish to file a report to Title IX/EOAA must complete a "Notice of Victim's Right to Confidentiality" form with UCRPD. This would provide the Complainant with the right to not have their name shared with Title IX/EOAA; UCRPD will share other information available with Title IX/EOAA. More information about confidentiality is provided below.

Campus authorities, including CARE Advocates and/or representatives from Title IX/EOAA, are available to assist victims in notifying law enforcement authorities if the victim chooses. Complainants have the option to decline to report to UCRPD or any other law enforcement agency. If a Complainant does not wish to report criminal complaints to law enforcement, they are still entitled to any and all available resources provided by UCR.

Amnesty

To encourage reporting, the University will not discipline Complainants or witnesses for student conduct policy violations that occur around the time of alleged Prohibited Conduct unless the University determines the violation was egregious. Examples of egregious violations include conduct that risked someone's health or safety, or involved plagiarism, cheating, or academic dishonesty.

Complainants may be particularly afraid to report Prohibited Conduct when alcohol, drugs, or other intoxicants were involved (for example, when there was underage drinking). This amnesty provision applies to alcohol- and drug-related student violations.

Confidential Reporting Options

[Campus Advocacy Resources & Education \(CARE\)](#) is a trauma-informed office that provides advocacy support for individuals impacted by sexual assault, relationship (dating/domestic) violence and stalking. Students, staff and faculty can connect with a confidential CARE Advocate to explore academic accommodations, housing relocations, ongoing healing support, safety planning and more. CARE Advocates can help individuals explore their decision to report, or not report, to UCRPD and/or Title IX/EOAA in a confidential space. If individuals decide to move forward through the Title IX and/or UCRPD process, CARE Advocates can provide accompaniment and ongoing support throughout the process. Connect with CARE Advocates at (951) 827- 6225 or advocate@ucr.edu. Reports made to the CARE Office are not shared with the Title IX Office without your permission.

[Counseling and Psychological Services \(CAPS\)](#) offers confidential short-term and crisis psychological services by licensed mental health providers to all UC Riverside students. CAPS offers walk-in/same day services for consultations and crisis support. Mental health clinicians are available 24 hours a day by calling 951-827-5531 or 951-UCRTALK.

[The Office of the Ombuds](#) provides a safe and comfortable environment to discuss complaints, concerns or problems on a confidential basis. The Ombuds acts as an independent and impartial resource. The Office of the Ombuds does not serve as an office of notice or record for the University. The Office does not conduct formal investigations nor does it maintain or keep records. The Ombuds office can help individuals understand their options, and provide information about relevant campus resources and processes. To contact the office please, email ombuds@ucr.edu or call (951) 827-3213.

[Faculty and Staff Assistance Program \(FSAP\)](#) offers confidential counseling, referral and other necessary services to help staff, faculty, and their family members with personal concerns. FSAP may also refer you to legal assistance, visa and immigration assistance and other services.

More information is included in the "Confidential and Non-Confidential Campus Resources" section of this report.

H. Supportive and Remedial Measures

Whether or not a Complainant reports to Title IX/EOAA or law enforcement, if they report an incident of sexual violence or sexual harassment, UC Riverside is committed to providing them a safe learning or working environment. Survivors or others impacted by sexual violence or sexual harassment may contact Title IX/EOAA to discuss options for supportive measures before, during, or after the resolution process. CARE Advocates may also work with Title IX/EOAA or other UCR departments (such as Case Management, Human Resources, or Academic Personnel) to coordinate supportive resources.

Supportive Measures include both Interim Measures and Mitigating Measures. The University provides Supportive Measures as appropriate and reasonably available, without fee or charge. These Supportive and Remedial Measures may include, but are not limited to the following:

- Academic assistance (extensions, withdrawals, incompletes)
- Housing relocation for Complainant
- Change in work environment
- Safety planning
- Visa and immigration assistance

The University will maintain as confidential any supportive and remedial measures provided to the Complainant to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the interim measures.

I. Protective and Restraining Orders

UCR may obtain or assist in obtaining a restraining order or other campus restriction.

Workplace Violence Restraining Order. If a university community member has suffered unlawful violence (i.e., assault, battery, or stalking as prohibited in California Penal Code 646.9) or a credible threat of violence reasonably likely to be carried out in the workplace (see California Civil Procedure Code 527.8), UCR may be able to obtain a workplace restraining order. Workplace Violence restraining orders are initiated by UCRPD.

Individual Civil Restraining Order. Individual students, faculty and other academic personnel, and staff may be able to themselves obtain a restraining order (including in situations where UCR may not), and UCR may be able to provide guidance or other assistance. See, California Code of Civil Procedure §527.6.

University Stay Away Orders. UCRPD may also issue or facilitate orders or directives to individuals to leave/stay away from campus or specific facilities under Penal Code 626.4 (for campus affiliates) and Penal Code 626.6 (for non-affiliates) or Regent Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California.

If a restraining order is sought for domestic violence or other forms of sexual harassment, the following offices may assist, or you may directly seek an order without involving UCR:

- CARE (confidential resource)
- Title IX/EOAA

J. Confidentiality

The University must balance the privacy interests of people involved in a report of Prohibited Conduct against the need to gather information, ensure a fair process, and stop, prevent and remedy Prohibited Conduct. In this context, the University tries to protect people's privacy to the extent permitted by law and University policies. The University otherwise keeps confidential the identities of parties, witnesses and those who report Prohibited Conduct, except as required by law or permitted by FERPA, and protects the privacy of personally identifiable information per all applicable state and federal privacy laws, and University policies.

Additionally, the University will not release personally identifiable information of Complainants in the issuance of "Timely Warnings," "Emergency Notifications," nor in the "Daily Crime Log," each of which are required by the Clery Act.

K. Retaliation

UCR prohibits retaliation in any form against any student, employee or visitor participating in a university program or activity who reports sexual harassment or sexual violence, or participates in any manner in an investigation or resolution of a sexual harassment or sexual violence report. Retaliation includes any adverse action taken against someone who has engaged in protected activity (such as filing a report), such as threats, intimidation, reprisals, and/or adverse actions related to employment or education. Allegations of retaliation should be promptly directed to Title IX/EOAA and may constitute a violation under the *SVSH Policy*.

L. Responding to Reports of Sexual Violence and Sexual Harassment; Complaint Resolution and Adjudication Proceedings

On August 14, 2020, the University of California issued a revised, **interim version** of the [UC SVSH Policy and associated investigation and adjudication procedures](#). The revisions were required to comply with the Title IX regulations by the U.S. Department of Education (DOE), which became effective on the same date. The [SVSH Policy](#) was **further revised effective January 1, 2022**. The 2020 revisions created a new form of complaint resolution, for certain reports: Under the 2020 Title IX regulations, certain conduct is required to be addressed following specific procedures—this includes conduct that:

- occurred on or after August 14, 2020; AND
- occurred in the United States in a University "program or activity," which includes:
 - on campus; or
 - off-campus (1) in the context of university operations, at a location, event or circumstances over which the University exercised substantial control over the respondent and the context in which the conduct occurred, or (2) at a building owned or controlled by a student organization that is officially recognized by the University; AND
 - was "sex-based conduct" as defined in the Title IX regulation, which includes harassment based on sex, gender, gender identity, gender expression, sex-or gender-stereotyping, or sexual orientation, if the conduct is severe, pervasive, and objectively offensive.

If the conduct falls within the above-noted criteria, the University must address the conduct through the DOE Grievance Process. The DOE Grievance Process may involve a formal investigation, alternative resolution, or other inquiry. If a formal investigation is conducted, if either party does not accept the preliminary determination made in that investigation, a hearing will be conducted. Some of the notable changes on the process: (1) the insertion of a hearing following an investigation, and prior to policy determination¹; (2) indirect questioning of parties and witnesses, through advisors who ask questions of the other party during a hearing; and (3) the University will provide a person to read the party's questions during a hearing if their advisor is not present or they do not have an advisor.

If the conduct does not fall within the above-noted criteria (i.e., other forms of Prohibited Conduct), the University will respond through the processes that existed prior to August 14, 2020. Like the DOE Grievance Process, this could result in a formal investigation, alternative resolution, or other inquiry-or the matter could be considered closed. If a formal investigation is conducted, it would not involve a hearing unless the Respondent is a student or a Senate faculty member, and then only under certain circumstances.

If a case involves both DOE-Covered Conduct and other Prohibited Conduct, the University will respond under the DOE Grievance Process.

Procedures for Reporting and Responding to Reports of Prohibited Conduct

- This section provides an overview of the procedures the University uses to respond to reports of Prohibited Conduct. While the Title IX Officer has responsibility for oversight of the reporting and response processes, other offices at each location will be involved and consulted as necessary. The specific procedures for investigating and resolving complaints of Prohibited Conduct depend on the Respondent's identity and relationship to the University. The Complainant and the Respondent are sometimes referred to together in this section as "the parties". Where the Respondent is a student, the procedures are in [PACAOS-Appendix E: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for Non-DOE-Covered Conduct](#) of the Policies Applying to Campus Activities, Organizations, and Students, and local implementing procedures, except that when the conduct is DOE-Covered Conduct the procedures are in [Interim PACAOS-Appendix F: Sexual Violence and Sexual Harassment Student Investigation and Adjudication Framework for DOE-Covered Conduct](#).
- Where the Respondent is a faculty member, the procedures are in the [Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Senate and Non-Senate Faculty Interim Revisions](#), and any local implementing procedures.
- Where the Respondent is a staff member or non-faculty academic employee, including a post-MD resident, the procedures are in the [Sexual Violence and Sexual Harassment Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel Interim Revisions](#), and any local implementing procedures.
- Where the Respondent is a physician or other health care provider credentialed and privileged by hospital medical staff, or a health professional training program student, resident or fellow,

¹ This change was implemented in 2019 for student respondents in response to change in California case law. The current change of the hearing insertion now applies to cases that meet the DOE regulations and involve an employee respondent.

then in addition to the above frameworks they may be subject to investigation and adjudication of professional misconduct under other rules and policies (for example, medical staff bylaws and school-based policies), potentially resulting in corrective action or termination.

- Where the Respondent is a Regent, the procedures are in Regents Policy 1112: Policy on Review of Allegations of Board Member Misconduct.

If there is a question about the predominant role of the Respondent, the Title IX Officer will determine which procedure applies based on the circumstances (such as which role predominates in the context of the Prohibited Conduct). Where a Respondent is both a student and an employee, the University will apply only one procedure to determine responsibility, but the Respondent may be subject to discipline applicable to both students and employees.

Where the Respondent is a third party, the Title IX Officer will determine the appropriate manner of resolution consistent with the University's commitment to a prompt and equitable process and applicable law, federal guidance, and this Policy, which may be an Other Inquiry. The University's ability to take appropriate responsive action depends on its relationship and level of control over the third party, if any.

Where there is no identifiable, individual Respondent (such as where the Complainant alleges Prohibited Conduct by an organization or a Respondent whose identity is unknown or conduct by multiple people that rises to the level of Prohibited Conduct only when considered in the aggregate), the Title IX Officer may respond through an Other Inquiry.

As soon as practicable after receiving a report, the Title IX Officer will make an initial assessment of the immediate safety needs of the Complainant, including, for example assisting with acquiring protective orders or other supportive measures.

- Title IX/EOAA will provide the Complainant with written notification of resources and explain the various rights and options when reporting an incident of sexual violence or sexual harassment.
- As appropriate, the Title IX Officer will provide information to the Complainant regarding access to medical care, emotional support, information regarding the confidential survivor advocate, and, when requested, any workplace, academic, and/or housing accommodations.
- The Title IX Officer will also provide information to the Complainant for reporting to UCRPD, or the local police department, when applicable and will assist Complainant with contacting law enforcement, if the Complainant requests.

The Title IX/EOAA Office, in consultation with relevant campus partners (e.g., CARE Advocate, Residential Life and Housing, Student Conduct and Academic Integrity Programs (SCAIP), Human Resources-Employee and Labor Relations, Dean of Students, and UCRPD) will assess the need to implement interim or long-term protective measures, such as interim suspensions, exclusions from areas of campus, housing changes, change in class schedule or workplace environment.

As part of the initial assessment process, the Title IX Officer will conduct a limited factual inquiry when appropriate, to determine whether the matter is actionable and if so the appropriate resolution process. Resolution options may include a formal investigation, alternative resolution, or other inquiry.

For those matters that proceed to a formal investigation or DOE grievance process, UC investigation and adjudication procedures provide that:

1. Proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. Proceedings are conducted by officials who have no conflicts of interest or biases for or against a Complainant or Respondent.
2. All proceedings will be completed within reasonably prompt time frames, as designated by university policy and guidelines, and allow for good cause extension of time frames with written notice to both the Complainant and Respondent of the delay and the reason for it.
3. The parties will receive timely notice of meetings at which the Complainant and Respondent, or both, may be present and timely and equal access to any information that will be used during informal and formal disciplinary meetings and hearings.
4. All proceedings are conducted by officials who receive annual training on issues related to Sexual Violence and how to conduct investigations and hearing processes that protect the safety of victims and promote accountability. Title IX investigators are additionally trained in the application of investigative best practices, and legal and procedural updates. Hearing officials are additionally trained on the fundamentals of due process in administrative hearings.
5. The standard of proof for fact-finding and determining whether a policy violation(s) occurred is a **preponderance of the evidence**, as defined by the *UC SVSH Policy*. A respondent will not be found responsible for a violation of the *UC SVSH Policy* unless the evidence establishes it is more likely than not that they violated the *UC SVSH Policy*.
6. Before the investigator concludes the investigation and finalizes a written report, Complainant and Respondent will have an equal opportunity to review and respond to the evidence that the investigator has deemed relevant, including relevant evidence that weighs against finding a policy violation(s). The Title IX Officer will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, will not exceed five business days or, if the matter is DOE-Covered Conduct, ten business days.

At all stages of a response process, the Complainant and Respondent have the right to an advisor and/or a support person of their choosing. The advisor and/or the support person may be any person (including an advocate, attorney, friend, or parent) who is not otherwise a party or a witness. The advisor's primary role is to provide guidance through the process. The support person's primary role is to provide emotional support. The advisor and/or the support person may not speak on behalf of a party or otherwise disrupt any meetings or proceedings in any manner. (The only exception is when a party's advisor is reading the party's questions in a DOE Grievance Process hearing.) The University reserves the right to exclude an advisor and/or support person who does not abide by these procedures.

Responding to Reports of Sexual Violence-Student Respondents

This section summarizes information in the [UC SVSH Policy](#), [PACAOS-Appendix-E: SVSH Student Adjudication Framework for non-DOE-Covered Conduct \(Appendix E\)](#), and [PACAOS-Appendix F: SVSH Student Adjudication Framework for DOE-Covered Conduct \(Appendix F\)](#). The *UC SVSH Policy* describes the initial assessment of reports and other information about response processes not covered in *Appendix E* and *Appendix F*. *Appendix E* describes the University's procedures for resolving non-DOE-Covered Conduct. *Appendix F* describes the University's procedures for resolving Formal Complaints of DOE-Covered Conduct. For more information about UC Sexual Harassment and Sexual Violence Policies

and Procedures, visit the SVSH Policies and Procedures page of the Title IX/EOAA website at <https://titleix.ucr.edu/uc-sexual-harassment-and-sexual-violence-policies-and-procedures>.

Initial Assessment

As soon as practicable after receiving a report, Title IX/EOAA will make an initial assessment, including a limited factual inquiry when appropriate, to determine how to proceed. Title IX/EOAA will first assess the report to determine whether the alleged conduct is DOE-Covered Conduct and, if so, whether to begin a DOE Grievance Process. The criteria for determining if Sexual Violence is DOE-Covered Conduct include the date of the conduct (on or after 8/14/20), the location of the complainant at the time of conduct (within the United States), and the location of the conduct (in a university program or activity). See [Appendix IV](#) of the *UC SVSH Policy* for information about DOE-Covered Conduct and the DOE Grievance Process.

If the alleged conduct is not DOE-Covered Conduct, Title IX/EOAA will next determine whether the report on its face alleges an act of Prohibited Conduct, and if so, whether the conduct is covered by the *UC SVSH Policy*. Title IX/EOAA further assesses which policy version to use, based on the date of the conduct, and which Response Procedures to use, based on the Respondent's identity and relationship to the University (i.e., student, staff, non-faculty academic personnel, Senate faculty, non-Senate faculty, Regent).

Initial Review and Inquiry

Upon receipt of a report of Sexual Violence with an identified student Complainant, Title IX/EOAA will make a written outreach notice to the Complainant to offer the services of Title IX/EOAA and provide them with a Rights and Options Letter. The party is not required to respond to the Title IX/EOAA Office's outreach and their participation in the process is voluntary.

The [Rights and Options](#) document includes the following information:

- How and to whom to report alleged violations.
- Options for notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement if the complainant so chooses; and the right to decline to notify such authorities.
- Rights regarding orders of protection, No-Contact Orders, restraining orders, or similar orders issued by criminal or civil courts, as well as the University's responsibilities to comply with such orders.
- The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order.
- Confidential and non-confidential resources, including access to counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, financial aid assistance, and other services available within both the University and the community.
- Information about options for, and available assistance to, a change to academic, living, transportation, and working situations, if the complainant requests and if such options are reasonably available—regardless of whether the complainant chooses to report the alleged conduct to law enforcement.
- Overview of resolution processes, including alternative resolution options.

After limited factual inquiry and after meeting or consulting with the Complainant if desired by the Complainant, Title IX/EOAA will determine the most appropriate response and any supportive and remedial measures. Title IX/EOAA will identify the policy (or policies) applicable to the report based on the date of the incident and reported behavior and will assess whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination of the two, per the *UC SVSH Policy*.

The University will strive to honor the stated wishes of the Complainant concerning whether to move forward with an investigation and any safety concerns for those involved. There may be circumstances, however, in which the University may need to move forward against the Complainant's wishes, or in which the University may determine that an investigation will not occur despite the Complainant's wish to pursue an investigation. In such cases, the Title IX Officer, or their designee, will make this determination after completing an initial inquiry into the facts.

If the Complainant declines to respond to Title IX's outreach, Title IX/EOAA will determine how best to respond to the matter based on the available information. Title IX/EOAA will advise the Complainant in writing (via email) of the final response decision with rationale for that determination, and proceed accordingly thereafter, unless the Complainant has stated in writing they do not want to receive information from Title IX/EOAA.

During the initial assessment, the Title IX Officer may consult with other offices as necessary. This may include the Vice Provost for Administrative Resolution or Academic Personnel Office for complaints involving faculty and other academic appointees, respectively, SCAIP or Graduate Division for complaints involving students, and/or Employee & Labor Relations for complaints involving staff.

The initial assessment may result in a determination that the reported conduct cannot be resolved through UCR's resolution processes, for example if the alleged conduct is not Prohibited Conduct, if there is insufficient information to initiate a resolution process, or if there is not enough nexus between the conduct and UCR for UCR to address the conduct. In these situations, the Title IX Officer will close the matter after initial assessment. When closing a matter after initial assessment, Title IX/EOAA will take actions to prevent continuation or recurrence of the reported conduct or to otherwise address identified risks, when appropriate.

Resolution and Investigation Processes

Reports of Sexual Violence that are not closed after Title IX/EOAA's initial assessment may be addressed through Alternative Resolution, Formal Investigation, DOE Grievance Process, or Other Inquiry.

Alternative Resolution

After an initial assessment of the alleged facts, the Title IX Officer may choose to attempt an Alternative Resolution process. Alternative Resolution is not available when the Complainant is a student, and the Respondent is an employee. In other cases, the Title IX Officer will, if appropriate, begin the process in consultation with other offices depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, student employees, or students.

Alternative Resolution may include, among other responses:

- separating the parties;
- providing for safety;

- referring the parties to counseling;
- mediation (except in cases of Sexual Violence);
- referral for disciplinary action;
- an agreement between the parties; and
- conducting a follow-up review to ensure that the resolution has been carried out effectively.

Alternative Resolution may be especially useful when: an investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious allegations. The Title IX Officer has discretion to determine whether the complaint is appropriate for Alternative Resolution, to determine the type of resolution to pursue, and to stop the process at any time before its conclusion and move to a Formal Investigation or a DOE Grievance Process.

Participation in Alternative Resolution is voluntary, meaning both parties must agree to participate. If Alternative Resolution is selected, the Title IX Officer will provide timely written notice to both parties of the allegations, and that: (i) the Title IX Officer has begun the process, (ii) the process is voluntary and will terminate upon either party's request, (iii) termination may result in a Formal Investigation or DOE Grievance Process, (iv) they may be accompanied by an advisor throughout the process, (v) the Title IX Officer will notify both parties of the process's outcome, and (vi) the process is private but not confidential (i.e., records from and information shared during the process may be considered in any subsequent resolution process).

Alternative Resolution will be completed promptly, typically within 30 to 60 business days of notifying the parties in writing of starting the process. The Title IX Officer may extend past 60 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required will depend on the specific circumstances, including the complexity of the allegations and the nature of the alleged conduct.

Once the parties have agreed to the terms of an Alternative Resolution, the University will not conduct a Formal Investigation or DOE Grievance Process unless the Title IX Officer determines that the respondent failed to satisfy the terms of the Alternative Resolution, or that the Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence.

The Title IX Officer will keep records of all reports and conduct addressed through Alternative Resolution.

Formal Investigation or DOE Grievance Process

Title IX/EOAA will initiate a Formal Investigation of non-DOE Covered Conduct when a matter is not closed after an initial assessment, and an investigation is determined to be the most appropriate response. Title IX/EOAA will initiate a DOE Grievance Process when it is determined necessary per [Appendix IV](#) of the *UC SVSH Policy*. When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

All administrative investigations of Sexual Violence are conducted by Title IX/EOAA, unless otherwise designated by the Title IX Officer.

The following are applicable to Formal Investigations and DOE Grievance Processes (see Section IV of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process).

- **Notice of Investigation:** Upon initiation of an investigation, Title IX will send written notice of the investigation and the relevant policy provisions simultaneously to the Complainant and student Respondent.
- **Initiation of Investigation by the University:** If the Complainant does not want an investigation, the Title IX Officer will seriously consider this preference. However, the Title IX Officer may determine an investigation is necessary to mitigate a risk to the campus community. If the Title IX Officer begins an investigation despite the Complainant's request, the Title IX Officer will provide the Complainant with all information required by the *UC SVSH Policy* unless the Complainant states in writing that they do not want it. The Title IX Officer will notify the Respondent that they, not the Complainant, initiated the investigation.
- **Amended Notice:** If the investigation scope is modified to address new or different allegations, new possible policy violations, or to add new parties, for example, Title IX/EOAA will contemporaneously provide the parties with an amended *Notice of Investigation*, which will include both the original and new allegations and charges. If the additional charges identified during a Formal Investigation include DOE-Covered Conduct, then the Title IX Officer will notify the parties that the case will proceed as a DOE Grievance Process.
- **Supportive and Other Measures:** Throughout the investigation and resolution processes, the University will offer and provide support services for Complainants coordinated through the CARE Office, and for student Respondents coordinated through the Respondent Services Coordinator. The University will also consider and take measures as appropriate to ensure the safety, well-being, and equal access to university programs and activities of its students. These measures include, but are not limited to, the following: No-Contact Orders, housing accommodations, academic support and accommodations, and counseling. Title IX/EOAA will maintain as confidential any supportive measures provided to parties, to the extent such confidentiality does not impair Title IX/EOAA's ability to provide the measures. In some cases, Title IX/EOAA may need to disclose some information about a party to a third party to provide necessary accommodations.
- **Complainant/Respondent Participation:** Neither the Complainant nor the Respondent is required to participate in the resolution process. The University will not draw any adverse inferences from a Complainant's or Respondent's decision not to participate or to remain silent during the process. An investigator, decision-maker, hearing body, or appeal body will reach findings and conclusions based on the information available. An investigator, decision-maker, hearing body, or appeal body may draw adverse inferences when a student selectively participates in the process, such as choosing to answer some but not all questions posed.
- **Timeframe:** The investigation shall be completed promptly, typically within 60 to 90 business days of its initiation, which is when the Notice is sent to the Complainant and Respondent. The Title IX Officer may extend the timeframe past 90 days for good cause. Title IX/EOAA will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required depends on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct.
- **Coordination with Police:** When a law enforcement agency is conducting its own investigation, the Title IX investigator will coordinate their fact-finding efforts with the law enforcement

investigation, and upon request of the law enforcement agency, the investigation may be delayed meeting the needs of a criminal investigation. Any such delays shall be reviewed by the Title IX Officer and communicated to the parties in writing and documented.

- **Investigation Process:** The Title IX Officer will oversee the University investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. While the parties have the right to identify evidence and witnesses, the University bears the burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility.
 - During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit evidence, identify witnesses who may have relevant information, and propose questions for the investigator to ask the other party and witnesses.
 - The investigator will meet separately with the Complainant, Respondent, and witnesses, and will gather other available and relevant evidence.
 - Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond to the evidence. This is true regardless of whether a party has participated in the investigation.
 - The investigator will prepare a written report that includes the factual allegations and alleged policy violations, statements of the parties and witnesses, a summary of the evidence the investigator considered, findings of fact, and credibility determinations when appropriate. The report will also include the Title IX Officer's analysis of whether a policy violation has occurred and preliminary determination regarding whether there are any policy violations.
- **Issuance of Notice and Report:** Upon completion of an investigation, Title IX/EOAA will provide to the Complainant and the Respondent written notice of the factual findings and preliminary determinations, and the Investigative Report. The report may be redacted to protect privacy. Title IX/EOAA will provide SCAIP with the written notice and an unredacted copy of the Investigative Report. If the findings of fact in a Formal Investigation indicate that DOE-Covered Conduct occurred, then the Title IX Officer will notify the parties that the case will proceed as a DOE Grievance Process. If a violation of policy is found, UCR will make an individualized assessment of remedies appropriate for the Complainant, to ensure or restore equal access to campus educational and other programs and benefits.

See Section IV of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Other Inquiry

When a report is not closed after initial assessment yet is not appropriate for Alternative Resolution, a Formal Investigation, or a DOE Grievance Process because there is no individual identifiable respondent over whom Title IX/EOAA has jurisdiction or for whom there is an applicable investigation and adjudication framework, Title IX/EOAA will conduct an inquiry to try to determine what occurred, and take prompt steps reasonably calculated to stop any substantiated conduct, prevent its recurrence, and, as appropriate, remedy its effects.

The extent of the inquiry and responsive steps will depend on the specific circumstances. This includes, for example:

- the nature and location of the alleged conduct,

- the University’s relationship to the complainant, and
- the University’s relationship to and level of control over the organization or person alleged to have engaged in the conduct.

The Title IX Officer will complete the inquiry promptly (typically within 60 business days, unless extended for good cause), and notify the Complainant of the outcome.

Adjudication and Sanctioning-Student Respondents

The following is an outline of UC Riverside’s adjudication process and sanctioning for student respondents.

This section summarizes information in the [UC SVSH Policy](#), [PACAOS-Appendix-E: SVSH Student Adjudication Framework for non-DOE-Covered Conduct \(Appendix E\)](#), and [PACAOS-Appendix F: SVSH Student Adjudication Framework for DOE-Covered Conduct \(Appendix F\)](#). *Appendix E* describes the University’s procedures for resolving non-DOE-Covered Conduct. *Appendix F* describes the University’s procedures for resolving Formal Complaints of DOE-Covered Conduct. For more information about UC Sexual Harassment and Sexual Violence Policies and Procedures, visit the SVSH Policies and Procedures page of the Title IX/EOAA website at <https://titleix.ucr.edu/uc-sexual-harassment-and-sexual-violence-policies-and-procedures>.

See Section IV. G. of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Proposed Sanction

In cases where Title IX/EOAA preliminarily determines a policy violation occurred, either party may schedule a meeting with or submit a written statement to SCAIP to provide input on sanctions. SCAIP will review the report, the evidence deemed relevant by the investigator as documented in the report, the preliminary determinations, the respondent’s prior conduct record, any comment on sanctions from the parties (received either in person or in writing), and any other relevant information, and will determine a proposed sanction.

SCAIP will propose a sanction in all cases where there is a preliminary determination that the policy was violated. SCAIP will notify the parties of the proposed sanction and supporting rationale within 15 business days of the notice of investigative findings and preliminary determination.

See Section V of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Opportunity to Contest/Accept the Preliminary Determination

Depending on whether a Formal Investigation or DOE Grievance Process was conducted, the parties will have an opportunity to contest or accept the Title IX Officer’s preliminary determinations as to whether or not the policy was violated. Parties may contest/accept the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination.

Depending on whether the parties contest/accept the preliminary determination, SCAIP will determine whether the matter will proceed to a hearing.

See Section VI of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Hearing to Determine Policy Violation(s)

For cases that proceed to a hearing, the University will conduct a fact-finding hearing before a single Hearing Officer (not the Title IX Officer). The hearing is to determine whether a violation of the *UC SVSH Policy* (and any non-SVSH Policy violations charged in conjunction with them) occurred. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

See Section VII of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Hearing Procedures

The hearing will be conducted in a respectful manner that promotes fairness and accurate fact-finding, and that complies with the applicable rules of conduct. The parties and witnesses will address only the hearing officer, and not each other. Only the Hearing Officer (and in a DOE Grievance Process, the advisor or Reader) may question witnesses and parties. Courtroom rules of evidence and procedure will not apply. The Hearing Officer will generally consider (rely on) all evidence they determine to be relevant and reliable. The Hearing Officer will decide whether a violation of the SVSH Policy (or related non-SVSH Policy violation) occurred based on a preponderance of the evidence standard.

Sanction and Notice of Determination

If the Hearing Officer decides that any policy violation has occurred, they will send their determination and findings to SCAIP within 10 business days of the hearing. Based on the Hearing Officer's findings and determinations, and other information relevant to sanctioning, SCAIP will determine an appropriate sanction.

Within 15 business days of the hearing, the Hearing Coordinator will send simultaneous written notice to the Complainant and Respondent setting forth the Hearing Officer's determination on whether the *UC SVSH Policy* (and/or other student conduct policies) have been violated, and if so, SCAIP's determination of any sanctions to be imposed.

The written notice will include the following:

- The determinations of whether the *UC SVSH Policy* and/or other student conduct policies have been violated;
- If a violation of policy is found to have occurred, a description of the sanctions;
- The findings on each disputed, material fact and an analysis of the evidence supporting the findings;
- A summary of the facts found by the investigator that the parties did not dispute;
- The rationale for the determination of each charge;
- The rationale for any sanctions;
- A statement of the right to appeal, grounds and timeframe for the appeal, the office to which the appeal must be submitted, and the procedure that the University will follow in deciding the appeal; and
- An explanation that both the parties will receive a copy of any appeal submitted in accordance with these procedures.

Appeal Process

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process but is not a party and does not advocate for or against any appeal.

Within 10 business days of receiving the appeal, the Appeal Officer will send their written decision to the Complainant and Respondent. Unless the Hearing Officer remands the matter to the Hearing Officer, the matter is closed at this point, with no further right to appeal. If the Appeal Officer remands the matter to the Hearing Officer, they will issue their decision within 10 business days of receiving the Hearing Officer's additional factual findings; this decision will be final.

See Section VIII of [Appendix E](#) or [Appendix F](#) for details regarding this stage of the process.

Student Sanctions

Students found responsible for Sexual Violence will be sanctioned based on *Appendix E* or *Appendix F*, taking into consideration the facts of the individual case and any exceptional circumstances.

The following describes the University's principles, factors to consider in assigning sanctions, sanctioning options, and minimum sanctions for certain conduct when the respondent is a student.

Principles

- The administration of student discipline will be consistent with the [Student Conduct Code](#).
- When a student is found responsible for violating the *UC SVSH Policy* or other student conduct policies, the University will assign sanctions that are proportionate and appropriate to the violation, taking into consideration the context and seriousness of the violation. The University is also committed to providing appropriate remedial measures to complainant, as described in the *UC SVSH Policy*.
- When a student is found not responsible for violating the *UC SVSH Policy* and other student conduct policies, the University is committed to taking reasonable efforts to assist any student who has been disadvantaged with respect to employment or academic status as a result of the unsubstantiated allegations.
- Sanctions are designed to hold a student accountable for violating University standards of conduct and to promote personal growth and development. Sanctions also serve the purpose of stopping the Prohibited Conduct under the *UC SVSH Policy* and preventing its recurrence.
- The University recognizes that acts of Sexual Violence, Sexual Harassment, and other forms of Prohibited Conduct are contrary to its goals of providing an educational environment that is safe and equal for all students.
- University of California campuses are permitted to inform other UC campuses of a student's disciplinary record for violating the *UC SVSH Policy* and other student conduct policies.

Factors Considered in Determining Sanctions

In all cases, when determining the appropriate and proportionate sanction, the following factors will be taken into account when applicable:

- **Seriousness of violation:** Location and extent of touching; duration of conduct; single or repeated acts; multiple policy violations in connection with the incident; verbal or physical intimidation; use of authority to abuse trust or confidence; presence of weapons, use of force or violence; physical injury; menace; duress; deliberately causing or taking advantage of a person's incapacitation; and recording, photographing, transmitting, viewing, or distributing intimate or sexual images without consent.
- **Intent or motivation behind violation:** No intent to cause harm; passive role in violation; pressured or induced by others to participate in violation; planned or predatory conduct; hate or bias based on the complainant's membership or perceived membership in a protected group as defined in UC PACAOS.
- **Whether the conduct was aggravated,** as defined in the *UC SVSH Policy*.
- **Response following violation:** Voluntarily acknowledged wrongdoing at early stage of the process; failure to follow No-Contact Order; attempt to influence witnesses; obstructed or disrupted the process.
- **Disciplinary history:** Unrelated prior violations; related prior violations. A respondent's disciplinary history is cumulative. Past violations and sanctions will be considered and may increase any sanctions assigned.
- **Impact on others:** Input from the complainant; protection or safety of the complainant or the community.

Sanctioning Options

University sanctions for students are:

- **Dismissal from the University of California:** Termination of student status for an indefinite period. Readmission to the University shall require the specific approval of the Chancellor of the campus to which a dismissed student has applied. Readmission after dismissal may be granted only under exceptional circumstances.
- **Suspension from the University of California:** Termination of student status for a specified period of time with reinstatement thereafter certain, provided that the student has complied with all conditions imposed as part of the suspension and provided that the student is otherwise qualified for reinstatement. Violation of the conditions of Suspension or of university policies or campus regulations during the period of Suspension may be cause for further disciplinary action, normally in the form of Dismissal. A student may not transfer or register for courses at another campus or location of the University of California during the period of Suspension.
- **Exclusion from Areas of the Campus and/or from Official University Functions:** Exclusion of a student as part of a disciplinary sanction from specified areas of the campus or other University-owned, -operated, or -leased facilities, or other facilities located on University property, or from official University functions, when there is reasonable cause for the University to believe that the student's presence there will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on University property or at official University functions, or other disruptive activity incompatible with the orderly operation of the campus.

- **Loss of Privileges and/or Exclusion from Activities:** Exclusion from participation in designated privileges and activities for a specified period of time. Violation of any conditions in the written Notice of Loss of Privileges and Exclusion from Activities, or violation of university policies or campus regulations during the period of the sanction may be cause for further disciplinary action, normally in the form of Probation, Suspension, or Dismissal.
- **Restitution:** A requirement for restitution in the form of reimbursement may be imposed for expenses incurred by the University or other parties resulting from a violation of these policies. Such reimbursement may take the form of monetary payment or appropriate service to repair or otherwise compensate for damages. Restitution may be imposed on any student who alone, through group or concerted activities, participates in causing the damages or costs.
- **Probation:** A status imposed for a specified period of time during which a student must demonstrate conduct that conforms to university standards of conduct. Conditions restricting the student's privileges or eligibility for activities may be imposed. Misconduct during the probationary period or violation of any conditions of the probation may result in further disciplinary action, normally in the form of Suspension or Dismissal.
- **Censure/Warning:** Written notice or reprimand to the student that a violation of specified University policies or campus regulations has occurred and that continued or repeated violations of university policies or campus regulations may be cause for further disciplinary action, normally in the form of Loss of Privileges and Exclusion from Activities, Disciplinary Probation, Suspension, or Dismissal.
- Other actions as set forth in university policy and campus regulations.

Note that for DOE Grievance Processes, sanctions may impose greater burdens on a Respondent found responsible for *SVSH Policy* violations; this contrasts with supportive measures, which may not be disciplinary or punitive and may not unreasonably burden a party.

When, as a result of violations of the Student Conduct Code, a student is suspended or dismissed, a notation that the discipline was imposed must be posted on the academic transcript for the duration of the suspension or dismissal. Thereafter, notations of Suspension or Dismissal reflected on a student's transcript may be removed as set forth in campus regulations. Discipline records are normally purged after approximately seven years from the sanctioning imposition date; however, the Director of SCAIP may decide to keep a file active for a longer period of time in cases of sexual assault, relationship violence, or stalking, and must make a note of the rationale for keeping a file active beyond its expiration date.

Minimum Sanctions for Certain Conduct

Sanctions will be assigned as follows:

- Sexual Assault – Penetration or Sexual Assault – Contact that is aggravated as defined in the *UC SVSH Policy* will result in a minimum sanction of suspension for two calendar years.
- Sexual Assault – Penetration, Relationship Violence, or Stalking will result in a minimum sanction of suspension for two calendar years unless there are exceptional circumstances.
- Sexual Assault – Contact will result in a minimum sanction of suspension for one calendar year, unless there are exceptional circumstances.

See Section IX of [Appendix E](#) or [Appendix F](#) and [PACAOS Section 100.00 \(Policy on Student Conduct and Discipline\)](#) for details regarding this stage of the process.

Responding to Reports of Sexual Violence-Employee Respondents

This section summarizes information in the [UC SVSH Policy](#), [SVSH Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel](#) (Staff Response Procedures), and [SVSH Investigation and Adjudication Framework for Senate and Non-Senate Faculty](#) (Faculty Response Procedures). The *UC SVSH Policy* describes the initial assessment of reports and other information about response processes not covered in Staff and Faculty Response Procedures. The Staff and Faculty Response Procedures describe the University's procedures for resolving both non-DOE-Covered Conduct and DOE-Covered Conduct. For more information about UC Sexual Harassment and Sexual Violence Policies and Procedures, visit the SVSH Policies and Procedures page of the Title IX/EOAA website at <https://titleix.ucr.edu/uc-sexual-harassment-and-sexual-violence-policies-and-procedures>.

Initial Assessment

Upon receipt of a report of or information about alleged Sexual Violence, Title IX/EOAA will make an initial assessment in accordance with the *UC SVSH Policy*, which shall include making an immediate assessment concerning the health and safety of the complainant and the campus community, and a determination of whether the alleged conduct is DOE-Covered Conduct, other Prohibited Conduct, or a combination.

The criteria for determining if Sexual Violence is DOE-Covered Conduct include the date of the conduct (on or after 8/14/20), the location of the complainant at the time of conduct (within the United States), and the location of the conduct (in a university program or activity). See [Appendix IV](#) of the *UC SVSH Policy* for information about DOE-Covered Conduct and the DOE Grievance Process.

If the alleged conduct is not DOE-Covered Conduct, Title IX/EOAA will next determine whether the report on its face alleges an act of Prohibited Conduct, and if so, whether the conduct is covered by the *UC SVSH Policy*. Title IX/EOAA further assesses which policy version to use, based on the date of the conduct, and which Response Procedures to use, based on the Respondent's identity and relationship to the University (i.e., student, staff, non-faculty academic personnel, Senate faculty, non-Senate faculty, Regent).

Closure after Initial Assessment

The initial assessment may result in a determination that the reported conduct cannot be resolved through UCR's resolution processes, for example if the alleged conduct is not Prohibited Conduct, if there is insufficient information to initiate a resolution process, or if there is not enough nexus between the conduct and UCR for UCR to address the conduct. In these situations, the Title IX Officer will close the matter after initial assessment. When closing a matter after initial assessment, Title IX/EOAA will take actions to prevent continuation or recurrence of the reported conduct or to otherwise address identified risks, when appropriate.

Supportive and Other Measures

The University will also consider and implement supportive and other measures as appropriate to protect the safety of the parties or the University community; to restore or preserve a party's access to a university program or activity; or to deter Prohibited Conduct, in accordance with the *UC SVSH Policy*.

In addition to supportive measures discussed in the *UC SVSH Policy*, Title IX/EOAA may take other measures per other University policies to address safety concerns. Title IX/EOAA, in consultation with the Employee Case Management Team, will determine if any other interim measures are warranted or required to protect the involved individuals and the campus community.

Investigatory leave of a PPSM-covered Respondent may be imposed in accordance with [PPSM 63](#).

Investigatory leave of a non-faculty academic Respondent may be imposed in accordance with [APM-150](#). Involuntary leave of a Senate faculty Respondent may be imposed in accordance with [APM-016](#).

Investigatory leave of a non-Senate faculty Respondent may be imposed in accordance with [APM-150](#).

Written Rights & Options

Title IX/EOAA will ensure that the Complainant, if their identity is known, is provided a written explanation of rights and available options as outlined in the *UC SVSH Policy*, including:

- How and to whom to report alleged violations;
- Options for reporting to and/or notifying law enforcement and campus authorities; the right to be assisted by campus authorities in notifying law enforcement, if the Complainant so chooses; and the right to decline to notify such authorities;
- The rights of complainants regarding orders of protection, No-Contact Orders, restraining orders, or similar lawful orders issued by criminal or civil courts, as well as the University's responsibilities to comply with such orders;
- The importance of preserving evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order;
- Confidential and non-confidential resources, including access to counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, financial aid assistance, and other services available within both the University and the community.
- Information about options for, and available assistance to, a change to academic, living, transportation, and working situations, if the complainant requests and if such options are reasonably available—regardless of whether the complainant chooses to report the crime to law enforcement; and
- The range of possible outcomes for the report, including supportive and remedial measures and disciplinary actions, the procedures leading to such outcomes, and their right to make a DOE Formal Complaint.

Investigating and Resolving Reports of Prohibited Conduct

Provided the University has sufficient information to respond, and in accordance with the *UC SVSH Policy*, the University may resolve reports of alleged Prohibited Conduct by employee Respondents through Alternative Resolution, a Formal Investigation, a DOE Grievance Process, Other Inquiry, or a separate employee grievance or complaint process. Each of these is described below.

Alternative Resolution

After an initial assessment of the alleged facts, the Title IX Officer may choose to attempt an Alternative Resolution process. Alternative Resolution is not available when the Complainant is a student, and the Respondent is an employee. The Title IX Officer will, if appropriate, begin the process in consultation with other offices, depending on whether the Complainant and Respondent are faculty, other academic appointees, staff, student employees, or students.

Alternative Resolution may include, among other responses:

- separating the parties;
- providing for safety;
- referring the parties to counseling;
- mediation (except in cases of Sexual Violence);
- referral for disciplinary action;
- an agreement between the parties; and
- conducting a follow-up review to ensure that the resolution has been carried out effectively.

Alternative Resolution may be especially useful when: an investigation is not likely to lead to a resolution; both parties prefer an informal process; or a case involves less serious allegations. The Title IX Officer has discretion to determine whether the complaint is appropriate for Alternative Resolution, to determine the type of resolution to pursue, and to stop the process at any time before its conclusion and move to a Formal Investigation or a DOE Grievance Process.

Participation in Alternative Resolution is voluntary. If Alternative Resolution is selected, the Title IX Officer will provide timely written notice to both parties of the allegations, and that: the Title IX Officer has begun the process, the process is voluntary and will terminate upon either party's request, termination may result in a Formal Investigation or DOE Grievance Process, they may be accompanied by an advisor throughout the process, the Title IX Officer will notify both parties of the process's outcome, and the process is private but not confidential (i.e., records from and information shared during the process may be considered in any subsequent resolution process).

Alternative Resolution will be completed promptly, typically within 30 to 60 business days of notifying the parties in writing of starting the process. However, the Title IX Officer may extend past 60 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required will depend on the specific circumstances, including the complexity of the allegations and the nature of the alleged conduct.

Once the parties have agreed to the terms of an Alternative Resolution, the University will not conduct a Formal Investigation or DOE Grievance Process unless the Title IX Officer determines that the respondent failed to satisfy the terms of the Alternative Resolution, or that the Alternative Resolution was unsuccessful in stopping the Prohibited Conduct or preventing its recurrence.

Formal Investigation or DOE Grievance Process

In cases where Alternative Resolution is inappropriate or unsuccessful, Title IX/EOAA may conduct an investigation, per the Formal Investigation or DOE Grievance Process provisions in the *UC SVSH Policy*. When the University opens an investigation of allegations of DOE-Covered Conduct and other Prohibited

Conduct that arise out of the same facts or circumstances, it will address all allegations together through the DOE Grievance Process procedures.

- **Notification:** Title IX/EOAA will notify the appropriate administrative authorities when a Formal Investigation or DOE Grievance Process is commenced. Title IX/EOAA will be sensitive in its communication to protect the neutrality of the administrative authorities, as well as the privacy of the Complainant and Respondent. Thereafter, Title IX/EOAA will ensure that the appropriate administrative authorities are regularly updated regarding the status of the Formal Investigation or DOE Grievance Process.
- **Notice of Investigation to Parties:** When a Formal Investigation or DOE Grievance Process will be conducted, Title IX/EOAA will simultaneously send written notice of the allegations being investigated, the policy provisions that may be violated, and the process being followed, to the Complainant and the Respondent.
- **Investigative Process:** The Title IX Officer will designate an investigator to conduct a fair, thorough, and impartial investigation. While the parties have the right to identify evidence and witnesses, the University bears the burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility.
 - Overview: During the investigation, the Complainant and Respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information. The investigator will meet separately with the Complainant, the Respondent, and any third-party witnesses who may have relevant information, and will gather other available and relevant information. The investigator may follow up with the Complainant or the Respondent as needed to clarify any inconsistencies or new information gathered during the course of the investigation. Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be asked to maintain confidentiality when essential to protect the integrity of the investigation. The Complainant and the Respondent may have an advisor present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by university policy or their collective bargaining agreement.
 - Coordination with Law Enforcement: When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate their fact-finding efforts with the law enforcement investigation. At the request of law enforcement, the investigation may be delayed meeting specific needs of a criminal investigation.
 - Evidence Review: Before the investigator concludes the investigation and finalizes a written report, both Complainant and Respondent will have an equal opportunity to review and respond in writing to the evidence that the investigator has deemed directly related, including evidence that weighs against finding a policy violation(s) and evidence on which the investigator does not intend to rely, whether obtained from a party or another source. This is true regardless of whether a party has participated in the investigation. This review will also include a summary of directly related statements made by the parties and any witnesses. The Title IX Officer will ensure that this review occurs in a manner designed to protect the privacy of both parties. The Title IX Officer

will designate a reasonable time for this review and response by the parties that, absent good cause found by the Title IX Officer, of at least 10 business days.

- **Investigative Report and Determination or Preliminary Determination:** Following the conclusion of the investigation, the Title IX investigator will prepare a written report. The written Investigative Report will include a statement of the allegations and issues, the statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigative report will include findings of fact. The report will also include the Title IX Officer's policy analysis and preliminary determination (in a DOE Grievance Process) or a determination (in a Formal Investigation) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that the Respondent violated the *UC SVSH Policy*.

If the findings of fact in a Formal Investigation indicate that DOE-Covered Conduct occurred, then Title IX/EOAA will make a preliminary determination and notify the parties that the case will proceed as a DOE Grievance Process. If, instead, the report preliminarily determines that conduct charged as DOE-Covered Conduct in a DOE Grievance Process does not meet that definition, the Investigative Report will include analyses and preliminary determinations of both whether the respondent engaged in DOE-Covered Conduct and other Prohibited Conduct.

- **Notice of Investigative Outcome:** Upon completion of the Investigative Report, the Title IX Officer or designee will send to the Complainant and the Respondent a written notice of investigation outcome regarding the preliminary determination or determination (whichever applies) of whether there was a violation of the *UC SVSH Policy*. The notice of investigation outcome will generally be accompanied by a copy of the Investigative Report, which may be redacted as necessary to protect privacy rights. The Title IX Officer or designee will also send the notice of investigation outcome and report to the appropriate administrative authority.
- **Timeframe for Completion of Investigation; Extension for Good Cause:** The notice of investigation outcome and accompanying Investigative Report will be issued promptly, typically within sixty (60) to ninety (90) business days of initiation of the Formal Investigation or DOE Grievance Process, unless extended by the Title IX Officer for good cause, with written notice to the complainant and the respondent of the reason for the extension and the projected new timeline.

Other Inquiry

When a report is not closed after initial assessment yet is not appropriate for Alternative Resolution, a Formal Investigation, or a DOE Grievance Process, for example because there is no individual identifiable respondent over whom Title IX/EOAA has jurisdiction, Title IX/EOAA will conduct an inquiry to try to determine what occurred, and take prompt steps reasonably calculated to stop any substantiated conduct, prevent its recurrence, and, as appropriate, remedy its effects.

The extent of the inquiry and responsive steps will depend on the specific circumstances, such as:

- the nature and location of the alleged conduct,
- the University's relationship to the complainant, and
- the University's relationship to and level of control over the organization or person alleged to have engaged in the conduct.

The Title IX Officer will complete the inquiry promptly (typically within 60 days, unless extended for good cause), and notify the Complainant of the outcome.

Employee Grievance/Complaint Procedures

Instead of, or in addition to, reporting to the Title IX Officer or other Responsible Employee, a university employee may file a grievance or complaint. That grievance must meet all of the requirements, including time limits for filing, under the applicable complaint resolution or grievance procedure listed in [Appendix I](#) of the *UC SVSH Policy (Applicable Complaint Resolution and Grievance Policies)*. Except as otherwise required by any Collective Bargaining Agreement, any such grievance or complaint will be forwarded to the Title IX Officer for processing, and the grievance or complaint procedure will be held in abeyance pending resolution under the *UC SVSH Policy*. After completion of the process, the grievance or complaint may be reactivated under the applicable grievance or complaint procedure.

Adjudication and Sanctioning-Employee Respondents

The following is an outline of UC Riverside's adjudication process and sanctioning for employee (staff and faculty) respondents.

This section summarizes information in the [SVSH Investigation and Adjudication Framework for Staff and Non-Faculty Academic Personnel](#) (Staff Response Procedures), [SVSH Investigation and Adjudication Framework for Senate and Non-Senate Faculty](#) (Faculty Response Procedures), and other University disciplinary policies for staff and faculty. The Staff and Faculty Response Procedures describe the University's procedures for resolving both non-DOE-Covered Conduct and DOE-Covered Conduct. For more information about UC Sexual Harassment and Sexual Violence Policies and Procedures, visit the SVSH Policies and Procedures page of the Title IX/EOAA website at <https://titleix.ucr.edu/uc-sexual-harassment-and-sexual-violence-policies-and-procedures>.

Assessment and Consultation

At the conclusion of a Formal Investigation, the appropriate administrative authority will decide what action to take in response to the findings of the Investigative Report. The appropriate administrative authority may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reinvestigate allegations of Prohibited Conduct investigated by Title IX/EOAA.

At the conclusion of a DOE Grievance Process investigation, the parties have the opportunity to accept or not accept the preliminary determination. When the preliminary determination is that the respondent engaged in DOE-Covered Conduct, or both DOE-Covered Conduct and other Prohibited Conduct, the appropriate administrative authority will propose a resolution, in consultation with the appropriate office, as described below, and the parties will decide whether to accept the preliminary determination and the proposed resolution.

The appropriate administrative authority may consult with Title IX/EOAA, Human Resources, the Academic Personnel Office, or any other appropriate entities at any time during the decision-making process.

See Section IV of the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Opportunity to Respond

The Complainant and the Respondent will have an opportunity to respond to the notice of investigation outcome and accompanying Investigative Report through an in-person meeting and/or a written statement submitted to the appropriate administrative authority. The parties will have five (5) business days after Title IX/EOAA sends the Investigative Report to respond. The purpose of this response is not to challenge the factual findings in the Investigative Report or present new evidence, but to provide the Complainant and the Respondent with an opportunity to express their perspectives and address what outcome they wish to see including, for Complainant, remedies if applicable.

Decision Proposal and Submission for Approval for Staff and Non-Faculty Academic Personnel

In the event that an investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a Respondent is responsible for violating the *UC SVSH Policy*, the Respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval. The Chancellor's designee consults with the Title IX Officer in review of the proposed resolution.

In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision. In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement (in a Formal Investigation) or inform Title IX/EOAA and Human Resources or the Academic Personnel Office (in a DOE Grievance Process), the approved decision.

The Chancellor's designee and Title IX/EOAA will also consider any remedies appropriate to protect or restore Complainant's equal access to UCR's programs and benefits.

This proposal and approval process will occur in all cases where the investigation has determined or preliminarily determined the respondent violated the *UC SVSH Policy*. Human Resources or the Academic Personnel Office will be consulted throughout the process. Additionally, the Chancellor's designee will consult with the Title IX Officer on the appropriateness of the proposed discipline before approving or disapproving it.

Peer Review Committee for Senate Faculty

In the event that the investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a Senate faculty respondent is responsible for violating the *UC SVSH Policy*, the Chancellor or Chancellor's designee will engage the campus Peer Review Committee (PRC) to advise on appropriate resolution.

The PRC will advise the Chancellor or Chancellor's designee regarding how to resolve the matter. At the conclusion of a Formal Investigation, this will include advising on whether the Chancellor or Chancellor's designee should pursue a formal charge for violation of the Code of Conduct or pursue an early resolution. In all cases, the PRC should provide advice on the appropriate discipline or other corrective or remedial measures.

The PRC is trained by Title IX/EOAA on the *UC SVSH Policy* and Response Procedures, the application of a trauma-informed approach, and appropriate corrective measures. The PRC will be engaged in all cases where the Title IX investigation has determined or preliminarily determined that a Senate faculty respondent has violated the *UC SVSH Policy*.

Consultation with Academic Personnel for Non-Senate Faculty

In the event that the investigation determines (in a Formal Investigation) or preliminarily determines (in a DOE Grievance Process) that a non-Senate faculty respondent is responsible for violating the *UC SVSH Policy*, the Chancellor's designee will consult with the Academic Personnel Office. Such consultation will occur in all cases where the Title IX investigation has determined or preliminarily determined that the non-Senate faculty respondent has violated the *UC SVSH Policy*.

Title IX Officer Consultation for Senate and Non-Senate Faculty

In all cases where the investigation determines or preliminarily determines that a Senate or non-Senate faculty Respondent is responsible for violating the *UC SVSH Policy*, the Chancellor's designee will consult with the Title IX Officer on how to resolve the matter, including the appropriate discipline or other corrective measures.

DOE Grievance Process-Hearing and Appeal

The DOE Grievance Process may include a fact-finding hearing and option to appeal the Hearing Officer's finding.

After the assessment and consultation described above, the appropriate administrative authority will inform Human Resources or the Academic Personnel Office, and Title IX Officer, of the proposed decision and its rationale, and the Human Resources, Academic Personnel Office, or the Title IX Officer (whichever the campus designates) will notify the parties. The parties will receive this notice within 15 business days of the notice of investigative findings and preliminary determination.

Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing to determine whether the *UC SVSH Policy* was violated.

Opportunity to Accept the Preliminary Determination

Either party may accept the preliminary determination and proposed resolution within 20 business days of the notice of investigative findings and preliminary determination. Unless both parties accept the preliminary determination and proposed resolution within this time period, then the matter will proceed to a hearing to determine if a policy violation occurred. If both parties provide written acknowledgment that they accept the preliminary determination and proposed resolution during the 20 business days, then the preliminary determination regarding policy violation(s) becomes final, and the appropriate administrative authority will impose the proposed resolution, including any discipline or corrective measures.

See Section IV.A of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Hearing Procedures

Unless both parties accept the preliminary determination and proposed resolution, there will be a fact-finding hearing before a single hearing officer (not the Title IX Officer) to determine whether the *UC SVSH Policy* was violated. The University's role in the hearing is neutral. The University will consider the relevant evidence available, including relevant evidence presented by the parties, in order to make factual findings and determine whether a policy violation occurred.

See Section IV.B of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Notice of Determination

Within 15 business days of the hearing, the Complainant and Respondent will be sent written notice setting forth the Hearing Officer's determination on whether the *UC SVSH Policy* has been violated.

See Section IV.B.G of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Appeal Process

The Complainant and Respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The University administers the appeal process but is not a party and does not advocate for or against any appeal.

An appeal must be submitted within 10 business days following issuance of the notice of the Hearing Officer's determination. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal. The Title IX Officer will notify the other party of the basis for the appeal and that the other party can submit a written statement in response to the appeal within 3 business days and supporting documentation from the other party as appropriate.

Within 10 business days of receiving the appeal, the Appeal Officer will send their written decision to the Complainant and Respondent. Unless the Appeal Officer remands the matter to the Hearing Officer, the matter is closed at this point, with no further right to appeal. If the Appeal Officer remands the matter to the Hearing Officer, they will issue their decision within 10 business days of receiving the Hearing Officer's additional factual findings; this decision will be final.

See Section IV.C of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Additional Assessment and Consultation for Staff

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final findings and determination to the Respondent's supervisor or appropriate administrative authority, with a summary explanation of any difference between the investigator's preliminary determination and the final determination and findings.

The Respondent's supervisor or appropriate administrative authority has the authority and responsibility to propose and implement any responsive action. They may determine that additional investigation is required to determine whether violations of other policies occurred, but will not

reconsider the findings and determinations regarding *UC SVSH Policy* violations made through the hearing and any appeal. If the hearing results in a finding that a Respondent is responsible for violating the *UC SVSH Policy*, then the Respondent's supervisor or other appropriate administrative authority will, if they did not already do so, consult with the Title IX Officer, as described in the Assessment and Consultation section of this report.

The Respondent's supervisor or other appropriate administrative authority will propose a decision regarding how to resolve the matter. The proposal must be submitted to the Chancellor's designee for review and approval. The Chancellor's designee will consult with the Title IX Officer on the appropriateness of the proposed decision before approving or disapproving it. In the event the Chancellor's designee does not approve the proposed decision, they will send it back to the supervisor or other appropriate administrative authority for reconsideration and submission of a revised proposed decision. In the event the Chancellor's designee approves the proposed decision, they will inform the supervisor or other appropriate administrative authority who will take steps to implement the approved decision.

Human Resources or the Academic Personnel Office will be consulted throughout the process.

See Section IV.D of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Additional Assessment and Consultation for Faculty

Once any appeal is final or the period for submitting an appeal has lapsed, the Title IX Officer will send the final findings and determination to the Chancellor or Chancellor's designee, with a summary explanation of any difference between the investigator's preliminary determination and the final determination and findings.

The Chancellor or Chancellor's designee has the authority and responsibility to decide what action to take in response to the final determination and findings. The Chancellor or Chancellor's designee may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reconsider the findings and determinations regarding *UC SVSH Policy* violations made through the hearing and any appeal. If the hearing results in a finding that a faculty Respondent violated the *UC SVSH Policy*, then the Chancellor or Chancellor's designee will, if they did not already do so, consult with the Title IX Officer and either engage the Peer Review Committee or consult with the Academic Personnel Office, as described in the Assessment and Consultation section of this report. The Chancellor or Chancellor's designee will decide what action to take to resolve the matter.

See Section IV.D of the DOE Addendum to the [Staff](#) or [Faculty](#) Response Procedures for details regarding this stage of the process.

Corrective or Other Actions for Staff and Non-Faculty Academic Personnel

The below provisions apply when a staff or non-faculty academic personnel Respondent is found in violation of the *UC SVSH Policy* following a Formal Investigation or following a hearing and any appeal in a DOE Grievance Process.

See [Section V](#) of the Staff Response Procedures for details regarding this stage of the process.

Decision Approval and Implementation for Personnel Policy for Staff Members (PPSM) Covered Staff

Following approval by the Chancellor's designee (in a Formal Investigation) or final adjudication (in a DOE Grievance Process), the Respondent's supervisor will implement the approved decision in accordance with applicable PPSMs, including *PPSM-62* and *PPSM-64*.

- **No Further Action:** The supervisor may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval.
- **Action Not Requiring Notice of Intent:** The supervisor may propose corrective or remedial actions that do not amount to corrective action or termination. The proposed actions will be reviewed by the Chancellor's designee for approval.
- **Notice of Intent:** The supervisor may propose to issue a notice of intent to institute corrective action or notice of intent to terminate. The proposed terms of the notice of intent will be reviewed by the Chancellor's designee for approval. In the event it is approved, the decision will be implemented by the supervisor and the notice of intent will be issued. Following the provision of a notice of intent, corrective action will be taken and/or actions to terminate will be taken.

Decision Approval and Implementation for Non-Faculty Academic Personnel

Following approval by the Chancellor's designee (in a Formal Investigation) or final adjudication (in a DOE Grievance Process), the Respondent's supervisor or other appropriate administrative authority will implement the approved action in accordance with *APM-150*.

- **No Further Action:** The supervisor or other appropriate administrative authority may propose to resolve the matter without taking any further action. This proposal will be reviewed by the Chancellor's designee for approval.
- **Informal Resolution:** The supervisor or other appropriate administrative authority may propose an informal resolution, which may include discipline and/or other corrective or remedial measures. The proposed informal resolution and its terms will be reviewed by the Chancellor's designee for approval. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action.
- **Notice of Intent:** The supervisor or other appropriate administrative authority may propose to issue a notice of intent instituting dismissal or other corrective action. The proposed terms of the notice of intent shall be reviewed by the Chancellor's designee for approval. Following the provision of a notice of intent, corrective action or termination will be implemented.

Timeframe for Implementation of Decision; Extension for Good Cause

The supervisor or other appropriate administrative authority should implement their approved decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (40) business days, a notice of intent will be issued. Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the Complainant and the Respondent stating the reason for the extension and the projected new timeline.

Process Following Action Taken

In the event that a PPSM-covered respondent submits a complaint or a non-faculty academic appointee respondent submits a grievance, the Chancellor's designee will ensure that both the Complainant and

the Respondent receive regular updates regarding the status of the complaint or grievance. The complainant may follow processes appropriate to their own personnel or student policies.

Decision on Sanctions for Senate Faculty

The steps outlined below apply when a Senate faculty Respondent is found in violation of the *UC SVSH Policy* following a Formal Investigation, or following a hearing and any appeal in a DOE Grievance Process.

See [Section V](#) of the Faculty Response Procedures for details regarding this stage of the process. The Vice Provost for Administration Resolution serves as the Chancellor's Designee for these matters.

Decision by Chancellor's Designee

Following consultation with the Peer Review Committee and Title IX Officer, the Chancellor's designee will decide what action to take to resolve the matter.

The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the Respondent no later than three (3) years after the Chancellor is deemed to have known about the alleged violation. For an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above, or the campus Title IX Office.

- **No Formal Discipline:** The Chancellor's designee may determine to resolve the matter without taking any formal disciplinary action.
- **Early Resolution:** The Chancellor's designee can enter into an early resolution with the Respondent. An early resolution can be achieved at any time prior to the final imposition of discipline.
- **Charge Filed with Academic Senate Committee on Privilege & Tenure:** The Chancellor's designee can take steps to propose discipline and file a charge with the Academic Senate's Committee on Privilege & Tenure without first pursuing early resolution, or if the Respondent does not agree to early resolution.

Timeframe for Decision; Extension for Good Cause

The Chancellor's designee should implement their decision promptly, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (40) business days, a charge will be filed with the Academic Senate's Committee on Privilege & Tenure. A charge will not be held in abeyance or suspended while an early resolution is being pursued or finalized. Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

Process Following the Filing of a Senate Charge

The Investigative Report and Hearing Officer's notice of determination (if any) will be accepted as evidence in the Privilege & Tenure hearing. The Chancellor's designee will ensure that the Complainant and Respondent receive regular updates regarding the status of the proceedings. Within fourteen (14) calendar days of receiving the recommendation from the Academic Senate's Committee on Privilege & Tenure, the Chancellor will make a final decision regarding discipline, unless the decision involves

dismissal for a faculty member who has tenure or security of employment. Authority for dismissal of a faculty member who has tenure or security of employment rests with the Regents, on recommendation of the President, following consultation with the Chancellor. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

Decision on Sanctions for Non-Senate Faculty

The below provisions apply when a non-Senate faculty Respondent is found in violation of the *UC SVSH Policy* following a Formal Investigation or following a hearing and any appeal in a DOE Grievance Process.

See [Section VI](#) of the Faculty Response Procedures for details regarding this stage of the process. The Vice Provost for Administration Resolution serves as the Chancellor's Designee for these matters.

Decision by Chancellor's Designee

Following consultation with the Title IX Officer and Academic Personnel Office, and in accordance with *APM-150*, the Chancellor's designee shall decide what action to take to resolve the matter. The Chancellor must initiate related disciplinary action by delivering notice of proposed action to the Respondent no later than three (3) years after the Chancellor is deemed to have known about the alleged violation. For an allegation of sexual violence or sexual harassment, the Chancellor is deemed to know about an alleged violation of the Faculty Code of Conduct when the allegation is first reported to any academic administrator at the level of department chair or above, or the campus Title IX Officer.

- **No Disciplinary Action:** The r Chancellor's designee may determine to resolve the matter without taking any formal disciplinary action.
- **Informal Resolution:** The Chancellor's designee can pursue an informal resolution, which may include discipline and/or other corrective or remedial measures. Informal resolution can be achieved at any time prior to the final imposition of dismissal or corrective action.
- **Notice of Intent:** The Chancellor's designee can issue a notice of intent instituting dismissal or other corrective action in accordance with *APM-150*.

Timeframe for Decision; Extension for Good Cause

The Chancellor's designee should implement their decision promptly and simultaneously, typically within forty (40) business days of receipt of the notice of investigation outcome and accompanying Investigative Report. If the matter has not been otherwise resolved within forty (40) business days, a notice of intent shall be issued. Extensions to this timeline may be granted by the Chancellor's designee for good cause with written notice to the Complainant and Respondent stating the reason for the extension and the projected new timeline.

Process Following the Provision of a Written Notice of Intent

Should the Respondent submit a grievance under *APM-140* alleging a violation of *APM-150* or otherwise challenging an administrative decision, the Chancellor's designee will ensure that both the Complainant and Respondent receive regular updates regarding the status of the grievance. When a non-Senate faculty member receives notice of termination before the expiration of their appointment, they may select as a grievance mechanism either *APM-140* or *Section 103.9 of the Standing Orders of The Regents*.

Disciplinary Procedures from Staff and Faculty Policies

The following are the University's disciplinary procedures pursuant to relevant faculty and staff policies:

The Faculty Code of Conduct (APM-015) and Policy on Faculty Conduct and the Administration of Discipline (APM-016)

APM-015 establishes the ethical and professional standards which University faculty are expected to observe. Because the forms of unacceptable behavior listed in the *Faculty Code of Conduct* also apply to Sexual Violence or Sexual Harassment, a violation of the *UC SVSH Policy* may constitute a violation of the *Faculty Code of Conduct*. *The University Policy on Faculty Conduct and the Administration of Discipline (APM-016)* outlines sanctions and disciplinary procedures for faculty. The types of discipline that may be imposed on a member of the faculty are as follows, in order of increasing severity:

- **Written Censure:** A formal written expression of institutional rebuke that contains a brief description of the censured conduct, conveyed by the Chancellor. Written censure is to be distinguished from an informal written or spoken warning, and must be delivered confidentially to the recipient and maintained in a designated personnel file or files indefinitely or for a lesser period of time specified in the writing. Informal written or spoken warning is not an official disciplinary action.
- **Reduction in Salary:** Reduction to lower salary without change in rank or step. The authority to reduce the salary of any faculty member rests with the Chancellor. This authority may not be re-delegated. The amount and duration of the reduced salary shall be specified.
- **Demotion:** Reduction to lower rank or step with corresponding reduction in salary. Demotion as a disciplinary action should be imposed in a manner consistent with the merit-based system for advancement. Generally, demotion is an appropriate sanction when the misconduct is relevant to the academic advancement process of the faculty member. The authority to reduce the rank of a faculty member who does not have tenure or security of employment rest with the Chancellor. The authority to reduce, within rank, the step of any faculty member to a lower step rests with the Chancellor. This authority may not be re-delegated. Authority for demoting a faculty member with tenure or with security of employment to a lower rank, also with tenure or with security of employment, rests with the President, on recommendation of the Chancellor. Demotion of a faculty member with tenure or with security of employment to a lower rank without tenure or security of employment is not an option.
- **Suspension:** Suspension of a faculty member without pay for some stated period of time from the continuance of the appointment on its normal terms. Unless otherwise noted, the terms of a suspension will include loss of normal faculty privileges such as access to university property, participation in departmental governance, voting rights, administration of grants, supervision of graduate students, and use of university administrative staff, and may include loss of other campus privileges such as parking and library privileges. The degree and duration of the suspension shall be specified. Authority for the suspension of a faculty member rests with the Chancellor and may not be re-delegated. Suspension as a disciplinary action is to be distinguished from involuntary leave, which is a precautionary action.
- **Denial or Curtailment of Emeritus Status:** Denial or curtailment of current or future emeritus status of a faculty member, including the privileges associated with the emeritus status. The denial or curtailment of emeritus status does not affect the faculty member's entitlement to

earned retirement benefits. Authority for the denial or curtailment of emeritus status of a faculty member rests with the President, on recommendation of the Chancellor.

- **Dismissal from Employment at the University:** The Chancellor has authority to dismiss a faculty member who does not have tenure or security of employment. This authority may not be re-delegated. Authority for dismissal of a faculty member who has tenure or security of employment rests with The Regents, on recommendation of the President, following consultation with the Chancellor.

The Vice Provost for Administrative Resolution serves as the Chancellor's Designee.

Prior to the imposition of any disciplinary sanction(s) as described above, the Chancellor may waive or limit any or all disciplinary sanction(s) on the condition that the Respondent faculty member performs some specified action(s) designed to address the harm and/or to prevent future harm. Such actions may include, but are not limited to, monetary restitution, repayment of misappropriated resources, compliance with a commitment not to repeat the misconduct, or other act to make whole injury caused by the faculty member's professional misconduct or to prevent future misconduct. If the imposition of a disciplinary sanction is waived, the subsequent failure to perform the required act or otherwise comply with the conditions of the waiver will immediately subject the faculty member to the implementation of the underlying sanction without an additional hearing. The authority to determine whether the faculty member has complied with the conditions of the waiver rests with the Chancellor. The Chancellor may designate a fixed time period for compliance with the terms of the waiver, after which the authority to impose discipline will lapse. If a faculty member disputes the Chancellor's determination, the faculty member may grieve under applicable faculty grievance procedures.

A Chancellor is authorized to initiate involuntary leave with pay prior to the initiation of a disciplinary action if it is found that there is a strong risk that the respondent faculty member's continued assignment to regular duties or presence on campus will cause immediate and serious harm to the University community or impede the investigation of their wrongdoing, or in situations where the faculty member's conduct represents a serious crime or felony that is the subject of investigation by a law enforcement agency. When such action is necessary, it must be possible to impose the involuntary leave swiftly, without resorting to normal disciplinary procedures. In rare and egregious cases, a Chancellor may be authorized by special action of The Regents to suspend the pay of a faculty member on involuntary leave pending a disciplinary action. This is in addition to the Chancellor's power to suspend the pay of a faculty member who is absent without authorization and fails to perform their duties for an extended period of time, pending the resolution of the faculty member's employment status with the University. Thereafter, the faculty member may grieve the decision to place them on involuntary leave pursuant to applicable faculty grievance procedures. The Committee on Privilege and Tenure shall handle such grievances on an expedited basis and may recommend reinstatement of pay and back pay in cases where pay status was suspended. Within five (5) working days after the imposition of involuntary leave, the Chancellor must explain to the faculty member in writing the reasons for the involuntary leave and initiate disciplinary procedures by bringing charges against the faculty member on leave.

The *Faculty Code of Conduct* applies to all faculty members, Senate, and non-Senate. For members of the Academic Senate, the procedures for disciplinary actions are governed by Senate Bylaws and Divisional rules. For academic appointees who are not members of the Academic Senate (and this group

includes certain categories of faculty members) there are procedures for disciplinary actions separate from that of the Senate's committees. Those procedures are found in the *Faculty Code of Conduct* and relevant collective bargaining agreements or Memoranda of Understanding.

A disciplinary action against a faculty member holding an administrative title may proceed in two parts. One part involves the removal of an administrative title or other administrative action under procedures established by The Regents and the administration. Such action need not adhere to the disciplinary procedures set forth in this policy. The other part involves the proposed imposition of any type of disciplinary sanction set forth in this policy, which must proceed in accordance with the procedures for discipline outlined in the *Faculty Code of Conduct* and the applicable Senate Bylaws and Divisional rules. The removal of the administrative title or other administrative action does not preclude or require the imposition of a disciplinary sanction under this policy. Administrative incompetence does not in itself constitute a violation of the *Faculty Code of Conduct*.

General University Policy Regarding Academic Appointees: Non-Senate Academic Appointees/Corrective Action and Dismissal (APM-150)

This policy applies to all academic appointees who are not members of the Academic Senate. Student academic appointees not covered by an MOU are subject to this policy to the extent that corrective action or dismissal are based solely upon their employment relationship with the University. Non-Senate faculty appointees are also subject to the standards set forth in the *Faculty Code of Conduct*.

Corrective action or dismissal may be instituted for good cause, including but not limited to misconduct, unsatisfactory work performance, dereliction of duty, or violation of university policy. Corrective action or dismissal may be instituted and implemented by the department chair, unit head, supervisor, or other appropriate administrative authority in accordance with campus procedures. Campus procedures shall outline appropriate consultation requirements for corrective action and dismissal.

The types of corrective action and dismissal that may be imposed are as follows:

- **Written Warning:** A communication that informs the appointee of the nature of the misconduct or deficiency, the method of correction, and the probable consequence of continued misconduct or deficiency. A written warning is to be distinguished from an informal spoken warning. An informal spoken warning or a letter outlining performance expectations is not an official corrective action.
- **Written Censure:** A formal written expression of institutional rebuke which contains a description of the censured conduct. A written censure must be delivered to the recipient and a copy must be maintained in a designated file or files, or for the period of time specified in the writing
- **Suspension without Pay:** Debarment without pay from appointment responsibilities for a stated period of time. Unless otherwise noted, the terms of a suspension will include loss of normal employee privileges such as access to university property and parking and library privileges.
- **Reduction in Salary:** A reduction to a lower salary without a change in rank or step. The amount and duration of the reduced salary shall be specified.
- **Demotion:** A reduction to a lower rank or step with a corresponding reduction in salary.
- **Dismissal:** The termination of an appointment for good cause initiated by the University prior to the ending date of appointment. Good cause includes but is not limited to misconduct,

continued unsatisfactory work performance, dereliction of duty, or serious violation of university policy.

The procedures for corrective action are as follows:

- **Informal Resolution:** Prior to instituting corrective action or dismissal, efforts to resolve the issue(s) informally should be attempted where appropriate.
- **Investigatory Leave:** An appointee may be placed on immediate investigatory leave with pay, without prior written notice, for the purpose of reviewing or investigating conduct which in the judgment of the Chancellor requires removing the appointee from university premises. While on such leave, the appointee's return to university premises without written permission may create independent grounds for dismissal. Such investigatory leave must be documented in writing after it is instituted.
- **Written Notice of Intent:** The University shall provide a written Notice of Intent to the appointee prior to initiating the actions of written censure, suspension without pay, reduction in salary, demotion, or dismissal. The Notice shall state: the intended action, including reasons for the action and the proposed effective date; the basis of the charges, including copies of pertinent materials supporting the charges; the appointee's right to respond either orally or in writing within fourteen (14) calendar days of the date of issuance of the written Notice of Intent; and the name of the person to whom the appointee should respond. No Notice of Intent is required for a written warning. Prior to instituting the dismissal of a non-Senate faculty member, the appointee should be apprised of the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate.
- **Response to Written Notice of Intent:** The appointee who receives a written Notice of Intent shall be entitled to respond, either orally or in writing, within fourteen (14) calendar days of the date of issuance of the written Notice of Intent. The response, if any, shall be reviewed by the administration.
- **Written Notice of Action:** If the University determines to institute the corrective action or dismissal following the review of a timely response, if any, from the appointee, and within thirty (30) calendar days of the date of issuance of the written Notice of Intent, the University shall issue a written Notice of Action to the appointee of the corrective action or dismissal to be taken and its effective date. The Notice of Action also shall notify the appointee of the right to grieve the action. The Notice of Action may not include an action more severe than that described in the Notice of Intent. A copy of the Notice of Action also shall be placed in the employee's personnel file(s).
- **Representation:** Appointees may represent themselves or may be represented by another person at any stage of the corrective action or dismissal process.
- **Extension of Time:** Upon written request and prior to the expiration of any time limit stated in this policy, the Chancellor may grant extensions, as appropriate.

The procedures for dismissal of a non-Senate faculty appointee are as follows:

- Termination of the appointment of any member of the faculty before the expiration of their appointment shall be only for good cause, after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate, except as otherwise provided in a MOU for faculty who are not members of the Academic Senate. A non-Senate faculty appointee is entitled to select only one grievance review mechanism. If a non-Senate faculty

appointee elects an Academic Senate hearing, good cause shall be defined. For a non-Senate faculty appointee with a term appointment if the hearing has not commenced by the ending date of the appointment, the dismissal becomes a non-reappointment effective at the end of the appointment. The appointee has thirty (30) calendar days from the ending date of the appointment to grieve the non-reappointment.

Personnel Policies for Staff Members

PPSM-62: Corrective Action

Prior to taking any corrective action, managers and supervisors shall review the need for corrective action with Employee & Labor Relations. The types of corrective action that can be used to provide an opportunity for an employee to correct conduct or work performance standards are written warning, corrective salary decrease, suspension, and demotion. These four types of corrective action can be used in the progressive discipline process; however, corrective action does not need to follow a specific order. As appropriate, the corrective action taken should correspond to the severity and circumstances of the situation.

- **Written Warning:** Generally, at least one written warning will be given to an employee prior to proceeding with any other corrective action; however, no written warning will be needed if the corrective action is a result of misconduct or work performance that an employee knows or reasonably should have known was unacceptable. The written warning must describe how the employee failed to meet acceptable conduct or work performance standards.
- **Corrective Salary Decrease:** An employee may be subject to a temporary or permanent corrective salary decrease when removal from the workplace is not appropriate, yet discipline is warranted.
- **Suspension:** An employee may be subject to removal from the workplace and suspended for a defined period of time without pay. For exempt employees, suspension without pay must be imposed in a minimum increment of one workday.
- **Demotion:** An employee may be subject to a temporary or permanent demotion for disciplinary reasons.

PPSM-63: Investigatory Leave

An employee may be placed on an investigatory leave, with or without prior written notice, to permit the University to review or investigate actions including, but not limited to dishonesty; theft or misappropriation of University property; insubordination; violation of federal or state law; exploitation, intimidation, discrimination, or harassment; acts endangering employees, students, visitors, or other University constituents; sexual violence, sexual harassment, or other prohibited behavior; or any other conduct which warrants removing the employee from the work site to conduct a University investigation.

Employees placed on investigatory leave must be notified in writing no later than three (3) working days after commencement of the leave if the written notice is not provided when the leave commenced. The written notice must include the reason(s) for the leave and the expected duration. Such leaves may be extended by written notice to the employee. It should also direct the employee to remain available to speak with and provide information to the University investigator upon request. Such leaves may be extended by written notice to the employee.

Upon conclusion of the University's investigation, the employee must be notified in writing of the outcome of the investigation and whether the investigation's findings will result in continued employment, corrective action, or termination of employment.

PPSM-64: Termination of Career Employees

- **Professional and Support Staff:** Regular status professional and support staff may be terminated from employment because of misconduct or failure to maintain appropriate work performance standards. Normally, termination is preceded by corrective action unless immediate dismissal is warranted.
- **Managers & Senior Professionals:** Managers and senior professionals (Manager 3 and Below and Equivalent Positions) who hold career appointments may be terminated when, in management's judgment, the needs or resources of the department or the performance or conduct of the employee do not justify the continuation of the employee's appointment.
- **Managers & Senior Professionals:** Managers and senior professionals (above Manager 3 and Equivalent Positions) who hold career appointments serve at the discretion of the Chancellor and may be terminated at will and at any time with or without cause.

Sanctioning and Investigatory Leave for Represented Employees

The bargaining units for employees represented by a union have separate employment contracts that include provisions covering corrective action and discipline as well as investigatory leave. For more information about the unions representing University of California and UC Riverside professionals, visit: <http://ucnet.universityofcalifornia.edu/labor/bargaining-units/>.

Prohibited Conduct in the Context of Patient Care

There are many circumstances in which a health care provider or health care worker may touch or penetrate a patient's body as a legitimate part of the patient's health care. On the other hand, conduct that a health care provider or health care worker engages in with a sexual purpose is never a legitimate part of a patient's health care. When Prohibited Conduct allegedly occurs in the context of patient care, the Title IX Officer will refer to Appendix V of the SVSH Policy and, when indicated, apply its definitions.

1. Application. The Title IX Officer will apply the definitions in Section B of Appendix V to allegations of Prohibited Conduct if:
 - a. the alleged conduct occurred during or in connection with a clinical encounter in which the Complainant was a patient and the Respondent was a health care provider or health care worker; and
 - b. the allegation is that the Respondent, for a sexual purpose:
 - i. penetrated the Complainant's vagina or anus with either (a) any part of the Respondent's hand or (b) a medical device (Sexual Assault – Penetration);
 - ii. touched the Complainant's intimate body part (Sexual Assault – Contact);
 - iii. made the Complainant touch themselves on an intimate body part (Sexual Assault – Contact);
 - iv. engaged in Sexual Harassment (Quid Pro Quo or Hostile Environment);
 - v. watched or enabled others to watch Complainant's nudity or sexual acts (Invasion of Sexual Privacy); or

made or attempted to make photographs (including videos) or audio recordings, or posted, transmitted or distributed such recorded material, depicting the Complainant's nudity or sexual acts (Invasion of Sexual Privacy)

2. Definitions

Prohibited Conduct

- a. Sexual Assault – Penetration. Penetration, no matter how slight, of the Complainant's vagina or anus by any part of the Respondent's hand or by a medical device, if the Respondent engaged in the conduct for a sexual purpose.
- b. Sexual Assault – Contact. Intentionally, and for a sexual purpose –
 - touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks), or
 - making the Complainant touch themselves on an intimate body part, whether the intimate body part is clothed or unclothed.
- c. Invasions of Sexual Privacy. For a sexual purpose:
 - watching or enabling others to watch the Complainant's nudity or sexual acts; or
 - making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material, depicting the Complainant's nudity or sexual acts.
- d. Sexual Harassment. Conduct that meets the definition of Pro Quo Sexual Harassment or Hostile Environment Sexual Harassment as defined in Section II of the SVSH Policy, if Respondent engaged in the conduct for a sexual purpose.

Note on Sexual Purpose: In determining whether the Respondent engaged in conduct for a sexual purpose, the Title IX Officer will consider all relevant facts and circumstances, such as whether the conduct was Clinically Indicated. Whether the conduct was Clinically Indicated is typically relevant to but not determinative of whether Respondent engaged in Prohibited Conduct. A Respondent has a "sexual purpose" if, for example, they engage in conduct with any sexual motivation, for sexual gratification, or as an expression of dominance.

Clinical Encounter: An inpatient visit, medical office visit, or ancillary service visit during which a patient has a direct interaction with a health care provider or worker, where a health care provider has responsibility for diagnosing, evaluating, or treating the patient's condition, or a health care worker is tasked with delivering a health care item or service (for example, a test or procedure) prescribed by a health care provider.

Clinically Indicated: Health care services are clinically indicated in either of the following circumstances.

a. Clinical Care:

- a health care provider, exercising prudent clinical judgment, would provide them to a patient for the purpose of preventing, evaluating, diagnosing, or treating an illness, injury, disease, condition, or its symptoms;
- as performed, they meet the applicable Standard of Care (as defined below);
- as performed, they are appropriate, in terms of type, frequency, extent, site, and duration; and
- as performed, they are considered effective for the patient’s illness, injury, disease, condition, or symptoms.

b. Research or Clinical Trial: They are required for the performance of a clinical trial approved by an IRB with jurisdiction, and are provided consistent with the IRB-approved protocol and with the IRB-approved consent process.

Note on Informed Consent: “Informed consent” of a patient or the patient’s legally authorized representative to an examination or procedure the health care provider knows or should know is not Clinically Indicated, or to the making or distribution of media involving an examination or procedure for purposes unrelated to Clinically Indicated patient care, or legitimate research or education activities, is not a defense to an allegation of Prohibited Conduct under the SVSH Policy.

Standard of Care: The reasonable degree of skill, knowledge, and care, based on credible scientific evidence published in current peer-reviewed medical literature, and ordinarily possessed and exercised by members of a person’s profession and specialty under similar circumstances. The Standard of Care encompasses whether and under what circumstances a procedure is performed; the way it is performed; and whether and if so in what manner informed consent should be obtained prior to performance (for example, whether consent must be obtained in writing, whether documentation of consent in the medical record is required, or whether it may be implied under the circumstances, and the required content of the consent discussion, form, or both)

M. Confidential & Non-Confidential Campus Resources

Upon receipt of a report of sexual violence or sexual harassment, Title IX/EOAA will provide written notification about all available, confidential, and non-confidential, resources available on-campus and in the community. This document includes resources related to survivor advocacy, counseling, psychological services, health services, legal assistance, visa and immigration assistance, and other community programs. *Supportive measures, restraining orders and resources for UCR students who may have experienced sexual violence or harassment* can be found on the [Title IX website](#).

<p>Campus Advocacy Resources & Education (CARE)</p> <p>is a trauma-informed office that provides primary prevention and advocacy support for individuals impacted by sexual assault, relationship violence and stalking. Students, staff and faculty can</p>	<p>Counseling and Psychological Services (CAPS)</p> <p>offers FREE, confidential crisis support and short-term individual, group, and couples counseling for all registered UCR students in CA. Services are provided by California licensed</p>
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<p>connect with a CARE Advocate to explore academic accommodations, housing relocations, ongoing holistic healing support, safety planning and more. CARE Advocates are university staff employees who are professionally trained and certified to provide confidential support and/or counseling services to victims of sexual violence, sexual assault, domestic violence, dating violence or stalking. An employee whose official responsibilities include providing professional or pastoral counseling to members of the UC community and who is functioning within the scope of their license or certification is not a CSA for purposes of the Clery Policy and does not report matters to the Title IX Officer without your consent.</p> <p>Connect with CARE Advocates at (951) 827-6225 or advocate@ucr.edu.</p>	<p>mental health providers who are trained to offer both in-person and virtual therapy. To start services, ask questions, consult about concerns for yourself or others, call 951-827-5531 or 951-UCR-TALK. Crisis consultation is available 24 hours per day, just call and select Option 1 to be connected immediately to a crisis counselor. For all other appointments, select option 2 to speak to the receptionists.</p> <p>Office: Student Health & Counseling Center (SHCC), 388 W. Linden St, Riverside, CA (near parking lot 21).</p> <p>For more information, self-help, resources, and referrals visit counseling.ucr.edu.</p>
<p><u>The Ombuds</u> provides a safe and comfortable environment to discuss complaints, concerns, or problems on a confidential basis. The Ombuds acts as an independent and impartial resource. The Ombuds does not serve as an office of notice or record for the University. The Ombuds does not conduct formal investigations, nor does it maintain or keep records. They can help individuals understand their options and provide information about relevant campus resources and processes. Connect with the Ombuds at (951) 827- 3213 or ombuds@ucr.edu.</p>	<p><u>Respondent Services Coordinator</u></p> <p>If you have been accused of sexual violence, sexual assault, sexual harassment, relationship violence, stalking or other prohibited behavior under the UC SVSH Policy, the Respondent Services Coordinator can explain and help you navigate the investigation and adjudication processes, including formal hearings, refer you to campus and community resources, such as for psychological counseling, legal services (including help understanding and complying with protection orders), alternative housing, academic changes and other needs and assist with securing an interpreter or translator, if needed. It is important to note that respondent support services coordinators are not legally required to maintain confidentiality. However, as a general practice, the coordinators will request signed consent from you before disclosing personally identifiable information. Connect with the Respondent Services Coordinator at 125 Costo Hall, (951) 827-9359 or respondents@ucr.edu.</p>
<p><u>University of California, Riverside Police</u></p> <p>Department provides trauma-informed criminal investigations and support for individuals impacted by sexual assault, relationship violence and stalking. UCRPD officers help connect survivors with support from CARE advocates, CAPS resources and all other campus resource offices. Connect with an officer at the UCRPD station at 3500 Canyon Crest Drive, Emergency: 911, Non-emergency (951) 827-5222, 24 hours daily, 365 days a year.</p>	

Resources for Students

UCR provides confidential campus resources to all students, including specifically to students who are survivors of sexual violence or sexual harassment. CARE Advocates provide confidential resources in sexual violence or sexual harassment cases. UCR also provides services and advice to those accused of violating the UC *SVSH Policy*. In addition, all students (including survivors, friends, witnesses, respondents, etc.) can seek confidential advice from the University Ombuds and services from Counseling and Psychological Services. **A Complainant does not need to make a formal report to UCRPD, local law enforcement, or the University to access these resources.**

<p><u>Case Management</u></p> <p>Case management will offer a listening ear, help you brainstorm, problem solve, and ultimately connect you to the right resources on or off campus for all issues whether psychological, social, financial or academic. This is not a confidential office.</p> <p>Office: Student Health & Counseling Center (SHCC), 388 W. Linden St, Riverside, CA (near parking lot 21), (951) 827-5000 or casemanager@ucr.edu.</p>	<p><u>Student Health Services</u></p> <p>SHS provides primary healthcare to students. SHS offers scheduled appointments and walk-in visits. Call (951) 827-3031 to schedule an appointment or use SHS online.</p> <p>Office: Student Health & Counseling Center (SHCC), 388 W. Linden St, Riverside, CA (near parking lot 21).</p> <p>The nurse line (800) 391-2793 is available 24 hours a day and open 7 days a week.</p>
<p><u>Student Conduct & Academic Integrity Programs</u></p> <p>SCAIP supports a respectful, safe community by enforcing student conduct policies, reviewing misconduct cases, and assigning educational sanctions where necessary. SCAIP educates students about their rights, holds them accountable for their responsibilities and supports their ethical growth. 119 Costo Hall, (951) 827-4208 or conduct@ucr.edu.</p>	<p><u>Residential Life</u></p> <p>The live-in team of Residential Directors provide services and support to UCR residents. There is an on-call professional available 24 hours daily for assistance. Aberdeen and Inverness: (951) 827-4265 or (951) 827-4264; Dundee: (981) 827-8608; Lothian: (951) 827-4250 or (951) 827-4249; Pentland Hills: (951) 827-6599 or (951) 827-6510; Glen Mor: (951) 827-7548 or (951) 827- 7549; Campus Apartments and Family Housing (Falkirk, Oban, Stonehaven, The Plaza and Bannockburn): (951) 827-5891 or (951) 827-4852; North District: (951) 542-3030</p>
<p><u>International Students & Scholars</u></p> <p>International Students and Scholars Office supports and promotes the success, wellness and personal growth of the international students</p>	<p><u>Women’s Resource Center</u></p> <p>WRC provides a safe space for all students to address gender issues, connect with campus safety programs, access sexual assault and</p>

<p>and scholars through expert advising, intercultural programming, and advocacy. The office can assist international students with immigration and housing options, family resources and childcare, maintaining or extending you Visa, programs and support resources and employment options. 321 Skye Hall, (951) 827-4113 or internationalaffairs@ucr.edu.</p>	<p>domestic violence support, take on key leadership roles and develop a sense of empowerment. 260 Costo Hall, (951) 827-3337</p>
<p><u>Student Disability Resource Center</u></p> <p>The SDRC promotes an inclusive educational experience for students through the advocacy of equal access, disability, and ability awareness, and self-empowerment. SDRC is the unit designated to receive requests for accommodations, approve services, and coordinate support for students with disabilities to ensure access to the Universities educational programs. A personal consultation will help us individually tailor a plan to meet your disability-related needs, based on current functional limitations and any requirements of specific classes. Approval of accommodations is based on disability documentation and meeting with a Disability Specialist. Disability Services are free, voluntary, private, and not part of your transcript. 125 Costo Hall, (951) 827-3861 or sdrc@ucr.edu.</p>	<p><u>The Well</u></p> <p>The Well provides education, training, resources, and programming for students in a variety of health and wellness topic areas, through a network of peer educators, mentors, and professionals. The Well’s health educations programs aim to inform about health topics important to UCR students, and to provide opportunities to practice healthy behaviors and activities to develop lifelong wellness habits. Work in centered around increasing access to information and resources, and helping students remove barriers to well-being, in support of their academic and personal success. 248 HUB, (951) 827-9355 or thewell@ucr.edu.</p>
<p><u>Dean of Students</u></p> <p>Dean of Students encourages college students to thrive while providing the resources for academic and personal success. The office is available to answer any questions, assist students who encounter challenges or help in any way to make your UCR experience as supportive and culturally enriching as possible. 381 HUB, (951) 827-6095 or deanofstudents@ucr.edu.</p>	<p><u>Graduate Division</u></p> <p>The Graduate Division provides a range of services to support graduate student success including overseeing graduate recruitment, admissions, academic affairs, fellowships, grants, employment, and mentoring.</p>
<p><u>Undocumented Student Programs</u></p> <p>Undocumented Student Programs welcomes all DREAMers, students from mixed-status families and undocu allies. No matter your immigration</p>	<p><u>Veterans Resource Center</u></p> <p>Veterans & Service Members provides services and resources to current or former members of the military. UCR student veterans and service</p>

<p>status or cultural background, you have an equal opportunity at UCR to get a quality education in a safe and friendly environment with resources to help you achieve your goals. Undocumented Student Programs can help with academic, housing, financial aid, and study abroad resources; CA Dream Act and DACA assistance; legal and community referrals; textbooks and calculators from the USP Lending Library; leadership opportunities; Undocu Ally training; grad school planning; internships and fellowships and the R'Dream Scholarship and Book Grant. 224 Costo Hall, (951) 827-2193 or ana.coria@ucr.edu.</p>	<p>members may be eligible for special registration considerations. The Veterans Resource Center is accessible for breaks, study or lounging. The center is located in Bannockburn H-108. (951) 827-2099.</p>
<p><u>Lesbian Gay Bisexual Transgender Resource Center</u></p> <p>LGBT Resource Center provides support, education, and advocacy regarding sexual orientation and gender identity/expression for the UC Riverside community. 245 Costo Hall, (951) 827-2267 or out@ucr.edu.</p>	<p><u>ASUCR Legal Clinic</u></p> <p>ASUCR Legal Clinic is a service provided by the Riverside County Barristers Association. ASUCR works with volunteer attorneys to provide free legal services to registered undergraduate students at UCR. The attorneys do not provide formal legal representation but rather education and self-help services to assist and help students solve problems. Students are encouraged to seek assistance from an attorney outside of the legal education clinic if they need further legal assistance or representation.</p>

Resources for Faculty and Staff

Supportive resources for UCR faculty and staff can be found on the [Help@UCR](#) and on the [Title IX](#) websites.

The Faculty and Staff Assistance Program (FSAP) is designed to offer confidential counseling, referral, and other needed services to staff, faculty, and their family members with personal concerns. The Respondent Services Coordinator for Faculty/Staff is available at (951) 781-0510. Faculty and staff may also contact the UCR Human Resources Department at (951) 827-5588 for additional resources.

[Faculty & Staff Assistance Program \(FSAP\)](#)

FSAP is designed to offer confidential counseling, referral and other needed services to staff, faculty, and their family members with personal concerns. FSAP offers assistance with a wide range of issues, including alcohol and drug abuse, at no charge.

The University of California, Riverside has partnered with ComPsych®, the Faculty Staff Assistance Program provider. ComPsych offers GuidanceResources® services whose benefits provides UCR faculty, staff and their household family members confidential support, resources and information for personal and work-life issues.

Please visit the [UCR Faculty Staff Assistance Program](#) webpage to learn more.

Community Resources

<p><u>Riverside Police Department</u> (951) 354-2007</p>	<p><u>Riverside Area Rape Crisis Center</u> RARCC offers <i>confidential</i> assistance to victims of sexual assault and their families. RARCC provides certified sexual assault counselor volunteers 24 hours a day, seven days a week via a rape crisis hotline. 24/7 Hotline (951) 686-7273 or (866) 686-7273. 1845 Chicago Avenue, Suite A, Riverside, CA 92507.</p>
<p><u>Alternatives to Domestic Violence</u> ADV provides assistance to victims of domestic and dating violence and their families. ADV provides emergency shelter and long-term assistance for battered women and children who are in a dangerous situation due to an abusive relationship. 24 Hour-Crisis Line (951) 683-0829 or (800) 339-SAFE (7233).</p>	<p><u>UC Immigrant Legal Services Center</u> The UC Immigrant Legal Services Center serves the immigration-related legal needs of undocumented and immigrant students in the University of California system. Operating out of UC Davis School of Law, the groundbreaking program reaches out to students at UC campuses to provide, free of charge, the legal assistance they need to achieve their educational goals and reach their full potential. To make an appointment or to find out more about their services you may email ucimm@law.ucdavis.edu or call (530) 752-7996. https://law.ucdavis.edu/ucimm/</p>
<p><u>Alternatives to Domestic Violence</u> ADV provides assistance to victims of domestic and dating violence and their families. ADV provides emergency shelter and long-term assistance for battered women and children who are in a dangerous situation due to an</p>	<p><u>Family Justice Center</u> The Family Justice Center can provide information about your rights as a crime victim, guidance through the criminal justice process, court support, obtaining a restraining or protective order, and personal safety planning. Riverside Location: 3900</p>

abusive relationship. 24 Hour-Crisis Line (951) 683-0829 or (800) 339-SAFE (7233).

Orange Street, Riverside, CA 92501. Phone: (951) 955-6100.

Emergency Room Services

Don't take a chance with any life threatening or serious condition - stroke, heart attack, severe bleeding, head injury or other major trauma. Get to the ER as soon as possible for these and other critical conditions such as chest pain, seizure, difficulty breathing, unusual abdominal pain, loss of consciousness, suicidal or homicidal feelings, coughing up or vomiting blood, auto-accident.

[Riverside Community Hospital Emergency Room Services](#). 4445 Magnolia Avenue, Riverside, CA 92501 (951) 788-3000

[Parkview Community Hospital Emergency Room Services](#) 3865 Jackson Avenue, Riverside CA 92503 (951) 688-2211

Urgent Care Services

Urgent care center treats minor illnesses and injuries that aren't life threatening. Average wait times tend to be in the 15-to-45-minute range. Your out-of-pocket expenses will be far lower than for an ER visit. Visit an urgent care center for illnesses regarding: fever, back pain, sprains, sore throat, ear infections, mild asthma, minor cuts, rashes, minor burns, and flu-like symptoms.

[Riverside Medical Clinic Urgent Care: Moreno Valley](#) 6405 Day Street, Riverside, CA 92507 (951) 697-5453, M-F 8 am – 9 pm, Sat-Sun 9 am – 9 pm.

[Riverside Medical Clinic Urgent Care: Brockton/Riverside](#) 7117 Brockton Avenue, Riverside, CA 92506 (951) 782-3789, M-F 8 am – 9 pm, Sat – Sun 9 am – 9pm.

National Hotlines

[RAINN National Sexual Assault Hotline](#) (800) 656-4673

[Veteran Crisis Line](#) (800) 273-8255 (press 1)

[National Suicide Prevention](#) (800) 273-8255

N. Educational Programs and Campaigns

UC Riverside is committed to the prevention of sexual violence (sexual assault, relationship violence, and stalking) through regular and ongoing education and awareness programs. All members of the UCR community—students, staff, faculty, and other academic appointees—are provided with programming,

initiatives, strategies, and campaigns intended to prevent sexual violence. These programs are designed for the UCR community, with many ongoing training modules tailored for specific audiences in high-risk groups and student leadership groups. These programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and utilize evidence-based and research-informed approaches to prevention education.

Sexual violence awareness and prevention training is **mandatory** for all incoming students (freshmen, transfer students, and graduate students) and new employees. UCR utilizes varied teaching methods that include research-informed and evidence-based curricula with multiple learning opportunities. This ensures that students and employees have several exposures to the training content in order to improve their educational outcomes. The methods include written materials, online compliance training, videos, peer education, and in-person education and training sessions.

Mandatory Educational Programs for Students

All incoming UCR First Year and Transfer students are required to complete three online modules: a pre-orientation module, an alcohol/drug use module, and a sexual and relationship violence prevention module. These mandatory modules are in addition to in-person education at orientation. Incoming graduate students are similarly required to complete online education regarding sexual and relationship violence education along with other Graduate Division requirements. (Please refer to graduate specific program.) Students should visit [UCR Mandatory Education](#) for more details on the requirements and technical assistance.

Mandatory Educational Programs for Employees

The mandatory courses described below are supplemented with other education and awareness programming, including through new employee orientation and programs provided by CARE, Title IX/EOAA, and other campus partners.

Faculty and Supervisors

Under California law, faculty and supervisors are required to complete two hours of sexual harassment prevention training every two years, and new faculty and supervisors are required to take training within 90 days of hire. The *UC Sexual Violence and Sexual Harassment Prevention Training for Faculty and Supervisors*, an online, interactive course provided through the UC Learning Center, covers a number of topics and:

- Educates learners about state and federal laws prohibiting discrimination and harassment;
- Through scenarios and case studies, helps educate learners on how to avoid harassing conduct;
- Provides definitions of crimes and SVSH Policy provisions including definitions of relationship violence, sexual assault and stalking;
- Trains learners on their responsible employee reporting obligations and how to respond to someone who discloses a Prohibited Conduct incident to them including how to inform such a person of their rights and options; and
- Discusses confidentiality and retaliation.

Staff and Academic Appointees Who Are Not Supervisors

Staff who are not supervisors are also required to complete sexual harassment and sexual violence prevention training every two years. UC's system-wide staff training and education program requires new employees to receive training within the first six weeks of hire. This online course through the UC Learning Center educates learners on the *UC SVSH Policy*, including legal and policy definitions of relationship violence, sexual assault, and stalking. The course also includes information on employees' responsibility to report sexual violence and sexual harassment if the incident involves a student.

Prevention Education Programs

Primary Prevention: Campus Advocacy, Resources, & Education (CARE), a UCR Office, develops and implements primary prevention efforts regarding sexual assault, dating/domestic violence, and stalking. Primary prevention programs are defined as programming, initiatives and strategies intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, risk reduction strategies, and seek to change behavior and social norms in healthy and safe directions. Working with several departments and communities on campus, prevention programs are provided to groups including Athletics, Greek and Sorority Life, International Students, Cultural Centers, Graduate Students, Staff/Faculty, and the general campus community.

The Office of Title IX/EOAA provides preventative trainings and workshops, as needed, and requested, to faculty, staff and students related to implementation of the *UC SVSH Policy*. These trainings include topics such as definitions of prohibited conduct, bias identification, reporting obligations, available campus support services and complaint resolution options.

Awareness Programs: CARE develops and implements several social norming and awareness educational initiatives throughout the year. This includes education regarding trauma-informed support, resources, active bystander intervention, healthy relationships and norms, consent, and healthy boundary setting. They also seek to bring awareness regarding unhealthy relationship dynamics and affirmative consent.

Secondary/Tertiary Prevention: Healing from sexual & relationship violence can be a unique and empowering experience that can happen through different ways. The Empowerment & Healing Series at the UC Riverside CARE Office strives to create spaces where survivors who have experienced trauma can find support, connection, and community. CARE helps develop, co-sponsor and/or promote campus programs that can provides survivors opportunities to explore ways of healing, safety, and support. These programs may provide a space to process, learn coping skills in how to manage some of these feelings as well as connect survivors to a community across campus. Programs are open to survivors of all genders.

When appropriate, and at the discretion of the Title IX Officer, the Office of Title IX/EOAA conducts educational conversations and/or trainings regarding the *UC SVSH Policy* following, or as part of the complaint resolution process. This programming provides an opportunity to educate those accused of violating policy in order to prevent reoccurrence of prohibited conduct, and create great awareness of relevant topics such as reporting options and campus response to sexual misconduct.

Other Prevention Efforts: CARE takes lead on bystander intervention for sexual/relationship violence for students, and some staff and faculty. Most of the workshops/trainings incorporate bystander intervention and risk reduction (including self-defense and safety.)

- Bystander Intervention is a social science model that empowers and teaches individuals (or groups) to actively intervene when they see something potentially problematic. The CARE offices engage the Green Dot active bystander model that discusses bystander definitions, the bystander effect and ongoing skill building opportunities to safely intervene where bystanders have the opportunity to prevent sexual harassment, sexual assault, intimate partner violence and stalking. This includes Bystander Effect, Risk Reduction and intervention tactics such as “Direct, Distract, Delegate and Delay.”
- Risk Reduction: CARE implements ongoing education focused on teaching strategies to increase safety and awareness to decrease the likeliness of victimization. This includes self-defense courses, privacy/healthy boundary setting for social media, education on campus safety, etc.

For more information about CARE programs and campaigns, visit <https://care.ucr.edu/>.

Additionally, Title IX/EOAA provides targeted trainings including:

- Training for UCR employees with a role in investigation and adjudication processes. These trainings generally focus on the University of California’s *SVSH Policy* and the investigation and adjudication frameworks, as well as other topics relevant to the audience such as trauma-informed investigations or how to conduct hearings.
- Educational interventions with individuals.
- Tailored trainings for faculty, supervisors, and staff on relevant topics, such as:
 - Responsible Employee reporting obligations
 - The *UC SVSH Policy* and investigation and adjudication frameworks
 - Bystander intervention.

For more information about Title IX/EOAA education programs, trainings, and campaigns, visit <https://titleix.ucr.edu/education>.

O. [VAWA Offenses as Defined by the State of California - Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking](#)

Consent (California Penal Code 261.6 & 261.7)

261.6. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Consent is positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

(b) A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 286, 287, or 289, or former Section 262 or 288a.

(c) This section shall not affect the admissibility of evidence or the burden of proof on the issue of consent. (Amended by Stats. 2021, Ch. 626, Sec. 19. (AB 1171) Effective January 1, 2022.)

261.7. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

(Amended by Stats. 2021, Ch. 626, Sec. 19. (AB 1171) Effective January 1, 2022.)

Domestic Violence (California Penal Code 243 & 273.5) (California Family Code 6203, 6209, 6211, & 6320)

243. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 8. OF CRIMES AGAINST THE PERSON [187 - 248] (Title 8 enacted 1872.)

CHAPTER 9. Assault and Battery [240 - 248] (Chapter 9 enacted 1872.)

(a) A battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

(d) When a battery is committed against any person and serious bodily injury is inflicted on the person, the battery is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a

county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer's treatment program, as described in Section 1203.097, or if none is available, another appropriate counseling program designated by the court. However, this provision shall not be construed as requiring a city, a county, or a city and county to provide a new program or higher level of service as contemplated by Section 6 of Article XIII B of the California Constitution. (2) Upon conviction of a violation of this subdivision, if probation is granted, the conditions of probation may include, in lieu of a fine, one or both of the following requirements:

(A) That the defendant make payments to a battered women's shelter, up to a maximum of five thousand dollars (\$5,000).

(B) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant's offense. For any order to pay a fine, make payments to a battered women's shelter, or pay restitution as a condition of probation under this subdivision, the court shall make a determination of the defendant's ability to pay. In no event shall any order to make payments to a battered women's shelter be made if it would impair the ability of the defendant to pay direct restitution to the victim or court ordered child support. If the injury to a married person is caused in whole or in part by the criminal acts of his or her spouse in violation of this section, the community property shall not be used to discharge the liability of the offending spouse for restitution to the injured spouse, required by Section 1203.04, as operative on or before August 2, 1995, or Section 1202.4, or to a shelter for costs with regard to the injured spouse and dependents, required by this section, until all separate property of the offending spouse is exhausted.

(3) Upon conviction of a violation of this subdivision, if probation is granted or the execution or imposition of the sentence is suspended and the person has been previously convicted of a violation of this subdivision or Section 273.5, the person shall be imprisoned for not less than 48 hours in addition to the conditions in paragraph (1). However, the court, upon a showing of good cause, may elect not to impose the mandatory minimum imprisonment as required by this subdivision and may, under these circumstances, grant probation or order the suspension of the execution or imposition of the sentence.

(4) The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence so as to display society's condemnation for these crimes of violence upon victims with whom a close relationship has been formed.

(5) If a peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of this section, the peace officer is not required to inform the victim of his or her right to make a citizen's arrest pursuant to subdivision (b) of Section 836.

(f) As used in this section: (4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (5) "Injury" means any physical injury which requires professional medical treatment. (10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

(Amended by Stats. 2015, Ch. 626, Sec. 1. (AB 545) Effective January 1, 2016.)

273.5. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 2. Abandonment and Neglect of Children [270 - 273.75] (Chapter 2 enacted 1872.)

(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following: (1) The offender's spouse or former spouse. (2) The offender's cohabitant or former cohabitant. (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243. (4) The mother or father of the offender's child.

(c) Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.

(d) As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

(e) For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.

(f) (1) Any person convicted of violating this section for acts occurring within seven years of a previous conviction under subdivision (a), or subdivision (d) of Section 243, or Section 243.4, 244, 244.5, or 245, shall be punished by imprisonment in a county jail for not more than one year, or by imprisonment in the state prison for two, four, or five years, or by both imprisonment and a fine of up to ten thousand dollars (\$10,000). (2) Any person convicted of a violation of this section for acts occurring within seven years of a previous conviction under subdivision (e) of Section 243 shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to ten thousand dollars (\$10,000), or by both that imprisonment and fine.

(g) If probation is granted to any person convicted under subdivision (a), the court shall impose probation consistent with the provisions of Section 1203.097.

(h) If probation is granted, or the execution or imposition of a sentence is suspended, for any defendant convicted under subdivision (a) who has been convicted of any prior offense specified in subdivision (f), the court shall impose one of the following conditions of probation: (1) If the defendant has suffered one prior conviction within the previous seven years for a violation of any offense specified in subdivision (f), it shall be a condition of probation, in addition to the provisions contained in Section 1203.097, that he or she be imprisoned in a county jail for not less than 15 days. (2) If the defendant has suffered two or more prior convictions within the previous seven years for a violation of any offense specified in subdivision (f), it shall be a condition of probation, in addition to the provisions contained in Section 1203.097, that he or she be imprisoned in a county jail for not less than 60 days. (3) The court, upon a showing of good cause, may find that the mandatory imprisonment required by this subdivision shall not be imposed and shall state on the record its reasons for finding good cause.

(i) If probation is granted upon conviction of a violation of subdivision (a), the conditions of probation may include, consistent with the terms of probation imposed pursuant to Section 1203.097, in lieu of a fine, one or both of the following requirements: (1) That the defendant make payments to a battered women's shelter, up to a maximum of five thousand dollars (\$5,000), pursuant to Section 1203.097. (2) (A) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant's offense. (B) For any order to pay a fine, make payments to a battered women's shelter, or pay restitution as a condition of probation under this subdivision, the court shall make a determination of the defendant's ability to pay. An order to make payments to a battered women's shelter shall not be made if it would impair the ability of the defendant to pay direct restitution to the victim or court ordered child support. If the injury to a person who is married or in a registered domestic partnership is caused in whole or in part by the criminal acts of his or her spouse or domestic partner in violation of this section, the community property may not be used to discharge the liability of the offending spouse or domestic partner for restitution to the injured spouse or domestic partner, required by Section 1203.04, as operative on or before August 2, 1995, or Section 1202.4, or to a shelter for costs with regard to the injured spouse or domestic partner and dependents, required by this section, until all separate property of the offending spouse or domestic partner is exhausted.

(j) Upon conviction under subdivision (a), the sentencing court shall also consider issuing an order restraining the defendant from any contact with the victim, which may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any restraining order be based upon the seriousness of the facts before the court, the probability of future violations, and the safety of the victim and his or her immediate family. This protective order may be issued by the court whether the defendant is sentenced to state prison or county jail, or if imposition of sentence is suspended and the defendant is placed on probation.

(k) If a peace officer makes an arrest for a violation of this section, the peace officer is not required to inform the victim of his or her right to make a citizen's arrest pursuant to subdivision (b) of Section 836.

(Amended by Stats. 2016, Ch. 50, Sec. 69. (SB 1005) Effective January 1, 2017.)

6203. FAMILY CODE – FAM

DIVISION 10. PREVENTION OF DOMESTIC VIOLENCE [6200 - 6460] (Division 10 repealed and added by Stats. 1993, Ch. 219, Sec. 154.)

PART 1. SHORT TITLE AND DEFINITIONS [6200 - 6219] (Part 1 added by Stats. 1993, Ch. 219, Sec. 154.)

(a) For purposes of this act, “abuse” means any of the following: (1) To intentionally or recklessly cause or attempt to cause bodily injury. (2) Sexual assault. (3) To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another. (4) To engage in any behavior that has been or could be enjoined pursuant to Section 6320.

(b) Abuse is not limited to the actual infliction of physical injury or assault.

(Amended by Stats. 2015, Ch. 303, Sec. 149. (AB 731) Effective January 1, 2016.)

6209. FAMILY CODE – FAM

DIVISION 10. PREVENTION OF DOMESTIC VIOLENCE [6200 - 6460] (Division 10 repealed and added by Stats. 1993, Ch. 219, Sec. 154.)

PART 1. SHORT TITLE AND DEFINITIONS [6200 - 6219] (Part 1 added by Stats. 1993, Ch. 219, Sec. 154.)

“Cohabitant” means a person who regularly resides in the household.

“Former cohabitant” means a person who formerly regularly resided in the household.

(Added by Stats. 1993, Ch. 219, Sec. 154. Effective January 1, 1994.)

6211. FAM CODE - FAM

DIVISION 10. PREVENTION OF DOMESTIC VIOLENCE [6200 - 6460] (Division 10 repealed and added by Stats. 1993, Ch. 219, Sec. 154.)

PART 1. SHORT TITLE AND DEFINITIONS [6200 - 6219] (Part 1 added by Stats. 1993, Ch. 219, Sec. 154.)

“Domestic violence” is abuse perpetrated against any of the following persons: (a) A spouse or former spouse. (b) A cohabitant or former cohabitant, as defined in Section 6209. (c) A person with whom the respondent is having or has had a dating or engagement relationship. (d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12). (e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected. (f) Any other person related by consanguinity or affinity within the second degree.

(Added by Stats. 1993, Ch. 219, Sec. 154. Effective January 1, 1994.)

6320. FAMILY CODE – FAM

DIVISION 10. PREVENTION OF DOMESTIC VIOLENCE [6200 - 6460] (Division 10 repealed and added by Stats. 1993, Ch. 219, Sec. 154.)

PART 4. PROTECTIVE ORDERS AND OTHER DOMESTIC VIOLENCE PREVENTION ORDERS [6300 - 6389] (Part 4 added by Stats. 1993, Ch. 219, Sec. 154.)

CHAPTER 2. Issuance of Orders [6320 - 6361] (Chapter 2 added by Stats. 1993, Ch. 219, Sec. 154.)

ARTICLE 1. Ex Parte Orders [6320 - 6327] (Article 1 added by Stats. 1993, Ch. 219, Sec. 154.)

(a) The court may issue an ex parte order enjoining a party from molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, credibly impersonating as described in Section 528.5 of the Penal Code, falsely personating as described in Section 529 of the Penal Code, harassing, telephoning, including, but not limited to, making annoying telephone calls as described in Section 653m of the Penal Code, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, coming within a specified distance of, or disturbing the peace of the other party, and, in the discretion of the court, on a showing of good cause, of other named family or household members.

(b) On a showing of good cause, the court may include in a protective order a grant to the petitioner of the exclusive care, possession, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent. The court may order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal.

(c) As used in this subdivision (a), “disturbing the peace of the other party” refers to conduct that, based on the totality of the circumstances, destroys the mental or emotional calm of the other party. This conduct may be committed directly or indirectly, including through the use of a third party, and by any method or through any means including, but not limited to, telephone, online accounts, text messages, internet-connected devices, or other electronic technologies. This conduct includes, but is not limited to, coercive control, which is a pattern of behavior that in purpose or effect unreasonably interferes with a person’s free will and personal liberty. Examples of coercive control include, but are not limited to, unreasonably engaging in any of the following: (1) Isolating the other party from friends, relatives, or other sources of support. (2) Depriving the other party of basic necessities. (3) Controlling, regulating, or monitoring the other party’s movements, communications, daily behavior, finances, economic resources, or access to services. (4) Compelling the other party by force, threat of force, or intimidation, including threats based on actual or suspected immigration status, to engage in conduct from which the other party has a right to abstain or to abstain from conduct in which the other party has a right to engage. (5) Engaging in reproductive coercion, which consists of control over the reproductive autonomy of another through force, threat of force, or intimidation, and may include, but is not limited to, unreasonably pressuring the other party to become pregnant, deliberately interfering with contraception use or access to reproductive health information, or using coercive tactics to control, or attempt to control, pregnancy outcomes.

(d) This section does not limit any remedies available under this act or any other provision of law.

(Amended by Stats. 2021, Ch. 135, Sec. 1. (SB 374) Effective January 1, 2022.)

Stalking (California Penal Code 646.9 & 653m)

646.9. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 15. MISCELLANEOUS CRIMES [626 - 653.75] (Title 15 enacted 1872.)

CHAPTER 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872.)

(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

(b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.

(c) (1) Every person who, after having been convicted of a felony under Section 273.5, 273.6, or 422, commits a violation of subdivision (a) shall be punished by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison for two, three, or five years. (2) Every person who, after having been convicted of a felony under subdivision (a), commits a violation of this section shall be punished by imprisonment in the state prison for two, three, or five years.

(d) In addition to the penalties provided in this section, the sentencing court may order a person convicted of a felony under this section to register as a sex offender pursuant to Section 290.006.

(e) For the purposes of this section, "harasses" means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.

(f) For the purposes of this section, "course of conduct" means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(g) For the purposes of this section, "credible threat" means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of "credible threat."

(h) For purposes of this section, the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code. (i) This section shall not apply to conduct that occurs during labor picketing.

(j) If probation is granted, or the execution or imposition of a sentence is suspended, for any person convicted under this section, it shall be a condition of probation that the person participate in counseling, as designated by the court. However, the court, upon a showing of good cause, may find that the counseling requirement shall not be imposed.

(k) (1) The sentencing court also shall consider issuing an order restraining the defendant from any contact with the victim, that may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any restraining order be based upon the seriousness of the facts before the court, the probability of future violations, and the safety of the victim and his or her immediate family. (2) This protective order may be issued by the court whether the defendant is sentenced to state prison, county jail, or if imposition of sentence is suspended and the defendant is placed on probation.

(l) For purposes of this section, "immediate family" means any spouse, parent, child, any person related by consanguinity or affinity within the second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

(m) The court shall consider whether the defendant would benefit from treatment pursuant to Section 2684. If it is determined to be appropriate, the court shall recommend that the Department of Corrections and Rehabilitation make a certification as provided in Section 2684. Upon the certification, the defendant shall be evaluated and transferred to the appropriate hospital for treatment pursuant to Section 2684.

(Amended by Stats. 2007, Ch. 582, Sec. 2.5. Effective January 1, 2008.)

653m. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 15. MISCELLANEOUS CRIMES [626 - 653.75] (Title 15 enacted 1872.)

CHAPTER 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872.)

(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith.

(b) Every person who, with intent to annoy or harass, makes repeated telephone calls or makes repeated contact by means of an electronic communication device, or makes any combination of calls or contact, to another person is, whether or not conversation ensues from making the telephone call or contact by means of an electronic communication device, guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith or during the ordinary course and scope of business.

(c) Any offense committed by use of a telephone may be deemed to have been committed when and where the telephone call or calls were made or received. Any offense committed by use of an electronic communication device or medium, including the Internet, may be deemed to have been committed

when and where the electronic communication or communications were originally sent or first viewed by the recipient.

(d) Subdivision (a) or (b) is violated when the person acting with intent to annoy makes a telephone call or contact by means of an electronic communication device requesting a return call and performs the acts prohibited under subdivision (a) or (b) upon receiving the return call.

(e) Subdivision (a) or (b) is violated when a person knowingly permits any telephone or electronic communication under the person's control to be used for the purposes prohibited by those subdivisions.

(f) If probation is granted, or the execution or imposition of sentence is suspended, for any person convicted under this section, the court may order as a condition of probation that the person participate in counseling.

(g) For purposes of this section, the term "electronic communication device" includes, but is not limited to, telephones, cellular phones, computers, video recorders, facsimile machines, pagers, personal digital assistants, smartphones, and any other device that transfers signs, signals, writing, images, sounds, or data. "Electronic communication device" also includes, but is not limited to, videophones, TTY/TDD devices, and all other devices used to aid or assist communication to or from deaf or disabled persons. "Electronic communication" has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

(Amended by Stats. 2008, Ch. 109, Sec. 1. 2008.) (Effective January 1, 2009.)

Rape (California Penal Code 261, 261.5, 261.9, 263, 263.1, 264, 264.1, 264.2, 266c, 269, 286, 287, 288.5, 288.7, 289, & 647)

261. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Rape is an act of sexual intercourse accomplished under any of the following circumstances: (1) If a person who is not the spouse of the person committing the act is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. This paragraph does not preclude the prosecution of a spouse committing the act from being prosecuted under any other paragraph of this subdivision or any other law. (2) If it is

accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another. (3) If a person is prevented from resisting by an intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused. (4) If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep. (B) Was not aware, knowing, perceiving, or cognizant that the act occurred. (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose. (5) If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief. (6) If the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death. (7) If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) For purposes of this section, the following definitions apply: (1) "Duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim's relationship to the defendant, are factors to consider in appraising the existence of duress.

(2) "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

(Amended by Stats. 2021, Ch. 626, Sec. 17. (AB 1171) Effective January 1, 2022.)

261.5. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts: (A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars (\$2,000). (B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars (\$5,000). (C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars (\$10,000). (D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000).

(2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature.

(3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant’s ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(Amended by Stats. 2011, Ch. 15, Sec. 302. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

261.9. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Any person convicted of seeking to procure or procuring the sexual services of a prostitute in violation of subdivision (b) of Section 647, if the prostitute is under 18 years of age, shall be ordered by the court, in addition to any other penalty or fine imposed, to pay an additional fine in an amount not to exceed twenty-five thousand dollars (\$25,000).

(b) Every fine imposed and collected pursuant to this section shall, upon appropriation by the Legislature, be available to fund programs and services for commercially sexually exploited minors in the counties where the underlying offenses are committed.

(Added by Stats. 2011, Ch. 75, Sec. 3. (AB 12) Effective January 1, 2012.)

263. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime. (Amended by Stats. 1979, Ch. 994.)

263.1. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) The Legislature finds and declares that all forms of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors.

(b) This section is declarative of existing law.

(Added by Stats. 2016, Ch. 848, Sec. 1. (AB 701) Effective January 1, 2017.)

264. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Except as provided in subdivision (c), rape, as defined in Section 261 or former Section 262, is punishable by imprisonment in the state prison for three, six, or eight years.

(b) In addition to any punishment imposed under this section the judge may assess a fine not to exceed seventy dollars (\$70) against a person who violates Section 261 or former Section 262 with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of the defendant's inability to pay the fine permitted under this subdivision.

(c) (1) A person who commits rape in violation of paragraph (2) of subdivision (a) of Section 261 upon a child who is under 14 years of age shall be punished by imprisonment in the state prison for 9, 11, or 13 years. (2) A person who commits rape in violation of paragraph (2) of subdivision (a) of Section 261 upon a minor who is 14 years of age or older shall be punished by imprisonment in the state prison for 7, 9, or 11 years. (3) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other law.

(Amended by Stats. 2021, Ch. 626, Sec. 21. (AB 1171) Effective January 1, 2022.)

264.1. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) The provisions of Section 264 notwithstanding, when the defendant, voluntarily acting in concert with another person, by force or violence and against the will of the victim, committed an act described in Section 261 or 289, either personally or by aiding and abetting the other person, that fact shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or if admitted by the defendant, the defendant shall suffer confinement in the state prison for five, seven, or nine years.

(b) (1) If the victim of an offense described in subdivision (a) is a child who is under 14 years of age, the defendant shall be punished by imprisonment in the state prison for 10, 12, or 14 years. (2) If the victim of an offense described in subdivision (a) is a minor who is 14 years of age or older, the defendant shall

be punished by imprisonment in the state prison for 7, 9, or 11 years. (3) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other law.

(Amended by Stats. 2021, Ch. 626, Sec. 22. (AB 1171) Effective January 1, 2022.)

264.2. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

a) When there is an alleged violation or violations of subdivision (e) of Section 243, or Section 261, 261.5, 273.5, 286, 287, or 289, the law enforcement officer assigned to the case shall immediately provide the victim of the crime with the "Victims of Domestic Violence" card, as specified in subparagraph (H) of paragraph (9) of subdivision (c) of Section 13701, or with the card described in subdivision (a) of Section 680.2, whichever is more applicable.

(b) (1) The law enforcement officer, or the law enforcement officer's agency, shall immediately notify the local rape victim counseling center, whenever a victim of an alleged violation of Section 261, 261.5, 286, 287, or 289 is transported to a hospital for a medical evidentiary or physical examination. The hospital may notify the local rape victim counseling center, when the victim of the alleged violation of Section 261, 261.5, 286, 287, or 289 is presented to the hospital for the medical or evidentiary physical examination, upon approval of the victim. The victim has the right to have a sexual assault counselor, as defined in Section 1035.2 of the Evidence Code, and a support person of the victim's choosing present at any medical evidentiary or physical examination. (2) Prior to the commencement of an initial medical evidentiary or physical examination arising out of a sexual assault, the medical provider shall give the victim the card described in subdivision (a) of Section 680.2. This requirement shall apply only if the law enforcement agency has provided the card to the medical provider in a language understood by the victim. (3) The hospital may verify with the law enforcement officer, or the law enforcement officer's agency, whether the local rape victim counseling center has been notified, upon the approval of the victim. (4) A support person may be excluded from a medical evidentiary or physical examination if the law enforcement officer or medical provider determines that the presence of that individual would be detrimental to the purpose of the examination. (5) After conducting the medical evidentiary or physical examination, the medical provider shall give the victim the opportunity to shower or bathe at no cost to the victim, unless a showering or bathing facility is not available. (6) A medical provider shall, within 24 hours of obtaining sexual assault forensic evidence from the victim, notify the law enforcement agency having jurisdiction over the alleged violation if the medical provider knows the appropriate jurisdiction. If the medical provider does not know the appropriate jurisdiction, the medical provider shall notify the local law enforcement agency.

(Amended by Stats. 2021, Ch. 626, Sec. 23. (AB 1171) Effective January 1, 2022.)

266c. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.

(Amended by Stats. 2000, Ch. 287, Sec. 4. Effective January 1, 2001.)

269. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Any person who commits any of the following acts upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child: (1) Rape, in violation of paragraph (2) or (6) of subdivision (a) of Section 261. (2) Rape or sexual penetration, in concert, in violation of Section (3) Sodomy, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 286. (4) Oral copulation, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 287 or former Section 288a. (5) Sexual penetration, in violation of subdivision (a) of Section 289.

(b) Any person who violates this section is guilty of a felony and shall be punished by imprisonment in the state prison for 15 years to life.

(c) The court shall impose a consecutive sentence for each offense that results in a conviction under this section if the crimes involve separate victims or involve the same victim on separate occasions as defined in subdivision (d) of Section 667.6.

(Amended by Stats. 2018, Ch. 423, Sec. 47. (SB 1494) Effective January 1, 2019. Note: This section was amended November 7, 2006, by initiative Proposition 83.)

286. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. - OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.

(b) (1) Except as provided in Section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. (2) Except as provided in Section 288, any person over 21 years of age who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony.

(c) (1) Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years. (2) (A) Any person who commits an act of sodomy when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years. (B) Any person who commits an act of sodomy with another person who is under 14 years of age when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 9, 11, or 13 years. (C) Any person who commits an act of sodomy with another person who is a minor 14 years of age or older when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 7, 9, or 11 years. (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law. (3) Any person who commits an act of sodomy where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person or where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for five, seven, or nine years. (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years. (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act

of sodomy upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 7, 9, or 11 years. (4) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(e) Any person who participates in an act of sodomy with any person of any age while confined in any state prison, as defined in Section 4504, or in any local detention facility, as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. (f) Any person who commits an act of sodomy, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: (1) Was unconscious or asleep. (2) Was not aware, knowing, perceiving, or cognizant that the act occurred. (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. (4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(g) Except as provided in subdivision (h), a person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-PetrisShort Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(h) Any person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-PetrisShort Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(i) Any person who commits an act of sodomy, where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for three, six, or eight years.

(j) Any person who commits an act of sodomy, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) Any person who commits an act of sodomy, where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(l) As used in subdivisions (c) and (d), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury, or death.

(m) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section, with the proceeds of this fine to be used in accordance with Section 1463.23. The court, however, shall take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(Amended by Stats. 2013, Ch. 259, Sec. 2. (AB 65) Effective September 9, 2013.)

287. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

(b) (1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. (2) Except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony.

(c) (1) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years. (2) (A) Any person who commits an act of oral copulation when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years. (B) Any person who commits an act of oral

copulation upon a person who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years. (C) Any person who commits an act of oral copulation upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years. (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law. (3) Any person who commits an act of oral copulation where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting that other person, commits an act of oral copulation (A) when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, or (B) where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, or (C) where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison for five, seven, or nine years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the LantermanPetris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime described under paragraph (3), that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent. (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years. (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years. (4) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following

conditions: (1) Was unconscious or asleep. (2) Was not aware, knowing, perceiving, or cognizant that the act occurred. (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. (4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the oral copulation served a professional purpose when it served no professional purpose.

(g) Except as provided in subdivision (h), any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison, for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(h) Any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(i) Any person who commits an act of oral copulation, where the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(j) Any person who commits an act of oral copulation, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(k) Any person who commits an act of oral copulation, where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(l) As used in subdivisions (c) and (d), "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(m) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section, with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(Added by renumbering Section 288a by Stats. 2018, Ch. 423, Sec. 49. (SB 1494) Effective January 1, 2019.)

288.5. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Any person who either resides in the same home with the minor child or has recurring access to the child, who over a period of time, not less than three months in duration, engages in three or more acts of substantial sexual conduct with a child under the age of 14 years at the time of the commission of the offense, as defined in subdivision

(b) of Section 1203.066, or three or more acts of lewd or lascivious conduct, as defined in Section 288, with a child under the age of 14 years at the time of the commission of the offense is guilty of the offense of continuous sexual abuse of a child and shall be punished by imprisonment in the state prison for a term of 6, 12, or 16 years. (b) To convict under this section the trier of fact, if a jury, need unanimously agree only that the requisite number of acts occurred not on which acts constitute the requisite number.

(c) No other act of substantial sexual conduct, as defined in subdivision (b) of Section 1203.066, with a child under 14 years of age at the time of the commission of the offenses, or lewd and lascivious acts, as defined in Section 288, involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved in which case a separate count may be charged for each victim.

(Amended by Stats. 2006, Ch. 337, Sec. 8. Effective September 20, 2006.)

288.7. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. - OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Any person 18 years of age or older who engages in sexual intercourse or sodomy with a child who is 10 years of age or younger is guilty of a felony and shall be punished by imprisonment in the state prison for a term of 25 years to life.

(b) Any person 18 years of age or older who engages in oral copulation or sexual penetration, as defined in Section 289, with a child who is 10 years of age or younger is guilty of a felony and shall be punished by imprisonment in the state prison for a term of 15 years to life.

(Added by Stats. 2006, Ch. 337, Sec. 9. Effective September 20, 2006.)

289. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) (1) (A) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years. (B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years. (C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years. (D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law. (2) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(c) Any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is

known or reasonably should be known to the person committing the act or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

Notwithstanding the existence of a conservatorship pursuant to the provisions of the LantermanPetris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: (1) Was unconscious or asleep. (2) Was not aware, knowing, perceiving, or cognizant that the act occurred. (3) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. (4) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(e) Any person who commits an act of sexual penetration when the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.

(g) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.

(i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.

(j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) As used in this section: (1) "Sexual penetration" is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object. (2) "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ. (3) "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.

(l) As used in subdivision (a), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.

(m) As used in this section, "victim" includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.

(Amended by Stats. 2013, Ch. 282, Sec. 2. (SB 59) Effective September 9, 2013.)

647. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 15. MISCELLANEOUS CRIMES [626 - 653.75] (Title 15 enacted 1872.)

CHAPTER 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872.)

Except as provided in paragraph (5) of subdivision (b) and subdivision (k), every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

(b)(1) An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with the intent to receive compensation, money, or anything of value from another person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(2) An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with another person who is 18 years of age or older in exchange for the individual providing compensation, money, or anything of value to the other person. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by another person who is 18 years of age or older to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in an act of prostitution.

(3) An individual who solicits, or who agrees to engage in, or who engages in, any act of prostitution with another person who is a minor in exchange for the individual providing compensation, money, or anything of value to the minor. An individual agrees to engage in an act of prostitution when, with specific intent to so engage, the individual manifests an acceptance of an offer or solicitation by someone who is a minor to so engage, regardless of whether the offer or solicitation was made by a minor who also possessed the specific intent to engage in an act of prostitution.

(4) A manifestation of acceptance of an offer or solicitation to engage in an act of prostitution does not constitute a violation of this subdivision unless some act, in addition to the manifestation of acceptance, is done within this state in furtherance of the commission of the act of prostitution by the person manifesting an acceptance of an offer or solicitation to engage in that act. As used in this subdivision, “prostitution” includes any lewd act between persons for money or other consideration.

(5) Notwithstanding paragraphs (1) to (3), inclusive, this subdivision does not apply to a child under 18 years of age who is alleged to have engaged in conduct to receive money or other consideration that would, if committed by an adult, violate this subdivision. A commercially exploited child under this paragraph may be adjudged a dependent child of the court pursuant to paragraph (2) of subdivision (b) of Section 300 of the Welfare and Institutions Code and may be taken into temporary custody pursuant to subdivision (a) of Section 305 of the Welfare and Institutions Code, if the conditions allowing temporary custody without warrant are met.

(Amended by Stats. 2020, Ch. 370, Sec. 229. (SB 1371) Effective January 1, 2021.)

Statutory Rape (California Penal Code Section 261.5, 288.5, & 647.6)

261.5. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 1. Rape, Abduction, Carnal Abuse of Children, and Seduction [261 - 269] (Chapter 1 enacted 1872.)

(a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts: (A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars (\$2,000). (B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars (\$5,000). (C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars (\$10,000). (D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars (\$25,000). (2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature. (3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(Amended by Stats. 2011, Ch. 15, Sec. 302. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

288.5. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Any person who either resides in the same home with the minor child or has recurring access to the child, who over a period of time, not less than three months in duration, engages in three or more acts of substantial sexual conduct with a child under the age of 14 years at the time of the commission of the offense, as defined in subdivision

(b) of Section 1203.066, or three or more acts of lewd or lascivious conduct, as defined in Section 288, with a child under the age of 14 years at the time of the commission of the offense is guilty of the offense of continuous sexual abuse of a child and shall be punished by imprisonment in the state prison for a term of 6, 12, or 16 years. (b) To convict under this section the trier of fact, if a jury, need

unanimously agree only that the requisite number of acts occurred not on which acts constitute the requisite number.

(c) No other act of substantial sexual conduct, as defined in subdivision (b) of Section 1203.066, with a child under 14 years of age at the time of the commission of the offenses, or lewd and lascivious acts, as defined in Section 288, involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved in which case a separate count may be charged for each victim.

(Amended by Stats. 2006, Ch. 337, Sec. 8. Effective September 20, 2006.)

647.6. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 15. MISCELLANEOUS CRIMES [626 - 653.75] (Title 15 enacted 1872.)

CHAPTER 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872.)

(a) (1) Every person who annoys or molests any child under 18 years of age shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment.

(2) Every person who, motivated by an unnatural or abnormal sexual interest in children, engages in conduct with an adult whom he or she believes to be a child under 18 years of age, which conduct, if directed toward a child under 18 years of age, would be a violation of this section, shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail for up to one year, or by both that fine and imprisonment.

(Amended by Stats. 2018, Ch. 423, Sec. 63. (SB 1494) Effective January 1, 2019.)

Fondling (Sexual Battery) (California Penal Code 243.4, 288, 288.5, 647.6)

243.4. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 8. OF CRIMES AGAINST THE PERSON [187 - 248] (Title 8 enacted 1872.)

CHAPTER 9. Assault and Battery [240 - 248] (Chapter 9 enacted 1872.)

(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Civil Rights Department for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full. (2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings: (1) “Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female. (2) “Sexual battery” does not include the crimes defined in Section 261 or 289. (3) “Seriously disabled” means a person with severe physical or sensory disabilities (4) “Medically incapacitated” means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication. (5) “Institutionalized” means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital. (6) “Minor” means a person under 18 years of age.

(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars (\$10,000).

(Amended by Stats. 2022, Ch. 48, Sec. 70. (SB 189) Effective June 30, 2022.)

288. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Except as provided in subdivision (i), a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) (1) A person who commits an act described in subdivision (a) by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, is guilty of a felony and shall be punished by imprisonment in the state prison for 5, 8, or 10 years. (2) A person who is a caretaker and commits an act described in subdivision (a) upon a dependent person by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, with the intent described in subdivision (a), is guilty of a felony and shall be punished by imprisonment in the state prison for 5, 8, or 10 years.

(c) (1) A person who commits an act described in subdivision (a) with the intent described in that subdivision, and the victim is a child of 14 or 15 years, and that person is at least 10 years older than the child, is guilty of a public offense and shall be punished by imprisonment in the state prison for one, two,

or three years, or by imprisonment in a county jail for not more than one year. In determining whether the person is at least 10 years older than the child, the difference in age shall be measured from the birth date of the person to the birth date of the child. (2) A person who is a caretaker and commits an act described in subdivision (a) upon a dependent person, with the intent described in subdivision (a), is guilty of a public offense and shall be punished by imprisonment in the state prison for one, two, or three years, or by imprisonment in a county jail for not more than one year.

(d) In any arrest or prosecution under this section or Section 288.5, the peace officer, district attorney, and the court shall consider the needs of the child victim or dependent person and shall do whatever is necessary, within existing budgetary resources, and constitutionally permissible to prevent psychological harm to the child victim or to prevent psychological harm to the dependent person victim resulting from participation in the court process.

(e) (1) Upon the conviction of a person for a violation of subdivision (a) or (b), the court may, in addition to any other penalty or fine imposed, order the defendant to pay an additional fine not to exceed ten thousand dollars (\$10,000). In setting the amount of the fine, the court shall consider any relevant factors, including, but not limited to, the seriousness and gravity of the offense, the circumstances of its commission, whether the defendant derived any economic gain as a result of the crime, and the extent to which the victim suffered economic losses as a result of the crime. Every fine imposed and collected under this section shall be deposited in the Victim-Witness Assistance Fund to be available for appropriation to fund child sexual exploitation and child sexual abuse victim counseling centers and prevention programs pursuant to Section 13837. (2) If the court orders a fine imposed pursuant to this subdivision, the actual administrative cost of collecting that fine, not to exceed 2 percent of the total amount paid, may be paid into the general fund of the county treasury for the use and benefit of the county.

(f) For purposes of paragraph (2) of subdivision (b) and paragraph (2) of subdivision (c), the following definitions apply:

(1) "Caretaker" means an owner, operator, administrator, employee, independent contractor, agent, or volunteer of any of the following public or private facilities when the facilities provide care for elder or dependent persons: (A) Twenty-four hour health facilities, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code. (B) Clinics. (C) Home health agencies. (D) Adult day health care centers. (E) Secondary schools that serve dependent persons and postsecondary educational institutions that serve dependent persons or elders. (F) Sheltered workshops. (G) Camps. (H) Community care facilities, as defined by Section 1402 of the Health and Safety Code, and residential care facilities for the elderly, as defined in Section 1569.2 of the Health and Safety Code. (I) Respite care facilities. (J) Foster homes. (K) Regional centers for persons with developmental disabilities. (L) A home health agency licensed in accordance with Chapter 8 (commencing with Section 1725) of Division 2 of the Health and Safety Code. (M) An agency that supplies in-home supportive services. (N) Board and care facilities. (O) Any other protective or public assistance agency that provides health services or social services to elder or dependent persons, including, but not limited to, in-home supportive services, as defined in Section 14005.14 of the Welfare and Institutions Code. (P) Private residences.

(2) "Board and care facilities" means licensed or unlicensed facilities that provide assistance with one or more of the following activities: (A) Bathing. (B) Dressing. (C) Grooming. (D) Medication storage. (E) Medical dispensation. (F) Money management.

(3) "Dependent person" means a person, regardless of whether the person lives independently, who has a physical or mental impairment that substantially restricts his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have significantly diminished because of age. "Dependent person" includes a person who is admitted as an inpatient to a 24-hour health facility, as defined in Sections 1250, 1250.2, and 1250.3 of the Health and Safety Code. (g) Paragraph (2) of subdivision (b) and paragraph (2) of subdivision (c) apply to the owners, operators, administrators, employees, independent contractors, agents, or volunteers working at these public or private facilities and only to the extent that the individuals personally commit, conspire, aid, abet, or facilitate any act prohibited by paragraph (2) of subdivision (b) and paragraph (2) of subdivision (c).

(h) Paragraph (2) of subdivision (b) and paragraph (2) of subdivision (c) do not apply to a caretaker who is a spouse of, or who is in an equivalent domestic relationship with, the dependent person under care.

(i) (1) A person convicted of a violation of subdivision (a) shall be imprisoned in the state prison for life with the possibility of parole if the defendant personally inflicted bodily harm upon the victim. (2) The penalty provided in this subdivision shall only apply if the fact that the defendant personally inflicted bodily harm upon the victim is pled and proved. (3) As used in this subdivision, "bodily harm" means any substantial physical injury resulting from the use of force that is more than the force necessary to commit the offense.

(Amended by Stats. 2018, Ch. 70, Sec. 2. (AB 1934) Effective January 1, 2019.)

288.5. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

(a) Any person who either resides in the same home with the minor child or has recurring access to the child, who over a period of time, not less than three months in duration, engages in three or more acts of substantial sexual conduct with a child under the age of 14 years at the time of the commission of the offense, as defined in subdivision (b) of Section 1203.066, or three or more acts of lewd or lascivious conduct, as defined in Section 288, with a child under the age of 14 years at the time of the commission of the offense is guilty of the offense of continuous sexual abuse of a child and shall be punished by imprisonment in the state prison for a term of 6, 12, or 16 years.

(b) To convict under this section the trier of fact, if a jury, need unanimously agree only that the requisite number of acts occurred not on which acts constitute the requisite number.

(c) No other act of substantial sexual conduct, as defined in subdivision (b) of Section 1203.066, with a child under 14 years of age at the time of the commission of the offenses, or lewd and lascivious acts, as defined in Section 288, involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section unless more than one victim is involved in which case a separate count may be charged for each victim.

(Amended by Stats. 2006, Ch. 337, Sec. 8. Effective September 20, 2006.)

647.6. PENAL CODE – PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 15. MISCELLANEOUS CRIMES [626 - 653.75] (Title 15 enacted 1872.)

CHAPTER 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872.)

(a) (1) Every person who annoys or molests any child under 18 years of age shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment.

(2) Every person who, motivated by an unnatural or abnormal sexual interest in children, engages in conduct with an adult whom he or she believes to be a child under 18 years of age, which conduct, if directed toward a child under 18 years of age, would be a violation of this section, shall be punished by a fine not exceeding five thousand dollars (\$5,000), by imprisonment in a county jail for up to one year, or by both that fine and imprisonment.

(Amended by Stats. 2018, Ch. 423, Sec. 63. (SB 1494) Effective January 1, 2019.)

Incest (California Penal Code 285)

285. PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 1111, Sec. 2.)

CHAPTER 5. Bigamy, Incest, and the Crime Against Nature [281 - 289.6] (Chapter 5 enacted 1872.)

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

(Amended by Stats. 2005, Ch. 477, Sec. 1. Effective January 1, 2006.)

P. Sex Offender Registration-Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required, under State Law, of each institution of higher education in that State at which a person is employed, carries on a vocation, volunteers services or is a student.

The State of California requires sex offenders to register with the police department in the jurisdiction in which they reside. The state makes this information available to law enforcement agencies.

In addition, the [California Penal Code §290.01](#) requires sex offenders to register with UC Police Department within five working days of commencing enrollment or employment if they work at the University (including contractors), attend classes, reside, or volunteer at the University. The registrant shall also notify the Department within five working days of ceasing to be enrolled or employed, or ceasing to carry on a vocation or volunteer opportunity.

Information on registered sex offenders is available by contacting UCRPD. For more information, please refer to the [Sex Offender Registration](#) at UCR Police Department website.

Q. Megan's Law

The UC Riverside Police Department participates in the California Department of Justice (DOJ) Megan's Law Data Program. In accordance with existing federal and state laws and university policies, Megan's Law allows the public to view information about sexual offenders that may be residing in their community, which helps people to be aware of potential risks. Information concerning registered sex offenders in California is available through the Megan's law web site at <http://www.meganslaw.ca.gov>.

While the general public can view information contained in the Megan's Law Data Program, members of the campus community may view information gathered about campus affiliated registered sex offenders at the UC Riverside Police Department. Campus community members are defined as those persons present at, and those persons regularly frequenting any place associated with an institution of higher education.

For more information please refer to the [Sex Offender Registration](#) at UCR Police Department website.

R. (HEOA) Notification to Victims of Crimes of Violence

The University will, upon written request if not automatically provided under the SVSH Policy (in accordance with which Complainants are notified of investigation and adjudication outcomes including sanctions imposed for findings of violations of the SVSH Policy), disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

XI. Other UC Riverside Policies

A. Stalking

As discussed in [UC Riverside’s Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking](#) section of this report, the UC SVSH Policy addresses sex- and gender-based stalking. The University and the Riverside campus also have policies designed to prevent and address other forms of stalking.

The [Policy on Violence Prevention in the UCR Community—Zero Tolerance for Violent Behavior](#) prohibits a range of violent behavior including stalking. The policy applies to all members of the campus community as well as contractors/vendors and visitors to campus or conducting business with UCR, and prohibits conduct in all UCR buildings, facilities, rooms, spaces (indoor or outdoor) and at all locations where UCR business is conducted. The policy defines stalking as “behavior in which a person repeatedly engages in a course of conduct directed at another specific person, (e.g., following, monitoring, observing, surveilling, threatening, communicating, or interfering with property), that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Stalking encompasses the use of technology to commit this behavior.”

The policy provides that reports will be investigated as required and that any student or employee who is found to have violated the policy will be subject to disciplinary action up to and including termination of employment/dismissal from school.

The policy provides information on how people should report violent behavior and an overview of how reports are handled.

In addition, the [Student Code of Conduct \(PACAOS 100\)](#) prohibits stalking, which is defined in Section 102.10 as:

Behavior in which a student repeatedly engages in a course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her family; where the threat is reasonable determined by the University to seriously alarm, torment, or terrorize the person; and where the threat is additionally determined by the University to serve no legitimate purpose.

Stalking and any other “social misconduct” (non-academic student misconduct) may be reported online (anonymous reports accepted) or in person using the social misconduct report form at 119 Costo Hall. [Report Social Misconduct | Faculty & Staff | SCAIP | UC Riverside](#) SCAIP responds to reports of stalking following the conduct process, which complies with PACAOS 100 (see Section 103.00, Student Discipline Procedures). The process provides due process for students, who may be sanctioned for violations.

B. Hazing

All members of the UCR community are responsible for ensuring that UCR remains free from hazing. [Hazing is against the law](#). Matt’s Law amended the California penal code to allow for felony prosecution of some hazing behaviors. All participation in hazing is a crime.

Hazing is additionally against university policy. University of California Policy on Hazing – Policies Applying to Campus Activities, Organizations and Students (PACAOS) 102.12 - Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace resulting in psychological harm to any student or other person.

The Student Life Office provides ongoing training and educational programs for members and officers in student organizations and specifically for members of fraternities and sororities.

All incoming students receive a hazing awareness presentation at Highlander Orientation. Additionally, the Dean of Students Office sends out two emails each year to all students regarding hazing awareness.

You can help by doing the following:

- Before joining any group/organization at UCR, be certain that you and the organization's leadership have signed a statement in support of maintaining the dignity and respect of all community members, pledging not to accept or engage in hazing.
- If you have been hazed, have witnessed hazing or suspect that someone you know has been hazed, you can [report](#) your observations privately to UCR officials.

To report hazing:

- Make a phone call to a university staff member. If desired, you can remain anonymous when calling in a report.
- Discuss concerns about a specific group:
 - **Athletics** (for concerns about an athletic team): **(951) 827-5432**
 - **Student Life** (for concerns about a student organization): **(951) 827-7344**
 - Fraternity and Sorority Involvement Center (for concerns related to the Greek system): 951-827-2438
- Discuss concerns about any group:
 - UCR Police Department: (951) 827-5222
 - Dean of Students: (951) 827-6095
 - **Student Conduct and Academic Integrity Programs: (951) 827-4208** or [submit a report](#)

UCR's ability to investigate reports and enforce the university policy depends on the accuracy and specificity of the information provided. You are encouraged to **provide as much specific detail as possible** so that appropriate action can be taken to address the reported behavior. For more resources visit the [Dean of Students website](#).

C. Missing Students

UC Riverside takes the safety and welfare of our students very seriously. To that end, UCRPD will respond to any missing person's report conveyed to them without delay regardless of jurisdiction. A missing person report will be given investigative priority over non-emergency property crimes. If you believe that any member of the campus community is missing or is in any danger, do not hesitate to report it to UC Riverside Police Department, immediately. In addition, UCR has the following policy relating to missing students:

Housing Services Missing Student Notification Policy

All UCR personnel are expected to appropriately respond to, and immediately document, a residential missing persons' report or notification (including telephone reports). Reports of resident missing persons (including runaways) must be handled without delay and be given priority. Generally, these reports are referred to the on-duty Assistant Resident Director and/or Resident Director On-duty in Residence Life, who will immediately notify UCRPD. Reports of non-resident missing persons should also be immediately referred to UCRPD.

When a resident student is first reported as potentially missing, staff should consult with the on-duty Assistant Resident Director and/or professional staff to take prudent action to determine if this is a valid missing person's case. Actions may include:

1. Call the contact number of the missing person on file (other than the home phone number).
2. Perform welfare check on the resident (should be conducted by professional staff).
3. Speak with roommate(s), hall mate(s) or other known associates about the whereabouts of the potentially missing resident.

When performing these steps, staff should keep FERPA and other privacy considerations in mind. For example, if a parent calls to indicate that they have not heard from their son or daughter, the staff should not indicate that the resident does or does not live with us. However, they can take information and indicate that, if the student is in one of our Housing facilities and can be located; a message will be relayed to the resident to contact the concerned party. Staff may mention privacy laws to alleviate issues about inability to release information.

Students are advised that, in the event a student under 18 years of age and not emancipated, UCR must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, students are also advised that, in addition to notifying any additional contact person designated by the student. Students are advised that, for all missing students, UCR will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

After performing the above, the professional staff on-duty needs to be informed of the actions that the staff has taken and the outcomes of those actions. UCRPD should be notified immediately when the initial report comes in, even if the individual has been missing less than 24 hours. UCRPD, following their missing person's protocol, will make the determination that the student is missing and initiate any needed investigation. When the professional staff determine that we have been unaware of a resident's whereabouts for 24 hours or more, along with following regular protocol (such as advising on-duty staff), UCRPD must be updated.

When a resident is determined to have been missing for 24 hours the following steps will be taken by professional staff in consultation with UCRPD:

1. If the resident has designated (a) missing persons contact person(s), within 24 hours notify at least one contact person that the student is missing.
2. If the resident is under 18 years of age and is not emancipated, within 24 hours notify the student's custodial parent or guardian and any other designated missing persons contact person that the resident is missing.

3. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UCR will inform the Local PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours.

Designated Contact Information: To assist with missing persons incidents, each resident, through their Housing Contract is encouraged to annually identify a contact person or persons (separate from their Emergency Contact, though it may be the same person(s)) whom the institution shall notify within 24 hours of the determination that the student is missing. Students are advised that this information will be registered confidentially, be accessible only to authorized campus officials, kept separate from other Emergency Contact information, and it may not be disclosed, except to university officials in the event of an emergency.

For more information about this policy, please see UCR Housing Services' [Missing Persons Policy](#).

D. Weapons on Campus

All weapons are prohibited on the UC Riverside campus, whether in a book bag, in the car, or in an office, classroom, or apartment. In accordance with California's *Gun-Free School Zone Act* (Penal Code 626.9), except for sworn police officers or federal law enforcement officials, it is a felony to bring or possess ANY firearm on any California school, college, or university campus. It is also a felony to possess any air gun - including pellet and BB guns that utilize air, CO2, or spring pressure to propel a projectile (Penal Code 626.10). In addition to firearms, knives with a rigid blade length of over two- and one-half inches, dirks, daggers, metal knuckles, nunchaku (nun chucks), and ice picks are illegal.

If you see a gun or other weapon on university property, please alert UCRPD immediately at (951) 827-5222 with a description of the location of the weapon and/or the individual carrying it. If you believe that the weapon is being or is about to be used, dial 911 from a land-line, and from a cell phone, dial (951) 827-5222.

E. Abusive Conduct in the Workplace

[UC's Abusive Conduct Policy](#) applies to all UCR employees, including faculty and staff and student employees. It also applies to certain non-affiliates (as described in the policy). It does not apply to students acting in their student capacity; student conduct is regulated under the Policies Applying to Campus Activities, Organizations and Students (PACAOS).

The policy prohibits Abusive Conduct: harassing or threatening behavior that is sufficiently severe, persistent, or pervasive conduct in the Workplace that denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment, or other programs or activities of the University. The conduct creates an environment, whether intended or not, that a reasonable person would find to be intimidating or offensive and unrelated to the University's legitimate educational, employment, and business interests.

The policy includes provisions about reporting options and obligations and protects those who report from retaliation. UCR is creating a campus procedure to implement the policy, which as of the date of publication of this report was posted for campus notice and comment. Abusive Conduct violations should be reported to the Responsible Office, which shall assess the report in 30 business days. If an

individual's health and safety are threatened, an immediate response is required. The Policy specifies that "physical violence or threats of violence are extreme forms of Abusive Conduct and should be reported to" UCRPD.

Reports of Abusive Conduct may be addressed through early resolution or formal investigation. A violation established by the preponderance of the evidence will be addressed by the appropriate administrative official and may include corrective and disciplinary action under applicable policies.

Reporting Options include:

- Generally, a UCR employee or student who experiences or witnesses Bullying or Abusive Conduct prohibited by this Policy should report such behaviors to their immediate supervisor (for employees) or the supervisor of the person believed to have engaged in the Bullying or Abusive Conduct.
- Another option available is to file a report, which may be anonymous, through the [Campus Climate reporting form](#) (online or phone).
- Additional reporting or complaint options may exist under other University policies, depending on the identity of the reporter, the identity of the person alleged to have engaged in the Bullying and Abusive Conduct, and the nature of the Bullying and Abusive Conduct:
 - a. Conduct that is discriminatory in nature should be reported to the Office of Title IX, Equal Opportunity & Affirmative Action.
 - b. Employees may have additional grievance options (refer to the full text of the policy).
 - c. If the person alleged to have engaged in the Bullying or Abusive Conduct is a Senate faculty member, a disciplinary complaint may be filed under the Faculty Code of Conduct (APM 015, Section II.C.8), under procedures in UCR's Senate Bylaws, Appendix 5. The Vice Provost for Administrative Resolution (VPAR) may provide information about the Faculty Code of Conduct process.

Responsible Offices: Supervisors, managers, and administrators who witness or receive a report of Bullying or Abusive Conduct are required to consult with their department head (unless the report is about the head) and Employee and Labor Relations (ELR)—if related to staff, the Academic Personnel Office (APO)—if related to non-Senate faculty or non-faculty academic personnel, or the VPAR—if related to Senate faculty.

XII. Annual Disclosure of Crime Statistics

This section of the report discloses crime statistics for UCR's Clery Act geography for the past three years. The crimes for which data is collected and published in this report are referred to as "Clery Crimes."

A. Clery Crime Definitions

To better understand what the statistics represent, a definition of terms follows. Definitions were taken from the *Handbook for Campus Safety and Security Reporting* (Department of Education, 2016). Please note that these definitions are not identical to definitions used in California law or definitions used in UCR policies, including the *UC SVSH Policy*.

Criminal Offenses

- Criminal Homicide
 - **Murder and Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another.
 - **Manslaughter by Negligence:** the killing of another person through gross negligence.
- **Sexual Assault (Sex Offenses)**-Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
 - *Rape*-the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
 - *Fondling*- the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - *Incest*- sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - *Statutory Rape*- sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Burglary:** the unlawful entry of a structure to commit a felony or a theft. An incident must meet three conditions to be classified as a Burglary:
 - There must be evidence of unlawful entry (trespass). This means that the person did not have the right to be in the structure at the time the incident occurred.
 - The unlawful entry must occur within a *structure*, which is defined as having four walls, a roof, and a door.
 - The structure was unlawfully entered to commit a felony or a theft.
- **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.

- **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes

A *hate crime* is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. *Bias* is a preformed negative opinion or attitude toward a group of persons based on their race, gender/gender identity, religion, disability, sexual orientation or ethnicity/national origin. The following are descriptions of bias based on the specific characteristic or identity:

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Gender:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity:** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Hate crimes include all the Clery Act crimes defined in the previous section, if there is evidence that a victim was chosen based on a category of bias. The following additional crimes are also hate crimes, again if there is evidence that a victim was chosen based on a perpetrator's bias:

- **Larceny-Theft:** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the Uniform Crime Reporting)
 - *Constructive possession* is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
- **Simple Assault:** an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury

involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- **Intimidation:** to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Violence against Women Act (VAWA) Crimes

- **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to:
 - Sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** a felony or misdemeanor crime of violence committed by
 - A current or former spouse or intimate partner of the victim;
 - A person with whom the victim shares a child in common;
 - A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.

For the purpose of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

B. Clery Act Geography

The Clery Act requires colleges and universities to disclose the aforementioned crime statistics based on specific geographic parameters. Statistics must be disclosed for the following areas (Department of Education, 2016):

- **On-campus** 34 CFR 668.46(a):
 - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of,

or in a manner related to, the institution's educational purposes, including residence halls; and

- Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- **On-campus Student Housing** 34 CFR 668.41(a):
 - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
- **Public Property** 34 CFR 668.46(a):
 - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- **Non-campus** 34 CFR 668.46(a):
 - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

For specific information regarding UC Riverside Clery Geographic Areas, please contact the Clery Act Compliance Coordinator.

C. Crime Statistics-UCR Main Campus

<u>CRIMINAL OFFENSES</u>	YEAR	ON-CAMPUS*	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS	PUBLIC PROPERTY
MURDER AND NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
RAPE	2022	10	9	2	0
	2021	9	9	0	0
	2020	3	3	0	0
FONDLING	2022	9	7	0	0
	2021	6	5	0	0
	2020	7	6	0	0
INCEST	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
STATUTORY RAPE	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
ROBBERY	2022	0	0	0	1
	2021	2	0	0	0
	2020	1	1	0	0
AGGRAVATED ASSAULT	2022	5	4	1	1
	2021	0	0	0	0
	2020	0	1	0	0

BURGLARY	2022	70	15	4	0
	2021	30	5*	0	0
	2020	47	13	0	0
MOTOR VEHICLE THEFT	2022	69	0	2	0
	2021	18	0	0	0
	2020	17	0	1	0
ARSON	2022	1	0	0	0
	2021	0	0	0	0
	2020	2	1	0	0

UNFOUNDED CRIMES	2022	1
	2021	0
	2020	0

<u>VAWA OFFENSES</u>	YEAR	ON-CAMPUS	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2022	6	3	0	0
	2021	4	3	0	0
	2020	5	5	0	0
DATING VIOLENCE	2022	6	5	0	0
	2021	6	5	0	0
	2020	7	5	0	0
STALKING	2022	9	2	0	0
	2021	0	0	0	0
	2020	6	3	0	0

<u>ARRESTS</u>	YEAR	ON-CAMPUS	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0	0	0
	2021	0	0	0	1
	2020	0	0	0	0
DRUG LAW VIOLATIONS	2022	28	1	0	4
	2021	15	4	0	4
	2020	6	2	0	0
WEAPONS LAW VIOLATIONS	2022	3	0	0	1
	2021	4	2	0	1
	2020	2	0	0	0

<u>DISCIPLINARY REFERRALS</u>	YEAR	ON-CAMPUS	ON-CAMPUS STUDENT HOUSING	NON-CAMPUS	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	45	43	0	0
	2021	40	40	0	0
	2020	5	5	0	0
DRUG LAW VIOLATIONS	2022	55	38	0	0
	2021	12	12	0	0
	2020	35	35	0	0
WEAPONS LAW VIOLATIONS	2022	2	2	0	0
	2021	1	1	0	0
	2020	0	0	0	0

* In 2021 number of burglaries at the on-campus student housing facilities was reported incorrectly due to misclassification of the crime geography. This number has been adjusted from reported previously 11 to 5; the remaining 6 burglaries occurred on campus and accounted for in the on-campus burglary statistics.

Hate Crime Reporting

- In 2022, 0 hate crimes were reported.
- In 2021, 0 hate crimes were reported.
- In 2020, 1 cyber-intimidation characterized by sexual orientation-based bias while on Clery geography.

D. Crime Statistics-UCR Palm Desert Center

<u>CRIMINAL OFFENSES</u>	YEAR	ON-CAMPUS	PUBLIC PROPERTY
MURDER & NON-NEGLIGENT MANSLAUGHTER	2022	0	0
	2021	0	0
	2020	0	0
MANSLAUGHTER BY NEGLIGENCE	2022	0	0
	2021	0	0
	2020	0	0
RAPE	2022	0	0
	2021	0	0
	2020	0	0
FONDLING	2022	0	0
	2021	0	0
	2020	0	0
INCEST	2022	0	0
	2021	0	0
	2020	0	0
STATUTORY RAPE	2022	0	0
	2021	0	0
	2020	0	0
ROBBERY	2022	0	0
	2021	0	0
	2020	0	0
AGGRAVATED ASSAULT	2022	0	0
	2021	0	0
	2020	0	0
BURGLARY	2022	0	0
	2021	0	0
	2020	0	0

MOTOR VEHICLE THEFT	2022	0	0
	2021	0	0
	2020	0	0
ARSON	2022	0	0
	2021	0	0
	2020	0	0

UNFOUNDED CRIMES	2022	0
	2021	0
	2020	0

<u>VAWA OFFENSES</u>	YEAR	ON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2022	0	0
	2021	0	0
	2020	0	0
DATING VIOLENCE	2022	0	0
	2021	0	0
	2020	0	0
STALKING	2022	0	0
	2021	0	0
	2020	0	0

<u>ARRESTS</u>	YEAR	ON-CAMPUS	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0
DRUG LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0
WEAPONS LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0

<u>DISCIPLINARY REFERRALS</u>	YEAR	ON-CAMPUS	PUBLIC PROPERTY
LIQUOR LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0
DRUG LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0
WEAPONS LAW VIOLATIONS	2022	0	0
	2021	0	0
	2020	0	0

Hate Crime Reporting

- 0 incidents were reported during the 2022 calendar year.
- 0 incidents were reported during the 2021 calendar year.
- 0 incidents were reported during the 2020 calendar year.

XIII. UC Riverside Annual Fire Safety Report

The *Higher Education Opportunity Act*, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this Act for the University of California, Riverside.

The UCR Fire Prevention program is intended to ensure responsible and consistent protection for persons and property in, on, and exposed to UCR administered properties in conformance with California statutes, regulations and University policy. The program addresses emergency incident response, fire, panic, explosion, and disaster preparedness. UCR's Fire Prevention Office, led by the Campus Fire Marshal, manages the Fire Prevention program.

Fire prevention adheres to established safety procedures and controls to limit the potential for emergencies. Fire protection incorporates features and procedures to limit the effects of fires and explosions. Fire safety is a primary responsibility of all faculty, staff, and students. When a fire occurs, each individual should be capable of effectively responding.

UCR follows established fire safety standards and procedures, including construction, fire investigation, exiting, occupant loads, fire drills, flammable and combustible materials, and special events. For more details, refer to UCR's [Fire Prevention and Life Safety Policy](#).

Note: The UC Riverside Palm Desert Center does not have its own student housing facilities and is therefore not required to disclose fire statistics or produce a report, under Clery.

A. Fire Safety Definitions

Definitions were taken from the *Handbook for Campus Safety and Security Reporting* (Department of Education, 2016). Please note that these definitions are not identical to definitions used in California law or definitions used in UCR policies.

- **Cause of Fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.
- **Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
- **Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.
- **Fire-related injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire.
 - The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.
- **Fire-related death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or dies within one year of injuries sustained as a result of the fire.

- **Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This system may include sprinkler systems or other fire extinguishing systems, fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.
- **On-Campus Student Housing:** A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.
 - **UC Fire Marshal’s Definition:** The HEOA applies to all residential facilities owned or controlled by an institution within the same reasonably contiguous geographic area, including privately operated residential housing, provided the building is owned by the University or is on the main campus. If the residential housing facility is privately operated, not owned by the University, but located on the land owned by the Regents of the University of California, then that facility is included.
- **Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include direct loss, such as business interruption.

B. Reporting a Fire

All active fires are to be reported to UCRPD using 911 for emergencies, (951) 827-5222 for non-emergencies. UCRPD dispatchers are available 24/7 to accept any calls regarding fires on campus.

UCR encourages campus community members to also notify other offices, as outlined in the table below. Residents are reminded to report any past smoke or fire condition to appropriate Residential Life and Housing staff for documentation and investigation.

Office	Type of Fire/When to Report	Campus Address	Phone Number	Website
UC Riverside Police Department	All fires on UCR property	3500 Canyon Crest Drive	(951) 827-5222 Emergency: 911	police.ucr.edu
Fire Prevention Mon.-Fri.; 8:00 AM-5:00 PM	Additional/secondary report for all fires	900 University Ave, Office of Campus Architect	(951) 827-6309	fire.ucr.edu
Residential Life & Housing Services	All fires in residence halls/student housing	Resident Services Offices; 3595 Canyon Crest Drive	Various; (951) 827-6350	housing.ucr.edu
Palm Desert Center	Fires occurring at Palm Desert Center	Facilities & Administration 75080 Frank Sinatra Drive, Palm Desert, CA 92211	(760) 834-0800	palmdesert.ucr.edu

C. Notification to the California State Fire Marshal

The California Health and Safety Code Section 13107 requires that all fires or explosions in or on state-owned, state-occupied facilities and properties be investigated by the State Fire Marshal (SFM). Upon confirmation of a fire or explosion, UCR Fire Prevention is responsible for notifying the SFM immediately.

D. Fire Logs

UCR maintains two fire logs.

- UCRPD maintains a daily crime log and a fire log that contains specified information about all crimes or fires (must have an actual flame to appear on this daily fire log) that occur within the patrol jurisdiction of, and are reported to, the UCRPD. The daily crime log and fire log may be viewed online at <https://ucrpd.crimegraphics.com/> or at UCRPD office.

Daily crime and fire logs older than 60 days are maintained for seven years and will be made available for public inspection within two business days, upon request. Requests may be made in person or submitted via email to UCPDrecords@ucr.edu.

- The Campus Fire Marshal maintains a fire log with information from the UCRPD Records Office, as well as all fire alarms and incident and response data based on the previously mentioned definitions. The Daily Fire Logs contain the following information:
 - Date and Time the fire was reported.
 - Nature of the Fire.
 - General Location of the Fire.

The Campus Fire Marshal fire log may be accessed Monday through Friday during business hours at the Office of Fire Marshal, or by emailing Cesar Pla, Deputy Fire Marshal, at cesar.pla@ucr.edu.

E. Fire Drills and Evacuation Exercises

Unannounced evacuation (fire) drills are conducted, as required by the California Fire Code, by the Campus Fire Marshal, Fire Prevention, Office of Emergency Management and Residential Life staff for all on-campus student housing facilities as per [UCR Campus Policy 425-28, Section E, CA Fire Code Section 403.5 Group E occupancies, sections 403.5.1 – 403.7.1.4, Table 405.2 Fire and Evacuation Drill Frequency and Participation](#). Additional evacuation drills are also conducted each year for federally funded campus facilities.

During these exercises, participants are trained on the locations of emergency exits, general evacuation paths for their building, and their Emergency Assembly Areas. For longer-term evacuations, additional designated evacuation areas may be identified based on time of day, location of the building being evacuated, the availability of various locations on campus, and other factors such as the location and nature of the threat. When a building is evacuated, UC Riverside police officers and building staff on the scene will communicate information regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants, students, faculty, and staff for an organized evacuation in the case of a fire or other emergency. In addition to educating the occupants of each building about the evacuation procedures during the drill, the process also provides UC Riverside an opportunity to test the operation of fire alarm systems.

Evacuation procedures are maintained online at <https://emergency.ucr.edu/emergency-procedures#evacuation>, and shared through training courses with the campus community. These procedures were created with the goal of answering the question of what to do. Additionally, training courses describe the evacuation procedures, Emergency Assembly Areas, and actions to take after a significant emergency or dangerous situation.

F. Residential Student Conduct Policies, Evacuation

[Student Conduct Policies](#), 1.09 Evacuation, requires all residents and guests to leave the building in a reasonable and timely manner whenever the fire alarm activates or when directed to do so by UCR staff or emergency personnel. Residents are expected to report to the designated assembly area and await further instruction and/or information. Residents are not permitted to re-enter an evacuated building until authorized by UCR staff or emergency personnel.

G. General Evacuation Procedures

UCR's procedure and instructions for building evacuation are published on the Office of Emergency Management website at [Emergency Preparedness](#). Immediate Actions include:

- Quickly leave the building when the fire alarm sounds or evacuation is initiated by emergency personnel.
- If working with high heat, open flame or a hazardous experiment or procedure, complete safety shutdown procedures if it is safe to do so, and then evacuate the building quickly.
- Take personal items or other important materials with you if it is safe to do so. You may not be returning for some time.
- Close doors as you leave.
- Stay to the right of hallways and stairs; do not use elevators.
- Assist the mobility impaired if they request help.
- Avoid any smoke-filled area if possible; if you are in a smoke-filled area, stay low to the floor and crawl under the smoke to an exit.
- Follow evacuation routes directly to building's [Emergency Assembly Area \(EAA\)](#).
- Notify [emergency staff](#) at the Emergency Assembly Area that you have evacuated safely.

If mobility impaired:

- Locate and proceed to an area of safe refuge, such as an enclosed stairwell.
- Request others evacuating to notify emergency responders of your location.
- Wait for emergency responders to arrive.

Additional Information/Follow-up Activities:

- Remain in the Emergency Assembly Area until directed otherwise.

- Never try to re-enter a building until cleared to do so by UCR officials or emergency responders.

H. Policies on Portable Electrical Appliances, Flammable Materials, and Smoking

Residential [Student Conduct Policies](#), 2.15 Fire Hazards/Flammables

- **2.15.1 Appliances:** Open element appliances such as, but not limited to, hot plates, indoor grills, immersion heating coils, toasters, toaster ovens, soldering irons, and heat guns are prohibited in Campus Apartment bedrooms and all Residence Hall spaces with the exception of kitchens and specific kitchenless suite apartments in Bannockburn Village (i.e. Loft Suites, Scot Suites). Space heaters are prohibited within all residential units unless they are UL-approved and have an automatic shutoff when tipped over. Torchiere halogen lights are not permitted in UCR Housing facilities. Connecting multiple extension cords together or overloading existing circuits is prohibited.
- **2.15.2 Flammable Materials:** Possession, storage, or use of flammable substances including gasoline, propane, butane, kerosene, food warming fuels, candles (except with clipped or removed wicks), combustible chemicals, or any item designed to utilize an open flame or where designed use requires burning is prohibited within UCR Housing facilities or on their adjacent properties. Residents in Campus Apartments may appropriately, dependent on the facility, store materials related to using barbecue facilities. For questions, concerns, or clarification, please see a UCR Residential Life staff member.
- **2.15.3 Holiday /Hazardous Decorations:** “Live cut” trees (such as Christmas Trees) or other combustible decorations are prohibited in the residential facilities. Any decorations (including miniature lights) in the residential communities must be made of fireproof materials and be UL (Underwriters Laboratory) list approved for the intended use.

Smoke/Tobacco-Free Environment Policy Statement

Since 2014, UC Riverside has been a smoke-/tobacco-free campus, prohibiting smoking and the use of any tobacco product on all University Controlled Properties. Smoking and the use of smokeless tobacco products or electronic smoking devices (e.g., e-cigarette), as well as the use of any nicotine product not regulated by the FDA for treating nicotine or tobacco dependence is strictly prohibited at all University Controlled Properties. This prohibition extends to the use of any form of cannabis/marijuana or other plant-based product.

This smoke-/tobacco-free policy and associated procedures apply to all University Controlled Properties. In addition, the sale and advertising of tobacco and tobacco-related products are prohibited at all University Controlled Properties. The use, possession, and sale of cannabis/marijuana in any form on any University Controlled Properties or at any University-sponsored event is prohibited.

Violations of this policy by students, faculty and staff may result in university disciplinary action. Campus visitors will be asked to comply with the policy or leave campus.

A smoke/tobacco-free environment is an essential element to creating and maintaining a culture of health and safety at the university. We ask that you not smoke or use any tobacco products on campus.

To review the *Smoke/Tobacco-Free Policy*, please visit the [UCR Policies & Procedures website](#).

Residential Student Conduct Policies, Smoking, Nicotine, and Tobacco-Free Environment

The University prohibits smoking and the use of tobacco products in all interior, exterior, and parking areas of University-controlled properties. As such, smoking, the use of smokeless tobacco products (such as dip and chew), vaping, and the use of unregulated nicotine products (such as electronic cigarettes) are strictly prohibited. Additionally, Hookahs, bongos, glass pipes and similar smoking devices are not permitted within UCR Housing facilities or on their adjacent properties regardless of intended use.

More information about residential student conduct policies may be found in the [Housing Residential Student Conduct Policies handbook, Section 1.23.](#)

I. Other Residential [Student Conduct Policies](#), 1.12 Fire Safety

- **1.12.1 Fire Alarms:** Activation of a fire alarm system when no fire exists is a violation of policy. This includes but is not limited to improper cooking, burning food, usage of incense, use of synthetic smoke machines or bug bombs, smoking indoors in any manner, vaping, and alarms caused by tampering with fire safety equipment. All cooking appliances must be attended while in use.
- **1.12.2 Fire and Arson:** Causing, attempting to cause, or contributing to the causation or continuation of a fire, either intentionally or unintentionally, within UCR Housing facilities or on their adjacent properties, is prohibited.
- **1.12.3 Fire Safety Equipment:** Tampering with, relocating, disabling, or disarming fire safety equipment or using any such equipment for any purpose other than for the prevention or control of fire is not permitted. Fire equipment includes, but is not limited to heat and smoke detectors, fire alarms, fire extinguishers, fire extinguisher boxes, fire hoses, fire sprinklers, and any other fire detection or suppression system. Additionally, no item may touch, obstruct, or be hung from any fire detection or suppression equipment.
- **1.12.4 Obstruction of Egress and Regress Areas:** Blocking or obstructing doorways, windows, or pathways used to enter and exit any UCR Housing Facilities areas is prohibited.

J. Fire Safety Education and Training Programs

The Office of Fire Prevention works closely with other UCR departments to facilitate fire safety education and training programs to the University community. On an annual basis, Fire Prevention works closely with Environmental Health and Safety to provide training to Residential Life and Housing employees (student and professional staff). This includes education and training in Fire & Life Safety, electrical safety, fire extinguishers, emergency response and evacuations. For more information about this training program, please see the “Campus Security, Crime Prevention, and Safety Awareness Programs” section of the UCR Annual Security Report.

All UCR employees are provided with information regarding fire safety, evacuation, and emergency procedures. For more information about this requirement, see [Campus Policy 425-28: Fire Prevention and Life Safety](#). Additionally, fire and life safety components are included in the Safety Orientation course that is required of all faculty, staff, and students and available through the [UC Learning Center](#):

- **Safety Orientation:** Overview of safety fundamentals, injury & illness prevention, and emergencies for all faculty, staff, and students (fulfills the Online Safety Orientation). Topics covered:
 - Hazard Identification
 - Control Measures
 - Risk Assessment
 - Injury & Illness Prevention Plan (IIPP)
 - Safety Resources
 - Hazard Report
 - Accidents & Injuries
 - Emergency Procedures
 - Fire & Life Safety
 - Earthquake Safety
 - Ergonomics

Fire Prevention also offers fire extinguisher training to the University community. This training is conducted in coordination with the Environmental Health & Safety (EH&S) and the Office of Emergency Management (OEM) and covers the following:

- **Fire Extinguishers (Online Training):** Introduction to use of a portable fire extinguisher. Topics Covered:
 - Common Types of Fires
 - Visual Inspection
 - Escape Route
 - Open-Palm/Right Hand Technique
 - PASS (Pull, Aim, Squeeze, and Sweep) Technique
- **Fire Extinguishers (In-Person Training)** is conducted for individuals responsible for assisting in emergency evacuation procedures in their facilities. Due to Covid-19 restrictions in-person Fire Extinguishers training was not conducted in 2021.

Lastly, Alarm Response training is available through the [UC Learning Center](#). This training is offered to both students and employees and covers the following:

- **Alarm Response Training Module:** Overview of how to respond to a modified positive alarm sequence. Topics covered:
 - Responding to fire sprinklers, heat sensors, manual pull stations, and smoke detectors
 - Responding to supervisory alarms involving AEDs and fire sprinkler valves

Procedures Students and Employees Should Follow in Case of a Fire

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the University of California, Riverside Police Department. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. No training is

provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member’s only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

K. On-Campus Student Housing Facilities-Fire Safety Systems

It is the policy of the University to maintain a safe and healthful environment as is reasonably feasible for its students, faculty, staff, and visitors and to protect campus properties and assets. UCR shall comply with existing and future State regulations, to minimize impairments or interruptions to fire protection systems. When impairments to any fire protection equipment are required, they shall be conducted in accordance with the procedures of this policy. More information about Fire Prevention Systems, see Campus Policy Number: 425-30: [Fire Prevention Systems-Impairment in Campus Facilities](#).

Due to the Covid-19 campus closure, no evacuation drills took place in 2020. Evacuation drills resumed in Fall 2021 and planned to be conducted as scheduled in 2022 and 2023.

Facility	Fire Alarm Monitoring Done On-Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Manual Pull Stations	# of Fire Drills during prior Calendar Year
Aberdeen-Inverness	X		X	X	X	X	2
Bannockburn Village	X			X	X	X	2
Falkirk	X			X	X	X	2
Glen Mor	X		X	X	X	X	2
International Village	X		X	X	X	X	2
Lothian	X		X	X	X	X	2
Oban Family Housing	X			X	X	X	2
Pentland Hills	X		X	X	X	X	2
The Plaza	X			X	X	X	2
Stonehaven	X		X	X	X	X	2
North District*	X		X	X	X	X	2
Dundee**	X		X	X	X	X	2

*North District (previously mentioned on the report as “Northern District”) was opened for students in September 2021. A new official name is pending.

**Dundee became available to students in September 2020.

L. Future Fire Safety Improvements

UC Riverside maintains a list of the buildings that are scheduled to receive system improvements barring any unforeseen circumstances.

Building Name	Description of Upgrades	Building Type	Status
Falkirk	Fire Alarm Upgrade- Buildings 7,8,9, & 20	Apartment	Complete
Aberdeen Inverness	Evacuation Signage	Residence Hall	Pending
Lothian	Evacuation Signage	Residence Hall	Pending

XIV. Annual Disclosure of Fire Statistics

A. On-Campus Student Housing Fire Statistics 2022

Facility & Address	Total Fires in Each Building	Fire #	Cause & Category of Fire**	# of Inquiries that Required Treatment at a Medical Facility	# of Deaths Related to Fire	Value of Property Damage Caused by Fire
Aberdeen-Inverness 100 Aberdeen Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Bannockburn Village 3637 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Falkirk 3429 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Glen Mor 400 W. Big Springs Rd, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
International Village 1100 Everton Pl, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Lothian 500 W. Big Springs Rd, Riverside, CA 9252	0	0	N/A	N/A	N/A	N/A
Oban Family Housing 950 Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Pentland Hills 1 Pentland Way, Riverside, CA 92507	1	1	Cause: electrical Category: unintentional	0	0	\$0-99

The Plaza 1020 Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Stonehaven 3201 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Dundee 680 West Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
North District 733 W. Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A

B. On-Campus Student Housing Fire Statistics 2021

Facility & Address	Total Fires in Each Building	Fire #	Cause & Category of Fire**	# of Inquiries that Required Treatment at a Medical Facility	# of Deaths Related to Fire	Value of Property Damage Caused by Fire
Aberdeen-Inverness 100 Aberdeen Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Bannockburn Village 3637 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Falkirk 3429 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Glen Mor 400 W. Big Springs Rd, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
International Village	0	0	N/A	N/A	N/A	N/A

1100 Everton Pl, Riverside, CA 92507						
Lothian 500 W. Big Springs Rd, Riverside, CA 9252	0	0	N/A	N/A	N/A	N/A
Oban Family Housing 950 Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Pentland Hills 1 Pentland Way, Riverside, CA 92507	1	1	Cause: electrical Category: undetermined	0	0	\$300
The Plaza 1020 Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Stonehaven 3201 Canyon Crest Dr, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
Dundee 680 West Linden St, Riverside, CA 92507	0	0	N/A	N/A	N/A	N/A
North District* 733 W. Linden St, Riverside, CA 92507	2	2	Building A - Cause: heating equipment (heating pad), category: unintentional. Building B - Cause: cooking (electrical stove top), category: unintentional.	1	0	Building A: \$481,000 Building B: \$750

*North District was opened for students in September 2021.

** Category of fire and addresses by building were added for 2020, 2021 and 2022 fire statistics.

C. On-Campus Student Housing Fire Statistics 2020

Facility & Address	Total Fires in Each Building	Fire #	Cause & Category of Fire	# of Inquiries that Required Treatment at a Medical Facility	# of Deaths Related to Fire	Value of Property Damage Caused by Fire
Aberdeen-Inverness 100 Aberdeen Dr, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
Bannockburn Village 3637 Canyon Crest Dr, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
Falkirk 3429 Canyon Crest Dr, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
Glen Mor 400 W. Big Springs Rd, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
International Village 1100 Everton Pl, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
Lothian 500 W. Big Springs Rd, Riverside, CA 9252	0	N/A	N/A	N/A	N/A	N/A
Oban Family Housing 950 Linden St, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
Pentland Hills 1 Pentland Way, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A
The Plaza 1020 Linden St, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A

Stonehaven 3201 Canyon Crest Dr, Riverside, CA 92507	1	1	Cause: Arson Category: Intentional	0	0	\$0-99
Dundee* 680 West Linden St, Riverside, CA 92507	0	N/A	N/A	N/A	N/A	N/A

*Dundee became available to students in September 2020.