



# **ANNUAL SECURITY REPORT 2009**

**Report based upon statistics and information for the period of January 1 through December 31, 2008**



Published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, by the **Humboldt State University Police Department**, 1 Harpst Street, Arcata CA 95521, Phone 707-826-5555 Fax 707-826-4637. Email: [hsupd@humboldt.edu](mailto:hsupd@humboldt.edu)

Quick Link - [http://studentaffairs.humboldt.edu/\\_download/clery\\_crime\\_report.pdf](http://studentaffairs.humboldt.edu/_download/clery_crime_report.pdf)

## TABLE OF CONTENTS

Introductory Letter and University Police Mission.....	Page 4
<b>1. HSU Policies Regarding Reporting Criminal Actions, Suspicious Incidents, and/or Emergencies...</b>	<b>Page 5</b>
(A) TIMELY WARNING REPORT POLICY:	Page 5
(B) PREPARATION OF ANNUAL CRIME STATISTICS REPORT:	Page 5
(C) PERSONS RESPONSIBLE TO RECEIVE/REPORT CRIMINAL OFFENSES:	Page 6
(D) REQUIRED REPORTING EXEMPTION: PASTORAL OR PROFESSIONAL COUNSELORS:	Page 7
(E) SPECIAL CRIME REPORTING PROCEDURES FOR HEALTH PRACTITIONERS:	Page 7
(F) CONFIDENTIAL AND ANONYMOUS REPORTING PROCEDURES:	Page 8
<b>2. HSU Policies Regarding Campus Facilities Access/Security.....</b>	<b>Page 8</b>
(A) SECURITY OF AND ACCESS TO CAMPUS FACILITIES	Page 8
(B) SECURITY CONSIDERATIONS USED IN MAINTENANCE OF FACILITIES:	Page 9
(C) CAMPUS EMERGENCY ALERT SYSTEM	Page 10
<b>3. Laws and Policies Regarding Campus Law Enforcement.....</b>	<b>Page 10</b>
(A) CAMPUS POLICE AUTHORITY AND JURISDICTION:	Page 10
(B) ACCURATE, PROMPT REPORTING OF CRIMES STRONGLY ENCOURAGED:	Page 11
<b>4. Security Awareness Programs: .....</b>	<b>Page 12</b>
<b>5. Crime Prevention Programs: .....</b>	<b>Page 12</b>
<b>6. Criminal Activity Monitoring Off-Campus:.....</b>	<b>Page 13</b>
<b>7. Policies Regarding Alcohol: .....</b>	<b>Page 13</b>
<b>8. Policies Regarding Illegal Drugs: .....</b>	<b>Page 14</b>
<b>9. Campus Drug/Alcohol Programs: .....</b>	<b>Page 14</b>

10. Policies Regarding Sex Offenses: .....	Page 15
(A) EDUCATIONAL PROGRAMS	Page 16
(B) PROCEDURES TO FOLLOW IF A SEX OFFENSE OCCURS	Page 17
(C) REPORTING OPTIONS TO CAMPUS AUTHORITIES AND/OR LAW ENFORCEMENT	Page 18
(D) INFORMATION, SUPPORT, AND/OR COUNSELING SERVICES AVAILABLE TO SEXUAL ASSAULT VICTIMS/SURVIVORS:	Page 19
(E) UNIVERSITY RESPONSIVENESS TO MAKE ADJUSTMENTS IN VICTIM/SURVIVOR'S ACADEMIC AND/OR LIVING SITUATIONS:	Page 19
(F) UNIVERSITY POLICIES AND PROCEDURES FOR DISCIPLINARY ACTION IN CASES OF AN ALLEGED SEX OFFENSE:	Page 20
(G) POSSIBLE UNIVERSITY DISCIPLINARY SANCTIONS FOLLOWING AN ADMINISTRATIVE FINDING OF RESPONSIBILITY FOR SEXUAL ASSAULT	Page 20
11. Policies Regarding Sex Offenders:.....	Page 21
12. Availability, Distribution, Notification of Annual Report: .....	Page 21
13. Crime Statistics Section .....	Page 22
(A) NOTES AND COMMENTS ABOUT STATISTICS:	Page 22
(B) CRIME DEFINITIONS USED IN CLERY ACT REPORT DOCUMENTATION:	Page 23
(C) MAP: ACCESSIBLE PUBLIC PROPERTY ADJACENT TO HSU CAMPUS:	Page 26
<b>STATISTICS:</b> Reported Crimes, Selected Arrests, Disciplinary Referrals for Certain Violations:	Page 27
<b>STATISTICS:</b> Hate Crimes:	Page 28

September 1, 2009

Dear member of the Campus Community:

This report is provided in accordance with 20 U.S.C. (United States Code) Section 1092 (f), Higher Education Amendments of 1992, 1998 and 2000, also referred to as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act", and the California Education Code Section 67380.

To comply with the act, we collect crime statistics from Campus Security Authorities (CSA's), Humboldt State University Police Department (HSUPD) files, and from local law enforcement agencies, by providing the addresses of off campus housing or off campus property either owned, or controlled by the university, or public property immediately adjacent to campus. All local law enforcement agencies, where HSU property is located, provide statistics for the property requested. The University does not recognize any off-campus fraternity or sorority houses. Likewise, student organization recognition does not extend beyond the University, and student organizations are not recognized to engage in activity off-campus. In the fall of every year, an email is sent to all enrolled students, faculty and staff that provide the web site to access this report. Copies of the report may also be obtained at the University Police Department or by calling 707-826-5555. All prospective employees may obtain a copy from Human Resources or by calling 707-826-3626, and the web site address will be attached to HSU Employment Applications. Directions to locate the report on the web site are located in the class schedule and other university publications.

Humboldt State University is proud of its rich heritage and environment and we are vigilant in our responsibility to provide a safe environment for all persons living and learning at our campus and satellite facilities.

We encourage you to carefully review the information in this report and should you have any questions, please call the Humboldt State University Police Department at 707-826-5555.

Sincerely,

Thomas W. Dewey,  
Chief of Police  
Humboldt State University

### The Humboldt State University Police Department

As a recognized California Law Enforcement agency, the Humboldt State University Police Department (HSUPD) performs all law enforcement responsibilities for the Humboldt State University community 24 hours a day, 365 days a year.

The professionally trained staff operates a 9-1-1 Public Safety Answering Point dispatch center; responds to emergency calls; protects life and property; and oversees crime prevention, multihazard emergency management, general community-oriented patrol and security, parking administration and parking enforcement. Duties also include proactive law enforcement, criminal and traffic investigation, safety escorts of persons and persons carrying valuables, reporting of safety hazards, assistance to motorists, and assistance to other law enforcement agencies and social service agencies.

Additionally, HSUPD administers LiveScan fingerprinting services; participates in public safety education programs; and provides Residence Hall presentations, building security programs, Building Evacuation Teams, crime prevention and alert notices, drug awareness training, Rape Aggression Defense (RAD), and property identification.

### Mission Statement

*The mission of the University Police Department is to exemplify the Humboldt State spirit by providing professional, service-oriented law enforcement, parking/commuter services, and emergency management to the campus community. The Department is an active partner with local agencies serving the North Coast region. University Police personnel are proactive, visible and accessible representatives of Humboldt State. All members of the Department work together to enhance campus safety, participate in the educational process, and promote student success.*

# **1. HSU Policies Regarding Reporting Criminal Actions, Suspicious Incidents, and/or Emergencies**

If a crime, suspicious incident, or security problem is observed, all persons, including students and employees, are encouraged and requested to report the information to University Police by dialing 9-1-1 from any phone. All persons are encouraged to contact any campus official to seek their assistance in reporting crimes, suspicious incidents or security problems. For non-emergency or business calls, dial extension 5555 from any campus phone or 707-826-5555 from off-campus. Call 9-1-1 for police, fire or medical emergencies. Cell phone callers may dial HSUPD's special cellular phone emergency direct line at 707-826-5023, or dial 9-1-1, and ask the CHP dispatcher who initially receives the call to transfer their call to HSUPD.

The Humboldt State University Police Department is responsible for receiving reports, documenting, follow-up investigation, and resolution of any criminal incident that occurs at the University. Crimes committed in or on off-campus buildings owned or controlled by Humboldt State University (satellite properties) are generally reported to the police agency of jurisdiction where the building or property is located. The University Police Department may be requested to assist or take the lead in the investigation of such incidents as appropriate and/or indicated by interagency agreements.

## **(A) TIMELY WARNING REPORT POLICY:**

**Policy:** In the event that a situation arises on campus, (Off-campus incidents will be reviewed on a case-by-case basis, with consideration being given to the law enforcement agency with jurisdiction) that, in the judgment of the Chief of University Police and in consultation with the Vice President of Student Affairs, constitutes an ongoing or continuing threat, a campus-wide timely warning will be issued, usually titled as a "*Crime Alert*". The warning will be issued in coordination with the University's Department of Public Affairs, through electronic on-line publishing in the *Humboldt State NOW*, distributed to the Humboldt State University Student Newspaper *The Lumberjack*, and prominently posted in key areas on campus bulletin boards. Warning notices may also be placed on doors and at entrances to campus buildings and residence halls. A sample "*Crime Alert*" is at right.

## **(B) PREPARATION OF ANNUAL CRIME STATISTICS REPORT:**

**General:** The University Police Department prepares this report each fall to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at <http://studentaffairs.humboldt.edu/police/>. This report is prepared with assistance from Housing and Residence Life, the Judicial Affairs Officer, and the Divisions of Student Affairs, Academic Affairs, and Administrative Affairs. Each entity provides HSUPD with information on allegations of crime received, referrals for student discipline for violations of the law, and their educational efforts and programs to comply with the Act.



## **CRIME ALERT University Police 826-5555 ATTEMPTED RAPE**

At about 2:00 AM on Sunday morning 10/31/04, a woman was attacked while jogging in Redwood Bowl. The suspect was described as a white male adult, approximately 20-25 years old, 5'10", slender build, dirty blond hair, wearing a white Halloween costume. The victim fought off her attacker, and the suspect fled the area. The University Police Department (UPD) encourages the public to use caution, the buddy system or campus escorts, and to report suspicious persons/activity. HSUPD also needs the help of the public to identify the suspect, depicted in the composite drawing below. Anyone who might have seen the suspect, or who has other information that might help investigators, is encouraged to call HSUPD at 826-5555. Anonymous tips may be accepted by phone or at HSUPD's website, [hsupd@humboldt.edu](mailto:hsupd@humboldt.edu).



**Statistics:** Arrests, allegations of crime on and around the main campus, and statistics for satellite properties include those reported to the University Police Department, to applicable local law enforcement agencies, and to designated campus officials defined as "campus security authorities" refer paragraph 1(C), next page. Some statistics, especially disciplinary referrals for law violations, are difficult to compare accurately from campus to campus because criminal laws differ at many universities.

The *Annual Security Report* is published by October 1 of the following year, and made available to the public via the HSUPD webpage and through copies at the University Police Department, 1 Harpst St, , Arcata CA 95521, or by calling 707-826-5555. Shortly after publication, an e-mail notification is made to all students that provides the web site (<http://studentaffairs.humboldt.edu/police/>) to access the report via the link, "Clery Act Report." Faculty and staff receive similar notification with their paycheck. All prospective employees may obtain a copy from Human Resources in Siemens Hall Room #211 or by calling 707 826-3626, and the web site address is attached to employment application information packets, and also listed in the HSU catalog.

### **(C) PERSONS RESPONSIBLE TO RECEIVE/REPORT CRIMINAL OFFENSES:**

Students (and others) on campus may report crime to the University Police Department or to a designated "campus security authority".

A "campus security authority" is defined as:

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into an institutional property.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
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. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The following, but not limited to, have been identified as Humboldt State University employees who are "campus security authorities", and as such, are required to receive crime reports from students and others. They also report crime, suspicious incidents or security problems to the University Police:

University President; University Police Chief; Vice Presidents; Vice Provost Academic Programs & Undergraduate Studies; Vice President Academic Personnel Services, Director Admissions Office; Director Academic Support Programs; Director Advising Center;, Dean Arts, Humanities & Social Science; Manager Associated Students Business, Director Athletics; Team Coaches; Director Career Center; Director Center Activities; Director Children's Center; Coordinator Clubs & Activities; Faculty Advisors to clubs and student groups; Director Counseling & Psychological Services/Health Center; Captain Coral Sea Vessel; Director Educational Talent Search; Vice President Enrollment Management; Coordinator Environmental Health & Safety; Director Extended Education; Director Facilities Management; Director First Street Gallery; Director Housing; Director Housing Facilities; Director Human Resources; Director IELL; Chair INRSEP; Co-director Institute for River Ecosystems; Director ISADR; Chief Information Officer IT Services; Director ITEPP; Manager KHSU; Dean Library Administration; Associate Dean Marine Facilities; Director Marine Wildlife Care Center; Director Multicultural Center; Director Natural History Museum; Dean Natural Resources & Sciences; Director Plant Operations; Dean Professional Studies; Director Public Affairs; Associate Director Res Life; Director SDRC; Director Student Life; Director University Center; Operations Manager, University Center; Director Veterans Affairs; Director Youth Educational Services (YES); Ombudspersons.

#### **(D) REQUIRED REPORTING EXEMPTION: PASTORAL OR PROFESSIONAL COUNSELORS:**

Certain individuals who have significant responsibility for student and campus activities are **exempted** from disclosing information. To be exempt from disclosing reported offenses, pastoral or professional counselors must be “acting” in the role of pastoral or professional counselors.

- **Professional counselor** – A person whose official responsibilities include providing mental health counseling to members of the University's community and who is functioning within the scope of his or her license or certification.
  - This definition applies even to professional counselors who are not employees of the University, but are under contract to provide counseling at Humboldt State University.
  - An individual who is not yet licensed or certified as a counselor, but is acting in that role under the supervision of an individual, who meets the definition of a counselor, is considered to be a counselor for the purpose of the *Clery Act*.
- **Pastoral counselor** – A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

#### **(E) SPECIAL CRIME REPORTING PROCEDURES FOR HEALTH PRACTITIONERS:**

California Penal Code 11160 requires that health practitioners, including the physicians at Humboldt State's Health Center, must immediately make a report to local law enforcement if in their professional capacity or within the scope of employment, they provide medical services for patients with certain medical conditions such as firearm wounds and injuries caused by assault or abuse. The health practitioner's report must be received and officially documented in some fashion by local law enforcement.

Although the report must be made by the health practitioner, the patient generally retains the authority to decide to what degree they wish to cooperate, explain the circumstances to the police, and to express their wishes as to how far they would like law enforcement to document/investigate the situation.

Further details about the victim/survivor's different reporting options can be found in Section 10(C) of this document. In many cases, a patient who is the victim/survivor of a violent crime may seek confidentiality so that their name is not released to the public.

The victim/survivor may also be offered counseling and support services from the University's Counseling Department, and/or from private professionals such as representatives of the North Coast Rape Crisis Team.

## **(F) CONFIDENTIAL AND ANONYMOUS REPORTING PROCEDURES:**

**Confidential Reporting Procedures:** If you are the victim of a crime and do not want to pursue formal action within the University administrative judicial system or in the state criminal justice system, you may still want to consider contacting HSUPD and making a confidential report. With your permission, a sworn officer of the Humboldt State University Police Department can prepare and file a report including a narrative with the details of the incident, without revealing your identity. The purpose of a confidential report is to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crimes with regard to a particular location, method, or suspect/assailant, and alert the campus community to potential danger with timely "Crime Alert" messages and other communications. Credible allegation of crime reports filed in this manner are counted and disclosed in the annual crime statistics for Humboldt State University.

**Anonymous Reports and Tips:** Anonymous reports or tips can be made electronically at the Anonymous Tips link at [http://studentaffairs.humboldt.edu/police/crime\\_tip.php](http://studentaffairs.humboldt.edu/police/crime_tip.php), via US Mail to HSUPD, 1 Harpst St, Arcata, CA 95521, via email from the HSUPD Website or directly to [hsupd@humboldt.edu](mailto:hsupd@humboldt.edu), verbally or in writing through any campus official, via an on-campus phone call to 9-1-1 or to the HSUPD business line at 707-826-5555. A sample anonymous reporting format is shown, but is not required for a report to be received and processed. Anonymous reports of crime are evaluated individually for location, detail, and veracity prior to being included in the annual *Crime Statistics and Security Policies Report*.



### **ANONYMOUS TIP & REPORT FORMAT**

Type of crime/activity:

Details you would like police to know:

Place where crime/activity occurred/is occurring:

Date/Time when activity occurred/typically occurs:

Name of suspect(s) and/or physical description(s):

Your contact information, if you wish  
UPD to contact you (leave areas blank as desired):

Name

Phone

Email

Other

## **2. HSU Policies Regarding Campus Facilities Access/Security**

### **(A) SECURITY OF AND ACCESS TO CAMPUS FACILITIES**

**Boundary Security, Staff Reporting, and Patrols:** The campus entrances are marked with signs and monuments to deter criminals from entering the campus. Police and Parking personnel patrol the campus in uniform in marked police vehicles, on bike, horseback, and foot. All personnel of the University Police Department, including 24-hour armed uniformed California peace officers, other full-time staff, and student employees, use cell phones, campus phones, and police radios to call in crimes, security problems and emergency situations as they are discovered. Other staff does the same, including but not limited to: Student Affairs staff and student employees; Housing custodial, maintenance, residential, and professional staff; and Plant Operations custodians, maintenance mechanics, and other staff. Arcata Police and Parking personnel regularly traverse the campus on patrols and take on-view action or notify University Police of security problems or suspicious/ criminal activity. Arcata Police personnel assist HSUPD promptly upon request.

**On-site Police Department:** The University Police Department is located on the ground floor of the Student and Business Services Building in the center of campus at Harpst and Rossow Streets. The Department is marked with signs, and is open 24 hours a day as an area of relative safety and refuge. The department is staffed on-site by a trained professional 9-1-1 dispatcher who can personally communicate with a walk-up customer or others who may choose to contact the department by phone.

**Telephone Access to HSUPD:** There are over 30 pay phones on campus which may be used without coins to dial 9-1-1 directly to the University Police Department, and over 60 public assistance campus phones on the University campus, each prominently marked with a blue light. These assistance phones have direct-dial emergency access to HSUPD, many with the push of a large red button marked "HELP". Any member of the community may also call the University Police at ext. 5555 from any campus assistance phone (off campus, 707-826-5555) for an on-campus "Safety Escort" from place to place. Police Department staff may provide an escort while on foot, horseback, bike or vehicle patrol.

**Security Alarms and Cameras:** Many offices, labs, computer rooms, some residences, and other areas of campus have burglary and/or panic alarms that are monitored at the University Police Department. Several public locations on campus have security cameras that serve to deter crime; although they are not continually monitored in real time, the images from these are recorded and can be reviewed by authorities should a need arise.

**Residence Hall Security:** Entry into University residence halls is controlled and monitored on a 24-hour basis through a combination of card-key security systems, alarms and on-duty Residence Life personnel. Exterior doors automatically lock. Some common areas and the largest, freshman-oriented residence halls also have security cameras. The Housing office employs evening "Walk-Arounds" equipped with radios and flashlights to check the security of residence halls at night, closing and locking doors. Since campus residence halls are locked 24 hours a day, residents, with identification, can request access if locked out. Staff and residents are responsible for securing the facilities and closing any open doors. A professional staff member is always on call and responds to crimes and emergencies around the clock.

**Campus Building Security:** Campus buildings other than residence halls are maintained by Plant Operations and patrolled by the sworn police officers and HSUPD Student Assistants assigned to door-closing duties. Custodians work early-morning hours and report suspicious or criminal activity directly to HSUPD via radio or phone.

**Access to Campus Buildings:** Most campus buildings and facilities are accessible to students, employees, guests and visitors during normal business hours Monday through Friday and for limited designated hours during special events. After-hours, access to all facilities is by key or electronic key card. Building coordinators and individual departments should be contacted for after-hours access.

**Campus Building Closing Schedule and After-Hours Access:** All buildings should be secured by 12:00 AM weekdays and weekends except under special circumstances. Police student assistants are usually assigned to close and lock exterior doors for the main campus buildings. It is recognized that there will be some need for after-hour/weekend access to buildings. After hours a faculty or staff I.D. is required. Students working in the building after hours are required to have in their possession a student pass (authorized by building coordinators), together with photo identification. Holiday access scheduling is treated as weekend access. Facility room reservation questions should be directed to the University Center Room Reservations at 707-826-4414.

## **(B) SECURITY CONSIDERATIONS USED IN MAINTENANCE OF FACILITIES**

**Residence Hall Community:** Residence hall maintenance, including lighting, groundskeeping, windows/doors/locks, is directed through the Housing Office, 707-826-3451. Problems are reported by student residents, resident staff, professional staff, custodians, groundskeepers, walkaround security, and maintenance employees.

**Campus Buildings and Grounds:** Campus buildings and grounds maintenance is directed through Plant Operations, 707-826-3646. Problems are reported by visitors, students, faculty, staff, custodians, groundskeepers, maintenance employees, police, and parking personnel. Each winter the members of the campus Public Safety Committee carry out a "Safety Walk" around the campus to report areas which may need additional attention such as improved lighting and/or vegetation needing to be cut back. Employees of the Police Department periodically test emergency assistance phones, identify safety and security needs such as overgrown shrubbery and streetlamps being out, and notify Plant Operations via a Work Request Form faxed to Plant Operations 24 hours a day. Periodic crime prevention surveys are conducted when a crime trend occurs or upon the physical changes of office space and equipment when requested by an administrator. The Public Safety Committee meets monthly to discuss other concerns and to make recommendations regarding campus safety.

### **(C) CAMPUS EMERGENCY ALERT SYSTEM (for ANY emergency) NEW FOR FALL 2007:**

- Clocktower Bells Universal Alert Signal: BELLS RING CONTINUOUSLY MULTIPLE TONES

*Listen to the Ringing* ➡

*Be Cautious* ➡

*Seek Information & Make Appropriate Decision*

- Go to these sources of information when you hear bells, receive cell-phone text or see emergency signage:
- [www.humboldt.edu/emergency](http://www.humboldt.edu/emergency)
  - 826-INFO (4636) recorded campus conditions line will take multiple simultaneous calls
  - KHSU 90.5 FM will broadcast regular updates as information becomes available.
- Emergency Signage: COLOR CODED SIGNS WILL BE PUT OUT WITH CAMPUS STATUS
- **Red:** Campus (or area) CLOSED to all but essential/emergency personnel;
  - **Yellow:** Campus classes & activities CANCELLED by President, but campus is open
  - **Green:** Campus OPEN and situation back to normal (posted only after Red or Yellow)
  - **Orange:** Safety ADVISORY to community (e.g., tsunami warning, wildfire risk, etc)
- Emergency Cell/Text Message Alert: A brief text message about the emergency can be sent to all those who provide HSU with their personal cell phone number via the WebReg system (*QuickLink on Homepage, call Help Desk at 826-4357 if you need assistance*). The message will be sent as soon as the information is confirmed and our technology can send it.
- Spread the word: All members of the community are urged to “spread the word” if they become aware of an emergency situation on campus. Interpersonal information-sharing will greatly enhance the alert system’s effectiveness. For example, if a student on-campus sees emergency signage being deployed, or hears the campus bells ringing, they should call their roommate still at home across town, to warn them of the emergency and direct them to check the web for information.

## **3. Laws and Policies Regarding Campus Law Enforcement**

### **(A) CAMPUS POLICE AUTHORITY AND JURISDICTION:**

**Authority as Campus Staff Members:** The peace officers of the Humboldt State University Police Department are designated staff members within the Student Affairs Division of the University. As such, they have the authority to respond to and investigate possible violations of the Student Code of Conduct, Housing Rules, and other University rules and regulations. Officers regularly prepare Incident Memorandums to Housing and Student Affairs Judicial personnel documenting evidence of non-criminal policy violations, and of criminal acts. These violations can result in discipline.

**Statewide Authority to Arrest:** The peace officers of the Humboldt State University Police Department, as appointed pursuant to § 89560 of the California Educational Code, have the authority to enforce the law anywhere in the state in accordance with California Penal Code § 830.2(C) and contemporary court opinions. This authority includes the power to make arrests on or off campus anywhere in the State of California.

**Primary Jurisdiction:** As per Penal Code § 830.2(C) and § 89560 of the California Educational Code, the primary duty of Humboldt State University Police Officers shall be the enforcement of the law on the main campus and in an area within one mile of the exterior boundaries of the main campus, and also in or about other grounds or properties owned, operated, or controlled by the California State University. The one-mile area around the campus encompasses much of the City of Arcata including downtown and the Plaza.

**Other Special Authorities and Responsibilities:** The University Police Department is much like a small municipal police agency in that it has a controlled property and evidence function and specialized equipment and supplies. The Department has a 24-hour dispatch center with access to special databases and networks including but not limited to CLEWS (County Law Enforcement Warrant System), CLETS (California Law Enforcement Telecommunications System), and NLETS (National Law Enforcement Telecommunications Network). These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state, and federal information.

**Generalist Philosophy:** The University Police Department assumes primary investigative responsibility for all crimes reported to have taken place upon the University main campus and other University properties. In the event that a serious crime or ongoing pattern of crime requires additional resources, the University Police Department will call on Arcata PD, other local agencies, other California State Universities, and other state and federal agencies for assistance as needed.

**Local Relationships and Agreements:** HSUPD has positive working relationships and written operational agreements with state and local police departments. HSUPD assists Arcata PD nearly every day, often during incidents where students are present. HSUPD maintains contact with other local agencies through radio monitoring, electronic and voice communication, and regular inter-agency meetings. Arcata PD and HSUPD have an operational agreement delineating responsibilities and jurisdictional understanding published in accordance with California Education Code § 67381 (the Kristin Smart Campus Safety Act of 1998). A copy of this document is posted on the bulletin board outside Room 101 of the Student and Business Services Building for public viewing and will be made available upon request.

**(B) ACCURATE, PROMPT REPORTING OF CRIMES STRONGLY ENCOURAGED:**

As per federal law (CFR 668.46(b)(4)(ii)), the timely and accurate reporting of crimes is of paramount importance to maintain a safe campus environment conducive to personal safety and academic success. All community members, visitors, students, faculty, staff, and guests are strongly encouraged to report all crimes and public safety-related incidents to the Humboldt State University Police Department (HSUPD) in a timely manner. More information regarding confidential reporting, anonymous reporting, and specific emergency situations and how to report them is located elsewhere in this report. Dispatchers trained in accordance with California's Peace Officers Standards and Training (POST) are at the Department 24 hours a day to handle your call. Crimes should be reported to HSUPD not only to ensure effective investigation and increase the chances of an arrest, but also to facilitate "timely warnings" and/or *Crime Alerts* for the rest of the campus community, and to ensure inclusion in the annual *Crime Statistics and Security Policies Report*.

**EMERGENCIES:**

Emergencies from any phone (Police, Fire, Medical): **9-1-1**  
On-Campus Resident **Cellular Emergency-Only: 707-826-5023**

**Non Emergency UPD Services:**

Escorts, motorist assists, questions, make a report call: **707-826-5555**  
Business Line: **707-826-5555**  
From a campus phone dial: **5555**  
Campus Conditions and Advisories: **707-826-INFO (4636)**  
Parking and Commuter Services: **707-826-3773**

**Internet:**

[hsupd@humboldt.edu](mailto:hsupd@humboldt.edu)

## **4. Security Awareness Programs:**

During freshman and transfer orientation prior to the start of each semester, the Chief of Police or his/her designee presents information regarding security awareness and safety issues to incoming students (and their families) in a panel, at a campus service fair with tabling information, and through the "Anticipations" program, mentioned below.

Early in the academic semester, resident Living Group Advisors facilitate special floor meetings in the residence halls where discussions are facilitated regarding safe behavior and security of the residence halls. Emphasis is placed on locking exterior doors and discouraging strangers from entering residence halls.

At the start of some athletic team seasons, officers of the University Police Department present a structured lecture to incoming athletes regarding appropriate, lawful behavior, and encouraging members of the team to watch out for one another.

At least once each academic year, the Chief of Police or his/her designee presents safety and security information to new faculty members. A similar presentation is given to new University staff employees several times a year.

Periodically, upon request, special safety presentations are given to subgroups of employees by the Chief of Police or his/her designee, such as emergency/disaster procedures, security reminders to Housing staff, night time safety tips for campus custodial staff, or "active shooter" instruction given to an academic department.

### **"Anticipations"**

Special freshman education programs prior to the start of a semester, tailored to new students to prepare them for safe, healthy, positive experiences and choices in situations involving parties, alcohol, drugs, and sexual situations. Discourages dangerous and criminal behavior, unwelcome sexual acts, etc. Includes emphasis on buddy system in party settings, respecting one another and diversity. Presented through the Humboldt Orientation Program (HOP) and HSU Clubs & Activities. Contact HOP at 707-826-3510.

### **"RAD: Rape Aggression Defense System Training"**

At least once each semester, the University Police Department and other staff members of the University present an official structured curriculum to female students and other participants regarding personal awareness and risk reduction strategies, techniques, and physical skills to escape and survive a dangerous stranger or acquaintance rape situation. Male role players in padded suits serve as "attackers" to provide hands-on drill training for students. Contact UPD at 707-826-5555.

## **5. Crime Prevention Programs:**

### **"Real Men"**

Periodically, this program is offered, providing weekly support and discussion group primarily oriented for males working through issues and behaviors related to anger management, violence, diversity, acquaintance rape, and sexual assault. Meets in the Jolly Giant Commons when staffing and participation levels allow. Contact Housing at 707- 826-3451 for more details.

### **"Every 32 Minutes"**

Periodically, students organize and present an evening of vivid experiences about alcohol abuse and its dangers, including a staged fatal traffic accident, games and information regarding the dangers of binge drinking, and simulated social settings which could lead to acquaintance rape.

As part of the regular police services provided daily, University Police also offers a number of other programs for assistance and crime prevention, such as temporary loaning of engravers for students, faculty and staff to engrave personal identification onto their valuables such as laptop computers, calculators, or other electronic devices. Additionally, through proactive patrol on bicycle, horseback or on foot, officers or Parking Compliance Officers will provide motorist assistance for vehicle lockouts and jumpstarts on campus, as well as safety escorts across the campus whenever needed.

The University Police website offers an Anonymous Tip page for public use as well [ refer section 1(F) of this report ].

When time is of the essence, information is released to the University community through timely-warning " *Crime Alerts*" posted prominently throughout campus, through the Department of Public Affairs and media releases, via the campus conditions recording (707-826-INFO) and via the *Humboldt State News On-Line*.

Periodically, upon demand, HSUPD staff may organize and facilitate special crime prevention programs on a contemporary topic, such as sexual assaults, preventing bike theft, etc.

Additionally, crime prevention information and materials are distributed through the HSUPD website, via literature racks, and at public club and activities fairs at least twice each year. Some of these materials include crime prevention tips on Identity Theft, Domestic Violence, Sexual Abuse, child abduction and underage drinking.

## **6. Criminal Activity Monitoring Off-Campus:**

**Coordination and Communication with Arcata PD:** When a Humboldt State University student is involved in an off-campus offense, HSUPD officers may assist with the initial response and/or the follow-up investigation. On occasion, especially in on-view crimes or limited Arcata PD availability, HSUPD officers may handle the entire case from beginning to end. Arcata PD officers routinely work and communicate with HSUPD officers regarding any serious crimes/incidents occurring on-campus or in the neighborhoods and business districts within a one-mile radius of the campus. The two agencies are authorized to utilize each other's radio frequencies and work together on a daily basis.

**No Off-campus Housing or Student Organization Facilities Recognized:** Humboldt State University does not operate any off-campus housing and recognizes no off-campus Greek community housing or other student organization facilities.

**Policy Code of Conduct Violations Between University Community Members:** All members of the campus environment, including students, staff, and faculty, may be held accountable by virtue of the various sets of regulations that govern behavior. Policy violations between students, staff, and/or faculty may be investigated on or off campus and discipline may follow. All persons associated with the campus are responsible for adhering to campus-wide regulations regarding conduct, CSU regulations regarding conduct, as well as local, state and federal laws. Violations of non-criminal University policy rules and regulations are processed through the University. Sanctions may include: expulsion, suspension, probation, and removal from the Residence Halls or any University-sponsored program such as athletics or student government, and/or termination from employment.

## **7. Policies Regarding Alcohol:**

**General:** Humboldt State University adheres to a drug-free campus and workplace. Distribution, possession or use of alcoholic beverages by University students and employees on University property, at official University functions or on University business is prohibited except as permitted by law. Possession of an open container in most public places is a violation of the University Code of Rules and Regulations and University policy. Possession/consumption of alcoholic beverages by those under the age of 21 is prohibited at all times on campus. Any person who furnishes a minor (anyone under 21) with alcohol, anywhere, is committing a crime under California's Business and Professions Code § 25620, as well as violating University policy. Officers typically seize evidence, issue citations, and refer students for discipline.

**Disciplinary Action:** University policy disciplinary action may include suspension or expulsion from the University, and/or violators may also be referred for criminal prosecution and/or require the violator to participate in appropriate treatment programs. Organizations or groups violating alcohol policies or laws may be subject to University sanctions.

**Risks:** Excessive use of alcohol and other drugs is a serious health problem in itself, but alcohol and drug abuse can also contribute to a host of other physical and mental health problems, such as unwanted pregnancy, violent behavior, HIV infection and other sexually transmitted diseases and psychological depression.

**Residence Hall Policy:** Students living in the residence halls who are 21 years of age or older may possess and consume alcoholic beverages in the privacy of their room. Persons not yet 21 years of age may not be present in a room, suite or semi-private area when alcoholic beverages are present unless such person is a resident in that particular area (University Policy). Alcoholic beverages may not be consumed in public areas of the residence halls; it is a policy violation and citable under the University Code of Rules and Regulations. Open containers of alcoholic beverages may not be transported throughout the residence halls. An exception to this policy is a specifically designated residence hall occupied only by resident students all over the age of 21.

## **8. Policies Regarding Illegal Drugs:**

**General:** Humboldt State University adheres to a drug-free campus and workplace. The use, possession, cultivation, production, sale, gift or exchange of illegal drugs is strictly prohibited. Marijuana is defined by federal law and court rulings as a controlled substance, and the cultivation, distribution, possession, and/or use of marijuana, including "medical marijuana", is prohibited on the Humboldt State campus, consistent with legal guidance to all 23 campuses from the CSU General Counsel. HSU policy also prohibits the possession of all illegal drug paraphernalia (e.g., vaporizers/pipes/bongs with marijuana residue; syringes; other illegal paraphernalia defined by law). Officers typically make arrests, issue citations, and refer students for disciplinary action.

**Disciplinary Action:** University policy disciplinary action may include suspension or expulsion from the University, and/or violators may also be referred for criminal prosecution and/or require the violator to participate in appropriate treatment programs. Organizations or groups violating alcohol policies or laws may be subject to sanctions by the University.

## **9. Campus Drug/Alcohol Programs:**

**General:** A key element of alcohol and drug abuse prevention is students working with other students to create healthy norms of behavior on campus. Through the Health Education and Promotion Program in the Student Health Center, students can become involved in bringing vital health outreach and leadership in a variety of health topics (including substance use) to the campus community. Contact the University Health Educator at 707-826-3146 for more information. Many self-help groups meet both on campus and in the community. Alcoholics Anonymous and Narcotics Anonymous meet on the HSU campus each week. Check the bulletin board outside the Health Educator's office and Counseling Center on the second floor of the Health Center for exact name, places, and times. There are many community resources (public, private nonprofit, and private for profit) available.

**Randy Haveson "Party With A Plan" and "0-1-2-3" Presentation:** This dynamic and engaging program provides in-person practical information and advice, prompting changes in behavior and even some troubled students coming forward to seek assistance with dependency and addiction problems.

**Housing Assistance to Resident Students:** Housing/Residential Life Staff are available to identify, informally counsel, support, and make referrals for students suffering from drug/alcohol abuse issues. These interventions may include referral to on or off-campus professionals, group support, and/or directions to participate in on-line intervention programs.

**On-Line Intervention Tools:** Students experiencing difficulty with alcohol and/or drug abuse issues may be directed or referred to professional on-line study and educational tools with which to better understand the risks and ramifications of their choices, resulting in healthier behavior and student success. More information on these programs is available from Residential Life, 707-826-3451, Alcohol & Drug Specialist at 707-826-3236 or the Health Educator, 707-826-3146.

**Employee Assistance Program (EAP):** Whether the source of the problem is psychological, chemical, marital, family or workplace related, this service puts an employee or their dependents in touch with a skilled counselor who has training and experience in helping people. At no cost, a counselor will assist in defining and recognizing a problem. The counselor will offer two, one-hour sessions of brief counseling and refer you to the appropriate agency or therapist if further help is necessary. This may range from a no-cost support group to private counseling. When assistance is requested, no information is reported to supervisors, deans, chairs, or the Human Resources Department. To ensure confidentiality, this service is provided by Paula Nedelcoff of Humboldt Family Service Center. Contact her directly at 707-443-7358.

**Additional assistance resources include:**

On-campus

Counseling & Psychological Services	707-826-3236
HSU Harm Reduction Collective	707-441-9398
Student Health Center	707-826-3146

Off Campus

AA (Alcoholics Anonymous)	707-442-0711
Toll Free	800-400-8552
Alcohol/Drug Care Services (DETOX)	707-445-3869
Alcoholics & Narcotics 24 Hr Help Line	888-206-7272
American Cancer Society	707-442-1436
Attaining the Vital Answers to Addiction Recovery (AVATAR)	707-725-1166
Battered Women’s alcohol & Other Drug Services: Humb. Women for Shelter	707-443-6042
24 Hour	888-668-6543
Codependents Anonymous	707-445-3833
Crossroads Residential Program	707-445-0869
Drug Abuse Treatm. Center	
24-hr Help Line	800-711-6375
Duel Recovery Anonymous	707-441-4248
Eureka Community Health Clinic	707-441-1624
Health Dept./Tobacco Education	707-268-2132
Health Dept./HIV-AIDS Testing	707-268-2109
Healthy Moms	707-441-5220

Hoopla Tribal Alcohol Program Ext 14	530-625-4236
Humboldt Alcohol/AI-Anon/AI-Teen/Adult Children of Alcoholics (ACA)	707-443-1419
OR	707-826-0879
Humb. Co Alcohol/Other Drug Programs Garberville	707-476-4054
707-923-2729	
Humboldt Alcohol Recovery Treatment (HART) Fortuna Community Services	707-725-9381
Humboldt County Crisis Services	707-445-7715
Humboldt Family Services Center	707-443-7358
Humboldt Recovery Center	707-443-4237
Mothers Against Drunk Driving (MADD)	707-443-5072
Narcotics Anonymous (NA)	707-444-8645
Open-Door Clinic Smoking Cessation	707-826-8610
United Indian Health Services	707-825-5060
Redwood Rural Health Center-Garberville	707-923-2783
Singing Trees Recovery Center	707-247-3495
OR	707-247-3334

## **10. Policies Regarding Sex Offenses:**

**University Policy:** Humboldt State University is committed to maintaining an environment free from sexual harassment and sexual assault. Sexual harassment and sexual assault will not be tolerated by the University. They subvert the mission of the University and threaten the careers, educational experience, and well-being of students, faculty, and staff. Sexual harassment interferes with a student’s educational performance or an employee’s work and creates an atmosphere of intimidation, low morale and hostility that the University cannot permit. Sexual harassment and sexual assault also can cause long term damage to the life and health of victims. Any behavior determined to constitute sexual harassment and/or sexual assault will be subject to disciplinary actions by the University and/or criminal and civil sanction by the appropriate courts.

**For purposes of this policy, Humboldt State University defines sexual assault in accordance with the definitions found in California Penal Code sections 261 and 243.4, other appropriate sections and the Executive Memorandum HSU Policy against sexual harassment and sexual assault.**

**Sexual assault** is any involuntary sexual act in which a person is threatened, coerced or forced to comply against her/his will.

**Rape** is an act of attempted or accomplished sexual intercourse that is perpetrated against the will of the victim or when she/he is unable to give consent (i.e., unconscious, disabled, asleep or under the influence of alcohol or other drugs) and may involve physical violence, coercion, or the threat of harm to the victim; **Acquaintance Rape** is a common form of rape by a non-stranger which could include a friend, acquaintance, family member, neighbor, co-worker or someone the victim has been dating;

**Sexual Battery** is any unwanted touching of intimate body parts.

**Consent** consists of words or conduct indicating a freely given, present agreement to perform a particular sex act with the initiator. Consent can only be given or implied by someone who acts freely, voluntarily and with knowledge of the nature of the act involved.

- **Consent cannot be given if someone**
  - ✓ Is incapacitated by drugs, including alcohol
  - ✓ Is coerced into submission
  - ✓ Is not conscious
  - ✓ Is physically incapacitated
  - ✓ Is mentally incapacitated
  
- **Consent cannot be inferred from**
  - ✓ Permission for one particular act or for a series of acts
  - ✓ A prior sexual, romantic or marital relationship
  - ✓ An existing sexual, romantic or marital relationship

#### **(A) EDUCATIONAL PROGRAMS:**

**Student Affairs Programs:** The University sponsors several structured programs to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses. These programs include freshman orientation “**Anticipations**”, “**Real Men**”, and “**RAD: Rape Aggression Defense System Training**”. More details about these programs may be found in Section 9 of this report.

**University Police Department Information:** Personnel of the University police department present rape awareness and risk reduction training in formal and informal community policing settings, during campus tours, on-line at the HSUPD website, and in literature available at the University Police Department and other locations on campus.

**Sexual Assault Prevention Committee:** This committee includes campus representatives and off-campus experts in the area of sex offense education including the Humboldt County Rape Crisis Team. The committee coordinates educational programs for the campus community that help prevent the occurrence of rape, acquaintance rape, and other forms of sexual violence; advises the Vice President for Student Affairs about campus policies and procedures that better support the prevention of rape, acquaintance rape, and other forms of sexual violence among the campus community, including treatment and information for its victims. This committee publishes a comprehensive booklet of preventative information titled, *Understanding and Preventing Acquaintance Rape*.

**Women’s Center Programs:** The University’s Women’s Center, located in House 55, sponsors a variety of special programs throughout the year that serve to empower women, educate the community about sexual assault, and strengthen the University in standing against sexual assault violence. These include: Take Back the Night, Every Body is Beautiful, National Coming Out Day, Code Pink/Feminists for Peace, Self-Defense Classes, International Week for the Elimination of Violence Against Women and Classroom presentations.

## **(B) PROCEDURES TO FOLLOW IF A SEX OFFENSE OCCURS:**

If you are the victim/survivor of a sexual assault on or off campus:

- GET to a safe place
- CONTACT the University Police Department (or your local police if off campus)
- DO NOT shower, bathe, douche, change, destroy or dispose of clothing
- DO not straighten up/clean the area, or throw anything away
- SEEK prompt medical attention

**Support for the Survivor Comes First:** If any sexual assault is reported to HSUPD, the investigating officer will advise the victim/survivor of services available on campus and in the community. These services include emergency medical assistance, expert examination, evidence collection, and victim support through the Sexual Assault Response Team (SART), referrals to counseling, and if desired, an immediate response of a trained expert from the North Coast Rape Crisis Team to provide support, advocacy, and information.

**Prompt Reporting is Crucial But Does Not Mean Prosecution Automatically Happens:** Timely reporting to the police is an important factor in a successful investigation and successful prosecution of sexual assault cases. Important evidence gathering and early statements make for a stronger case whether the matter will be handled administratively through campus discipline, through criminal courts, in a civil process, or just filed for documentation purposes.

**Survivor Has Ownership of Process:** A victim/survivor is not required to pursue criminal prosecution as a result of reporting a crime to a police agency. The reporting of sexual assault to the police may, however, prevent others from becoming victims. The police agency will investigate the complaint and initiate any criminal action. HSUPD officers strive to give victim/survivors ownership and understanding of the process.

**Sexual Assault Response Team of Humboldt County (SART):**

- **Criminal Prosecution More Likely Successful with SART Involvement:** Local law enforcement agencies stress the importance of promptly seeking medical attention following a sexual assault. Although serious physical trauma is still the responsibility of emergency room physicians, a comprehensive sexual assault examination should not be facilitated in that setting. Expert medical examination and careful evidence collection, along with confidentiality and a supportive, private atmosphere for the victim/survivor, are the key ways that SART helps strengthen a case for possible prosecution.
- **SART Mission and Overview:** The mission of SART is to protect the victim/survivor from further harm and lessen the risk of emotional trauma. The Sexual Assault Response Team (SART) of Humboldt County is a group of local professionals committed to providing a coordinated quality response for immediate medical care, advocacy, and criminal justice services for the victims/survivors of sexual assault crimes. SART provides 24 hour response to children, adult, female, and male survivors of sexual assault. The immediate responders are law enforcement, a SART Nurse Coordinator, a medical examiner, and advocates from the North Coast Rape Crisis Team. The SART examiners have new telemedicine / second opinion capabilities with U.C. Davis Medical Center. UCD also provides Quality Assurance (QA) feedback for forensic medical exams. The SART office and exam room is located in Eureka.
- **SART Exam is at No Charge to the Victim/Survivor:** The University Police Department will bear the costs of a SART examination related to a criminal report of sexual assault on campus properties. There will be no cost to the victim/survivor. The HSUPD will also assist, as necessary, with transporting the victim/survivor to and from the SART office in Eureka.

## **(C) REPORTING OPTIONS TO CAMPUS AUTHORITIES AND/OR LAW ENFORCEMENT:**

**University Personnel Are Available to Assist Students in Making Reports:** Humboldt State University Policy is that the following personnel WILL assist a student victim/survivor in notifying/making a report to the proper authorities listed in this section and or to seek help in section (D) below:

- Humboldt State University Police Department, Student and Business Services Room 101, 1 Harpst Street, Arcata CA 95521 707-826-5555, or [hsupd@humboldt.edu](mailto:hsupd@humboldt.edu)
- Living Group Advisors, Residence Life Coordinators, Area Coordinators (residence halls)
- Office of the Vice President for Student Affairs, Nelson Hall East 216, 707-826-3361 or email at [judicial@humboldt.edu](mailto:judicial@humboldt.edu)
- Human Resources - Compliance Services, Siemens Hall 211, 707-826-4501, [dcs@humboldt.edu](mailto:dcs@humboldt.edu)
- HSU Counseling Center, Health Center, 2nd Floor, 707-826-3236

**Reporting to University Police Provides the Most Options:** Sexual assault victim/survivors are encouraged to make prompt reports to the University Police Department or to the local law enforcement agency where the assault occurred because it gives the victim/survivor the most options for pursuing the matter further, either criminally, civilly, or (campus community) administratively. Police reporting often results in the most detailed investigations, statement-gathering, and evidence collection.

**Flexibility in Reporting Options with University Police for On-campus Sexual Assaults:** The following are “levels” of reporting and the legal options that may be available to the victim/survivor through HSUPD:

ANONYMOUS REPORT:	(No options available, but may alert HSUPD to suspect)
“CONFIDENTIAL” Report for Documentation	(May help this or other victim/survivor(s) in the future)
“CONFIDENTIAL” Report for Campus Discipline	(May help victim/survivor now, suspect will be advised, but may be subject to sanctions or removal. Possible Civil Actions also available to victim/survivor)
“CONFIDENTIAL” Report for Criminal Prosecution	(All options above, plus prosecution as “Jane” or “John Doe”)
“OPEN” Report for Criminal Prosecution	(All options above, victim/survivor identity may be disclosed)

### **Internal University Administrative Complaint Procedure for Sexual Assault (and Sexual Harassment):**

**Student Victim/Survivors** may contact any of the below-listed personnel to make an administrative complaint that the University’s sexual assault/sexual harassment policy may have been violated:

- Living Group Advisors, Residence Life Coordinators, Area Coordinators (residence halls)
- Office of the Vice President for Student Affairs, Nelson Hall East 216, 707-826-3361 or email at [judicial@humboldt.edu](mailto:judicial@humboldt.edu)
- Human Resources - Compliance Services, Siemens Hall 211, 707-826-4501, or email [dcs@humboldt.edu](mailto:dcs@humboldt.edu)
- HSU Counseling Center, Health Center, 2nd Floor, 707-826-3236

**Faculty or staff member Victim/Survivors** may contact any of the below-listed personnel to make an administrative complaint that the University’s sexual assault/sexual harassment policy may have been violated:

- Human Resources Office, Siemens Hall 211, 707-826-3626
- Employee Assistance Program, Human Resources (referral) 707-826-7358
- Compliance Services, Siemens Hall 211, 707-826-4501, or email [dcs@humboldt.edu](mailto:dcs@humboldt.edu)

**Responsible Authority for Administrative Investigations:** Generally, these non-criminal policy investigations will be conducted by a designee from the Office of the Vice President for Student Affairs if the respondent is a student, and by a representative of the Office of Human Resources-Compliance Services if the respondent is a faculty or staff member.

The complainant may also file a formal grievance through established California State University disciplinary, grievance or other complaint procedures, including those found in various collective bargaining agreements.

**University Policy available On-Line:** More information on the University Policy on Sexual Assault and Sexual Harassment can be found on-line at [http://www.humboldt.edu/~hsupres/exec\\_memo/em05-02.html](http://www.humboldt.edu/~hsupres/exec_memo/em05-02.html) .

#### **External options and procedures for filing a complaint**

- Civil charges against the perpetrator through the civil legal system
- Criminal charges, in cases of sexual assault
- In addition, complaints may be filed through Federal and State agencies (generally, within 180 days following the event) including:
- Equal Employment Opportunity Commission (employment discrimination) San Francisco Office 415-625-5600 or 415-625-5610 (TTY). The toll free numbers are 1-800-669-4000 or 1-800-669-6820 (TTY).
- Office of Civil Rights (sexual harassment involving students in an academic setting) San Francisco 415-437-8310
- California State Department of Fair Employment and Housing 1-800-884-1684  
<http://www.dfeh.ca.gov/Contact/contactdfeh.asp>

An applicant for admission or an applicant for employment may file a formal complaint through the above stated federal and state agencies.

#### **(D) INFORMATION, SUPPORT, AND/OR COUNSELING SERVICES AVAILABLE TO SEXUAL ASSAULT VICTIMS/SURVIVORS:**

##### **On-Campus Resources**

- HSU Counseling and Psychological Services 707-826-3236
- HSU Office of Diversity and Compliance Services 707-826-4501
- University Police 9-1-1 or 707-826-5555  
Cell phone (emergencies only) 707-826-5023
- Women's Center 707-826-4216

##### **Off-Campus Resources**

- North Coast Rape Crisis Team 707-445-2881  
(Also can accompany to hospital, SART exam, and other services)
- Arcata Police Department 707-822-2424
- University Employee Assistance Program, Human Resources (referral) 707-443-7358
- Humboldt Domestic Violence Services 707-443-6042  
OR 866-668-6543
- Gay and Lesbian Domestic Violence Support:  
HELP North Coast Rape Crisis 707-445-2881  
Youth Services Bureau (YSB 523 T Street, Eureka)-Homeless Youth 16-21 707-443-7099
- Redwood Community Action Agency (website: <http://www.rcaa.org> ) 707-269-2002  
Emergency Shelter 926 G Street, Eureka 707-269-2075
- Sexual Assault Response Team (SART) 707-445-8121
- Victim-Witness Assistance Program 707-445-7417
- Equal Employment Opportunity Commission (employment discrimination) 800-669-6820
- Office of Civil Rights (sexual harassment involving students in an academic setting) 415-556-4275

#### **(E) UNIVERSITY RESPONSIVENESS TO MAKE ADJUSTMENTS IN VICTIM/SURVIVOR'S ACADEMIC AND/OR LIVING SITUATIONS:**

All students are hereby notified that Humboldt State University *will* make appropriate changes in a victim/survivor's academic and on-campus living situations after an alleged sex offense. Assuming that appropriate changes are reasonably available, those change options will be discussed and explained with the victim/survivor to provide them with ownership and control of the decision-making process whenever possible.

## **(F) UNIVERSITY POLICIES AND PROCEDURES FOR DISCIPLINARY ACTION IN CASES OF AN ALLEGED SEX OFFENSE:**

**Initial Consultation Meeting:** A victimized/survivor student may choose to pursue an allegation through the University's disciplinary process. During an initial consultation with the survivor, the Dean of Students-Judicial Affairs, will clarify the disciplinary process and explain the options available to the survivor, as well as review the incident. Crisis counselors or other support persons are welcome and encouraged to accompany the survivor.

**University's Right to Proceed with Disciplinary Action Independent of Criminal Investigation:** The University will proceed with a disciplinary action when it appears that the University's prohibition against any form of sexual abuse may have been violated. A student charged with sexual assault may be disciplined under the University's code of student conduct as well as prosecuted under California's criminal statutes. Whether or not a criminal prosecution occurs, the University retains the right to proceed with a disciplinary action at any time, and the University need not await the disposition of any such criminal prosecution. Such disciplinary action will be handled in accordance with the provisions of the Student Disciplinary Procedures for the CSU.

**Proceedings Will be Balanced; Both Parties have Right to Representation; Both Parties Informed:** The University is committed to providing judicial and disciplinary processes that are sensitive, supportive, expedient and respectful of the individual rights of all involved. Both the survivor and the accused are entitled to have others present during the campus disciplinary proceeding, and both will be informed of the outcome of the proceedings.

**Additional Information:** Compliance with the terms of this policy does not constitute a violation of the *Family Educational Rights and Privacy Act* (FERPA). Disclosure concerning the outcome of proceedings must be unconditional; a victim cannot be required to sign a non-disclosure agreement or to otherwise agree to a prohibition from discussing the case.

## **(G) POSSIBLE UNIVERSITY DISCIPLINARY SANCTIONS FOLLOWING AN ADMINISTRATIVE FINDING OF RESPONSIBILITY FOR SEXUAL ASSAULT:**

**Possible Disciplinary Sanctions:** Any of the sanctions listed below may be applied by the University against students found responsible for sexual assault or complicity in sexual assault. The type and number of sanctions applied will depend on the severity of the offense. Possible sanctions include, but are not limited to:

- Expulsion from the University
- Suspension from the University for a specified time
- Disciplinary Probation for a specified time
- Psychological counseling and/or assessment
- Performance of community service
- Revocation of residence hall contract
- Prohibition against contacting the victim/survivor

**Immediate Temporary Suspension Option:** A student may be suspended immediately for an interim period pending a hearing whenever the University President determines that such action is required to protect lives or property and ensure the maintenance of order.

**Possible Sanctions against Student Organizations:** Student organizations found to condone, promote, or be involved in activities that lead to sexual assault may have their University recognition withdrawn. Other possible sanctions include, but are not limited to:

- Informing the organization's national or regional office about the activity;
- Disbanding of the local chapter by the national organization;
- Prohibiting participation in campus activities, events, and programs;

- Requiring some or all members to conduct relevant community service and/or participate in sexual assault awareness programs; and
- Loss of all University privileges (e.g., use of equipment, meeting rooms, advertising space, on-campus fund raising, etc).

**Authority to Impose Discipline on Student Organizations:** A recommendation concerning sanctions will be made to the Vice President for Student Affairs by the Dean of Students. The Vice President will then inform the student organization, in writing, of the sanction(s) imposed. The Vice President may suspend any student organization's charter, pending a full review.

**Possible Sanctions Against Employees:** Sanctions up to and including dismissal from employment may be imposed on employees, following the utilization of established California State University procedures in applicable collective bargaining agreements.

## **11. Policies Regarding Sex Offenders:**

**Federal Law Regarding Registration and Release of Information:** Upon release from prison, individuals convicted of sex crimes may be required to register with law enforcement agencies under laws referred to as "Megan's Laws". Additionally, the Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Such institutions have the authority to release, in some circumstances, certain information about registered sex offenders. At Humboldt State University, the controlled release of such information may occur, when pre-authorized by the CSU General Counsel, through the authority of the Chief of University Police, when such release is deemed appropriate for the safety of the University community. The CSCPA amends the Family Educational Rights and Privacy Act (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

There are four (4) ways the public may gain access to information about convicted & registered California sex offenders:

Internet:	Megan's Law Website <a href="http://www.caaq.state.ca.us/megan/sexreg.htm">http://www.caaq.state.ca.us/megan/sexreg.htm</a>
Local:	Humboldt County Sheriff's Office 826 4 <sup>th</sup> Street Eureka, CA 95501 707-445-7251
Phone:	California Department of Justice (\$10 charge per call, 2 subject's maximum per call) 1-900-448-3000
Mail:	California Department of Justice California Sex Offender Information Program, Rm H-216 PO Box 903387 Sacramento, CA 94203-3870 916-227-4199 <a href="http://www.caaq.state.ca.us/megan/sexreg.htm">http://www.caaq.state.ca.us/megan/sexreg.htm</a>

## **12. Availability, Distribution, Notification of Annual Report:**

**Availability:** The Humboldt State University Annual Crime Statistics and Security Policies Report is published prior to October 1 of each calendar year. The report is made available to all currently enrolled students (including those attending less than full time and those not enrolled in Title IV programs or courses) and all employees by Oct 1 each year. The report will also be provided to any prospective student or prospective employee upon request.

**Distribution:** The Humboldt State University Police Department (HSUPD) prepares this report each fall to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the HSUPD web site at [http://studentaffairs.humboldt.edu/police/clery\\_report.php](http://studentaffairs.humboldt.edu/police/clery_report.php). Copies of the report, free of charge, may also be obtained at the University Police Department or by calling 707-826-5555. All prospective employees may obtain a copy from Human Resources or by calling 707-826-3626, and the web site address (URL) will be attached to HSU Employment Applications. Directions to locate the report on the HSUPD web site are located in the class schedule and other university publications.

**Notification of Report Availability:** Informational messages regarding the availability of the annual report are placed on employee paycheck stubs, in semester class schedules, in University publications, and in a special individual email notice sent to every student and employee. A sample email notice message is below:

This message is sent, pursuant to requirements of the US Code of Federal Regulations, to notify all members of the campus community that the Humboldt State University 2009 Annual Security Report for the period of January 1 through December 31, 2008, is now available at the following website:

[http://studentaffairs.humboldt.edu/police/clery\\_report.php](http://studentaffairs.humboldt.edu/police/clery_report.php).

This report is published in accordance with the Clery Act, named in memory of Jeanne Clery, a 20-year-old undergraduate who was murdered in her Lehigh University residence hall room in 1986. This report contains statistics for the previous three years concerning reports of certain crimes and discipline referrals for certain law violations that allegedly occurred on-campus, in certain off-campus buildings or property owned or controlled by Humboldt State University, and on public property within, or immediately adjacent to and accessible from, the Humboldt State University campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, drug and alcohol abuse issues, and other matters. You can view the report on-line by accessing the website listed above or you may obtain a free paper copy of this report by contacting the Humboldt State University Police Department in room #101 of the Student and Business Services Building at #1 Harpst Street, Arcata CA 95521, or by phoning the Department at 707-826-5555.

## **13. Crime Statistics:**

### **(A) NOTES AND COMMENTS ABOUT STATISTICS:**

**Different Statistical Reports Required by Law and Policy:** As a recognized California Law Enforcement agency and part of the California State University, the Humboldt State University Police Department is required to report crimes (1) to the federal *Department of Justice* on a monthly basis; additional statistics for crimes, arrests, property loss and recovery are reported monthly to (2) the *California State University Chancellor's Office*; the Campus Security Act requires the submittal of a (3) report for the *Department of Education Annual Statistics*; and finally, the (4) "*Humboldt State University Crime Statistics and Campus Security Policies Report*" is published each fall to comply with the Clery Act.

**Clery Act Report Reflects Allegations of Certain Crimes, Not Fully-Substantiated Crime Investigations:** The nature of the Clery Act regulations demands that the University Police Department document and report all allegations of certain crimes regardless of whether or not there is evidence or an investigation that substantiates all the elements of the specific crime(s) under California law that would be required for prosecution. Even some confidential reports without any identified suspect or information to confirm the victim's allegation may be included as reported crimes in this report. The only crime allegations that may be excluded from reporting are those that police investigation shows to be false or baseless.

**Statistics Can Vary Between Reports:** Caution should be used in comparing one type of report to another inasmuch as each report asks for different statistics. However, in the university environment of information and awareness, the crime allegation information reported will enable our campus community to be safety conscious. These statistics are available to students, staff, faculty, and prospective members of our university community. The data is inclusive of crimes that were reported within the past three years on-campus, off-campus and on public property surrounding campus jurisdiction.

**Clery Act Reports Can Be Difficult to Compare Between Campuses:** There are numerous problems with making campus-to-campus comparisons, including but not limited to the community where a campus is located, the relative size of each campus, the number and type of satellite properties, the number of students residing on each campus, the type and size of any off-campus University housing or Greek communities, the presence or absence of proactive police personnel on the campus, the nature of the university/college and police data entry/storage/retrieval systems, and diligent referral and reporting processes. What might be reported and documented on one campus may not be on another campus. Also, it is important to note that on some campuses, there are specific law violations for such offenses as illegal weapons and open containers of alcohol that will result in arrests or documented disciplinary referrals, while other campuses without such laws will not have reportable statistics for the same conduct.

## **(B) FEDERALLY MANDATED CRIME DEFINITIONS USED IN CLERY ACT REPORT DOCUMENTATION:**

**Murder/Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth, temporary or permanent mental or physical incapacity. This offense includes the forcible sodomy of both males and females

**Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth, temporary or permanent mental or physical incapacity. An object includes anything other than the offender's genitalia. Examples are a finger, bottle, stick, etc.

**Forcible Fondling:** The touching of private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or his/her temporary or permanent mental incapacity.

**Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Non-forcible sexual intercourse with a person under the statutory age of consent.

**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.

**Robbery:** The taking, or attempting to take, anything of value from the care, custody, or control of another person or persons by force, by threat of force or violence, and/or by putting the victim in fear .

**Motor Vehicle Theft:** Theft or attempted theft of a motor vehicle. This offense category includes the stealing of automobiles, trucks, buses, motorcycles, motor scooters, etc.

**Burglary:** The unlawful entry into a building or other structure (including a residence hall room) with the intent to commit a felony or a theft. Included are attempts to commit burglary where force is employed, or where a perpetrator is frightened off prior to completing the crime. Thefts from automobiles, whether locked or not, are NOT considered burglaries for this report.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, aircraft, or personal property of another, etc.

**Hate Crime:** A criminal offense involving bodily injury reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator's bias or the perpetrator perceived the person to be in on of the protected group categories which are disability, gender, race, religion, ethnic/ national origin group, or sexual-orientation group.

**Hate-Motivated Crimes and Incidents Policy:** It is the policy of the University that when the rights of persons are infringed upon by violence, threats, or harassment, the University through its Police Department will use every necessary resource to identify the perpetrators, arrest and bring them before the court. All acts of hate-motivated violence or threats will be viewed as serious, and these investigations will be given priority attention. The key criterion in determining whether a situation is categorized as a Hate-Motivated Crime/Incident is the motivation to harass, intimidate, threaten, retaliate or create conflict because of a person's ethnicity, race, national origin, religion, gender, sexual orientation, disability, or political/religious beliefs.

**Liquor Law Violations:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, NOT including driving under the influence and drunkenness.

**Drug Law Violations:** Violation of laws or ordinances prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics-manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Illegal Weapons Violations:** Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or deadly weapons.

A **report** is a record by the University Police Department regarding an incident or allegation of a crime.

An **arrest**, for Clery Act purposes, is defined as persons processed by arrest, citation, or summons, and includes:

- Persons taken into custody in a manner authorized by law
- Persons arrested and released without a formal charge being placed against them (An arrest has occurred when a law enforcement officer detains an adult with the intention of seeking charges against the individual for a specific offense(s) and a record is made of the detention.)
- Juveniles taken into custody or arrested but merely warned and released without being charged. In this report, a juvenile should be counted as "arrested" when the circumstances are such that if the individual were an adult, an arrest would have been counted.

A **referral** of an individual with the intent to refer the person for "student discipline only" is not an arrest. A "**referral for disciplinary action**" is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. For the purposes of this report, the only referrals that are counted are those that constituted a violation of criminal law (not just University policy), and also did NOT result in an arrest or citation as defined above.

**On-Campus:** Any building or property owned or controlled by Humboldt State University 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**. NOTE: Statistics for residence halls are **included as a sub-category** of the main campus category.

**Non-campus Building or Properties:** Any building or property owned or controlled by Humboldt State University that is used in direct support of, or in relation to the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area as the institution.

**Humboldt State University Non-campus Buildings and Properties:** Buildings and properties controlled by Humboldt State University that are 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 geographic area of the University's main campus.

- Humboldt Bay Aquatics Center, Eureka
- Clam Beach Lagoons, Freeway
- Fickle Hill Observatory, Fickle Hill
- First Street Gallery, , Eureka
- Fisherman's Cooperative, Wharf Complex , Eureka
- Freshwater Experimental Forest
- Lanphere Dunes, Arcata
- Mad River Slough Islands, Arcata
- Marina Dock, Woodley Island (RV Coral Sea & Storage)
- Natural History Museum, Arcata
- Pilot Point, Moonstone Beach
- Schatz Experimental Forest and Forestry Research Station, Maple Creek
- Telonicher Marine Lab, Trinidad
- Wright Wildlife Refuge, Eureka

**Public Property:** Sidewalk, street, other thoroughfare, or parking facility, that is immediately adjacent to, and accessible from, the Humboldt State University campus. Only the public property that is within the campus boundaries, or next to or bordering the campus AND that is easily accessible from the campus, is included in this definition. At Humboldt State University, these areas include the streets and sidewalks on campus as well as those immediately adjacent to the campus, Redwood Science Lab parking and trail areas, and directly accessible portions of the Arcata Community Forest within approximately one mile of the campus boundary.



## HUMBOLDT STATE UNIVERSITY CRIME AWARENESS & CAMPUS SECURITY (CLERY) REPORT 2006 THROUGH 2008

Criminal offenses reported to the Humboldt State University Police Department in accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act.

Definition of "On-Campus", "Residential", "Non-Campus" and "Public Property" are found in the pages immediately preceding these statistics.

OFFENSE	YEAR	ON CAMPUS PROPERTY	**RESIDENTIAL FACILITIES	NONCAMPUS PROPERTY	PUBLIC PROPERTY
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>	2006	0	0	0	0
	2007	0	0	0	0
	2008	0	0	0	0
<b>NEGLIGENT MANSLAUGHTER</b>	2006	0	0	0	0
	2007	0	0	0	0
	2008	0	0	0	0
<b>SEX OFFENSES, FORCIBLE- Includes forcible rape, forcible sodomy, sexual assault with an object, attempted rape &amp; forcible fondling.</b>	2006	7	5	0	1
	2007	1	1	0	0
	2008	5	3	0	0
<b>SEX OFFENSES, NON-FORCIBLE- Includes Incest and statutory rape.</b>	2006	0	0	0	0
	2007	0	0	0	0
	2008	0	0	0	0
<b>ROBBERY</b>	2006	0	0	0	0
	2007	2	1	0	0
	2008	0	0	0	0
<b>AGGRAVATED ASSAULT</b>	2006	0	0	0	1
	2007	0	0	0	0
	2008	1	1	0	0
<b>BURGLARY</b>	2006	19*	1	2	0
	2007	13	6	1	0
	2008	11	6	0	0
<b>MOTOR VEHICLE THEFT</b>	2006	5	0	0	2
	2007	2	0	0	0
	2008	2	0	0	1
<b>ARSON</b>	2006	0	0	0	0
	2007	0	0	0	0
	2008	2	1	0	0
<b>LIQUOR LAW ARRESTS</b>	2006	26	8	0	3
	2007	37	3	1	3
	2008	31	6	2	0
<b>DISCIPLINARY REFERRALS FOR LIQUOR LAW VIOLATIONS</b>	2006	20	20	0	0
	2007	5	4	0	0
	2008	2	2	0	0
<b>DRUG LAW ARRESTS</b>	2006	80	68	0	5
	2007	89	44	1	1
	2008	113	52	1	6

<b>DISCIPLINARY REFERRALS FOR DRUG LAW VIOLATIONS</b>	2006	77	76	0	0
	2007	103	82	0	0
	2008	56	43	0	0
<b>ILLEGAL WEAPONS POSSESSION ARRESTS</b>	2006	0	0	0	0
	2007	9	4	0	0
	2008	3	3	0	0
<b>ILLEGAL WEAPONS POSSESSION VIOLATIONS REFERRED FOR DISCIPLINARY ACTION</b>	2006	2	2	0	0
	2007	7	7	0	0
	2008	3	3	0	0

\*Severe increase in the burglary statistics results from one burglary incident in which the suspect, who was later arrested, entered 15 rooms in one night, inside an on-campus building with the intent to steal property.

\*\*Crimes reported in the Residential Facilities column are included in the On-Campus category.

“Sex offenses” include both stranger attacks and non-stranger rape/assault reports. The large majority of sex offenses reported to HSUPD involve acquaintances rather than strangers. Alcohol, other drugs, and their effects are commonly used to perpetrate acquaintance rapes at HSU and at other colleges nationwide. Research has shown that the majority non-stranger rapes/assaults on college campuses are not reported.

Actual crime definitions were explained in earlier pages of this report.

## HATE CRIMES

**2006: No hate crimes reported.**

**2007: No hate crimes reported.**

**2008: One residence hall misdemeanor vandalism characterized by ethnicity/national origin bias, and one residence hall misdemeanor written threat characterized by ethnicity/national origin and sexual orientation bias.**