

2014 Annual Security Report **AnnualSecurityReport.Berkeley.Edu**

as required by the Jeanne Clery Act

About the Police Department

Reporting Crimes and Emergencies

Response to Sexual and Gender Violence

Student Code of Conduct

Crime Statistics

Important Phone Numbers

plus links to the Annual Fire Safety and Security Report



Message from Chief of Police

Thank you for taking the time to review the University of California, Berkeley Annual Security Report (ASR). The Berkeley ASR is provided in accordance with the Crime Awareness and Campus Safety Act of 1990 and subsequent amendments that led to its being renamed the Jeanne Clery Act in 1998. The ASR is part of ongoing efforts to inform you of the safety programs and services available and the crimes that are reported to UCPD, local police partners and our Campus Security Authorities. It also contains information about proactive steps you can take to help maintain a safe and secure campus for everyone.

This past year, we have taken several steps to enhance our annual security report and compliance with other components of the Jeanne Clery Act. As a result of a cross-campus initiative, we hired an external consultant to conduct an audit of our reporting process. As a result of our efforts to enhance our process, you may notice some changes to the report this year. You will find more in-depth information about crime on campus, including appropriate Campus policy statements. The ASR also explains programs and services we have to educate students and community members about safety on campus.

Working to keep our campus safe is a top priority for UCPD. We take acts of crimes against members of our campus and the Berkeley community very seriously. It is our obligation to aggressively investigate reported crimes, and we have systems in place to support the survivors of crimes when they happen.

Please consider taking part in the prevention and educational programs that we offer. By acting responsibly, caring for community members, and remaining vigilant, our campus will be a safer place.

We encourage everyone to report suspicious and unlawful behavior immediately to UCPD.

We all have an important role in keeping our campus and city safe. We ask for you to work with us to keep Bear Territory safe from crime.

Go Bears!

Margo Bennett



Table of Contents

ABOUT THE UNIVERSITY OF CALIFORNIA POLICE DEPARTMENT, BERKELEY 4

 ROLE, AUTHORITY AND TRAINING 4

 SAFETY, OUR NUMBER ONE PRIORITY 5

 WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES 5

 CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS 5

REPORTING CRIMES AND OTHER EMERGENCIES 6

 VOLUNTARY, CONFIDENTIAL REPORTING 6

 ANONYMOUS TIP MESSAGE LINE 6

 REPORTING TO UC BERKELEY POLICE 6

Call 9-1-1 to Report an Emergency 7

Emergency “Blue Light” Phones 7

 REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES (CSA) 7

Pastoral and Professional Counselors 8

 TIMELY WARNING REPORTS — CRIME ALERTS 8

EMERGENCY RESPONSE AND EVACUATION PROCEDURES 9

 EMERGENCY MANAGEMENT AT UC BERKELEY 9

 DRILLS, EXERCISE AND TRAINING 9

 EMERGENCY NOTIFICATION 9

SECURITY OF AND ACCESS TO UC BERKELEY FACILITIES 11

 SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES 11

UC BERKELEY’S RESPONSE TO SEXUAL VIOLENCE, DATING & DOMESTIC VIOLENCE AND STALKING 12

 OUR COMMITMENT TO ADDRESSING SEXUAL ASSAULT/ RAPE, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING
 12

What is Consent? 12

 DEFINING SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING 13

SaVE Act Definitions 13

As Defined by the University of California 14

 REPORTING AN INCIDENT 15

 PROCEDURES SURVIVORS SHOULD FOLLOW 15

 UNIVERSITY PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL ASSAULT 15

EDUCATION PROGRAMS 17

 UC BERKELEY SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE AND STALKING PREVENTION & EDUCATION EFFORTS .. 17

 CAMPUS PREVENTION APPROACHES 18

CONDUCT PROCEEDINGS 19

 FILING A COMPLAINT WITH THE UNIVERSITY 19

 UC BERKELEY DISCIPLINARY PROCEDURES IN SEXUAL ASSAULT INCIDENT 20

CAMPUS SECURITY POLICIES, CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS 24

 THREAT MANAGEMENT UNIT 24

BEHAVIOR RISK ASSESSMENT, (BRAT) & STUDENTS OF CONCERN COMMITTEE, (SOCC)	25
WEAPONS ON CAMPUS POLICY	25
CALIFORNIA CRIME VICTIMS’ BILL OF RIGHTS.....	25
FIRE INCIDENT REPORTING	27
FREE SPEECH & PUBLIC ASSEMBLY.....	27
STUDENT CONDUCT	28
DISCIPLINARY ACTION PROCEDURES.....	28
STUDENT CODE OF CONDUCT	29
HAZING LAWS AND POLICY	29
MISSING STUDENT POLICY	29
DAILY CRIME LOG	31
CRIME PREVENTION AND SAFETY AWARENESS	31
STUDENT ALCOHOL EDUCATION	31
UCB SEXUAL ASSAULT PREVENTION EDUCATION.....	31
UCPD’S SECURITY SURVEYS	32
<i>Safe TEAM Program</i>	32
<i>UC Berkeley Lost and Found</i>	33
UC BERKELEY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS.....	33
<i>Areas Open to the Public</i>	33
<i>Private or Closed Areas</i>	33
<i>Education and Research Areas</i>	34
POLICIES SPECIFIC TO FACULTY AND STAFF	34
POLICIES SPECIFIC TO UC BERKELEY STUDENTS	34
DRUG AND ALCOHOL ABUSE RESOURCES	35
ANNUAL DISCLOSURE OF CRIME STATISTICS	36
CLERY ACT CRIMES.....	36
DEFINITIONS OF REPORTABLE CRIMES	36
<i>Primary Crimes:</i>	36
<i>Categories of Prejudice:</i>	37
CRIME STATISTICS: CLERY DATA REPORTED TO UNIVERSITY POLICE	38
IMPORTANT PHONE NUMBERS AND OTHER CONTACT INFORMATION	44

Annual Security Report

Preparation of the Annual Security Report and Disclosure of Crime Statistics and Fire Safety Report

The University of California Police Department, Berkeley, (UCPD Berkeley) prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Police Department, information provided by other University offices such as Student Affairs, Residential Life, and other Campus Security Authorities, and information provided by local law enforcement agencies surrounding campus. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by the University. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, and alcohol and other drugs.

The University distributes a notice of the availability of this Annual Security Report by October 1 of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Police Department at (510)642-6760, it is also available online at <http://annualsecurityreport.berkeley.edu/>

The campus also publishes a Fire Safety Report, containing information about fire safety policies, procedures, and statistics, and is available online at: <http://ehs.berkeley.edu/fire-prevention/annual-campus-fire-report>. The University of California, Berkeley is committed to protecting the safety and security of all students, staff, and faculty, as well as visitors to our campus, and to providing accurate and complete information regarding crimes committed in the campus community. We believe that our policies and programs for preventing and reducing crime, and our emergency notices, timely warnings, crime alerts and disclosure of crimes reported, promote a safer, more informed community. Please take time to read this information and, if you have questions, contact the resources identified below for assistance.

ABOUT THE UNIVERSITY OF CALIFORNIA POLICE DEPARTMENT, BERKELEY

Role, Authority and Training

The University of California Police Department, Berkeley is empowered pursuant to section 830.2 (b) of the California Penal Code and fully subscribes to the standards of the California Commission on Peace Officer Standards and Training (POST). UCPD officers have the authority to conduct criminal investigations and make arrests anywhere in the State of California. We receive the same basic training as city and county peace officers throughout the state, plus additional training to meet the unique needs of a campus environment. The primary jurisdiction of the UC Police Department, Berkeley is the university campus and its properties. The department handles all patrol, investigation, crime prevention education, and related law enforcement duties for the campus community, and operates twenty-four hours a day, seven days a week.

The Department is comprised of:

- 70 Sworn Officers
- 50 Security Patrol Officers, (SPO)
- 55 Community Service Officers, (CSO)
- 13 Records/Dispatch personnel
- 20 Civilian Staff Members

Safety, Our Number One Priority

The University takes great pride in the community here at UC Berkeley and has many advantages for students, faculty, and staff. UC Berkeley is a great place to live, learn, work, and study; however, this does not mean that the campus community is immune from problems. With that in mind, UC Berkeley has taken progressive measures to create and maintain a reasonably safe environment on campus.

Though the University is progressive with its policies, programs, and education, it is up to each of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

Working Relationship with Local, State, and Federal Law Enforcement Agencies

University of California Police Department, Berkeley maintains a cooperative relationship with local and surrounding police agencies. This includes interoperative radio capability, a joint police records computer system, training programs, special events coordination, and investigation of serious incidents.

University of California Police Department, Berkeley has an MOU with the City of Berkeley Police Department. The MOU outlines the administrative responsibility, the geographic responsibility, and the operational responsibility. Key topics in the MOU are emergency response to crimes, medical or fire response, alarm response, 9-1-1 response, explosive ordinance response, tactical operations, special events, south campus patrol, and People's Park. The MOU also calls for ongoing communication and informational exchanges in the form of reports and statistical data.

Crimes Involving Student Organizations at Off-Campus Locations

The UC Police Department, Berkeley does not routinely provide law enforcement services to off-campus residences of student organizations. Criminal activity at off-campus locations would normally be reported to the local law enforcement jurisdiction. UCPD relies on its close working relationships with local law enforcement agencies to receive information about incidents involving our students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the University Police will actively investigate certain crimes occurring on or near campus. If the University Police learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Student Conduct, as appropriate.

The University requires all recognized student organizations to abide by federal, state, and local laws, and University regulations. The University may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial university interest (as defined in the University Conduct Policy at <http://sa.berkeley.edu/code-of-conduct>)

REPORTING CRIMES AND OTHER EMERGENCIES

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire UC Berkeley community that you immediately report all incidents so that the Police Department can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or emergency notification.

Voluntary, Confidential Reporting

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage University community members to report crimes promptly and to participate in and support crime prevention efforts. The University community will be much safer when all community members participate in safety and security initiatives.

UCPD, Berkeley encourages anyone who is the victim of a crime to report it directly to the police. Because police reports are public record under California law, confidentiality of reports 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. If you are the victim of a crime and do not want to pursue action within the university or the criminal justice systems you may still want to consider making a confidential report. This information will be disclosed in the annual report and used for statistical information to help prevent further crimes.

Anyone may call the UC Police Department, Berkeley at (510) 642-6760 to report concerning information. Callers may remain anonymous.

Anonymous Tip Message Line

If you would like to report a crime or related concern but do not wish to reveal your identity, UCB PD offers an anonymous tip line, TipNow, that allows you to leave information about a crime via text, e-mail or a voice message while ensuring your confidentiality: E-mail cal@tipnow.com, or leave a message or text at (510) 664-8477, for more information, visit <http://police.berkeley.edu/caltip/>. The anonymous tip line is checked routinely, however, it should **NOT** be used for crimes in progress.

Reporting to UC Berkeley Police

We encourage all members of the University community to report all crimes and other emergencies to the UC Police Department, Berkeley in a timely manner. We are available by phone at (510) 642-6760 or in person twenty-four hours a day at 1 Sproul Hall. Although many resources are available, Police should be notified of any crime, whether or not an investigation continues, to assure the University can assess any and all security concerns and inform the community if there is a significant threat.

Call 9-1-1 to Report an Emergency

To report crimes in progress, an imminent threat to life or property, or for an immediate medical concern, contact UCPD's dispatch center for emergency services. Dial 9-1-1 from any landline phone. If you are on or near campus using a cell phone, dial (510) 642-3333, to reach UCPD's dispatch center.

In the City of Berkeley, the best emergency number to dial from a cell phone is (510) 981-5911.

Emergency "Blue Light" Phones

The University has installed more than 130 emergency phones on the UC Berkeley campus, outlying parking areas and other off campus locations. Phones are located in public areas and are topped with a blue light which remains lit at all times. Pushing the circular button on the panel will directly connect you to UC Police Dispatch and they will know your location and send help.

Reporting to Other Campus Security Authorities (CSA)

While the University prefers that community members promptly report all crimes and other emergencies directly to the Police Department at (510) 642-6760 or 9-1-1, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as Campus Security Authorities (CSA). The act defines these individuals as "officials 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."

While the University has identified a number of CSAs, we officially designate the following offices as places where campus community members may report crimes:

Official	Campus Address	Phone Number
University Police	1 Sproul Hall Berkeley, CA 94720	Emergency: 911 Emergency from Cell: 642-3333 Non-Emergency: 642-6760
Office for the Prevention of Harassment and Discrimination (Title IX)	685 University Hall Berkeley, CA 94720	(510) 643-7985
Office of Student Conduct	205 Sproul Hall Berkeley, CA 94720	(510) 643-9069
The Office of Residential Life	2610 Channing Way Berkeley, CA 94720	(510) 642-3213
Office of Legal Affairs	200 California Hall Berkeley, CA 94720	(510) 664-4971
Dean of Students Office	326 Sproul Hall Berkeley, CA 94720	(510) 642-6741

Hate Crimes can be reported to Gender Equity on-line Hate Report Form:
http://geneq.berkeley.edu/stophate_form

UC System wide Intolerance Report Form:
https://ucsystems.ethicspointvp.com/custom/ucs_ccc/default.asp

Campus Security Authority report should be made at <https://Clery.Berkeley.edu/content/csa-report-form>

Pastoral and Professional Counselors

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by UC Berkeley to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

Timely Warning Reports — Crime Alerts

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the University Police issues "Crime Alerts." The University Police will generally issue Crime Alerts for the following crimes: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. University Police will post these warnings through a variety of ways, including but not limited to posters or bulletins, e-mails, and social media. The University also has the ability to e-mail Crime Alerts to those who register their e-mail address with us. These messages are a very effective way to send important information to the campus community and can assist you in making informed choices about your safety. To subscribe to UC Police news, send a message to: ucb_police_news-join@lists.berkeley.edu Click the link to open an email program. Press send. You do not need to type in a subject or a message, CalMail's Mailman will take it from there. You will then receive an e-mail asking you to confirm your request to belong to the list. Reply to that mail message to confirm your email address, and you will be subscribed to the mailing list.

The purpose of these Crime Alerts is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents. UCPD will issue Crime Alerts whenever the following criteria are met:

- 1) A crime is committed;
- 2) The perpetrator has not been apprehended; and
- 3) There is a substantial risk to the physical safety of other members of the campus community because of this crime.

Such crimes include, but are not limited to: Clery Act crimes that are reported to any campus security authority or the local police; or when the University determines that the incident represents an on-going threat to the campus community.

Additionally, the University Police may, in some circumstances, issue Crime Alerts when there is a pattern of crimes against persons or property. Here at UC Berkeley, the Chief of Police or designee will generally make the determination, in consultation with other University offices, if a Crime Alert is required. However, in emergency situations, any police supervisor may authorize a Crime Alert. For incidents involving off-campus crimes, the University may issue a Crime Alert if the crime occurred in a location used and frequented by the University population.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergency Management at UC Berkeley

The Office of Emergency Management, (OEM), is responsible for the campus Emergency Operations Plan, (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

More information on the UC Berkeley crisis management plan and other preparedness information can be found at <http://oem.berkeley.edu/>

Drills, Exercise and Training

Annually, the campus conducts emergency management drills and exercises to test emergency procedures. The scenarios for these exercises change from year-to-year, and may include several departments from across the campus.

To ensure the University's emergency management plans remain current and actionable, the University will conduct an emergency management exercise, at a minimum once yearly. These exercises may include drills, table top exercises, emergency operations center exercises, or campuswide emergency response exercises. The University conducts after-action reviews of all emergency management exercises above a tabletop exercise.

In conjunction with at least one emergency management exercise each year, the University will notify the community of the exercise and remind the community of the information included in the University's publicly available information regarding emergency response procedures <http://oem.berkeley.edu/>

Emergency Notification

The University of California, Berkeley is committed to ensuring that our campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. UCB uses the emergency notification system WarnMe. WarnMe is an emergency notification service that proactively contacts students, staff and faculty at their CalNet Directory e-mail. WarnMe can be used to send emergency messages within minutes of the occurrence of an incident. Messages are sent by multiple methods to contact information listed in the campus directory as well as confidential contact information registered by users. The system can send simultaneous messages to the university community by e-mail, telephone, cell phone and text messaging. Campus community members can visit <https://warnme.berkeley.edu> to update or change their contact information and are encouraged to list "SMS Text" as their primary contact method.

Because the alert system is designed to provide lifesaving information to those in harm's way and because such notifications might be delayed by an overly large user population, others, such as parents or members of the media, are not included in the system.

UC Berkeley performs a monthly test of the system to ensure its readiness.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

The Police and/or other campus stakeholders may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the Police or upon discovery during patrol or other assignments.

In the event of an emergency, the University will notify affected members of the campus community without delay, taking into account the safety of the community unless issuing a notification will, in the professional judgment of the Police Chief or their designees, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the University community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. If the emergency affects a significant portion of the entire campus, University officials will distribute the notification to the entire campus community.

Determining the Contents of the Emergency Notification

The UCPD will determine the contents of the notification based on each situation. The University has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no predetermined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to ensure that individuals are aware of the situation and they know the steps to take to safeguard their personal and community safety.

Procedures for Disseminating Emergency Information to the Larger Community

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of the campus community. These methods of communication include the mass notification system WarnMe, Alert & Warning Siren System, the University's email system, and verbal announcement within a building and public address systems on police cars and on several campus building rooftops. The University will post updates during a critical incident on the homepage. If the situation warrants, the University will establish a telephone call-in center to communicate with the University community during an emergency situation.

If the University activates its emergency notification system in response to a situation that poses an immediate threat to members of the campus community, several offices at the University are responsible

for notifying the larger community about the situation and steps the University has taken to address the emergency. Primarily, Public Information (a unit of University Relations) is responsible for crisis communications and for maintaining communications with national, regional, and local news and radio outlets.

Enrolling in the University's Emergency Notification System

While all campus members, (students, staff & faculty), are enrolled in the WarnMe system, we encourage everyone to visit the website and update or provide additional contact information, (text, cell, work/home) and select "SMS Text" as their primary contact. <https://warnme.berkeley.edu/>

SECURITY OF AND ACCESS TO UC BERKELEY FACILITIES

UCPD maintains control of access to campus facilities, monitors the issuance of keys and administers alarm systems. It is important to understand, however, that the Berkeley campus is generally open to the public. Theft is the most common crime on the Berkeley campus. To address this, UCPD actively promotes the practice of community crime prevention with many programs and campaigns developed to help you recognize your own vulnerability to crime, to educate about preventive actions and to encourage communication with UC Police. By far, the most effective thing you can do to reduce the likelihood of crime is to develop a strong sense of community with others at your residence, living group, or workplace. Exchange information about your schedules and keep an eye on property, living, and work areas. Please report suspicious activities to the police.

The residence halls are locked 24 hours a day, with entry controlled by a mechanical and/or card key system. Auxiliary staff members are responsible for checking and securing doors, when needed. Remember to lock your doors and windows. All residence hall and apartment exterior doors are equipped with locks and with crash bars to ensure a quick emergency exit. Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that his/her guest is aware of the University and residence hall policies. Guests are not provided with room keys or door access cards. Guests of the opposite sex must be escorted by a resident of the building at all times. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents. When University Police receive a report of a suspicious person in the residence halls, a police officer is dispatched to identify that person.

UCPD encourages students to take personal responsibility for keeping themselves, their belongings and everyone they live with safe.

Security Considerations for the Maintenance of Campus Facilities

UC Berkeley is committed to campus safety and security. Locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Grounds keeping personnel trim shrubs from sidewalks, walkways, and building entrances to make sure routes to buildings are in good repair. All campus walkways are inspected at least twice per year to ensure adequate lighting. Burned-out lights are replaced promptly.

We encourage community members to promptly report any security concern, including concerns about locking mechanism, lighting, or landscaping to the Police Department at (510) 642-6760

Representatives from several campus departments, including the Police Department, conduct an annual survey of University property to evaluate campus lighting.

A map showing campus buildings and pathways is available at <http://berkeley.edu/map/googlemap/>

UC BERKELEY'S RESPONSE TO SEXUAL VIOLENCE, DATING & DOMESTIC VIOLENCE AND STALKING

The University of California Berkeley is committed to providing a safe learning and working environment, and in compliance with federal law has adopted policies and procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply to all students, faculty, staff, contractors and visitors.

Every member of the University community should be aware that such behavior is prohibited by law and by University policy and that the University will not tolerate sexual violence in any form, dating and/or domestic violence, and stalking.

The University will take appropriate action to prevent, correct, and discipline behavior that is found to violate campus policy or regulations governing these offenses.

Our Commitment to Addressing Sexual Assault/ Rape, Domestic Violence, Dating Violence and Stalking

UC Berkeley does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, University policies and may violate federal and state laws. Violations of this policy are subject to disciplinary sanctions through the Office of Judicial Affairs and/or those outlined in applicable University policies <http://survivorsupport.berkeley.edu/>

When an incident is reported to any unit providing sexual assault resources on campus, the person to whom the report is made shall inform the student of her or his option to notify local law enforcement authorities, including the UC Police Department. The student also shall be informed of the importance of preserving evidence required for proof of possible criminal activity, and of the availability of institutional personnel who can assist the student in notifying the authorities of the incident. Finally, the student shall also be informed of the resources such as on and off-campus counseling, mental health, and other student services.

On-campus counseling services are available to students through the Tang Center <http://uhs.berkeley.edu/students/counseling/>

What is Consent?

Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is revocable. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity.

Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

For purposes of this Policy, the age of consent is consistent with California Penal Code Section 261.5.

Defining Sexual Assault, Dating Violence, Domestic Violence and Stalking

A sexual assault is any sexual act directed against 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, as well as incest or statutory rape. Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim. Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

SaVE Act Definitions

Sexual assault

The Campus SaVE Act defines sexual assault, which—unlike domestic violence, dating violence, or stalking—was previously included as a Clery-reportable crime, as “an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.”

Dating violence

“Violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) the length of the relationship

(ii) the type of relationship

(iii) the frequency of interaction between the persons involved in the relationship”

Domestic violence

“Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction... or by 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.”

Stalking

“Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) fear for his or her safety or the safety of others; or

(B) suffer substantial emotional distress”

As Defined by the University of California

Sexual Assault

Sexual assault is any sexual contact without consent. The general term, sexual assault, covers a number of related crimes, including rape, which is penile-vaginal penetration. Other acts of sexual assault include oral copulation, anal intercourse, penetration of the anus or vagina with a foreign object, and touching an intimate part of another person, all without consent. The attempt to commit any act of sexual assault is also a crime.

The absence of informed consent distinguishes a crime from a sexual encounter. Every person possesses the right to decide whether and when to be sexual. Consent signifies active participation; this cannot be inferred or assumed.

Dating and Domestic Violence

Dating and domestic violence, also referred to as relationship or intimate partner violence, is the use of power by one person to control another within an intimate relationship. Signs of an abusive relationship include jealousy, possessiveness, isolating and controlling behavior, threats and intimidations, put-downs and name-calling, yelling, breaking things, physical and sexual assault, and financial coercion or control.

The rate of dating/domestic violence among undergraduate and graduate students is about the same rate as in the general population.

Abuse occurs in same-gender relationships as often as in relationships between people of different genders.

Stalking

Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other conduct directed at a specific person that would cause a reasonable person to feel fear. These collection of behaviors, at one time in the recent past, tended to be excused or minimized by society. Now, it is

generally understood these pattern of behaviors that causes impact and anxiety, and impacts the survivor's ability to pursue his/her education and live a whole and healthy life.

More than half of all stalking survivors are between 18 and 29 years old and most stalkers are an acquaintance, such as a former dating partner.

For more information on the University of California's efforts to end violence, visit <http://ucempoweru.berkeley.edu/>

Reporting an Incident

If a student, employee or visitor has been the victim of an incident of sexual violence they should immediately report it to the UC Police Department at (510) 642-6760, or come to 1 Sproul Hall. In the case of an emergency or ongoing threat, if possible get to a safe location and please report the incident by calling 911 or (510) 642-3333 from your cell phone. Berkeley City Police may be contacted at (510) 981-5900 or at 2100 Martin Luther King, Jr. Way, Berkeley, CA.

University of California Berkeley officials will assist any victim in notifying law enforcement, including local police, if they elect to do so. Victims are also entitled not to report to law enforcement.

Students may also report to the Office for the Prevention of Harassment and Discrimination, (510) 643-7985, 685 University Hall or the Office of Student Conduct at (510) 643-9069, 205 Sproul Hall. Employees may also report to Human Resources at (510) 642-7053, 2199 Addison Street, Room 192 Berkeley, CA.

Procedures Survivors Should Follow

If an incident of sexual assault, domestic violence, dating violence or stalking occurs it is important to preserve evidence to aid in the possibility of a successful criminal prosecution. The victim of a sexual assault 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, voice mail or other electronic communications should be saved and not altered in any way.

University Procedures for Responding to Reports of Sexual Assault

If you or someone you know is the victim of a sexual assault, intimate partner violence, or stalking the survivor has several rights, including the right to report the incident to the Police Department or local authorities. The University will assist survivor in notifying either the University or local police. **Filing a police report does not mean the individual must pursue criminal charges. The survivor maintains his or her rights throughout the process.**

If the survivor is willing to report the incident to the UC Police Department, she or he is informed that physical evidence can be collected at the same time that medical care is provided.

Although the individual is not required to notify any law enforcement authority regarding the incident, the person to whom the report is made shall contact the UC Police Department as soon as possible to inform

them that a sexual assault has occurred. The UC Police Department in turn shall notify the campus partners who are responsible for coordinating the campus' response to the incident. Licensed mental health workers, who learn about sexual assault as part of their professional roles, are required to maintain confidentiality. Hence only anonymous summary statistical information will be reported per Clery Act requirements.

After the UC Police Department is contacted, a uniformed officer will be dispatched to take the report.

- A police report will be taken by a UC Police Officer who accompanies the student to the hospital. At the request of the student, a friend, family member, or other designated person may be present.
- The officer who accompanies the student to the hospital will advise the student of hospital procedures and the availability of assistance through University Health Services.
- A UC Police Detective shall be assigned to further investigate the criminal allegations and explain the legal process to the student. The Detective shall present a completed written investigation to the District Attorney's office for review and filing of criminal charges.

If the survivor chooses not to report the matter to the police or to be transported to the hospital by the police, she or he is then urged to seek assistance immediately from University Health Services for coordination of medical care and assistance, counseling, and other available support alternatives. **The individual may also seek a medical exam for the collection of evidence without notifying the police by going directly to Highland Hospital. For anonymous reporting information, go to <http://survivorsupport.berkeley.edu/>**

The survivor is also informed that she or he may seek the assistance of the Sexual Harassment/Sexual Assault Resource Specialist at the Gender Equity Resource Center or of the Survivor Resource Specialist with UCPD for support and assistance throughout the complaint process and with identifying available resources.

Gender Equity: For general questions, (510) 642-4786 or geneq@berkeley.edu. For advocacy and support, (510) 643-5727

UCPD Survivor Resource Specialist, (510) 642-9113, or (510) 295-8560,
Survivor_Resources@berkeley.edu

Accommodations

Whether or not a student or employee reports to law enforcement and or pursues any formal action, if they report an incident of sexual or gender-based violence, UC Berkeley is committed to providing them as safe learning or working environment as possible. Upon request UC Berkeley will make any reasonably available change to a victim's academic, living, transportation, and or working situation.

Students may contact The Gender Equity Resource Center, 202 Cesar Chavez Student Center. For general questions: (510) 642-4786, for advocacy and support: (510) 643-5727. You can also contact [Office for the Prevention of Harassment and Discrimination](#), (OPHD), 685 University Hall, (510) 643-7985, The Office of Student Conduct at (510) 643-9069, 205 Sproul Hall or Social Services located at The Tang

Center, 2nd Floor Room 2280, (510) 642-6074. Employees may contact Human Resources, 2199 Addison Street, Room 192, Berkeley, CA, (510) 642-7053 or the [Staff Ombuds Office](#) at [Fox Cottage](#), 2350 Bowditch Street, Berkeley, CA, (510) 642-7823 for assistance.

If a victim reports to law enforcement, they may assist them in obtaining a temporary or permanent restraining order from a criminal court.

UC Berkeley is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. UC Berkeley is also committed to protecting victims from any further harm, and the Office for the Prevention of Harassment and Discrimination (OPHD) and Student Conduct may issue a temporary no-contact order pending the outcome of any conduct proceeding.

Victim Confidentiality

The University of California Berkeley recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused, unless the report is subject to victim confidentiality per California Penal Code section 293 and Government Code sections 6253 and 6254.

Reports made to UC Berkeley officials will be kept confidential, and identifying information about the victim shall not be made public per California Penal Code section 293. Information can be requested through the Office of the Chancellor via the California Public Records Act, but some details may be redacted. Reports made to medical professionals, licensed mental health counselors, and staff within the

Ombuds Office will not be shared with third parties except in cases of imminent danger to the victim or a third party.

EDUCATION PROGRAMS

UC Berkeley Sexual Assault, Intimate Partner Violence and Stalking Prevention & Education Efforts

The University of California, Berkeley employs a multifaceted approach to preventing sexual assault. To prevent sexual violence such as stalking, dating and domestic violence, and sexual assault, the fundamental causes of the violence must be addressed. These are not isolated crimes committed by people on the fringe of societal norms. These crimes are committed by individuals who are part of our society and who have learned behaviors of power and control, and use these strategies in their relationships.

Preventing sexual and gender-based violence is not the responsibility of the survivor of the violence. Preventing sexual violence cannot be achieved by recommending that people restrict their activities in order to avoid being victimized. Risk reduction is not prevention. Instead, all of us can take a stand to prevent violence by confronting violent beliefs and attitudes before the violent actions occur.

If you are a victim of sexual assault or other forms of gender-based violence, it is important that you seek help immediately. The campus has provided a number of ways for you to get immediate assistance, and

you can choose the ones with which you feel most comfortable. Any of these offices mentioned below will be sure to see you get the appropriate care, counseling and advice.

- **University Health Services (UHS)**
University Health Services provides outreach education on preventing sexual violence, including collaborating on the campuswide empowerU prevention program. Website education, printed materials, and consultation support for individuals and groups is available.
2222 Bancroft Way, (510) 642-2000
- **The University of California Police Department (UCPD)**
UCPD's Crime Prevention Unit works year round to give safety presentations to the campus community that educate individuals about personal safety. UCPD's Threat Management Unit works collaboratively with UHS and others in the campus' Behavior Risk Assessment Team to identify and respond to threats, including sexual assault.
1 Sproul Hall, (510) 642-6760
- **The Gender Equity Resource Center (GENEQ)**
GENEQ sponsors prevention efforts, including the Sexual Harassment Advocacy Peer Educators (SHAPE), staffing and maintaining a resource library of community resources, and cosponsoring Sexual Assault Awareness Week and other prevention programs.
202 Cesar Chavez Student Center, (510) 642-4786
- **The LEAD Center**
The LEAD Center provides numerous prevention activities, including training for fraternities and sororities and other University-affiliated student groups.
102 Hearst Gym, (510) 642-5171
- **Housing's Residential and Student Service Program (RSSP)** also organizes a variety of prevention activities for their residents, including residence hall staff training.
2610 Channing Way, (510) 642-3213

UC Berkeley is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with information intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that UC Berkeley prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

Campus Prevention Approaches

Multiple student groups and units on campus collaborate on prevention programs to:

- Educate the campus community about sexual violence in the context of a university setting and engage people in a commitment to get involved when they observe risky situations
- Confront the oppressive stereotypes that are the basis for the disrespect that leads to interpersonal violence

- Talk about healthy relationships and healthy sexuality, emphasizing the importance of communication and respecting personal boundaries
- Coordinate campus-wide awareness efforts, such as town hall meetings, lectures, and other open spaces for dialogue on sexual violence

Links

Survivor Support & Education : <http://survivorsupport.berkeley.edu/>

Gender Equity Resource Center: <http://geneq.berkeley.edu/>

University Health Services, Health Promotion: <http://uhs.berkeley.edu/students/healthpromotion/>

empowerU: workshops for new students and other groups: <http://geneq.berkeley.edu/empowerU>

CONDUCT PROCEEDINGS

Filing a Complaint with the University

Students may pursue charges for a policy violation through the campus conduct process. This process is *separate from legal proceedings* (though it may occur simultaneously with legal proceedings), and is based on allegations about behavior that violates UC Berkeley policy. The university assesses the allegations and may deliver sanctions, depending on the outcome of a possible investigation.

Cases involving a complaint of **sexual assault**, **sexual harassment** and/or **gender discrimination** are first assessed and explored for possible policy violations by the Office for the Prevention of Harassment and Discrimination (OPHD).

Office for the Prevention of Harassment and Discrimination (OPHD)

- **Who?** OPHD is responsible for ensuring the University provides an environment for faculty, staff and students that is free from discrimination and harassment on the basis of categories including race, color, national origin, gender, age and sexual orientation/identity.
- **What?** OPHD oversees the process for the investigation and resolution of sexual harassment and sexual violence complaints against faculty, staff and students pursuant to the [UC Policy on Sexual Harassment and Sexual Violence](#).
- **Where?** You can reach OPHD at (510) 643-7985, tixco@berkeley.edu, and/or <http://ophd.berkeley.edu> 685 University Hall. At the conclusion of an OPHD inquiry involving student behavior, the **Center for Student Conduct (CSC)** determines if/what charges should be brought.

Center for Student Conduct (CSC)

- **Who?** The CSC determines if a student or student organization engaged in behavior that violates the Code of Student Conduct. Students, faculty, staff and community members can report an incident with the Center for Student Conduct.
- **What?** CSC reviews information reported to our office and will contact the student or student organization if there is reason to believe that the Code of Student Conduct may have been violated. The student or student organization charged with violating the Code has the option to resolve the case by

meeting with CSC or by having a hearing. During a meeting with CSC, a CSC staff member listens to the student's side of the story and determines whether the student did indeed violate the Code. If the student is found responsible for violating policy, the CSC staff member proposes sanctions. If the student agrees to the proposal, the case is resolved. If the student does not agree with the proposal, the case goes to a hearing. During a hearing, either a panel or the Independent Hearing Officer makes the determination of responsibility and assigns sanctions. Regardless of whether a case is resolved through a meeting with CSC or by going to a hearing, disciplinary action is based on a combination of factors, including the circumstances of the particular case and past conduct history. Sanctions include a range of outcomes, including suspension and dismissal.

- **Where?** You can reach CSC at (510) 643-9069, studentconduct@berkeley.edu, 205 Sproul Hall or <http://studentconduct.berkeley.edu>

UC Berkeley strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face disciplinary action by the University. Employees found responsible for having committed such a violation face termination of employment, and students face disciplinary action up to, and including dismissal or suspension. Other sanctions may include No Contact Directives, restitution, or participation in workshops. Incidents involving accused students will be handled by the Center for Student Conduct and incidents involving accused employees/affiliates will be handled by Human Resources.

All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair and impartial investigation and resolution by officials who have received annual training on the nature of the types of cases they are handling, on how to conduct an investigation, and conduct a hearing in a manner that protects the safety of victims and promotes accountability. Determination of responsibility shall be made by either the Center for Student Conduct or the Office for the Prevention of Harassment and Discrimination in student cases using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred).

In all proceedings, including any related meetings, both the accused and accuser are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice. Both the accused and accuser shall simultaneously be informed in writing of the outcome of procedures for appealing the results of the outcome, of any change to the results that occurs prior to the time that they become final, and when such results become final. Disclosure of the outcome shall be made to both parties unconditionally, and each shall be free to share or not share the details with any third parties.

For additional information about student conduct proceedings please consult the Code of Student Conduct available at <http://sa.berkeley.edu/conduct>

On-campus counseling services are available to students through the Tang Center <http://uhs.berkeley.edu/students/counseling/>.

UC Berkeley Disciplinary Procedures in Sexual Assault Incident

If you are a victim of sexual or gender-based violence, several options are available for reporting the incident. You may wish first to discuss the problem privately with a counselor at Counseling & Psychological Services (CPS), or another confidential counselor. UCPD Berkeley is always available to assist a victim with getting the support she/he requests.

The University's student conduct process is designed to afford a complainant (the person who is bringing a charge) and a respondent (the person who is answering a charge) a fair, prompt, and appropriate resolution process. The process is designed to help people who need support as they address these incidents. The protocol for how the University responds to sexual assault complaints through the campus conduct process can be found at Sexual Harassment & Violence Support & Education website: <http://survivorsupport.berkeley.edu/>

The individual charged with sexual assault is entitled to due process and will be given notice and a full opportunity to respond to allegations made against her or him. The individual can seek representation, may have the same opportunity as the student who reported being assaulted to have a non-participating observer present during the proceedings, and is entitled to information about the University of California Sexual Harassment and Sexual Violence Policy and the procedures that will be followed to address the issues.

If disciplinary sanctions are imposed by the Dean of Students, the student who reports being sexually assaulted is informed of the outcome, and the charged student may appeal the action as set forth in the UCB Code of Student Conduct.

Full text of this policy is available at the Office for the Prevention of Harassment and Discrimination (OPHD) website at <http://ophd.berkeley.edu/>

For infographic, go to this link:

<http://advocate.berkeley.edu/wp-content/uploads/2014/03/infographic-reporting-sao.png>

You can report situations involving University employees to:

- University Police, 1 Sproul Hall, (510) 642-6760, <http://police.berkeley.edu/>
- The Office for the Prevention of Harassment and Discrimination, 685 University Hall, (510) 643-7985, tixco@berkeley.edu
- The Campus Shared Services Representative assigned to your department/unit, <http://sharedservices.berkeley.edu/>

In determining whether the alleged conduct constitutes sexual harassment or assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceeding.

During sexual misconduct complaint proceedings, the University has a range of sanctions available. Any sanctions described in the Code of Student Conduct may be imposed in response to a sexual misconduct complaint except for the sanction set forth in section 105.10 (the revocation of a degree), which may only be imposed for academic dishonesty. Sanctions include without limitation exclusion, probation, suspension and dismissal. For a complete list of sanctions and further information, go to: <http://sa.berkeley.edu/student-code-ofconduct-section6>

On & Off Campus Resources

Both the University of California Berkeley and the City of Berkeley offer other important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize.

The Gender Equity Resource Center and the UCPD Berkeley both have personnel available that can assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. A victim need not make a formal report to law enforcement or UC Berkeley to access these resources that include the following.

UC Berkeley Gender Equity Resource Center, 202 Cesar Chavez Student Center, for general questions: (510) 642-4786 or geneq@berkeley.edu For advocacy and support: (510) 643-5727 or ambrosio@berkeley.edu

UCPD Berkeley Survivor Resource Specialist, 1 Sproul Hall, (510) 642-9113, Survivor_Resources@berkeley.edu

Other Resources

- Bay Area Women Against Rape, (BAWAR), 470 27th Street Oakland, CA, (510) 430-1298
- Family Violence Law Center, 470 27th Street, Oakland, CA, (510) 208-0220
- Highland Hospital, 1411 East 31st Street, Oakland, CA, (510) 437-4800
- Office for the Prevention of Harassment and Discrimination, 685 University Hall, (510) 643-7985

Additional Resources

In addition to the campus services listed here, several community service organizations can provide counseling, mental health, and other related services to sexual assault victims. The Survivor Resource Specialist at UCPD or the Director of Women's Resources, Sexual Harassment/Assault Resources at the Gender Equity Resource Center can assist with connecting victims to these services.

➤ Police Department

1 Sproul Hall
(510)642-6760
<http://police.berkeley.edu/>

➤ University Health Services

Tang Center
2222 Bancroft Way
(510) 642-2000
<http://www.uhs.berkeley.edu/>

➤ Gender Equity Resource Center

202 César E. Chávez Center
(510) 642-4786

<http://geneq.berkeley.edu/>

➤ **Office for the prevention of harassment and discrimination (OPHD)**

685 University Hall

(510) 643-7985

<http://ophd.berkeley.edu/>

➤ **Center for Student Conduct**

205 Sproul Hall

(510) 643-9069

<http://sa.berkeley.edu/conduct>

➤ **Student Advocate's Office (SAO)**

114B Hearst Gym

(510) 642-6912

<http://advocate.berkeley.edu/>

➤ **Bay Area Women Against Rape**

470 27th Street, Oakland, CA

(510) 430-1298

bawar@bawar.org

<http://www.bawar.org/>

➤ **Family Violence Law Center**

470 27th Street, Oakland, CA

(510) 208-0220

24 hr. crisis line (800) 947-8301

<http://fvlc.org/>

Sex Offender Registration —Campus Sex Crimes Prevention Act

Megan's Law

California State law requires sex offenders to register with the police in the jurisdiction in which they reside, and also that they specifically register with UCPD if they are employees, (including contractors) of the University, attend classes, frequent any area associated with the University, or live in University housing.

Members of the campus community may, by appointment with UCPD, view information gathered about campus affiliated registered offenders if they:

- Are a member of the UC Berkeley campus community
- Are at least 18 years of age
- Have a valid California driver's license or identification card
- Are not a registered sex offender
- Can clearly state their reason for viewing the Campus registered sex offender data file (mere curiosity is not a valid reason to view the information.)

Campus community members will be required to establish their campus community connection to UC Berkeley, show a photo ID, and sign a statement attesting that they are not a registered sex offender, understands the purpose of the release of information, and understands that it is unlawful to use the information obtained to commit a crime against any sex offender registrant or engage in illegal discrimination or harassment of any registrant. The statement is confidential and is not subject to disclosure under the Public Records Act. A copy of the statement may be made available to law enforcement agencies for law enforcement purposes.

For more information about the Megan's Law Data Program, the campus affiliated registered sex offender data, or to make an appointment to view the data, contact the Police Department Records Unit at (510) 642-6760.

The general public can view sex offender registration information at the Megan's Law website at www.meganslaw.ca.gov/

CAMPUS SECURITY POLICIES, CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

In addition to the many programs offered by the University Police and other University offices, the University has established a number of policies and procedures related to ensuring a reasonably safe campus community. These policies include:

Threat Management Unit

UCPD's Threat Management Unit (TMU) is the law enforcement component of the Behavior Risk Assessment Team and the Students of Concern Committee. The Threat Management Unit assists University affiliates in dealing with cases of threatening, harassing, or aberrant behavior. It investigates, assesses, and manages such incidents. The Threat Management Unit, in conjunction with CARE Services, gives safety presentations and educates and advises on how to recognize and report behavior that could lead to violence.

Do not ignore or downplay even indirect threats, as they could escalate into serious incidents. If you are the victim of a threat, report the incident to the police, and to your supervisor, academic advisor, or another University representative. These supervisors and advisors should take immediate steps to ensure your safety and address the problem behavior. The police may take a report, or arrest the responsible individual if a crime has been committed.

If you need help assessing a situation, contact the Threat Management Unit for assistance.

UC Police Department, 1 Sproul Hall, (510) 642-6760

Behavior Risk Assessment, (BRAT) & Students of Concern Committee, (SOCC)

The University has established two teams empowered to assess concerning situations and intervene if necessary: the Behavior Risk Assessment Team (BRAT) works to prevent the escalation of threats and violent incidents by students, staff, faculty, or community members; and the Students of Concern Committee (SOCC) provides a means for early intervention of at-risk students. Both BRAT and SOCC are composed of several campus units, each with personnel having special expertise and professional training. BRAT will address behavior perceived as disruptive, intimidating, threatening, or violent, including actions or statements that expresses intent to inflict harm on an individual or property. SOCC focuses on students who are showing signs of being a danger to themselves or others.

The teams have been formed to augment existing systems, and convene when individual service departments don't have adequate resources to respond alone to a situation. Assessment teams will clarify the management of situations (including legal and psychological issues), coordinate communication internally and externally, and monitor resolution of situations.

Weapons on Campus Policy

The possession, carrying and use of weapons, ammunition, or explosives is prohibited on University owned or controlled property.

The only exception to this policy is for authorized law enforcement officers or others, specifically authorized by the University. Failure to comply with the University weapons policy will result in disciplinary action against violators.

California Crime Victims' Bill of Rights

Marsy's Law significantly expands the rights of victims in California. Under Marsy's Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, **upon request**, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, **upon request**, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution.
 - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, **upon request**, of the parole or other release of the offender.

16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).

Fire Incident Reporting

Students, faculty and staff are instructed to call 911 to report a fire emergency. Non-emergency notifications (e.g., evidence that something burned) are made to: Campus Fire Marshal, Tony Yuen (510) 642-4409

Free Speech & Public Assembly

UC Berkeley has a tradition of being an open forum for the expression of political and social ideas. While the University and its Police Department recognize the rights of individuals to engage in constitutionally protected free speech and public assembly, this activity must be conducted in a reasonable and responsible manner.

People who choose to exercise their freedom of speech or right to public assembly should understand that such rights are not unlimited. When the activity infringes on the rights of others or interferes with University business, it loses constitutional protection and may become a violation of law or University rules and regulations.

People who engage in activity that is in violation of the law or University rules must understand that there are consequences for such action(s). These may include arrest and prosecution for criminal law violations and the University may pursue Student Conduct or other administrative procedures.

The UC Berkeley Leadership, Engagement, Advising, Development Center, (LEAD) has copies of the Campus Rules and Regulations, which explain the time, place and manner rules governing public forums and rallies. Organizations can meet with a representative from the Police Department and LEAD to discuss the nature of their demonstration activities and be informed of their responsibilities and options.

Office of Student Conduct

Responsibility for pursuing campus disciplinary actions involving students rests with the Center for Student Conduct, which reports to the Dean of Students.

The conduct process is used to determine if a student or student organization engaged in behavior that violates the Code of Student Conduct. Additional details are available in the Berkeley Campus Code of Student Conduct, including exceptions to this process.

STUDENT CONDUCT

The Center for Student Conduct supports the mission of the University of California, Berkeley by objectively and efficiently administering our Code of Student Conduct; promoting academic integrity; balancing individual and community interests in order to encourage student accountability; and connecting students to resources that foster student success.

Disciplinary Action Procedures

Complaint Received: When Student Conduct receives information that indicates that a student may have engaged in behavior that appears to violate the Code of Student Conduct, we inform the student of this and ask the student to schedule a meeting to discuss the incident.

Informal Resolution: An informal resolution is reached in the initial meeting with conduct staff and the student. If the student accepts the resolution, s/he agrees to complete sanctions and the case is resolved. Student Conduct may make other decisions at this time, such as determining that more investigation is needed, to issue a notification or to drop the case.

Formal Resolution- Hearing: If the student does not want to accept the sanctions or prefers to have a hearing, or if Student Conduct believes it is appropriate, the case will be forwarded to a hearing. Prior to the hearing, the student will be asked to submit any information for the hearing body to review. The student will also receive a copy of the hearing packet to review prior to the hearing. For more detailed information about hearings, see <http://sa.berkeley.edu/conduct/hearing>

Dean's Decision- Sanctions: After the hearing, the decision letter is issued by the Dean of Students. Although the Dean must uphold the finding of responsibility, s/he may adjust the sanctions that the hearing panel recommends.. Sanctions aim to help a student reflect on his/her actions, to learn how to act in ways that are congruent with the community expectations, to repair any harm caused, and sometimes to remove the student from campus if warranted.

Appeals: Appeals may be made in writing to the Vice Chancellor for Student Affairs and must be based on new information not available at the time of the hearing, significant procedural error, or other good cause.

Resolution: Student Conduct strives to resolve cases in a timely fashion. We must balance our need for adequate time to investigate alleged violations with the impact those alleged violations have on the campus community and individual students involved in the process. Students should also note that the campus conduct process is separate from legal proceedings and may occur simultaneously.

Center for Student Conduct
205 Sproul Hall (510) 643-9069
email: studentconduct@berkeley.edu
website: <http://sa.berkeley.edu/conduct>

Student Code of Conduct

Full text of the Student Code of Conduct can be found at: <http://sa.berkeley.edu/code-of-conduct>

Hazing Laws and Policy

UC Berkeley is fortunate to be a campus where incidents of hazing are rare. We have our own comprehensive definition of hazing, broader and more detailed than the State's, and our own strict disciplinary protocols. Nevertheless, despite our University's good record regarding hazing, everyone connected with the University must know the risks and penalties.

As of January 1, 2007 acts of hazing, formerly a misdemeanor, may be punished as a felony. Called Matt's Law, the new statute (§245.6) of the California Penal Code also expanded who can be held responsible for hazing. Prosecutors now have the authority to bring charges against any person or organization (e.g., fraternity officials/chapters, non-enrolled students) involved in hazing. Even those people only tangentially related to hazer's group officers and leaders, parents, coaches, faculty, staff, regents, the University itself can be liable in civil suits brought by hazing victims or their families.

Anyone with any information regarding allegations or incidents of hazing should contact the Dean of Students at (510) 642-6741.

MISSING STUDENT POLICY

UC Berkeley and Residential and Student Service Programs take the welfare of our students very seriously and have the following procedures in place to provide for each student's well-being. If you believe that any member of the campus community is missing or is in any danger, do not hesitate to report it to UCPD immediately.

Background

This Policy is intended to establish formal notification procedures for students who reside in on-campus housing and who are reported as missing.

Missing Student

A student is considered missing when UCPD has determined the student to be missing. Concerns that may give rise to a missing student investigation may consist of but are not limited to:

- a. Medical or health related problems;
- b. The student has not regularly attended classes and has not been seen elsewhere;
- c. A UC Berkeley official has made an inquiry of concern;
- d. A parent, roommate, suitemate or apartment-mate of the student has reported such disappearance due to irregular contact with the student;
- e. Residential staff believes that a student may be missing based upon absence from the residence or other information received by staff.

While an unexplainable absence of more than 24 hours gives rise to heightened concern, a student may be determined to be missing even if the student has been absent from the campus for a period of less than 24 hours.

Policy Regarding Contact Persons

Each student living in student housing has the option to identify an individual to be contacted by the university not later than 24 hours after the time that the student is determined missing. Only authorized campus officials and law enforcement officers, acting in furtherance of a missing person investigation, may have access to missing student contact person information.

Students residing in on-campus housing will be notified that their emergency contact information will also serve as their missing student contact information, unless the student directs otherwise. If a student does not wish to have their emergency contact serve as the student's missing student contact, then the student must communicate in writing to Cal Housing (reshall@berkeley.edu) their student identification number and the name, phone number, and email address of the student's preferred missing student contact. If a student is less than 18 years of age and not emancipated, his/her custodial parent or guardian will be called in addition to the emergency contact(s).

Actions to be Taken When a Student Is or May Be Missing

If a student is suspected of being missing, then the reporting party will typically first notify Residential Programs (RP) staff (i.e. Resident Assistant, Resident Director, and/or Assistant Resident Director).

RP staff that receives a report that a student is or may be missing, or who suspects that a student is missing, will initiate the missing student notification protocol, which includes an attempt to gather information regarding the student's current whereabouts. RP staff will also immediately contact UCPD for consultation and to convey any report RP staff has received that a student is missing.

If RP staff cannot immediately locate the student suspected of being missing, then RP staff will also report the suspicion that the student is missing to Residential and Student Service Programs staff and to the key campus partners described in the Residential & Housing Services Critical Communication Matrix.

UCPD will actively conduct an investigation to determine the status of any student reported to be missing or suspected of being missing. The investigation will be conducted pursuant to established police procedures. UCPD will provide relevant updates to Residential & Housing Services staff and key campus partners.

If UCPD makes a determination that the student has been missing for more than 24 hours, then the University must notify the missing student contact of this determination. If such missing student is less than 18 years of age and not emancipated, then the parent(s)/guardian of the missing student must also be notified. The University may notify the missing student contact if the student has been determined by UCPD to be missing for a period of time less than 24 hours if circumstances warrant.

Follow up

When the student is found, R&HS will contact the student and inform him or her of support services available on campus. In certain situations, R&HS may consult with the Dean of Students office to determine if additional follow up is needed. This support should also be offered to any other students (e.g. roommates, friends) affected by the incident.

If the search for the missing student is deemed unsuccessful, the Director of Residential

Programs and/or Assistant Vice Chancellor for RSSP, UCPD, and the Dean of Students will decide what further action(s) should be taken.

Notifying Law Enforcement

UC Berkeley will also notify the appropriate local law enforcement agency of the missing student unless the local law enforcement agency was the entity that made the determination that the student was missing. This notification will include any missing student who lives in on-campus housing regardless of age or status, and regardless of whether he or she has registered a confidential missing student or general emergency contact person. This notification will be made no later than 24 hours after the time that the student is determined missing.

If campus law enforcement has been notified that a student is suspected missing, and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours, UCB staff will initiate emergency contact procedures as outlined in campus' policy and protocol.

DAILY CRIME LOG

University Police maintains a Daily Crime Log of all crime incidents reported to the Department. The University Police publishes the Daily Crime Log Monday – Friday, when the University is open. The log is available 24 hours per day to members of public. This log identifies the type, location, and time of each criminal incident reported to University Police. The most current 60 days of information is available in the lobby of the Police Department located at 1 Sproul Hall. Upon request, a copy of any maintained Daily Crime Log will be made available for viewing within 48 hours of notice.

CRIME PREVENTION AND SAFETY AWARENESS

In an effort to promote safety awareness, the UCPD Berkeley participates in a variety of programs to educate and inform students, employees, parents, and the community at large on a variety of issues. The programs are presented upon request or are scheduled at various times and locations on or near the campus. If you or your organization would like to request a specific program, please contact the Crime Prevention Officer at (510) 642-3722

Student Alcohol Education

As part of the University's alcohol prevention program, all incoming students are required to complete a confidential, online alcohol education course, entitled **AlcoholEdu for College**. The course uses science-based research to educate students about alcohol and its effects. Whether you drink or not, the course will help you make informed decisions about alcohol and better deal with drinking behavior that may occur around you. For information visit: <http://alcoholedu.berkeley.edu/>

PartySafe@Cal aims to reduce alcohol-related risks and harm in the campus area. Our efforts operate simultaneously to reach individual students, the student body as a whole, and the greater college community. For information visit: <http://uhs.berkeley.edu/psafe/>

UCB Sexual Assault Prevention Education

Campus Prevention Approaches

Multiple student groups and units on campus collaborate on prevention programs to:

- Educate the campus community about sexual violence in the context of a university setting and engage people in a commitment to get involved when they observe risky situations
- Confront the oppressive stereotypes that are the basis for the disrespect that leads to interpersonal violence
- Talk about healthy relationships and healthy sexuality, emphasizing the importance of communication and respecting personal boundaries
- Coordinate campus-wide awareness efforts, such as town hall meetings, lectures, and other open spaces for dialogue on sexual violence.

Links: Gender Equity Resource Center: <http://geneq.berkeley.edu/>

University Health Services, Health Promotion: <http://uhs.berkeley.edu/students/healthpromotion/>

empowerU: workshops for new students and other groups: <http://geneq.berkeley.edu/empowerU>

UCPD's Security Surveys

Is your residence or office at higher risk of burglary and break-in? Contact UCPD's Crime Prevention Unit, (CPU), for a Security Survey and an officer will meet with you to identify areas in your home or office that may need security improvements. They can show you how to safeguard your building or office against unlawful entry and theft and advise on how to get involved with the Building Watch program.

UCPD Crime Prevention Unit, (510) 642-3722

Safe TEAM Program

The Safe TEAM Program is an application of the neighborhood watch model adapted to a university setting. The program increases communication between the Police Department and those who regularly work or live on campus property, to facilitate services that are building-specific and appropriate, and to increase resident awareness.

In over 70 campus buildings, Building Watch Officers will do the following:

- Make regular visits to participating buildings in order to provide a visible police presence and stay familiar with building users and building issues.
- Work with Building Coordinators by email to review incidents and crime trends and recommend risk reduction measures.
- Distribute safety education materials to the building.

- Coordinate crime prevention presentations and/or informal Q&A sessions for building occupants.

SafeTEAM Program, (510) 642-4832, Sergeant Nicole Sanchez

UC Berkeley Lost and Found

UCPD is the central repository for all lost and found at UC Berkeley and maintains an online database of items. Buildings may have their own Lost & Found, but should turn over anything of value to UCPD on a weekly basis.

- Did you FIND Something? It is your responsibility to turn in any items of value to UCPD.
- Did you LOSE Something? Look in our online database, enter your item there, or call or email us if you don't see it.

UCPD Lost and Found, (510) 642-6760 found@berkeley.edu

Online Lost & Found Database, <http://police.berkeley.edu/lostnfound/>

UC BERKELEY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

Federal law requires UC Berkeley to notify annually all faculty, staff, and students of certain information pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activities. The information included in this report complies with the Drug-Free Schools and Campuses Regulations' annual notification requirements.

The University prohibits the unlawful possession, use, manufacture, or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds, or property controlled by the University or used as part of University activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol in a residence hall room except by individuals who are 21 years or older at campuses where alcoholic beverages are permitted. This also includes prohibiting the presences of students under the age of 21 in residence hall rooms where alcohol is present. In addition, a tobacco free policy is being adopted by all UC campuses, labs and centers to improve the health and safety of all students, staff, faculty, patients and visitors. The policy prohibits the use of cigarettes, e-cigarettes, cigars, snuff, snus, water pipes, pipes, hookahs, chew, and any other non-combustible tobacco product.

Areas Open to the Public

UC Berkeley prohibits the possession and use of alcoholic beverages in areas accessed by the public, including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of California, may be permitted at University-sponsored activities in areas designated by, and with the prior approval of the University Police.

Private or Closed Areas

The possession and use of alcoholic beverages are prohibited in conference rooms, offices, office reception rooms, closed buildings, and areas of buildings not open to the public or from which the public has been excluded, except: the use of alcoholic beverages, subject to the laws of California, may be

permitted in specific private or closed areas designated by, and with the prior approval of, the appropriate person responsible for the area of request.

Education and Research Areas

UC Berkeley specifically prohibits the use, possession, and dispensing of alcoholic beverages in classrooms, lecture halls, laboratories, libraries, research areas, or within buildings, arenas or areas where athletic events, lectures, or concerts are held, during such events or activities. Permission will not be granted to use or possess alcoholic beverages in a facility that is being used for one of the above functions. Please consult the policies pertaining to the use of alcoholic beverages on campus for more information: <http://police.berkeley.edu/documents/pdf/CampusAlcoholicBeveragePolicy.pdf>.

Policies Specific to Faculty and Staff

As a condition of University employment, every employee shall abide by the terms of this policy. Any employee who violates this policy is subject to University sanctions, including dismissal, as well as criminal sanctions provided by federal, state, or local law. An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify his or her supervisor of any criminal drug conviction for a violation occurring in the University workplace no later than five (5) days after such conviction.

Please consult the policies pertaining to the use of alcoholic beverages on campus for more information:

<http://police.berkeley.edu/documents/pdf/CampusAlcoholicBeveragePolicy.pdf>.

Please consult the Drug-Free Workplace policies for more information see:

State Policy:

<http://campuspol.chance.berkeley.edu/Home/PolicyDetails.cfm?pid=188&urldesc=Drug%20Free%20Workplace%20Act%2C%20California%20>

Federal Policy:

<http://campuspol.chance.berkeley.edu/Home/PolicyDetails.cfm?pid=155&urldesc=Drug%20Free%20Workplace%20Act%2C%20Federal>

Policies Specific to UC Berkeley Students

Any student who violates this policy is subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, and/ or federal law. Disciplinary sanctions may include: Students who are found responsible for violations may be subject to sanctions ranging from Disciplinary Warning or Disciplinary Probation to Suspension or Expulsion from the University. Students residing in University housing may also lose the privilege of living on campus for violating University rules and regulations or conditions of the housing contract. In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision making for students and to further deter future misconduct.

Regulations Governing Conduct of Non-Affiliates in the Buildings and on the Grounds of the University of California: <http://policy.ucop.edu/doc/3000127>

Alcohol Poisoning is a Medical Emergency.

Call for help. You could save someone's life.

(510) 642-6760 or 9-1-1

Know the signs:

- Passed out or to wake
- Cold, clammy, pale, or bluish skin
- Slowed breathing
- Vomiting while asleep or awake

Know how to help:

- Turn a vomiting person on his or her side to prevent choking
- Clear vomit from the mouth
- Keep the person awake
- NEVER leave the person unattended

Drug and Alcohol Abuse Resources

Most Cal students make smart and safe choices about using alcohol and other drugs and don't experience negative academic, physical, or social consequences. However, the Tang Center staff do play central roles in the year-round initiatives with campus and community partners designed to support low risk alcohol and other drug-related behaviors and environments.

We want the information and resources available at

<http://uhs.berkeley.edu/home/healthtopics/alcoholanddrugs.shtml> to help you make informed decisions about alcohol and drug issues and to help others do the same.

For Students

Alcohol and Drugs: Medical, Counseling, and Educational Services

<http://uhs.berkeley.edu/students/medical/alcoholanddrugs.shtml>

<http://uhs.berkeley.edu/psafe/>

For Faculty and Staff

CARE Services

<http://www.uhs.berkeley.edu/facstaff/care/index.shtml>

For Students, Staff and Faculty

Self-Care Resources

<http://www.uhs.berkeley.edu/students/healthpromotion/scrc.shtml>

ANNUAL DISCLOSURE OF CRIME STATISTICS

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The University Police maintains a close relationship with all police departments where UC Berkeley owns or controls property to ensure that crimes reported directly to these police departments are brought to the attention of the University Police.

The University Police collects the crime statistics disclosed in the charts through a number of methods. Police dispatchers and officers enter all reports of crime reported to the department into the departments' records system. After an officer enters the report in the system, it is reviewed to ensure it is appropriately classified in the correct crime category. The Department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that the University Police maintains, the statistics below also include crimes that are reported to various campus security authorizes, (CSA), as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

CLERY ACT CRIMES

Definitions of Reportable Crimes

Primary Crimes:

Murder/Manslaughter – defined as the willful killing of one human being by another.

Negligent Manslaughter – is defined as the killing of another person through gross negligence.

Sex offenses – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. **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.
- B. **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.
- C. **Incest** — Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. **Statutory Rape** — Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Robbery – is defined as taking or attempting to take anything of value from the car, 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 – is defined as 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 – is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – is 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.

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.

Domestic Violence – A felony or misdemeanor crime of violence committed:

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

By 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, or,

By 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 – 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

Hate Crimes – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

Larceny/Theft - includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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 or Property (except Arson) - 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.

Categories of Prejudice:

Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

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 sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

Ethnicity/National Origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

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.

CRIME STATISTICS: CLERY DATA REPORTED TO UNIVERSITY POLICE

The following annual security report provides crime statistics for Clery reportable crimes that have been reported to UCPD, local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f).

Caveats for Clery Stats

UC Berkeley is reporting 9 Clery reportable hate crimes which occurred in 2013. UCPD reported a total of seven. Five were biased towards ethnicity/race and included an assault with a deadly weapon, a battery, offensive words in public and two vandalisms. Two were biased against sexual orientation and included a battery and vandalism. Campus Security Authorities reported two hate crimes. A religion biased vandalism and a ethnicity/race biased battery.

In 2011 a CSA sexual assault was incorrectly deemed to have occurred in a non-Clery reportable location. It has recently been discovered that the assault occurred in a campus housing facility. The statistics for 2011 have been updated to reflect the correct number of sexual assaults.

In 2013, RSSP staff received additional training and clarification on Clery reporting criteria through training and the overall numbers disciplinary actions for alcohol and drug violations decreased with clearer guidelines

UNIVERSITY OF CALIFORNIA, BERKELEY CRIME STATISTICS

OFFENSE	YEAR	ON CAMPUS	STUDENT HOUSING (INCLUDED IN ON CAMPUS)	NON CAMPUS	PUBLIC PROPERTY	TOTAL
Murder	2013	1				1
	2012					
	2011					
Manslaughter	2013					
	2012					
	2011					
Sex Offense - Forcible	2013	13	9	17	3	33
	2012	13	8	7	3	23
	2011	31	10	9	5	45
Sex Offense - Nonforcible	2013					
	2012	1				1
	2011	1				1
Robbery	2013	16	1	2	40	58
	2012	18	1	1	32	51
	2011	9	2	2	26	37
Aggravated Assault	2013	14	2	1	5	20
	2012	4		2	4	10
	2011	7	1	3	4	14
Burglary	2013	56	8	33		89
	2012	69	9	27		96
	2011	40	6	25		65
Motor Vehicle Theft	2013	12		4	26	42
	2012	9		6	26	41
	2011	14		11	30	55
Arson	2013	3	1	2	1	6
	2012	3		2		5
	2011	6		1	1	8
VAWA Offenses						
Domestic Violence	2013	10	5	8	2	20
	2012	N/R	N/R	N/R	N/R	
	2011	N/R	N/R	N/R	N/R	
Dating Violence	2013	2	2		1	3
	2012	N/R	N/R	N/R	N/R	
	2011	N/R	N/R	N/R	N/R	
Stalking	2013	4	2	1		5
	2012	N/R	N/R	N/R	N/R	
	2011	N/R	N/R	N/R	N/R	
Arrests						
Weapons	2013	30	3	1	5	36
	2012	14	1	4	4	22
	2011	27	1	3	3	33
Drugs	2013	180	4	12	49	241
	2012	180	6	4	47	231
	2011	177	9	8	22	207
Alcohol	2013	63	3	10	48	121
	2012	85		1	79	165
	2011	159	2	4	59	222
Referrals						
Weapons	2013	1	1			1
	2012	1	1	1		2
	2011	3	3			3
Drugs	2013	43	40			43
	2012	107	100			107
	2011	104	98	2	2	108
Alcohol	2013	16	14	2		18
	2012	320	315	10	3	333
	2011	289	288	74	28	391

Breakdown of where these 2013 Clery crimes were reported:

Offense	UCPD, Berkeley	Berkeley PD	Campus Security Authority
Sex Offense-Forcible	6	8	19
Robbery	18	39	1
Aggravated Assault	12	5	3
Burglary	65	23	1
Motor Vehicle Theft	16	26	
Arson	5	1	
Domestic Violence	16	2	2
Dating Violence		1	2
Stalking	3		2
Weapons Arrest	35	1	na
Drug Arrest	214	27	na
Alcohol Arrest	50	71	na

UC Berkeley is reporting 9 Clery reportable hate crimes which occurred in 2013. UCPD reported a total of seven. Five were biased towards ethnicity/race and included an assault with a deadly weapon, a battery, offensive words in public and two vandalisms. Two were biased against sexual orientation and included a battery and vandalism. Campus Security Authorities reported two hate crimes. A religion biased vandalism and an ethnicity/race biased battery.

In 2011 a CSA sexual assault was incorrectly deemed to have occurred in a non-Clery reportable location. It has recently been discovered that the assault occurred in a campus housing facility. The statistics for 2011 have been updated to reflect the correct number of sexual assaults.

In 2013, RSSP staff received additional training and clarification on Clery reporting criteria through training and the overall numbers disciplinary actions for alcohol and drug violations decreased with clearer guidelines.

Offense Categories

	'11		'12		'13	
	Campus	NC/Public	Campus	NC/Public	Campus	NC/Public
Homicide						
Manslaughter						
Robbery	9	67	18	78	16	81
Aggravated Assault	6	21	4	18	13	18
Sex Offenses:						
Forcible	21	8	4	9	5	14
Non-Forcible		1	1	2		
Motor Vehicle Theft	14	84	9	65	12	77
Arson	6	3	3	2	3	1
*Domestic Violence					9	6
Dating Violence						3
Stalking					1	2
Liquor Law Violations	119	282	85	284	46	294
Drug Law Violations	177	47 **	180	197	179	170
Illegal Weapons Possession	27	9	14	19	30	17

This chart offers a count of incidents that have occurred in an area that is wider than that required by the Clery Act. UCPD calls this wider area, "The Box."

The public statistics included BPD and EBRP PD. The boundaries for "The Box" are Virginia Street on the north, Shattuck Avenue on the west, Dwight Way/Warring Street/Derby Street on the south, and the City of Berkeley property line on the east side of the Clark Kerr Campus.

**2013 is the first year the VAWA Act has required that we collect statistics for Domestic Violence, Dating Violence and Stalking.

* In 2011 BPD introduced a new RMS system which did not capture the Drug citations

UC BERKELEY UCR CRIME STATISTICS						
UC BERKELEY Part 1 Offenses	2011		2012		2013	
	On Campus		On Campus		On Campus	
PART 1 OFFENSES	Reported	Cleared	Reported	Cleared	Reported	Cleared
1. CRIMINAL HOMICIDE:	0	0	0	0	1	0
a. Murder and Non-negligent	0	0	0	0	1	0
b. Manslaughter by Negligence	0	0	0	0	0	0
2. FORCIBLE RAPE TOTAL:	7	1	2	0	5	1
a. Rape by Force	1	0	2	0	4	0
b. Attempts to Commit Forcible Rape	6	1	0	0	1	1
3. ROBBERY TOTAL:	11	3	21	4	18	5
a. Firearm	2	0	6	0	5	1
b. Knife or Cutting Instrument	2	1	1	0	0	0
c. Other Dangerous Weapon	4	1	0	0	0	0
d. Strong - Arm	3	1	14	4	13	4
4. ASSAULT TOTAL:	94	51	93	46	74	59
a. Firearm	2	2	1	1	0	0
b. Knife or Cutting Instrument	3	1	0	0	4	4
c. Other Dangerous Weapon	7	5	6	1	8	3
d. Hands, Fists, Feet, Etc...	2	2	3	2	8	7
e. Other Assault - Simple	80	41	83	42	54	45
	Reported	Cleared	Reported	Cleared	Reported	Cleared
Subtotal Violent Crimes	112	55	116	50	98	65
5. BURGLARY TOTAL:	37	3	77	9	63	3
a. Forcible Entry	11	1	35	3	31	0
b. Unlawful Entry - No Force	22	2	42	6	27	3
c. Attempted Forcible Entry	4	0	0	0	5	0
6. LARCENY - THEFT TOTAL:	954	29	1037	26	876	16
7. MOTOR VEHICLE THEFT TOTAL:	20	0	15	2	17	1
a. Autos	12	0	10	0	14	1
b. Trucks and Buses	3	0	0	0	0	0
c. Other Vehicles	5	0	5	2	3	0
	Reported	Cleared	Reported	Cleared	Reported	Cleared
Actual UCR Submission	1123	87	1245	87	1054	85
8. ARSON TOTAL	4	1	5	2	6	0
	Reported	Cleared	Reported	Cleared	Reported	Cleared
GRAND TOTAL All Part 1 Crimes:	1127	88	1250	89	1060	85

UCDC CRIME STATISTICS

OFFENSE	YEAR	ON CAMPUS	STUDENT HOUSING (INCLUDED IN ON CAMPUS)	NON CAMPUS	PUBLIC PROPERTY	TOTAL
Murder	2013					
	2012					
	2011					
Manslaughter	2013					
	2012					
	2011					
Sex Offense - Forcible	2013					
	2012					
	2011					
Sex Offense - Nonforcible	2013					
	2012					
	2011					
Robbery	2013					
	2012					
	2011					
Aggravated Assault	2013					
	2012					
	2011					
Burglary	2013					
	2012					
	2011					
Motor Vehicle Theft	2013					
	2012					
	2011					
Arson	2013					
	2012					
	2011					
VAWA Offenses						
Domestic Violence	2013					
	2012					
	2011					
Dating Violence	2013					
	2012					
	2011					
Stalking	2013					
	2012					
	2011					
Arrests						
Weapons	2013					
	2012					
	2011					
Drugs	2013				2	
	2012					
	2011					
Alcohol	2013					
	2012					
	2011					
Referrals						
Weapons	2013					
	2012					
	2011					
Drugs	2013	2	2			
	2012					
	2011					
Alcohol	2013	8	8			
	2012	5	5			
	2011					

IMPORTANT PHONE NUMBERS AND OTHER CONTACT INFORMATION

ALL EMERGENCIES 9-1-1 **OR** from cell phones on or near campus, dial (510) 642-3333

University of California Police Department, Berkeley
1 Sproul Hall #1199
Berkeley, CA 94720
General business line: (510) 642-6760
police.berkeley.edu police@berkeley.edu

UCPD Services & Programs

BearWALK (walking escort)
(510) 642-9255
bearwalk.berkeley.edu
nightsafety.berkeley.edu

CalTIP (anonymous tip)
(510) 644-TIPS (8477)
cal@tipnow.com

Lost & Found for UC Berkeley
UCPD (510) 642-6760
<http://police.berkeley.edu/>

Safety Presentations:
Residence Halls (510) 642-8561 All Others (510) 642-3722

SafeTEAM Program
(510) 642-4832

UCPD Administration

Chief of Police
(510) 642-1133

Crime Prevention Unit (CPU)
(510) 642-3722

Threat Management Unit (TMU)
(510) 642-0472

UC Police Review Board
(510) 642-3100

UC Police Special Events Office
(510) 643-0795

Other Campus Departments

Office of Emergency Management
2199 Addison, Room 317
(510) 642-3073
<http://oem.berkeley.edu/>

Campus Emergency Radio
KALX 90.7 FM, kalx.berkeley.edu

University Health Services
Tang Center, 2222 Bancroft
<http://uhs.berkeley.edu/>

CARE Services for Faculty and Staff
(510) 643-7754
<http://uhs.berkeley.edu/facstaff/care/>

Counseling and Psychological Services for Students
(510) 642-9494
<http://www.uhs.berkeley.edu/students/counseling/medications.shtml>

General Information & Medical Appointments
(510) 642-2000
<http://www.uhs.berkeley.edu/>

Health Promotion
(510) 642-7202
<http://www.uhs.berkeley.edu/students/healthpromotion/>

Social Services
(510) 642-6074
<http://uhs.berkeley.edu/students/counseling/socialservices.shtml>

Urgent Care Clinic
(510) 642-3188 (work-related)
(510) 643-7197 (advice night)
<http://uhs.berkeley.edu/home/emergency.shtml>

Other Campus Safety/ Resource Offices

Office for the Prevention of Harassment and Discrimination
(510) 643-7985
<http://ophd.berkeley.edu/>

Gender Equity Resource Center
(510) 642-4786
<http://geneq.berkeley.edu/>

Office of Environment, Health, & Safety (EH&S)
(510) 642-3073
<http://ehs.berkeley.edu/>

Ombuds Office for Students
(510) 642-5754 for referral
<http://sa.berkeley.edu/ombuds>

Ombuds Office for Faculty
(510) 642-4226
<http://academic-senate.berkeley.edu/committees/omb/faculty-ombudsperson>

Ombuds Office for Staff
(510) 642-7823
<http://staffombuds.berkeley.edu/>

Center for Student Conduct
(510) 643-9069
<http://sa.berkeley.edu/conduct>

The LEAD Center
(510) 642-5171
<http://lead.berkeley.edu/>

Office of the Dean of Students
(510) 642-6741
<http://sa.berkeley.edu/dean>

Student Legal Services
(510) 643-5171
<http://sa.berkeley.edu/legal>

City of Berkeley Offices

Berkeley Police Department
www.ci.berkeley.ca.us/police/
2100 Martin Luther King Jr. Way
General: (510) 981-5900
Emergency: (510) 981-5911

Fire Prevention
(510) 981-5585
www.ci.berkeley.ca.us/fire/
fire@cityofberkeley.info

Police Review Commission
(510) 981-4950
<http://www.ci.berkeley.ca.us/prc/>

Domestic Violence Services

Asian Women's Shelter

(415) 751-0880 (business)
1-877-751-0880 (24-hr crisis)
<http://www.sfaws.org/>

Family Violence Law Center
(510) 208-0255 (24-hr crisis)
(510) 208-0320 (help with emergency relocation, restraining orders, other)
<http://fvlc.org/>

La Casa de Las Madres (SF)
(877) 503-1850 (24-hr crisis)
www.lacasadelasmadres.org

Marin Men's Hotline
(415) 924-1070
www.maws.org
(batterer's intervention and men's counseling)

Ruby's Place (Hayward)
(510) 786-1246
1-888-339-SAFE (24-hour crisis)
(for battered/homeless women)
<http://www.rubysplace.org/>

A Safe Place, (Oakland)
(510) 536-7233 (24-hr crisis)
<http://www.asafeplacedvs.org/>

STAND For Families Free of Violence, (Concord)
(925) 676-2845
Crisis Line: (888) 215-5555
<http://www.standagainstdv.org/index.html>

West Oakland Mental Health Center
(510) 465-1800
<http://www.wohc.org/>

W.O.M.A.N., Inc., (SF)
(415) 864-4722 (24-hr crisis)
<http://www.womaninc.org/>

Other Community Services

Alta Bates Hospital
2450 Ashby Avenue (just east of Telegraph Avenue)
(510) 204-4444
<http://www.altabatessummit.org/>

Bay Area Women Against Rape (BAWAR)
470 27th St, Oakland
24-hr line (510) 845-RAPE (7273)
<http://www.bawar.org/>

Berkeley Free Clinic
2339 Durant Ave, Berkeley
(510) 548-2570
<http://www.berkeleyfreeclinic.org/>

Center for Independent Living
3075 Adeline St, Ste 110, Berkeley
(510) 841-4776
(510) 848-3101 (TDD-TYY)
<http://www.cilberkeley.org/>

Community United Against Violence (CUAV) (SF)
(415) 333-HELP (4357)
<http://www.cuav.org/>

Emergency Radio (Bay Area)
KCBS 740 AM, KQED 88.5 FM

Other Local Law Enforcement Agencies

Alameda County Sheriff's Department & AC Transit Police
General: (510) 667-7721
Emergency: (510) 351-2020

Alameda Police Department
General: (510) 337-8340
Emergency: (510) 337-8340

Albany Police Department
General: (510) 525-7300
Emergency: (510) 525-7300

BART Police Department
General: (877) 679-7000
Emergency: (510) 464-7000

Benicia Police Department
General: (707) 745-3412
Emergency: (707) 745-3412

Concord Police Department
General: (925) 671-3220
Emergency: (925) 671-3333

Contra Costa County Sheriff's Department
General: (925) 335-1500

East Bay Regional Parks Police & Fire
General: (510) 881-1833
Emergency: (510) 881-1121

El Cerrito Police Department
General: (510) 215-4400
Emergency: (510) 237-3233

Emeryville Police Department
General: (510) 596-3700
Emergency: (510) 596-3737

Hayward Police Department
General: (510) 293-7272

Hercules Police Department
General: (510) 799-8260
Emergency: (510) 724-1111

Kensington Police Department
General: (510) 526-4141
Emergency: (510) 233-1214

Lafayette Police Department
General: (925) 283-3680
Emergency: (925) 284-5010

Livermore Police Department
General: (925) 371-4900
Emergency: (925) 371-4987

Moraga Police Department
General: (925) 376-2515
Emergency: (925) 284-5010

Oakland Police Department
General: (510) 777-3333
Orinda Police Department
General: (925) 254-6820
Emergency: (925) 646-2441

Piedmont Police Department
General: (510) 420-3000
Emergency: (510) 420-3000

Pinole Police Department
General: (510) 724-8950
Emergency: (510) 724-1111

Pleasanton Police Department
General: (925) 931-5100
Emergency: (925) 931-5122

Redwood City Police Department
(650) 780-7100

Richmond Police Department
General: (510) 620-6666
Emergency: (510) 233-1214

San Francisco Police Department
General: (415) 553-0123
Emergency: (415) 553-8090

San Leandro Police Department
General: (510) 577-3201
Emergency: (510) 638-2123

San Pablo Police Department
General: (510) 215-3130
Emergency: (510) 233-1214

Vallejo Police Department
General: (707) 648-4321
Emergency: (707) 552-3285

Walnut Creek Police Department
General: (925) 943-5844
Emergency: (925) 935-6400