

# WSU Tri-Cities Annual Security and Fire Report | 2020 Calendar Year

## Table of Contents

- To the WSU community ..... 1
  - WSU's Non-discrimination Policy..... 2
- Support Resources On and Off Campus..... 2
- Preparation of the Annual Security Report..... 4
- Campus Law Enforcement ..... 5
  - Reporting to Law Enforcement ..... 5
  - Commitment to Safety..... 5
  - Enforcement Authority and Jurisdiction of Security Personnel..... 5
  - Relationship between Campus Security Personnel and State or Local Police Agencies..... 6
  - Procedures for Pastoral and Professional Counselors ..... 6
    - Professional Counselor definition ..... 6
    - Pastoral Counselor definition ..... 6
- Reporting Crimes or Emergencies..... 6
  - Reporting criminal actions or other emergencies to Law Enforcement..... 7
    - Reporting a Property Crime ..... 7
    - Reporting an Assault (Physical and/or Sexual) ..... 7
  - Reporting to Campus Security Authorities ..... 8
    - Campus Security Authority List..... 8
  - Voluntary, Confidential Reporting ..... 8
  - Reporting to a University Department ..... 9
  - General Tips for Staying Safe ..... 9
- Reporting Options and Response to Dating Violence, Domestic Violence, Sexual Assault, and Stalking .. 10
  - WSU Policy ..... 11
    - WSU Policy Definitions..... 11
    - Washington State Definitions – effective until July 1, 2022 ..... 16
    - Washington State Definitions – effective on July 1, 2022 ..... 17
    - Definitions Contained in the Violence Against Women Act ..... 20
- Preserving Evidence ..... 20

|  |    |
|--|----|
| Protection Orders and No-Contact Orders .....                                    | 21 |
| Reporting Options .....  | 21 |
| Reporting to Law Enforcement .....   | 22 |
| Reporting to WSU .....   | 22 |
| Confidential Counseling Protected by Law .....                                   | 24 |
| WSU Amnesty Statement when Reporting Sexual Violence.....                        | 24 |
| Confidentiality in University Investigative Processes .....                      | 25 |
| Campus Investigative Procedures.....   | 25 |
| Informal Resolution Process .....  | 26 |
| Investigation Process .....  | 26 |
| Standard of Evidence .....   | 27 |
| Additional Rights and Process during an Investigation.....                       | 27 |
| Protective/Supportive Measures.....  | 28 |
| Campus Sanctioning/Disciplinary Procedures - Students .....                      | 31 |
| Campus Sanctioning/Disciplinary Procedures - Employees.....                      | 33 |
| Possible Sanctions.....  | 34 |
| Education, Training, and Prevention Programs .....                               | 34 |
| Campus Security Programs .....   | 35 |
| Prevention Programs .....  | 35 |
| Available Education for Incoming Students .....                                  | 35 |
| Campus Disciplinary Processes .....  | 37 |
| Ally Training .....  | 37 |
| Discrimination, Sexual Harassment, and Sexual Violence Prevention Training ..... | 37 |
| Equity Education and Training .....  | 37 |
| Bystander Intervention .....   | 37 |
| Risk Reduction.....  | 38 |
| Timely Warnings and Emergency Notifications .....                                | 39 |
| Timely Warning Notifications .....   | 39 |
| Dissemination of a Timely Warning.....   | 39 |
| Emergency Response, Notifications, and Evacuation Procedures.....                | 39 |
| Emergency Notification.....  | 39 |
| Dissemination of an Emergency Notification .....                                 | 40 |
| Drills, Exercises and Training.....  | 41 |

|   |    |
|---|----|
| Campus Security.....  | 42 |
| Campus Housing Safety .....   | 42 |
| Measures to Secure Entrances to Student Housing Facilities.....     | 42 |
| Safety Considerations in The Maintenance of Campus Facilities ..... | 42 |
| Students Events and Organizations .....                             | 43 |
| Blue Light Phones.....  | 43 |
| Elevator Telephones .....   | 43 |
| Student Care Network .....  | 43 |
| Student Care Team .....   | 44 |
| Campus Patrol.....  | 44 |
| Daily Crime and Fire Log .....                                      | 44 |
| Drug and Alcohol Policies and Programs .....                        | 44 |
| WSU Policies Governing Alcohol and Other Drugs .....                | 44 |
| Workplace Policy.....   | 44 |
| Student Policies.....   | 45 |
| University Alcohol and Drug Policy .....                            | 45 |
| Applicable Standards of Conduct for Students.....                   | 46 |
| Good Samaritan Guideline.....                                       | 46 |
| Medical and Recreational Cannabis.....                              | 46 |
| Drug and Alcohol Education Programs .....                           | 47 |
| Additional Campus Security Policies or Resources .....              | 48 |
| Missing Student Policy .....  | 48 |
| Contact Person Policy .....   | 48 |
| Procedures .....  | 48 |
| Weapons Policy.....   | 49 |
| Sexual or Violent Offenders List.....                               | 49 |
| Housing and Fire Safety .....                                       | 49 |
| On Campus Student Housing Fire Safety Systems .....                 | 50 |
| On Campus Housing Fire Safety Regulations .....                     | 50 |
| Fire Drills for Residence Halls.....                                | 51 |
| Plans for Future Improvement in Fire Safety.....                    | 51 |
| University Fire Safety Resources and Education Programs .....       | 51 |
| Education and Training Programs.....                                | 51 |

|  |    |
|--|----|
| Resources .....                                    | 51 |
| Reporting in Case of a Fire .....                  | 52 |
| Crime definitions under Federal Law .....          | 52 |
| Crime definitions under Washington State Law ..... | 55 |
| Crime statistics .....                             | 59 |
| Preparation of Crime Statistics .....              | 59 |
| Crime Statistics – Tri-Cities .....                | 61 |
| Fire Statistics – Tri-Cities .....                 | 66 |
| Campus Geography .....                             | 67 |
| CRIME STATISTICS GEOGRAPHIC AREA .....             | 67 |
| Campus Map – Tri-Cities .....                      | 67 |

## To the WSU community

### **KIRK SCHULZ, WSU PRESIDENT**



Ensuring the safety of the entire University community—students, faculty, staff, and visitors across our statewide system—is one of our highest institutional priorities.

How do we support this priority? We have made two major commitments: 1) to regularly update and improve our campus safety plans and 2) to engage the entire Cougar family in participating in safety initiatives.

Dedicated safety personnel on each campus have collaborated to create plans for maintaining a secure, supportive community. They foster a culture that treats each individual with dignity and respect. They build upon resources that deliver care and assistance to each individual with whom they interact.

Simultaneously, we place a premium on educating our community members to take responsibility for their own personal safety. Each of us has an important role to play in creating a safe environment. Our choices can impact those around us.

The University is well-prepared to help you make choices that are thoughtful and informed. Our safety resources are among the most comprehensive offered by any college or university in the nation.

I encourage you to review this report. It provides important details about the safety resources available to you. Working together, WSU's campuses will continue to be among the safest and most welcoming in the United States.

Go Cougs!

## SANDRA HAYNES, WSU TRI-CITIES CHANCELLOR



On behalf of all staff and faculty, I would like to welcome you to WSU Tri-Cities. We place a high priority on the safety of students, employees, and visitors, and work continuously to address concerns and to maintain a safe campus, with the assistance of our partners at the Richland Fire and Police Departments. Safety is a community responsibility. Every individual must do their part to ensure our campus remains safe. Be aware of your surroundings, learn what to do if you see something unsafe or if things just don't quite seem right, and learn how to act in an emergency.

This report provides a summary of the resources available at WSU Tri-Cities and the surrounding community, and I encourage you to review it thoroughly. Together, we can ensure that WSU Tri-

Cities remains a safe place for years to come.

### [WSU's Non-discrimination Policy](#)

WSU is an equal opportunity employer and is committed to providing an environment free from harassment, including sexual violence, and discrimination based on race, color, sex/gender, sexual orientation, gender identity/expression, religion, age, color, creed, national or ethnic origin, marital status, genetic information, status as an honorably discharged veteran or member of the military, physical, mental, or sensory disability, including disability requiring the use of a trained service animal, and immigration or citizenship status, except as authorized by federal or state law, regulation, or government contract. Please direct any inquiries regarding WSU's non-discrimination policy or procedures to WSU Compliance and Civil Rights at [ccr@wsu.edu](mailto:ccr@wsu.edu), via telephone at 509-335-8288, or in person at French Administration Building, Room 225. For more information on WSU's policies, please visit: the [WSU Equal Employment Opportunity and Affirmative Action Policy \(Executive Policy 12\)](#) or the [WSU Policy Prohibiting Discrimination and Harassment \(Executive Policy 15\)](#).

### [Support Resources On and Off Campus](#)

Washington State University students and employees have access to a number of support and reporting options. The below list includes a brief description of the relevant offices and agencies.

#### [WSU Compliance and Civil Rights \(CCR\)](#)

Complaint Investigation, Executive Policy #15, Civil Rights Consultation and Technical Guidance, Equal Employment Opportunity/Affirmative Action Compliance, Title IX Compliance, Clery Compliance, ADA Compliance, Health Sciences Compliance, and Education and Training. CCR is WSU's central intake and referral office for reports or formal complaints of discrimination, discriminatory harassment, sexual harassment, and sexual misconduct from students, staff, faculty, and visitors or guests. CCR is a resource

for the university community for questions relating to civil rights compliance, requirements, and obligations.

#### [The Center for Community Standards \(CCS\)](#)

The Center for Community Standards contributes to a community which encourages and educates everyone to make positive choices and share messages of our values. Occasionally students make choices that put those values at risk. The community standards process is designed to support those students, uphold their rights and responsibilities, and hold them accountable for behaviors that conflict with our community standards.

#### [WSU Office of the Dean of Students](#)

The Office of the Dean of Students are your partners in navigating the WSU experience. This might include working through a complex process, answering questions, or connecting students to a much-needed resource.

#### [Student Care Network](#)

WSU's Student Care Network is dedicated to supporting student success across the WSU system through early intervention.

#### [Human Resource Services \(HRS\)](#)

Human Resource Services is committed to providing effective, high quality human resource management to the University community. Working collaboratively, Human Resource Services provides expertise and best practices in all areas of human resource management including recruitment and retention, employee relations, training, benefits management, labor relations, disability services, records administration, and employee recognition.

#### [WSU Employee Assistance Program - Employees](#)

WSU Employee Assistance Program (EAP) provides confidential and private counseling to WSU employees and can provide information about referrals and service provider options in the local community.

#### [WSU Office of the Ombudsman](#)

The primary purpose of the office is to protect the interests, rights, and privileges of students, staff, and faculty at all levels of university operations and programs. The ombudsman is designated by the university to function as an impartial and neutral resource to assist all members of the university community. The ombudsman provides information relating to university policies and procedures and facilitates the resolution of problems and grievances through informal investigation and mediation.

#### [Office of Emergency Management \(OEM\)](#)

Develops and administers a comprehensive emergency management program to encompass the main WSU campus, as well as regional campuses, research stations and sites throughout the state. This program works in partnership with academic colleges and departments, operating divisions and units, and the staff, faculty and students of WSU in conjunction with federal, state and local jurisdictions to

protect lives and safety of students, faculty staff, visitors & animals; safeguard critical infrastructure, facilities, environment, essential records & research; and resume operations as soon as practicable.

#### [Washington State University Police Department \(WSUPD\)](#)

Washington State University Police Department, in partnership with the campus community, is to cultivate an atmosphere which supports the educational process and promotes academic and personal achievement, and community prosperity.

#### [Richland Police Department](#)

The Richland Police Department embraces the community-oriented policing model of active community engagement and cooperation. Striving to work in partnership with the community, recognizing the value of engagement and collaboration toward improving public safety.

#### [WSU Cougar Health Services - Students](#)

WSU Cougar Health Services offers a range of health services for students on campus, including confidential and private Counseling and Psychological Services, Medical Clinic, Pharmacy, and Vision Clinic. The Medical Clinic provides confidential, patient-centered care to survivors of sexual assault. Advocacy and support are available on site through a partnership with ATVP.

#### [Support, Advocacy, and Resource Center \(SARC\)](#)

SARC provides supportive services to all victims and survivors of domestic violence, sexual assault/abuse, and stalking. Among the many supportive services offered (shelter, crisis intervention, support group, etc.), SARC's legal advocates can help you assess safety needs and help you obtain protective orders. Services are confidential, free of charge and offered without discrimination. The hotline is available 24 hours a day.

## Preparation of the Annual Security Report

Washington State University (WSU) prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as well as the Violence Against Women Reauthorization Act of 2013 (VAWA) amendments to the Clery Act, using information obtained by the WSU Clery Compliance Committee comprised of representatives from various WSU offices including, but not limited to, the WSU Police Department (WSU PD), WSU Compliance and Civil Rights (CCR), the Center for Community Standards (CCS), and the Office of Emergency Management.

Additionally, information is gathered from Campus Security Authorities, local law enforcement agencies (including the Richland Police Department (RPD)), and information provided by other surrounding law enforcement agencies.

The report also includes statistics for the previous three calendar years (2018, 2019, and 2020) concerning reported crimes that occurred on campus, and in certain off-campus buildings or property owned or controlled by WSU. In accordance with the Clery Act, the statistics contained in this report are limited to specific crimes occurring within a designated geographic area.



The statistics in this report may vary from statistics maintained within other WSU offices authorized to receive reports of incidents implicating laws and WSU policies, such as the WSU Police Department, the Richland Police Department, WSU Compliance and Civil Rights, the Center for Community Standards.

The Clery Act promotes campus safety by providing information to students, parents, employees, and the WSU community about public safety, crime prevention, and response efforts by WSU. It also promotes transparency about crimes that occur on campus and other threats to health and safety. To further those efforts, this report provides information on education, prevention, and awareness efforts by WSU to empower the WSU community to take a more active role in their personal safety and security.

## Campus Law Enforcement

The Richland Police Department (RPD) is the primary police agency for the Washington State University – Tri-Cities campus. RPD has the responsibility to enforce applicable city, county, state and federal criminal laws at WSU Tri-Cities. The RPD Police Officers investigate all reports of criminal activity that occur on WSU Tri-Cities property. RPD operates 24 hours a day, 7 days a week. Other external agencies, including the Benton County Sheriff’s Office, Washington State Patrol, or other local law enforcement agencies may also respond to incidents on campus as needed.

## Reporting to Law Enforcement

For incidents that are currently occurring, recently occurred, or need immediate assistance, please dial 911. For incidents of a non-emergency nature, please dial 509-628-0333. All calls will be answered by SECOMM, the local emergency dispatch center, which manages consolidated dispatch operations for police, fire, and EMS units for Benton and Franklin counties. A dispatcher will collect your information and determine the appropriate police, fire, and/or medical aid required

## Commitment to Safety

WSU strives to educate the campus community and maintain a reasonably safe environment on campus. WSU encourages accurate and prompt reporting of all crimes to the Campus Security office, RPD, and to other appropriate police agencies (including Benton County Sheriff’s Office), when the victim of a crime elects to, or is unable to, make such report.

Although Campus Security takes steps to educate and maintain safety on campus, each individual within the campus community plays a role and it is important to be aware of surroundings and use reasonable judgment when living, working, or visiting on campus. Please report suspicious or criminal activities to Campus Security at 509-372-7234 or to 911

## Enforcement Authority and Jurisdiction of Security Personnel

The WSU Tri-Cities Campus Safety and Security Office serves as the Public Safety Department for campus emergencies that are not potentially life threatening, or capable of causing physical harm (“911 emergencies”). The Safety and Security Office is responsible for a limited range of safety services to the Tri-Cities campus community. Employees are not commissioned officers and do not have authority to arrest individuals. Campus Safety & Security provides security for the WSU Tri-Cities campus Monday through Friday from 6 AM to 10 PM, and Saturday from 8:30AM to 4:00PM. The security guard on duty follows the same instructions above when reporting campus emergencies.

Services include, but are not limited to, bimonthly Safety Committee Meetings to ensure that safety issues on campus are being addressed on a continual basis, enforcement of University policies and procedures, keeping a record of accident reports on campus, and coordinating with the Richland Police Department on any incidents that are of a criminal nature. Campus emergencies that are not “911 emergencies”, such as water leaks, may be reported by calling the campus emergency number of 372-7234 or 2-7234 from a campus phone. This phone line is answered 24 hours a day, 7 days a week. All criminal activity and medical emergencies should be reported by calling 911.

### Relationship between Campus Security Personnel and State or Local Police Agencies

WSU Tri-Cities Campus Security has a working relationship with local law enforcement agencies and may request information from those agencies related to police investigations that impact WSU, or provide assistance as requested. Law enforcement agencies may share information with WSU where it is legally permissible to do so. Campus Security Officers do not have authority to arrest individuals, and rely on a close working relationship with Richland PD to assist with receive information about incidents involving WSU students and recognized student organizations

All recognized WSU student organizations must abide by federal, state, and local laws and WSU policies. WSU may become involved in off-campus conduct of students and recognized student organizations when such conduct is determined to affect a substantial university interest, as defined in the [Standards of Conduct for Students Policy](#).

### Procedures for Pastoral and Professional Counselors

Campus “pastoral counselors” and campus “professional counselors,” when acting as such, are not considered to be a campus security authority, and are not required to report crimes for inclusion in the annual disclosure of crime statistics. However, professional counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

#### Professional Counselor definition

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

#### Pastoral Counselor definition

An employee of an institution who is associated with a religious order or denomination recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

## Reporting Crimes or Emergencies

There are various ways for students, faculty, staff, and WSU community members to report crimes, incidents, and other emergencies to law enforcement, appropriate WSU officials, or confidentially to crime victim advocates, medical providers, or mental health providers. In addition, there are option for reporting anonymously for the purpose of inclusion in the annual crime statistics disclosure. This chapter will describe the various reporting options. Please note, reporting regarding dating violence, domestic violence, sexual assault, and stalking will be covered more thoroughly in the next chapter.

## Reporting criminal actions or other emergencies to Law Enforcement

Individuals can report in-progress crimes and other emergencies by dialing 911 or crimes that are not in-progress by dialing 509-628-0333. This allows the Richland Police Department to take action to address the concern. RPD will also communicate with campus authorities in the vicinity of campus, and regarding any ongoing or immediate threats. WSUTC Campus Security will consider issuing a Timely Warning or Emergency Notification if there is an ongoing threat to the safety of the campus community or an immediate threat occurring on campus.

WSU encourages accurate and prompt reporting of all crimes to campus public safety officials and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. Reports can be made to the Richland Police Department, or one of the other local or state police agencies, including the Benton County Sheriff's Office.

For incidents that are currently occurring, recently occurred, or need immediate assistance, please dial 911. For incidents of a non-emergency nature, please dial 509-628-0333. All calls will be answered by SECOMM, the local emergency dispatch center, which manages consolidated dispatch operations for police, fire, and EMS units for multiple counties, including Benton County. A dispatcher will collect your information and determine the appropriate police, fire, and/or medical aid required.

## Reporting a Property Crime

1. Report your loss or damages to the police department as soon as possible – Report to law enforcement by calling 509-628-0333.
2. Don't touch anything until police are able to examine the area.
3. Be prepared to provide serial numbers or identifying marks or characteristics of the items taken.
4. Be alert for more damage or items missing that may come to your attention.
5. Itemize your valuables and write down serial numbers.
6. Mark your items for identification with your driver's license number.
7. If you have unique or valuable items, photograph them and keep the pictures or video with your list of serial numbers.

## Reporting an Assault (Physical and/or Sexual)

1. Report the assault to police as soon as possible — dial 911. You may also report to the university and/or seek confidential services through WSUTC Counseling Services. They can be contacted at 509-372-7153, and are located on the first floor of the Floyd Building.
2. If you've been injured, seek medical attention. When you call to report, tell the communications center you've been hurt. They will assist you in getting aid.
3. If you are reporting a sexual assault, refrain from showering, washing your hands, or washing your clothes. This will help preserve evidence that may be necessary to prove a criminal offense.
4. Support and counseling resources are available. The [Directory of Services](#) lists contact information if you don't know who to call or where to start, ask the police officer for help.

## Reporting to Campus Security Authorities

Individuals may report to a Campus Security Authority for the purpose of making timely warning report or for inclusion in the annual crime statistics disclosure. A Campus Security Authority (CSA) includes designated WSU officials and offices who are an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial disciplinary proceedings.” The CSAs report incidents for the purpose of inclusion in the statistics provided in this report to the WSU Tri-Cities Campus Security Office directly or by submitting the online [CSA Reporting form](#) which is then distributed to the appropriate office.

A pastoral or professional counselor within the institution is not considered a campus security authority when “acting as a pastoral or professional counselor,” and is not required to report crimes for inclusion into the annual disclosure of crime statistics.

## Campus Security Authority List

Although there are many CSAs; WSU officially designates the following key departments and/or titles as locations where individuals should report crimes for the purpose of making timely warning reports and the annual statistical disclosure. Additional information on CSA’s can be found on the [Campus Security Authorities & CLERY Act](#) page.

**WSUTC Campus Security Office** | Floyd 247 | Emergency – **372-7234** | Non-Emergency – **509-372-7698**

**Title IX Coordinator** | French Administration 134, PO Box 641022 | **509-335-8288**

**[WSU Tri-Cities Deputy Title IX Coordinator | Floyd 269, 2710 Crimson Way, Richland, WA 99354 | 509-372-7267 or 509-372-7433](#)**

**WSU Compliance and Civil Rights** | French Administration 225, PO Box 641022 | **509-335-8288**

**Center for Community Standards** | French Administration 130, PO Box 641040 | **509-335-4532**

**Department of Housing and Residence Life** | Streit-Perham Administration Suite, PO Box 641722 | **509-335-1227**

**Office of the Dean of Students** | French Administration 122, PO Box 641013 | **509-335-5757**

## Voluntary, Confidential Reporting

WSU provides a number of ways individuals can report crimes, serious incidents, and other emergencies. However, in the event that you or someone you know, decides not to report the incident to the university or law enforcement for investigation, you still have the option of filing a voluntary, confidential report.

Reporting anonymously allows WSU to include the record of the report in the annual disclosure of crime statistics included in this report. Reporting anonymously also allows victims to gather information and learn about options available to them, before deciding on an appropriate option. Individuals may contact the relevant local agency (e.g. the Richland Police Department at 509-942-7340) to determine the level of anonymity available *prior* to reporting a crime. Please note that some limitations may exist depending upon the circumstances of the crime. [Reports of sexual assault](#) may be made anonymously to the WSU Police Department. Additionally, individuals may report discrimination, sexual harassment, and sexual misconduct, as defined by the WSU Policy Prohibiting Discrimination and Harassment, Executive

Policy 15 (EP 15), anonymously to WSU Compliance and Civil Rights in person, emailing [ccr@wsu.edu](mailto:ccr@wsu.edu), by calling 509-335-8288, or through [CCR's Sharing Concerns webpage](#), for services and options, as well as inclusion in the annual disclosure of crime statistics.

Individuals can also seek confidential services from [WSU Tri-Cities Counseling Services](#), and/or from local advocacy groups (e.g. [Support, Advocacy, and Resource Center](#) located in the Tri-Cities and 24-hour telephone: 509-374-5391). For state-wide advocacy groups see the [Washington Coalition of Sexual Assault Programs](#).

### Reporting to a University Department

Anyone may submit a complaint that a student or recognized or registered student organization violated the standards of conduct to the Center for Community Standards.

**Center for Community Standards** | French Administration 130, PO Box 641012 | 509-335-4532 | [community.standards@wsu.edu](mailto:community.standards@wsu.edu) | [Online Reporting Form](#)

Individuals may report crimes implicating the WSU Policy Prohibiting Discrimination and Harassment, Executive Policy 15 (EP 15), to the Title IX Coordinator or WSU Compliance and Civil Rights. More information on reporting:

**Title IX Coordinator** | French Administration 134, PO Box 641022 | **509-335-8288** | [ccr@wsu.edu](mailto:ccr@wsu.edu)

**WSU Compliance and Civil Rights** | French Administration 225, PO Box 641022 | **509-335-8288** | [CCR's Sharing Concerns webpage](#)

In addition, consistent with WSU's Policy Prohibiting Discrimination and Harassment, Executive Policy 15 (EP 15), most WSU employees, with limited exceptions, are required to report an incident or situation involving sexual harassment or sexual misconduct to WSU Compliance and Civil Rights or to one of the designated Title IX Coordinators. Similarly, individuals with supervisory responsibilities are required to report incidents or situations involving discrimination to WSU Compliance and Civil Rights. Additional information on reporting requirements, including information on those exempt from reporting under EP 15 are posted on the [CCR Reporting Requirements](#) page.

### General Tips for Staying Safe

Most crime is committed as a result of opportunity. The best prevention is to eliminate opportunities.

1. Keep your residence doors, including residence hall room doors, locked at all times.
2. Lock up electronics and other valuables.
3. Report suspicious persons or activities.
4. Report safety hazards, unsafe lighting, and defective equipment.
5. Avoid walking alone at night. Let people know where you are going.
6. Plan your walk by choosing a safe, well-lighted, and populated route.
7. Be aware of your surroundings. Know where you are and where you are going. Know what to expect.

8. Get to know your roommates and neighbors. Encourage checking on each other often.
9. If consuming alcohol or other substances, do so safely. Pour your own drinks and use the buddy system when going out with friends.
10. Learn non-violent intervention techniques to help your fellow Cougs. Sign up for a bystander intervention training through Cougar Health Services.

## Reporting Options and Response to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

There are several options in seeking care for an individual impacted by sexual violence, which includes sexual assault, sexual exploitation, dating violence, domestic violence and stalking. WSU provides access to both confidential and non-confidential resources. Victims/survivors are encouraged to access whichever resource they feel most comfortable with.

A [current listing of resources](#) for victims/survivors is maintained and posted by CCR. Victims/survivors can choose to seek medical care, even if they are unsure whether they want to make a police report or if they choose not to move forward with a criminal investigation. Victims/survivors can also seek support and referral information directly from WSU Compliance and Civil Rights or a local law enforcement agency.

A healthcare provider can help assess well-being and personal safety, provide any necessary medical treatment and refer students to counseling and other resources.

Healthcare providers at local hospitals offer Sexual Assault Forensic Exams to collect physical evidence for use in a law enforcement investigation and possible prosecution. Victims/survivors do not have to speak to the police in order to receive a forensic exam. Healthcare providers will explain the exam process before beginning and can answer any questions about what will happen during the exam. It is important to preserve any evidence that may be necessary to prove a criminal offense. Preservation includes refraining from showering or bathing and saving articles of clothing worn during the assault. Victims/survivors have the option to be accompanied by a support person, such as a friend or an advocate, during medical appointments and/or exams.

Within the community, the Support, Advocacy, and Resource Center (SARC) provides support to victims/survivors, as well as support for friends and family of victims/survivors. Their services are free and confidential. SARC can be reached on their 24-hour telephone line at 509-374-5391.

[Reports of dating violence, domestic violence, sexual assault, and stalking](#) may be made anonymously to the Richland Police Department. Additionally, individuals may report or file a formal complaint of dating violence, domestic violence, sexual assault, and stalking to WSU Compliance and Civil Rights in person, emailing [ccr@wsu.edu](mailto:ccr@wsu.edu), by calling 509-335-8288, or through [CCR's Sharing Concerns webpage](#).

## WSU Policy

WSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. These crimes are defined in WSU Policy in Executive Policy 15 and in the WSU Standards of Conduct for Students. WSU community members are also subject to Washington State laws prohibiting these crimes. The various definitions are listed in the below sections.

## WSU Policy Definitions

WSU is subject to multiple federal and state laws and regulations regarding sexual harassment and sex and gender-based violence, each with differing requirements. WSU Executive Policy 15 prohibits sexual harassment as defined under Title IX Sexual Harassment, pursuant to Title IX of the Education Amendments Act of 1972. WSU Executive Policy 15 also prohibits conduct that does not meet the Title IX definition of sexual harassment yet is contrary to WSU's mission and values, including conduct occurring in the workplace implicating Title VII of the Civil Rights Act of 1964 or the Washington Law Against Discrimination. Such conduct is defined under Other Sexual Harassment Violations.

### Title IX Sexual Harassment Definitions

For the purposes of Title IX sexual harassment, sexual harassment is defined as unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the university's education program or activity. The Title IX Sexual Harassment section of Executive Policy #15 applies to all students, faculty, staff, and others having an association with the University where the alleged incidents: May constitute Title IX Sexual Harassment; Occurs within WSU's educational program or activity, which includes, locations, events, or circumstances over which WSU exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and any building owned or controlled by a student organization that is officially recognized; Occurs against a person in the United States; and Occurs against a person who is participating in or attempting to participate in WSU's educational program or activity. This includes, but is not limited to:

1. Quid Pro Quo – a school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct.
2. Sexual Assault – a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. NOTE: If the following sexual assault definitions are updated in the NIBRS User Manual (available online at FBI UCR Technical Specifications), the updated definitions are applied.
  - a. Sex Offense: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - b. Rape (except Statutory Rape): The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - c. Sodomy: Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

- d. Sexual assault with an object: To use an object or instrument to unlawfully penetrate, however, slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - e. 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 their age or because of their temporary or permanent mental or physical incapacity.
  - f. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - g. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
3. Dating Violence – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is to be determined based on length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
4. Domestic Violence – a felony or misdemeanor crime of violence committed:
- a. By a current or former spouse or intimate partner of the victim;
  - b. By a person with whom the victim shares a child in common;
  - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of Washington, or
  - e. By any other person against an adult or youth victim who is protected from that person’s act under the domestic or family violence laws of Washington.
5. Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- a. Fear for the person’s safety or the safety of others; or
  - b. Suffer substantial emotional distress.
  - c. For the purposes of this definition:
    - i. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.



- ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

#### Other Sexual Harassment Definitions

1. WSU prohibits additional forms of sexual harassment listed in the numbered sections below. These definitions apply to all students, faculty, staff, and others having an association with the University if the incident meets any one of the following conditions:
  - a. Occurs on WSU owned or controlled property;
  - b. Occurs in connection with WSU activities, programs, or events;
  - c. Has the effect of, or the potential to, unreasonably interfere with or limit an individual's work, academic performance, living environment, personal security, or participation in any activity at WSU;
  - d. Includes unlawful acts that directly affect WSU programs, community members, or property insofar as such acts materially and substantially interfere with the missions, functions, processes, and goals of the WSU community; or
  - e. Includes unlawful acts that result in a guilty plea to or conviction of a felony.
2. Title VII Sexual Harassment. Amongst employees, harassment on the basis of sex is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when any of the following conditions is met:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual, or
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
3. Other Sexual Harassment is defined as:
  - a. Unwelcome, intentional conduct, on the basis of sex and/or gender, which is so severe or pervasive, and objectively offensive, that it substantially and unreasonably:
    - i. Interferes with, or has the potential to interfere with, an individual's ability to participate in WSU employment, education, programs, or activities;
    - ii. Adversely alters the condition of an individual's WSU employment, education, or participation status;

- iii. Creates an objectively abusive employment, program, or educational environment; or
    - iv. Results in a material or substantial disruption of WSU's operations or the rights of students, staff, faculty, visitors, or program participants.
  - b. Sex and/or gender-based violence. Sex and/or gender-based violence is an egregious form of sexual harassment and is defined as sexual assault, stalking, dating violence and domestic violence as defined in the Title IX Sexual Harassment Definitions, and sexual exploitation as defined below.
- 4. Sexual Exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses explained above. Examples of sexual exploitation may include, but are not limited to:
  - a. Causing or attempting to cause the incapacitation of another person to gain sexual advantage over such other person;
  - b. Invading another person's sexual privacy;
  - c. Prostituting another person;
  - d. Engaging in voyeurism. A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, records, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where he or she has a reasonable expectation of privacy;
  - e. Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection;
  - f. Exposing one's intimate parts in nonconsensual circumstances;
  - g. Sexually-based stalking and/or bullying.
- 5. Retaliation. Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privileged secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. First amendment activities do not constitute retaliation.
- 6. Interference includes actions that intentionally:
  - a. Dissuade or attempt to dissuade reporting parties, responding parties, or witnesses from reporting or participating in an investigation;
  - b. Attempt to influence a complainant, respondent, or witness to make an inaccurate statement in the investigation;

- c. Delay or disrupt, or attempt to delay or disrupt, any University processes related to this policy; and/or
  - d. Alter or attempt to alter the evidence provided to or received by investigative or disciplinary processes.
7. False Statements. Making a materially false statement in bad faith during any proceeding or process under this policy. No complaint is considered false solely because it cannot be corroborated.

## **Consent**

Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, and throughout the sexual contact, all parties actively express words or conduct that a reasonable person would conclude demonstrates clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Consent is active; silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

1. Force or coercion is threatened or used to procure compliance with the sexual activity.
  - a. Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.
  - b. Coercion is unreasonable pressure for sexual activity. When an individual makes it clear through words or actions that the individual does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.
2. The person is asleep, unconscious, or physically unable to communicate his or her unwillingness to engage in sexual activity; or
3. A reasonable person would or should know that the other person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if the individual cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or the individual lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.

## **CCR Amnesty Policy**

During a CCR process, when a student voluntarily shares information about the possession or use of alcohol or drugs, CCR does not refer the student to the Center for Community Standards for alcohol or drug related conduct proceedings, except where drugs or alcohol were used to gain advantage, incapacitation, or exploitation over another individual. The Center for Community Standards also uses discretion under WAC 504-26-510, the Good Samaritan Policy, and may refrain from imposing formal discipline for alcohol or drug use and possession under the Standards of Conduct for Students.

For more information, see:

- [Center for Community Standards](#)
- [WAC 504-26-510: Good Samaritan Policy](#)

Washington State Definitions – effective until July 1, 2022

The following definitions are provided under Washington State Law, [RCW 9A.44.010](#), unless otherwise noted.

### **Consent**

At the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

### **Mental Incapacity**

A condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause.

### **Physically Helpless**

A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

### **Forcible Compulsion**

Is physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped.

### **Sexual Intercourse**

- Has its ordinary meaning and occurs upon any penetration, however slight, and
- Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and
- Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.

### **Sexual Contact**

Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.

**Domestic Violence ([RCW 26.50.010](#))**

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one intimate partner by another intimate partner; or
- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one family or household member by another family or household member.

**Family Or Household Members ([RCW 26.50.010](#))**

- Adult persons related by blood or marriage;
- Adult persons who are presently residing together or who have resided together in the past; and
- Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

**Intimate Partner ([RCW 26.50.010](#))**

- Spouses, or domestic partners;
- Former spouses, or former domestic partners;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time;
- Adult persons presently or previously residing together who have or have had a dating relationship;
- Persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship; and
- Persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship.

**Dating Relationship**

A social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- The length of time the relationship has existed;
- The nature of the relationship; and
- The frequency of interaction between the parties

Washington State Definitions – effective on July 1, 2022

The following definitions go into effect July 1, 2022, pursuant to passed House Bill 1320.

**Consent**

Consent in the context of sexual acts means that at the time of sexual contact, there are actual words or conduct indicating freely given agreement to that sexual contact. Consent must be ongoing and may be revoked at any time. Conduct short of voluntary agreement does not constitute consent as a matter of law. Consent cannot be freely given when a person does not have capacity due to disability, intoxication, or age. Consent cannot be freely given when the other party has authority or control over the care or custody of a person incarcerated or detained.

### **Sexual Abuse**

Sexual abuse means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, and sexual harassment.

### **Sexual Penetration**

Sexual penetration means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

### **Sexual Conduct**

Sexual conduct means any of the following:

- Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;
- Any intentional or knowing display of the genitals, anus, or breasts of the purposes of arousal or sexual gratification of the respondent;
- Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;
- Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;
- Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or
- Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.

### **Stalking**

Stalking means any of the following:

- Any act of stalking as defined under RCW 9A.46.110;
- Any act of cyberstalking as defined under RCW 9A.46.110;
- Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that: (1) Would cause a reasonable person to feel

intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling; (2) Serves no lawful purpose; and (3) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.

### **Domestic Violence**

Domestic Violence means:

- Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; Nonconsensual sexual contact or nonconsensual sexual penetration; Unlawful harassment; or stalking of one intimate partner by another intimate partner; or
- Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration, unlawful harassment; or stalking of one family or household member by another family or household member.

### **Family or Household Members**

Family or Household Members means:

- Persons related by blood, marriage, domestic partnership, or adoption;
- Persons who have currently or formerly resided together;
- Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and
- A person who is acting or has acted as a legal guardian.

### **Intimate Partner**

Intimate Partner means:

- Spouses, or domestic partners;
- Former spouses or former domestic partners;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time; or
- Persons who have or have had a dating relationship where both persons are at least 13 years of age or older.

### **Dating Relationship**

A social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- The length of time the relationship has existed;

- The nature of the relationship; and
- The frequency of interaction between the parties

## Definitions Contained in the Violence Against Women Act

### **Sexual Assault**

The term ‘sexual assault’ means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

### **Domestic violence** ([34 U.S.C. 12291\(a\)](#))

The term “domestic violence” includes felony or misdemeanor crimes 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 receiving grant monies, 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

### **Dating violence** ([34 U.S.C. 12291\(a\)](#))

The term “dating violence” means 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 interact

### **Stalking** ([34 U.S.C. 12291\(a\)](#))

The term “stalking” means 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.

Washington state law definitions of these crimes differ and are incorporated into the [Revised Code of Washington](#).

## Preserving Evidence

When an incident of sexual violence occurs, it is important to preserve evidence to aid in a criminal prosecution, university response, and/or in obtaining a protection order. Evidence of physical harm, such as bruising or other visible injuries, should be documented by photographic evidence. Evidence of stalking including communication, such as text messages, voice mail, written notes, social media postings, or any other electronic communication should be saved and not altered in any way. In cases of sexual assault, avoid showering, using a toilet, or changing clothing prior to a medical examination. Any clothing removed should be placed in a bag.



## Protection Orders and No-Contact Orders

Victims/survivors have the right to seek legal protections such as orders of protection, no contact orders, restraining orders, or other lawful orders of criminal, civil, or tribal courts. WSU will comply with the lawful orders issued by such a court and will make modifications to educational and/or workplace environments to comply with the terms of such lawful orders. WSU may also implement a no contact order on any party as an interim measure, or as a sanction after a determination of responsibility, consistent with the [WSU Code of Conduct for Students WAC-504-26-050](#), [WSU BPPM 50.30 – Workplace Violence](#), and [WA Governor’s Executive Order 96-05 – Domestic Violence in the workplace](#).

## Reporting Options

There are several reporting options available if a student, employee, or visitor of WSU has experienced an incident of sexual violence, which includes sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. In the case of an emergency or ongoing threat, get to a safe location if possible and report the incident by calling 911. If necessary, a victim/survivor should seek medical services as soon as possible for their physical well-being and the purpose of preserving evidence.

WSU encourages victims and other individuals who are aware of sexual violence to report. WSU also believes in providing survivors with autonomy in their reporting choices, as well as multiple reporting options of a confidential and non-confidential nature. Survivors can choose from one or more of the following options:

- **REPORT TO LAW ENFORCEMENT FOR THE PURPOSES OF:**
  - Information Only
  - Partial Information
  - Complete Investigation
- **REPORT TO WSU COMPLIANCE AND CIVIL RIGHTS FOR THE PURPOSES OF:**
  - Documenting their concerns
  - Facilitating supportive measures or resources
  - Requesting a consultation
  - Filing a Formal Complaint for the purpose of:
    - Requesting an informal resolution, and/or
    - Requesting a University investigation
- **REPORT ANONYMOUSLY**
- **SEEK CONFIDENTIAL SUPPORT THROUGH WSU’S COUGAR HEALTH SERVICES, A LOCAL ADVOCACY AGENCY (E.G. ALTERNATIVES TO VIOLENCE OF THE PALOUSE), OR OTHER CONFIDENTIAL RESOURCES.**

Even if a survivor does not want to report an experience, survivors are still encouraged to seek support from WSU Compliance and Civil Rights, the Office of the Dean of Students, and/or WSU Tri-Cities Counseling Services . A report is not required to request services. WSU will also assist with facilitating a student or employee report to law enforcement, at the request of the student or employee.

The below sections describe in more detail the various reporting options.

## Reporting to Law Enforcement

Victims/survivors are encouraged to report to law enforcement. Even if they are not sure if they want to report for criminal investigation, they are encouraged to preserve evidence, which may include seeking a sexual assault forensic exam. Victims/survivors are also encouraged to seek care and support, including advocacy services, medical treatment and/or counseling services. Reporters are urged to preserve any evidence and to also seek medical and counseling services. Law enforcement can assist with filing criminal charges or pursuing a no contact order. To make a report of sexual violence to law enforcement, call 911 for immediate emergency assistance or contact the Richland Police Department at 509-628-0333. The following guidelines may be considered when reporting to law enforcement:

1. Report the assault to police as soon as possible — dial 911. Students may also report to the university and/or seek confidential services through WSU Tri-Cities Counseling Services. They can be contacted at 509-372-7153, and are located on the first floor of the Floyd Building.
2. If you've been injured, seek medical attention. When you call to report, tell the communications center you've been hurt. They will assist you in getting aid.
3. If you are reporting a sexual assault, refrain from showering, washing your hands, or washing your clothes. This will help preserve evidence that may be necessary to prove a criminal offense.
5. Support and counseling resources are available. The [Directory of Services](#) lists contact information. If you don't know who to call or where to start, ask the police officer for help.

## Reporting to WSU

Incidents of sexual violence, which includes sexual assault, sexual exploitation, intimate partner violence, and stalking, can be reported to WSU Compliance and Civil Rights (CCR), which works closely with Human Resource Services (HRS) for incidents involving employees and the Center for Community Standards (CCS) for incidents involving students. When CCR receives a report of misconduct, CCR will provide the student or employee with written information about their rights, supportive measures, and reporting options (including how to file a Formal Complaint with WSU), as well as information about CCR's Procedural Guidelines and the WSU Policy Prohibiting Discrimination and Harassment. Outreach will also include written information about available counseling, health, mental health, victim advocacy, legal services, and other services available on campus and in the community. Additional resources will be identified depending on the student's or employee's particular needs (e.g. an international student may need support from International Programs regarding visa or immigration assistance); a complainant's preferences with regards to supportive measures will be considered. Per CCR's Procedural Guidelines and the WSU Policy Prohibiting Discrimination and Harassment, supportive measures, including academic support services and safety measures such as changes to work/academic schedules, residence hall assignments, or other protective measures, are available, regardless of whether the student or employee chooses to report the crime to campus police or local law enforcement. CCR, the Office of the Dean of Students, Student Affairs, Human Resource Services, campus police, and/or other administrators will help facilitate supportive measures requests.

CCR can document the victim/survivor's concerns, assist the victim/survivor with campus safety options, connect the victim/survivor to local support, medical, and counseling resources, and if the

victim/survivor (or the Title IX Coordinator) wishes to file a formal complaint, CCR can start an informal resolution or an investigation.

### Informal Resolutions

After receiving a formal complaint, CCR may engage in an informal resolution process. An informal resolution process is not commenced until written notice is provided to both parties disclosing the allegations and the requirements of the informal resolution process, as described in the CCR Procedural Guidelines, and until WSU has received voluntary, written consent to proceed with the informal resolution process from both parties.

WSU does not offer an informal resolution to resolve allegations that an employee sexually harassed a student, as defined by the EP15.B Title IX Sexual Harassment section, but may offer it for other circumstances.

Informal resolutions may include, but are not limited to:

1. Conduct management plans or resolution agreements;
2. Verbal or written counseling;
3. Departmental resolutions;
4. Alternative dispute resolutions;
5. Mediation, if available; and/or
6. Additional required training.

### Investigations

CCR may conduct an investigation after receiving a formal complaint, which meets the requirements of EP15. CCR conducts a neutral and unbiased investigation, with investigators who do not have a conflict of interest or bias towards either party specifically or generally. CCR investigations are conducted pursuant to the Procedural Guidelines and are initiated with a presumption that the respondent is not responsible for the alleged conduct. CCR provides notice of the allegations in writing to both parties. Both parties have the right to present witnesses and evidence. The evidentiary burden is on WSU, not the parties.

During an investigation, WSU does not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. Throughout the investigative process, the parties have the right to have an advisor of their choice with them. The parties also have an opportunity to review the evidence collected and provide a written response, prior to the publication of an investigative report.

For more information about the investigative process, see the Procedural Guidelines.

CCR shares information about cases only on a need-to-know basis but cannot guarantee confidentiality. Although CCR does not share reporting information with law enforcement unless required to do so, CCR investigators notify victims/survivors of their option to report to on-campus or local police, to have campus authorities assist them in notifying law enforcement of a sexual violence incident, and decline to notify such authorities.

A report of sexual violence can be made to CCR or the Title IX Coordinator by telephone at 509-335-8288, by email at [ccr@wsu.edu](mailto:ccr@wsu.edu), by visiting the CCR office located in Room 225 of the French Administration Building on the Pullman campus or by using the [online reporting form](#).

A report can also be made at the WSU Tri-Cities campus to the Deputy Title IX Coordinator and Liaison in Floyd 269 or via phone at 509-372-7267.

### Confidential Counseling Protected by Law

Anyone who has experienced sexual violence may choose to consult with a licensed mental health care provider or health care provider of their choice. By law, such professionals are able to assist victims confidentially and are exempt from legal obligations to report incidents to the university, with some limited exceptions, such as child abuse, elder abuse, or certain threats of harm.

A victim/survivor may decide to disclose the incident to a confidential resource, local law enforcement, and/or may report to WSU Compliance and Civil Rights (CCR) for an investigative response by WSU, or to local law enforcement. A victim/survivor may decline to notify authorities, including CCR and/or law enforcement. CCR can also assist the victim/survivor in notifying law enforcement, if a victim/survivor elects to do so. CCR will not share information regarding reports made to the university with law enforcement, unless required to do so by law or requested to do so by the victim/survivor.

WSU policy prohibits retaliation against anyone who reports or participates in an investigative or disciplinary process by WSU. Please note, WSU employees and student employees may have [reporting requirements](#) and be required to provide information to CCR.

### **IN MOST INSTANCES, SERVICE PROVIDERS FROM THE FOLLOWING RESOURCES ARE AVAILABLE TO SPEAK CONFIDENTIALLY:**

#### **Campus Confidential Resources**

[WSU Tri-Cities Counseling Services](#) | Call 509-554-5684 for evening and weekend crisis services

[WSU Employee Assistance Program](#) (for employees) | 1-877-313-4455

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

[Support, Advocacy, and Resource Center](#) | 24-hour line: 509-374-5391

[Kadlec Regional Medical Center](#)

[Northwest Justice Project Free Legal Hotline \(CLEAR\)](#)

[National Suicide Prevention Lifeline](#) | 800-273-8255 or 800-273-TALK

### WSU Amnesty Statement when Reporting Sexual Violence

WSU encourages students to report incidents of sexual violence without fear of consequences for having possessed or consumed alcohol and/or drugs at the time of the incident. WSU's primary concern is to ensure the safety of the students involved and gather relevant information, so the University can address the student(s)' concerns. Generally, WSU will refrain from imposing formal discipline for alcohol or drug use and/or possession under the Standards of Conduct for Students for victims and potential

witnesses involved in situations of sexual violence in order to facilitate reporting and resolution of sexual violence concerns.

This practice will not provide relief from disciplinary action for other alleged violations of the Standards of Conduct (e.g., hazing, theft, drug/alcohol manufacturing or distribution).

Moreover, students who distribute alcohol and/or drugs that intentionally, or through negligence, contribute to the sexual violence will not be granted the same consideration.

In rare circumstances where the Center for Community Standards has concerns that a student's repeated or severe misuse of alcohol or drugs will result in additional harm if unaddressed, the University may assign care-driven educational sanctions to address those concerns.

### Confidentiality in University Investigative Processes

WSU takes confidentiality seriously. During an investigation through WSU Compliance and Civil Rights (CCR), information is shared with others only on a need-to-know basis, which may include investigators, witnesses, the responding party, relevant WSU officials, or as required or permitted by law. Additionally, the investigation file may be subject to requests for public records. WSU redacts identifying or other information when legally permissible. The WSU PD will not release the names of victims/survivors in its Timely Warning notices, Campus Alerts, Emergency Notifications, or in the Daily Crime Log.

When a victim/survivor requests confidentiality or requests WSU not proceed with an investigation, WSU respects that request to the extent possible. WSU's legal obligation to provide a safe and nondiscriminatory environment may require that CCR proceed with an investigation, which may require investigators to share limited identifying information about a victim/survivor; however, CCR takes steps to inform a victim/survivor should it become necessary to share information. In all cases, CCR works with the victim/survivor to provide resources and support, including individualized and appropriate interim or safety measures. WSU may also maintain confidentiality for supportive measures, safety measures, or accommodations, or safety measures, to the extent allowable by law and where maintaining such confidentiality would not impair the ability of the institution to provide those services. WSU policy prohibits retaliation against anyone who reports or participates in an investigative or disciplinary process by WSU.

A victim/survivor may decline to notify authorities, including CCR and/or law enforcement. Should the victim/survivor report the incident to CCR, the university will not share the victim/survivor's information with law enforcement, unless the victim/survivor requests that it be provided to law enforcement, or unless required to do so by law. CCR provides crime statistic information for purposes of the Annual Security Report to WSU Police Department but protects privacy to the extent possible.

Upon written request, WSU may disclose to the alleged victim/survivor of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the results of any disciplinary proceeding conducted against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim/survivor for purposes of this paragraph.

### Campus Investigative Procedures

Upon receiving a report of intimate partner violence, dating violence, domestic violence, sexual assault, sexual exploitation, or stalking, WSU Compliance and Civil Rights (CCR) typically takes steps to contact

the individual who experienced the alleged conduct to provide information regarding resources available at WSU and in the community, including, but not limited to, available counseling, health, mental health, victim advocacy, legal assistance, student academic/living support, and employee assistance. CCR also provides information regarding the WSU Policy Prohibiting Discrimination and Harassment, Executive Policy #15, CCR Procedural Guidelines, supportive measures and resources, and the process to file a formal complaint for the purpose of requesting an informal resolution or an investigation. CCR also considers supportive measures for all participants involved in a CCR process to protect their safety, prevent further harm, or ensure continued access to educational programs or activities, including, but not limited to, altering the academic, WSU housing, and/or WSU employment arrangements of the parties, imposing no-contact directives, or imposing a trespass or interim suspension. Supportive measures are available regardless of whether or not the victim/survivor chooses to report the crime to campus police or local law enforcement; individualized and appropriate supportive measures are available to all parties in a matter. When taking such steps, WSU seeks to minimize unnecessary or unreasonable burdens on either party. CCR provides information regarding CCR processes, informal resolutions, investigations, and supportive measures to individuals in writing, and provides opportunities for all parties to ask questions about these processes and resources.

#### Informal Resolution Process

When filing a formal complaint, a complainant may request an informal resolution process. CCR will determine if the matter is appropriate for an informal resolution. Informal resolution processes are not available for allegations of an employee engaging in Title IX sexual harassment of a student as defined in Executive Policy #15. After providing notice of an informal resolution, CCR may proceed with an informal resolution, if appropriate, only after receiving voluntary written consent from both parties. An informal resolution may differ depending on the alleged conduct. Options for informal resolutions are listed in Executive Policy #15. Parties may have an advisor, including an attorney, participate during an informal resolution, but it is not required. CCR may work with the Division of Student Affairs, HRS, the Office of the Provost, or the individual department affected in resolving a matter under the informal resolution process. Informal resolutions may include provisions designed to punish the respondent. Prior to an agreed resolution, either party may withdraw from the informal resolution process at which point CCR will resume an investigation, unless the formal complaint is withdrawn or dismissed for some other reason. Upon entering into an informal resolution agreement, the agreement is binding on the parties and neither party may resume the grievance process. Agreement provisions will be considered with respect to the campus safety, including expulsion, suspension, or termination. CCR will document and maintain records of all informal resolutions.

#### Investigation Process

CCR investigates matters involving students, employees, and visitors regardless of whether the conduct occurred on or off campus, as appropriate; investigations follow [CCR's Procedural Guidelines](#). CCR provides a prompt, fair, and impartial investigation by officials who receive annual training on discriminatory conduct, including sexual violence, and how to conduct a trauma informed investigation and protect the safety of investigation participants. Where a CCR investigator has a conflict of interest or bias towards an investigation participant, the investigator will be screened from a case, and another investigator will review the matter. Investigations are conducted into allegations implicating Executive Policy #15; violations may be found where a preponderance of the evidence supports that conclusion. Upon initiation of an investigation, a CCR investigator will provide written notice to both parties, and the

complainant and the respondent will have opportunities to provide information, responses, evidence, and witnesses. The complainant and the respondent have the right to be accompanied by the advisor of their choice. CCR makes every effort to gather all available relevant evidence and to neutrally and fairly assess the evidence to determine whether or not a violation of university policy exists. Per CCR's Procedural Guidelines, CCR investigations are typically 60 days, with 30 additional days to review evidence and draft an investigative report; extensions are allowed for good cause, with written notice to the parties. After CCR has collected evidence, both parties will be provided with an opportunity to review the evidence and provide an additional written statement for consideration, prior to publication of a written report. When the investigation is complete, CCR will provide a written report to both the complainant and the respondent for review. For matters involving Title IX Sexual Harassment, the written report will include a summary of the investigation; for matters not involving Title IX Sexual Harassment, the written report will include a summary of the investigation and findings of fact under Executive Policy 15. The report will also be provided to the appropriate sanctioning office, which is the Center for Community Standards for students or the relevant supervisor or employee disciplinary committee for employees. For student matters, the Center for Community Standards will provide information to relevant parties regarding the WSU disciplinary processes, including, but not limited to information about conduct officer hearings, conduct board hearings, student rights, and campus and community resources. Where the Center for Community Standards does not initiate the community standards process, the students also have a right to appeal that decision. For employee matters, information about the right to appeal to the President's CCR Appeals Committee is provided to both the complainant and the respondent. Additional rights and responsibilities for the employee sanctioning process can be found in the WSU Faculty Manual, the Administrative Professional Handbook, WAC 357-40 (civil service employees), applicable collective bargaining agreements, or the WSU Standards of Conduct for Students (WAC 504-26). Unless resolved through an Informal Resolution, matters involving Title IX Sexual Harassment, as defined in Executive Policy 15, receive a live hearing for a final determination. The live hearing decision maker will consider relevant evidence, and will only consider witness statements where the witness is subject to cross-examination by an advisor.

### Standard of Evidence

WSU determines the facts and whether there is a violation of this policy based on a preponderance of evidence. Preponderance means that the totality of the evidence persuades the fact finder that a fact is more probably true than not true and/or that it is more probable than not that a violation of the policy occurred.

### Additional Rights and Process during an Investigation

During an investigation, both [students](#) and employees, recognized as Complainants and Respondents are provided the following set of rights:

- Individualized and appropriate supportive or safety measures, determined to be appropriate by CCR, Human Resource Services, the Office of the Dean of Students/Student Affairs, law enforcement, court order (including protection orders), and/or other University administrators
- Confidential and non-confidential resources
- Neutral investigative procedures and a prompt, fair, and impartial process

- Receive information about University policies and procedures, including information that retaliation is prohibited for all investigation participants
- Notification of allegations
- Opportunity to respond to allegations and/or witness statements
- Opportunity to request accommodation, including a language interpreter or medical/disability accommodations to provide full and equitable access to the process
- Opportunity to present evidence
- Opportunity to provide relevant witnesses
- Opportunity to present and have considered their preferred resolution path
- Opportunity to have a support person or advisor of their own choosing or retaining legal representation (at personal expenses)
- Opportunity to be informed of the status and the outcome of an investigation
- Opportunity to review investigation materials, including interview notes and documentary evidence
- Opportunity to provide an additional written statement, after reviewing evidence, to be considered by an investigator prior to publication of a final report
- Opportunity to review investigative findings and conclusions in writing, which may be redacted as necessary to protect privacy
- Proof by Preponderance of the Evidence (more likely than not)
- Simultaneous notification of outcomes and of hearing schedule
- Rights to attend hearing(s)
- Right to have out of hearing witness statements subjected to cross-examination by an advisor prior to consideration by the decision-maker, in matters involving Title IX Sexual Harassment, as defined by Executive Policy 15
- Appeal rights

### Protective/Supportive Measures

WSU can take individualized and appropriate supportive steps to support and protect the students involved in the matter. Some support measures may be available regardless of whether a victim/survivor wishes to pursue a complaint or notify law enforcement. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available, without fee or charge to a reporting party/complaints or respondent. Supportive measures may be offered before and/or after a formal complaint is filed, or where no formal complaint is filed. WSU provides written notice of these and other available assistance options (such as how to request changes to academic, living, transportation and working situations, and protective measures) to victims/survivors, and, as applicable, to respondents. WSU may deliver a “no-contact” directive that



informs parties to refrain from having contact with one another either directly or through third parties. Other supportive measures include but are not limited to, altering academic schedules, WSU dining arrangements, WSU housing, and/or WSU employment arrangements of the parties. When taking such steps, WSU seeks to minimize unnecessary or unreasonable burdens on either party. Violations of such protective measures may lead to disciplinary action. The Office of the Dean of Students is available to assist in implementing assistance measures to support victims/survivors.

The following list includes supportive measures that may be available to students or employees. Additional supportive measures may be available, as appropriate.

### **1. Academic**

- Request consideration or flexibility to a faculty member regarding assignments, classroom attendance, deadlines, or other academic needs
- Contacting individual faculty members for specific requests
- Independent study
- Additional tutoring
- Withdrawal, withdrawal without penalty, medical withdrawal
- Incompletes on classes
- Transfer assistance
- Classroom management plans
- Remote attendance/recording classes
- Academic schedule changes
- Access Center/reasonable accommodations
- Enrollment in Global Campus

### **2. Referrals to Care Providers**

- Local victim advocacy agencies for access to counseling, crisis lines, support groups, shelters, etc.
- Counseling Services – WSU and community referrals, as available.
- Medical Providers, in particular hospitals with Sexual Assault Nurse Examiners (SANEs).
- Referrals to off-campus counselors.
- National/State resources to locate additional advocates/care providers, such as:
  - Rape, Abuse & Incest National Network (RAINN)
  - Washington State Coalition Against Domestic Violence (WSCADV)
  - Washington Coalition of Sexual Assault Programs (WCSAP)

### **3. Services for Employees**

- Employee Assistance Program (counseling, financial, legal)
- Workplace management/safety plans

- Work schedule adjustments, as needed, to obtain medical or mental health care, legal assistance, and/or confidential secure shelter.
- Domestic violence, sexual assault, stalking leave (RCW 49.76.010)
- Change reporting lines in consultation with HRS.
- Identify alternate work in consultation with supervisors/HRS.
- Work from home options in consultation with supervisors/HRS.
- Work schedule changes in consultation with supervisors/HRS.
- Work accommodations/reasonable accommodations through HRS Disability Services.

#### 4. **Safety**

- Report to law enforcement
- Police/Security safety assessment of home or campus areas
- Providing information on seeking a Protection Order for:
  - Anti-harassment and stalking
  - Domestic violence
  - Sexual assault
- No-contact directive from the University
- Emergency removal or administrative leave, in consultation with DOS, Center for Community Standards, HRS, and/or CCR.
- Safety planning with a community victim advocate
- Campus Security escort, where available
- Local taxi/bus information
- Local domestic violence shelter information
- Blue phones

#### 5. **Miscellaneous**

- Emergency funding
- Support for tuition adjustment petitions (considered in appropriate cases)
- Campus involvement (student organizations, Women’s Center, Diversity Centers, etc.)

#### 6. **Legal resources and referrals**

- **ASWSU Student Legal Services**
- **Northwest Justice Project**
  - **CLEAR Hotline** for counties outside King County
  - **211 Legal Referral and Information Hotline** (King County)
- **Washington Law Help** – self-help resources

- **Moderate Means Program** – online application for a referral to an attorney with reduced fees
- **Family Law Matters** – limited license legal technician
- **Washington State Bar Attorney Referral**
- **Benton-Franklin Legal Aid Society**

### Campus Sanctioning/Disciplinary Procedures - Students

The community standards process is designed to support students, uphold their rights and responsibilities, and hold them accountable for behaviors that conflict with our community standards. Every situation is different, so please contact the [Center for Community Standards](#) at 509-335-4532 or email us at [community\\_standards@wsu.edu](mailto:community_standards@wsu.edu) if you have specific questions.

After receiving a formal complaint, CCR may initiate an investigation. In limited circumstances, the Title IX Coordinator/CCR Director may determine that it is necessary to proceed with an investigation even where the complainant does not wish to participate, particularly where there is an ongoing safety threat to the campus or local community. In cases where CCR proceeds with an investigation without participation by the complainant, CCR will notify the complainant in advance of issuing notice, and will take great care to address the complainant’s concerns, if any.

During an investigation, CCR interviews witnesses and gathers any documentary or other evidence. CCR attempts to complete investigations within 60 days and issue a report 30 days after the completion of an investigation, where possible. At the conclusion of the investigation, CCR will send an investigative report to CCS and relevant parties. For student matters, The investigative report will include a summary of the investigation, but will not constitute the final decision of the university and will not include a final determination regarding responsibility pursuant to federal regulations.

After WSU Compliance and Civil Rights (CCR) determines whether the WSU Policy Prohibiting Discrimination and Harassment, Executive Policy #15 (EP 15), is implicated, the Center for Community Standards (CCS) will determine whether or not provisions of the WSU Standards of Conduct for Students (Standards of Conduct) are implicated. The complainant may determine the extent to which they will participate in this process.

In matters involving student conduct, the Center for Community Standards will determine whether disciplinary action under the Standards of Conduct is warranted. If so, the matter may be referred to a one-to-one conduct officer hearing or a University Conduct Board. Both options provide a prompt, fair, and impartial review, pursuant to the guidelines in [WAC 504-26](#), which also establish reasonable timelines for the process, which may be extended for good cause with written notice to the parties. University Conduct Board, University Appeals Board members, and conduct officers receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking, as well as how to provide a hearing process that protects the safety of the parties and promotes accountability. University Conduct Board members, University Appeals Board members, and conduct officers also receive annual training about:

- Cultural competency and implicit bias
- Student development and student conduct philosophies, including the educational component of the student conduct process

- Identifying bias against individuals and against groups
- Conflict of interest
- Alcohol and drug prevention
- Due process and burden of proof in student conduct matters
- Sanctioning principles and guidelines
- Title IX regulatory definitions, jurisdiction, and grievance processes
- Relevant and admissible evidence.

Conduct officers also receive annual training on alternative dispute resolution and restorative justice.

Students in the process have the right to request recusal of a hearing officer and/or board member for demonstrated good cause, including conflict of interest or bias against either party.

In matters that could result in suspension of greater than ten instructional days, revocation of degree, expulsion, or loss of recognition (for student organizations) where disciplinary action is appropriate, and for matters involving Title IX Sexual Harassment, the matter will be referred to a full adjudicatory hearing before the University Conduct Board. The University Conduct Board is presided over by an Administrative Law Judge employed with the Office of Administrative Hearings. All relevant parties are notified of their rights during the hearing, the issues to be determined during the hearing, and any relevant dates, times, and locations; relevant parties also receive timely and equal access to any information that will be used during the disciplinary or sanctioning process. Finally, all relevant parties have the right to be accompanied by an advisor of their choice. For matters involving Title IX Sexual Harassment, the University Conduct Board will consider relevant evidence, and witness statements made outside of the hearing will not be considered unless the witness is subjected to cross-examination by an advisor. When the University Conduct Board concludes their review, relevant parties will be informed of the university's decision at the same time and their right to appeal to the University Appeals Board. The decision becomes final either at the end of the appeals period on the twenty-first calendar day after the date the decision is sent to the parties or when the University Appeals Board issues their decision. For more information about the University Conduct Board process, please visit [WAC 504-26-403](#).

In some circumstances, the [Center for Community Standards](#) may address the matter through a less formal one-to-one conduct officer hearing. The Conduct Officer will make a decision regarding the responding student's responsibility within ten calendar days of the hearing and will notify all relevant parties of the decision at the same time and inform them about their right to appeal to the University Appeals Board. The decision becomes final either on the twenty-first calendar day after the date the decision is sent to the parties or when the University Appeals Board issues their decision. Conduct Officers may issue educational sanctions including those listed in [WAC 504-26-425](#), but not suspension of greater than ten instructional days, expulsion, revocation of degree, or loss of recognition (for student organizations).

Appeals rights are available to students for both matters reviewed by the University Conduct Board or the less formal one-to-one conduct officer hearings. Appeals are reviewed by the [University Appeals Board](#).

In matters where CCR does not find a violation of EP 15, and the Complainant(s) or Respondent(s) object to the findings or outcome reflected in the CCR report, feel there is additional information that should

be considered, or feel that student conduct charges are otherwise warranted in the matter, they have the opportunity to provide that information in writing to the Center for Community Standards within ten calendar days of the notification from the Center for Community Standards (please note, this does not apply to matters involving Title IX Sexual Harassment; such matters are always afforded a live hearing, unless resolved through an Informal Resolution process). The Center for Community Standards will consider this information in determining whether to proceed with a conduct process. If the Complainant(s) or Respondent(s) presents information to the Center for Community Standards that is not reflected in the CCR report, the Center for Community Standards may elect to refer the matter back to the CCR to review for a potential revision to CCR report prior to proceeding with the conduct process.

### Campus Sanctioning/Disciplinary Procedures - Employees

WSU Compliance and Civil Rights (CCR) will determine whether the Policy Prohibiting Discrimination and Harassment, Executive Policy #15 (EP 15) is implicated. Human Resource Services (HRS) will determine whether any other university policies may be implicated. Internal Audit may also be consulted in some matters. In some situations, WSU may be required to proceed with an investigation regardless of whether the reporting party decides to participate in the investigation or disciplinary process. During an investigation, CCR will interview witnesses and gather any documentary or other evidence, as provided by the individuals involved in the matter. During the investigation, the parties have the right to be accompanied by an advisor of their choice. The parties also have an opportunity to review evidence and submit an additional written statement to be considered by the investigator prior to publication of a final report.

At the conclusion of the investigation, CCR will send a report to HRS, relevant supervisors, and relevant parties. In Title IX Sexual Harassment matters the investigative report will include a summary of the investigation, but will not constitute the final decision of the university and will not include a final determination regarding responsibility. For all other matters, the closing document may include findings, conclusions, credibility assessments, which may be relied upon by supervisors or decision makers.

After CCR issues a final report, the Complainant(s) or Respondent(s) may file for an appeal of the investigation, in writing, with the WSU Office of the President within fifteen (15) calendar days of the date of issuance. The WSU President has a standing CCR Appeals Committee (the Committee), which consists of a committee chair, two regular committee members, and two alternate committee members. Committee members receive appropriate training, as determined by CCR, prior to serving on the committee and at least annually thereafter that is related to the nature of cases that they may review, including discrimination and sexual violence. Committee members are also screened for conflict of interest or bias against the reporting or responding parties.

During the fair and neutral review of an appeal, the chair of the Committee will conduct an initial review of the appeal, determine whether it met the minimum requirements of the appeals process, and if so, the chair will convene the Committee and send notice to the Complainant(s), Respondent(s), and CCR within seven (7) calendar days of receiving the appeal. After reviewing the appeal, the Committee will issue a decision letter to both parties within thirty (30) calendar days, unless good cause for an extension of up to thirty (30) days is necessary. The Committee's decision is final with respect to the CCR investigation, unless the Committee determines that additional investigation by CCR is warranted. If the

Committee concludes that additional investigation is warranted, at the conclusion of such additional investigation, no further appeal is available.

After the [CCR investigative process](#) and appeals process is completed, employee violations are reviewed by the appropriate supervisor, with the support of Human Resource Services. Supervisors will impose sanctions following the procedures set forth in applicable university policies and handbooks (e.g., the Title IX Hearing Process, the WSU Faculty Manual, the Administrative Professional Handbook, WAC 357-40 (civil service employees), or applicable collective bargaining agreements). For matters involving Title IX Sexual Harassment, the parties are provided with a live hearing, in which a decision maker will consider all relevant evidence. Witness statements made outside of the live hearing can only be considered by the decision maker if the witness submits to cross-examination by an advisor.

### Possible Sanctions

WSU vigorously enforces Executive Policy #15 (EP 15), the Policy Prohibiting Discrimination and Harassment. Persons determined to have violated this policy are subject to sanctions imposed using the procedures set forth in applicable university policies and handbooks (e.g., the WSU Faculty Manual, the Administrative Professional Handbook, BPPM 60.50, WAC 357-40 (civil service employees), applicable collective bargaining agreements, or WAC 504-26 containing the WSU Standards of Conduct for Students including any appeal procedures therein). Any imposed sanctions are to be adequately and appropriately severe to prevent future offenses and to protect other students and the University community. The sanctions that are imposed, or other actions taken, must be reported to CCR by the administrator or supervisor who imposed the sanctions.

In a matter involving an employee, possible sanctions may include: (i) verbal counseling; (ii) warning, verbal and/or in writing; (iii) required training; (iv) memorandum of concern; (v) letter of reprimand; (vi) suspension without pay; (vii) demotion; (viii) salary reduction; (ix) termination; or (x) any combination of the previously stated corrective or disciplinary sanctions. In addition, inappropriate and unprofessional behavior by WSU personnel that does not rise to the level of a policy violation (e.g., unwelcome sexual comments that are not sufficiently severe or pervasive, and objectively offensive to constitute sexual harassment) may nonetheless be subject to corrective or disciplinary action in some cases.

In a matter involving a student or recognized or registered student organization, possible sanctions may include: (i) warning; (ii) probation; (iii) loss of privileges; (iv) restitution; (v) education; (vi) community service; (vii) University housing suspension or expulsion; (viii) University suspension; (ix) University expulsion; (x) revocation of admission and/or degree; (xi) withholding degree; (xii) trespass; (xiii) loss of recognition; (xiv) hold on transcript and/or registration; (xv) no contact directive; (xvi) remedies; or (xvii) any combination of the previously stated disciplinary sanctions. More information on sanctioning can be found in WAC 504-26-425.

### Education, Training, and Prevention Programs

WSU provides a range of education and prevention programs to strengthen prevention efforts, further develop campus-wide understanding of policy and processes, and enhance accessibility to services for victim/survivors of such violence. WSU regularly provides all students with information about reporting options via email messages, as well as through in-person trainings specifically designed to explain available processes. WSU also produces an array of online and printed materials for students and

employees about accessing support services and making complaints regarding sexual violence, including sexual assault, sexual exploitation, dating violence, domestic violence, and stalking.

## Campus Security Programs

Washington State University Tri-Cities strives to educate the campus community and maintain a reasonably safe environment on campus. Although WSU takes steps to educate and maintain safety on campus, each individual within the campus community plays a role and it is important to be aware of surroundings and use reasonable judgment when living, working, or visiting on campus. Please report suspicious or criminal activities to the Campus Security office at 372-7234 or to law enforcement at 509-628-0333 or 911.

## Prevention Programs

WSU provides a wide range of crime prevention programming, as well as programming specific to preventing dating violence, domestic violence, sexual assault, and stalking.

## Available Education for Incoming Students

Every incoming undergraduate student has access to three education programs on the WSU Tri-Cities campus, about bystander intervention, risk reduction, and the definitions and WSU policies in place to respond to sexual assault, sexual exploitation, intimate partner violence and stalking.

- **SAFETY ON CAMPUS:**
  - This workshop is offered during the SOAR Orientation and includes information about campus policies, resources and reporting options for students. In this online module, students learn about WSU's prohibition on dating violence, domestic violence, sexual assault, and stalking. This information and where to report is also sent out during the first week of school, during midterms, and around finals week. They also learn the following:
    - Violence Prevention
      - Everyone has the right to respectful and healthy interactions with their friends, partners and members of our community. At WSU Tri-Cities, we strive to create an environment of safety and accountability.
      - People experience these forms of violence regardless of sex, gender, sexual orientation, gender identity, race, ethnicity, age, or disability.
      - State laws and campus policies prohibit all forms of sex- and gender-based violence.
    - Definitions of Sex- and Gender-Based Violence
      - **Relationship violence** is harm or threat of harm in an intimate relationship. It can also be called domestic violence or dating violence. This can include (but is not limited to) physical, emotional, and sexual abuse.
      - **Stalking** is a course of conduct directed toward an individual that would cause a reasonable person to feel afraid. Stalking can occur in person or through technology. Most victims are stalked by someone they know, such as a current or former partner. Stalking interactions can mirror

behaviors that many of us engage in every day, with one major difference: These interactions are unwanted and intimidating and cause someone to fear for their safety or the safety of people around them.

- **Sexual assault** is any sexual activity lacking clear, knowing, and voluntary consent. This can include nonconsensual sexual intercourse or other physical contact. Sexual assault most frequently occurs between people who know each other. They may be friends, romantic partners, co-workers, roommates, classmates, or casual acquaintances. They may have just met at a party or online. While a significant portion of sexual assault on college campuses includes the presence of alcohol or other substance, sexual assault can also occur outside of a typical party scene.
- Be An Active Bystander
  - There are four approaches to bystander intervention. This allows individuals to react in a way they feel most comfortable.
    - Direct - Confront the situation directly
    - Delegate - Ask someone else to intervene
    - Distract - Create a distraction to disrupt the situation
    - Delay - You may not be able to intervene in the moment, but you can check-in with the person later
  - Questions? Contact the Director of Student Services at 509-372-7433
- Standards
  - The Center for Community Standards serves our community by supporting students, upholding your rights and responsibilities, and ultimately holding students accountable for behavior that doesn't meet our community expectations. The Standards of Conduct apply to behavior that happens on campus and can apply to off campus behavior, as well.
- Emergencies
  - Introduction of our Campus Security Team
  - Register for emergency notifications
  - Reporting an emergency
- Title IX
  - What is Title IX
  - WSU prohibits discrimination and harassment on the basis of sex.
  - Reporting violations
- Resources
  - [WSU Tri-Cities Student Services](#)
  - [WSU Tri-Cities Student Counseling Services](#)
  - [Domestic Violence Services of Benton & Franklin Counties \(DVS\)](#)
  - [The Support, Advocacy & Resource Center \(SARC\)](#)
- [Count on Cougs](#)
  - Students attend an introduction to the Count on Cougs bystander intervention program to learn how to recognize and respond to situations that could be high risk for violence.



## Campus Disciplinary Processes

The Center for Community Standards offers trainings to students and staff on the campus disciplinary programs throughout the year. Staff presentations are given per request. Peer Educators, student staff members employed by the Center for Community Standards, offer information sessions multiple times per week during the academic year to students who are engaged in the community standards process. These sessions outline what students can expect when engaging with the Center for Community Standards and also outline student rights and available resources.

## Ally Training

The [Gender Identity/Expression and Sexual Orientation Resource Center \(GIESORC\)](#) is respectful of confidentiality and is knowledgeable about resources for members of the lesbian, gay, bisexual, transgender, and queer community. WSU promotes an atmosphere that is safe, inclusive, and affirming for all members of the campus community and does not condone discrimination. Any faculty, staff, student, or community member may participate in Ally training. Starting summer 2020, Ally training will be expanded and offered monthly and on demand for departments and student organizations. The WSU Tri-Cities MOSAIC Center helps coordinate sessions to be offered on the Tri-Cities campus.

## Discrimination, Sexual Harassment, and Sexual Violence Prevention Training

WSU Compliance and Civil Rights (CCR) offers a number of [trainings](#) for students, faculty, and staff in person, via video-conferencing software, and via on-demand webinars, including trainings on the WSU Policy Prohibiting Discrimination and Harassment; discrimination, sexual harassment, and sexual violence prevention; university investigative processes; grievance and disciplinary processes; available university resources and response; and targeted training on resources and reporting options for victims of dating violence, domestic violence, sexual assault, and stalking.

## Equity Education and Training

The [Office of Outreach and Education](#) offers a variety of workshops related to equity and inclusion that provide a link between theory and practical application of concepts related to engaging across difference. These workshops help participants build skills through experiential opportunities that are conducive to an inclusive and engaged campus climate and work environment. Faculty, staff, and administrators may register to participate in a host of Equity Education courses that comprise the new Community & Equity Certificate Program for Faculty and Staff. Learn more about the certificate on our Website and add this Learning Program to your learning plan via HRS Skillsoft. Contact the Office of Outreach and Education for more information at 509-335-5078. In addition, Peer-to-Peer training is available for students presented by the WSU Social Justice Peer Educator Program. To learn more about this student-led programming and to request a workshop, please visit the following website: [Request a Workshop](#). The WSU Tri-Cities MOSAIC Center also offers different workshops and trainings throughout the year to help support faculty, staff, and students.

## Bystander Intervention

WSU understands that keeping our community safe requires everyone on campus to be proactive. To that end, all WSU students on the Tri-Cities campus receive training on the role bystanders play in reducing risk on campus. Often when bystanders see situations that could lead to violence, our tendency is to walk away. We may feel unsure about our role in the situation or may be concerned for our

physical safety. Even so, there are safe and positive options available to intervene in situations that may lead to acts of violence. These options include:

- Being direct. If you see someone doing something that is making another person uncomfortable, speak up.
- Getting someone else involved. If you feel like you can't handle the situation on your own, ask a group of friends to help you, or talk to a supervisor, Resident Advisor, or other person of authority. If the situation is making you feel unsafe, contact the police.
- Creating a distraction. Sometimes the best way to get someone out of a potentially dangerous situation is to divert attention elsewhere.
- Offering resources and support after the fact. Interpersonal violence can happen quickly. If you are concerned someone has already experienced violence, you can provide meaningful support and options after the fact that may prevent further violence.
- If a situation is making you uncomfortable, chances are other people are uncomfortable too. By standing up and being a proactive bystander, you give other people encouragement to do the same.
- Being proactive. There are small and simple actions that Cougs can take every day to create a safe and supportive campus. For more information about your role as a bystander, consider attending a bystander intervention training through Cougar Health Services.

### Risk Reduction

WSU believes that it is not a victim/survivor's decisions that lead to acts of harm or violence. Rather, someone else is making choices to cause harm to another person. Reducing rates of violence on our campus can seem overwhelming, but it becomes a much easier task when we all work together. There are steps everyone can take to promote individual and community safety on campus that are also provided to all incoming students at the Tri-Cities campus:

- Plan ahead. Charge your phone before going out and stay in contact with your friends throughout the evening. Ask friends to check in with each other before leaving for the night. If someone doesn't check in, call or text to make sure they're okay.
- Make a back-up plan if things don't go as planned. Bring extra cash if you need to call a cab to get home or call a trusted friend to walk you home if you feel unsafe walking alone at night.
- Pay attention to your gut instincts. If a situation feels uncomfortable, find someone you trust, or leave. Contact the police if you have concerns for your safety.
- If choosing to drink alcohol, be aware of how your body responds to drinking and plan accordingly. Plan out how many drinks you'll have and stick to that plan. Eat a full meal before going out or eat snacks throughout the night. Alternate between alcoholic and non-alcoholic drinks or beverages.
- Respect everyone's personal boundaries in all situations, including those involving sex. Consent at WSU must be clear, knowing, and voluntary. If you're not certain you've obtained consent, stop and check in with your partner.

## Timely Warnings and Emergency Notifications

### Timely Warning Notifications

The Clery Act requires that “institutions must issue a timely warning for any Clery Act crime that occurs within Clery geography that is: (i) reported to campus security authorities; and (ii) is considered by the institution to represent a serious or continuing threat to students and employees.”

According to the Clery Act, the timely warning must be issued in a timely manner and will withhold the names and personally identifying information about the victims as defined within Section 40002(a) (20) of the Violence Against Women Act of 1994.

The timely warning will aid in the prevention of similar crimes, which may include incidents where the WSU Tri-Cities Campus Security office or Richland Police Department has identified a pattern of risk. A timely warning with respect to crimes reported to a pastoral or professional counselor is not required by WSU.

A timely warning may be issued for a crime or incident as deemed necessary or appropriate by the Campus Security office. Taking into account the safety of the community, the Campus Security director, will assume the primary responsibility to determine the content, issue a timely warning notification, and initiate the appropriate elements of the notification system. In instances where there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus, WSU will follow its emergency notification procedures.

Campus Security makes determinations as to when a timely warning may be issued, which may vary on a case-by-case basis. Some examples of matters requiring timely warnings include, but are not limited to:

- Investigations of a series of car thefts in one particular area
- Unsolved burglaries
- A pattern of drug dealings or activities that puts students at risk

### Dissemination of a Timely Warning

WSU Tri-Cities Campus Security uses the [WSU Alert](#) system as the primary method of distributing notification of a timely warning; however, additional communications tools may also be used, including, WSU Insider, a press release, and the WSU campus outdoor warning system. All WSU students, staff, and faculty can subscribe and update their information for the WSU Alert system by accessing their MyWSU account.

## Emergency Response, Notifications, and Evacuation Procedures

### Emergency Notification

In the event of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus, the Campus Security Office will determine and employ communication methods appropriate to the situation to notify the affected university community without delay. Confirmation of significant emergencies will require direct investigation by appropriate WSU personnel.

For all campus law enforcement issues, the Campus Security office will be primarily responsible for confirming a significant emergency or dangerous public safety situation on campus through victim, witness, or officer observations. Taking into account the safety of the community, Campus Security Director will assume the primary responsibility to determine the content, issue campus emergency notifications, and initiate the appropriate elements of the emergency notification system unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Additional information about WSU's policies and procedures in place to respond to emergencies is available from [WSU Tri-Cities Campus Safety & Security](#) and the WSU Pullman [Office of Emergency Management](#).

Other non-law enforcement emergencies such as hazardous materials releases, utility failures, computer systems/telecommunications failures, hazardous weather, infectious disease or public hazards, etc., may affect the WSU Tri-Cities campus. Other departments at WSU Tri-Cities, including, but not limited to, Environmental Health and Safety, Facilities Services, or Information Technology may also confirm a significant emergency. Confirming departments will report the non-law enforcement emergency to Campus Security, who has the primary responsibility to prepare and issue non-law enforcement emergency notifications. Whether the emergency is a law enforcement or non-law enforcement issue, those authorized to issue emergency notifications will be responsible for determining the appropriate segment or segments of the campus community to notify. Incident circumstances may require only a floor, building, facility, area, etc. to be notified as compared to the entire campus. Examples of situations that could require immediate emergency notifications could include:

- A dangerous assailant for aggravated assault, robbery, arson, rape, murder (even if a suspect is in custody), etc.
- An occurring or impending natural disaster, or an occurring or impending man-made disaster

An emergency notification will include information that would enable members of the university community to take actions to protect themselves, including information about the type of incident, location and instructions on what actions to take, and other safety tips.

### Dissemination of an Emergency Notification

WSU Tri-Cities has a number of methods to provide warning and notification of emergency situations affecting the campus.

The campus public address system consists of a series of public address units inside each of the campus buildings. When activated, a brief tone will be followed by a voice announcement that provides information on what individuals should do as an emergency situation develops.

The WSU CougarAlert system is a second method for distributing a notification of an emergency warning, which connects directly to students, faculty, and staff using voice and text messaging by telephone and email to provide warning of an emergency. It will include basic directions on what steps people should take in response. Receiving emergency warning on personal cell phones, land line phones, and email requires registration. Registration can be accomplished by accessing a MyWSU account. All WSU students, staff, and faculty can subscribe and update their information for the WSU Alert system by accessing their MyWSU account. See [alert.wsu.edu](http://alert.wsu.edu) for more information.

In addition to these primary notification methods, WSUTC also operates a campus-wide alert email list server which allows email transmission of warnings and other messages to the campus population.

To address the recent disturbing trends of violence on campuses for K-12 and higher education, the WSU security community has developed a number of prevention and protection measures for mitigating such threat.

This includes the ability of Campus Security to lock building doors from the outside through an automated system. Studies compiled by the FBI indicate the importance of active access control in buildings and the ability to lock down the campus entry doors and allow occupants to secure themselves within their surroundings. This function provides safety to the occupants of the building and allows for transit time for police to respond and address the incident. WSUTC would like to expand the availability of this locking feature to interior spaces as well.

The complete WSU Alert system allows the university to disseminate official information via email text messages, telephone, loudspeakers, [WSU Alert page](#), social media and other means to notify the campus population of emergencies or threatening situations.

For example, should an active shooter situation occur, individuals would be made aware of the incident through the WSU Alert system. Individuals could then assess their response to the situation based on the location and resources available and then choose the best action to ensure their safety.

All WSU students, staff and faculty can subscribe and update their information, such as email, telephone numbers, etc., for notifications through the [WSU Alert system](#) by accessing their MyWSU account.

### Drills, Exercises and Training

WSU Tri-Cities holds an emergency communications system test once per semester. The test includes activation of the WSU Alert system and the [alerts website](#). Other methods of emergency communication may also be activated during these tests. These tests may be previously scheduled and announced to the community or may be unannounced.

WSU holds drills or exercises for campus emergency responders and emergency management personnel at least once each semester and conducts follow-through activities designed for assessment and evaluation of existing emergency response plans, procedures, and capabilities. Whenever possible, emergency responders from local agencies participate in these exercises or drills with WSU emergency responders. WSU publishes a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

All campus buildings will hold an evacuation drill at least once per semester. Students learn the locations of emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term evacuation. These drills will be unannounced.

All WSUTC units are encouraged to hold their own evacuation drill at least once annually. A Campus Security Officer will assist any unit to coordinate an evacuation drill and provide an assessment of its effectiveness.

The WSUTC Campus Safety & Security Director will maintain records of all drills and exercises established for campus emergency responders as well as for emergency communications systems tests. Information on emergency response and evacuation procedures will be published annually in conjunction with one test, and records will be maintained for seven years as required by the Clery Act. The records include, for each test, a description of the exercise, the date, the time, and whether it was announced or unannounced.

WSU PD provides active shooter training for WSUTC attendees via videoconference at least six times per year. Visit the Human Resource Services training website (<https://hrs.wsu.edu/training/>) to sign up to attend one of these classes.

## Campus Security

### Campus Housing Safety

In August 2018, the Brelsford Vineyards apartments opened on the WSU Tri-Cities campus. This facility is owned and operated by DABCO Property Management, and WSU maintains no oversight of the facility. Richland Police and Emergency Services respond to all incidents in the complex. However, for Clery reporting purposes this facility is considered “on-campus housing”, and incidents there are monitored and included in our crime fire statistics.

All students residing in the Vineyards must ultimately share in the responsibility to make living groups safe and secure. If residents have concerns regarding the safety of the Vineyards, they should contact DABCO Property Management in their on-premises business office. Concerns can also be reported to WSUTC Campus Security.

### Measures to Secure Entrances to Student Housing Facilities

The maintenance of a safe and secure residential environment is everyone’s responsibility. Residents should always lock their room doors to ensure personal safety and security of their property. For emergency situations requiring police, medical or firefight response, dial 911. For nonemergency assistance, call the Richland PD at 628-0333.

### Safety Considerations in The Maintenance of Campus Facilities

WSUTC devotes time from various campus resources including Facilities Services and Environmental Health and Safety to address the safety and security of the campus. Campus Security controls key distribution for all campus buildings, is responsible for opening buildings in the mornings and securing them in the evening , and for regular patrol of all campus areas during operating hours. Campus Security also provides additional services designed to enhance the safety of all WSU community members:

- A yearly “Walk in the Dark” to survey areas of the campus in need of enhanced lighting or shrub and tree trimming.
- Regular monitoring of lighting levels on campus and evaluation of the security to student residences.
- The availability of blue light emergency phones around campus.

## Students Events and Organizations

Groups or individuals may use the university's limited public forum areas for those activities protected by the first amendment to the Constitution of the United States, subject to the requirements set forth in [504-33 WAC](#). University groups or individuals are requested to provide notice of the intended use of the desired Tri-Cities Campus limited public forum area to the Campus Security Office. Non-university groups and individuals must provide notice five business days prior to the intended use of the desired limited public forum area, in accordance with [WAC 504-33-025](#).

Registered Student Organizations and enrolled WSU students may contact the WSU Tri-Cities Office of Student Engagement and Leadership for more information about campus events at:

WSU Tri-Cities Student Engagement and Leadership SUB 102

509-372-7400

[tricitiestudentlife@wsu.edu](mailto:tricitiestudentlife@wsu.edu)

<https://tricitie.wsu.edu/student-engagement-leadership/u>

## Blue Light Phones

Should you need immediate assistance in an emergency, you can look for a blue light. The blue light identifies the location of an emergency telephone. Simply press the emergency telephone button (no dialing is necessary) to be connected to the SECOMM 911 Center. Describe your emergency to the dispatcher. Each of the blue light phones is individually addressed, and a police officer can be dispatched to their location. These can also be used in non-emergency situations to make local phone calls, using the keypad and the black button on the panel. Please take notice of the location of the blue light telephones as you move throughout the campus. You may never need to use one, but they are there for emergencies.

Additional blue light phones are located in the building interiors. These are regular phones, pre-programmed with various campus department contacts, and can also be used to call 911 or make local calls. They are designated with blue LED lights mounted above the phone. Each location also includes various campus emergency information postings.

## Elevator Telephones

Emergency telephones are located in the elevators for both academic and residence hall buildings. Simply push the button marked "Emergency Phone" and you will be connected to the elevator service dispatch center. If you are stuck, remain calm and stay inside the elevator. Trained elevator service personnel and Richland Fire Department personnel are authorized to remove trapped occupants. No one else should attempt to release them or to force elevator doors open. The elevator telephone is for emergencies ONLY; please refrain from using the telephone unless it is an emergency.

## Student Care Network

The [Student Care Network](#) is an online resource that includes a Student Care Reporting Form that allows individuals to share concerns about a student's emotional or psychological well-being, physical health, or academic performance with university administrators who can help. Anyone can submit a Student Care report including students, faculty, staff, family members, and community members. Concerns submitted to the [WSU Student Care Network](#) will be reviewed by the Office of the Dean of Students



team for appropriate follow up. Concerns can also be submitted to the [WSU Tri-Cities Student Care Network](#) for review by local staff.

### Student Care Team

The [Student Care Team](#) responds to reports about students who are exhibiting behavior of concern and/or have received a Student Care or other report of a concern for a student. The multi-disciplinary Student Care team intervenes with care and support to protect the safety and well-being of the involved student, as well as the WSU community, by working directly with the student, and /or connecting students with others with appropriate resources and services.

### Campus Patrol

Campus Security Officers conduct regular, unscheduled patrols of the campus and its buildings. While Campus Security takes steps to educate and maintain safety on campus, each individual within the campus community plays a role and it is important to be aware of surroundings and use reasonable judgment when living, working, or visiting on campus. Please report suspicious or criminal activities to Campus Security at 372-7234, or to law enforcement at 509-628-0333 or 911

### Daily Crime and Fire Log

The Campus Security office produces and posts a [log](#) of all crimes reported to Campus Security. The log is available 24 hours per day to anyone wishing to access it. The log identifies the type of report, location, and time of each incident reported to Campus Security. The Daily Crime Log is available online and in person in the Campus Safety office in Floyd 144D.

The Campus Safety Office maintains a Fire Log of all fire incidents that have occurred in the Brelford Vineyards. The log identifies the type of incident, location, a time of each fire incident. The Fire Log at is available from the Campus Safety office in Floyd 144D

## Drug and Alcohol Policies and Programs

### WSU Policies Governing Alcohol and Other Drugs

[WSU Executive Policy #20](#) aims to eliminate alcohol and drug abuse and to educate the University community on relevant laws and consequences. This policy provides consistency and clarity on the permitted use and enforcement of alcohol laws and statutes on all WSU properties statewide. WSU's policy prohibits the unlawful possession, use, or distribution of illicit drugs or alcohol on University-controlled property.

Additionally, Washington state law, RCW Chapter 70.160, prohibits smoking in any WSU owned, leased, rented public place or place of employment. The WSU Pullman, WSU Spokane, WSU Tri-Cities, and WSU Vancouver campuses each restrict tobacco and nicotine use on campus, with the exception to tobacco cessation programs or approved research. Refer to [Safety Policies and Procedures Manual \(SPPM\) 6.10](#). Employees who violate Executive Policy #20 or [SPPM 6.10](#) may be subject to corrective or disciplinary actions.

### Workplace Policy

WSU complies with the Drug-Free Workplace Act of 1988. This program provides educational and training programs and prohibits the use of controlled substances in the workplace. In addition, WSU has



developed programs to prevent the unlawful possession, use, and/or distribution of illegal drugs and alcohol by employees and students. Any employee who violates the WSU Alcohol and Drug Policy, Executive Policy #20, may be subject to corrective or disciplinary action by the university, in addition to any penalties resulting from violating local, state and/or federal law. Sanctions for illegal use of drugs and/or alcohol in the workplace may include, but are not limited to, recommendations for completion of an appropriate rehabilitation program, written or verbal warning, required training, letter of reprimand, censure, demotion, salary reduction, dismissal, and, in emergency situations, immediate suspension. Additionally, Washington state law ([RCW Chapter 70.160](#)) prohibits smoking in any University owned, leased, or rented public place or place of employment.

## Student Policies

### University Alcohol and Drug Policy

Local police enforce all Washington state laws pertaining to drugs and alcohol, and students may also be subject to sanctions through the Center for Community Standards (CCS). CCS will follow procedures outlined in the Standards of Conduct for Students (Standards of Conduct), [WAC 504-26](#), if an alleged violation is reported.

The legal age for individuals to consume alcohol in the state of Washington is 21. Those not of legal age who consume alcohol will be in violation of the Standards of Conduct and WSU's Alcohol and Drug Policy. Students of legal age who choose to drink alcoholic beverages are expected to do so responsibly and according to the policies and regulations of their living environment (i.e., residence halls, fraternity and sorority chapter-owned facilities, campus apartments, etc.).

### **Students may not:**

- Distribute and/or sell alcohol to anyone under the age of 21.
- Drink or possess alcohol if under the age of 21.
- Drink or possess alcohol regardless of age if alcohol is prohibited at the location.
- Possess, use, manufacture, distribute and/or sell drugs (marijuana, narcotics, or other controlled substance) and drug paraphernalia (pipes, bongs, scales, cigarette papers, etc.).
- Drink alcohol at a sponsored event on any University property without an alcohol license or banquet permit.
- Overconsume alcohol or be intoxicated in public.

If students are under the age of 21 or are in a location that prohibits all alcohol or drugs (including residence hall rooms, shared areas in residence halls, fraternity and sorority chapter-owned facilities that are alcohol-free), leave the area immediately. Any person who is in the room while alcohol and/or drugs are present may be in violation of the Standards of Conduct and/or the law. Even if you just walked in the room, the alcohol and/or drugs isn't yours, you did not drink any alcohol or use any drugs and/or you are completely sober, you may still be responsible for violating University Policy. Students must comply with "no alcohol" policies if established for floors within residence halls, living groups, and/or designated residence halls.

Students are accountable to the [Standards of Conduct](#) from the time of application for admission through the actual awarding of a degree. The Standards of Conduct apply to on campus and online behavior and some off-campus behavior. For more information about jurisdiction, please visit [WAC 504-26-015](#).

#### Applicable Standards of Conduct for Students

[WAC 504-26-211 Drugs and drug paraphernalia](#): Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law.

[WAC 504-26-212 Alcohol](#): Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by university regulations, and federal, state, and local laws), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person not of legal age.

#### Good Samaritan Guideline

The [WSU Good Samaritan Guideline](#) ensures that students receive prompt and appropriate attention in the event of alcohol and/or drug intoxication. This guideline is similar to Washington State laws followed by law enforcement. If a student or community member sees a friend or stranger experiencing symptoms of alcohol or drug intoxication and needing medical help, they can contact local police, WSU police, medical professionals, university staff members, and/or resident advisors for assistance. Neither party will receive any formal discipline for alcohol or drug use and possession under our community standards. This guideline does not apply to any disciplinary action for incidents beyond drug and alcohol use. For example, incidents that include hazing, sexual assault, physical abuse, malicious mischief, disorderly conduct, acts of hate or bias, may initiate the community standards process. WSU reserves the right to sanction repeat alcohol and drug offenders, including organizations, and to pursue disciplinary action for any violation which the University considers serious enough to require such action.

#### Medical and Recreational Cannabis

In accordance with the federal Drug-Free Schools and Communities Act Amendments of 1989, WSU strictly prohibits the use, possession, manufacture, or distribution and/or sale of cannabis and other controlled substances anywhere on campus. It is a violation of the [Standards of Conduct](#), as well as [University Housing Policy](#), for students to use, possess, manufacture, distribute and/or sell cannabis while on University property, even if the student is over the age of 21 and/or procured the cannabis through legal means.

Additionally, WSU prohibits the use of medical cannabis on campus, including all residence halls and WSU apartments. Cannabis obtained for medicinal purposes cannot be stored or used in the residence halls or WSU apartments. The use and/or storage of all drug paraphernalia is also prohibited in the residence halls and WSU apartments. All questions regarding the reasonable accommodation of medical conditions, including conditions treated with medical cannabis, should be directed to the [WSU Tri-Cities Access Center](#) or by calling 509-372-7352 or email [tricitie.accessservices@wsu.edu](mailto:tricitie.accessservices@wsu.edu)

## Drug and Alcohol Education Programs

### **Cougar Health Services including Counseling and Psychological Services (CAPS) and the Medical Clinic Services**

Cougar Health Services (CHS) offers a range of online and in-person services related to substance use including individual counseling, assessment, therapy groups, workshops and outreach programs, online confidential and personalized feedback, text messaging, and consultation to WSU students. These services support personal efforts to maintain health and the reduction of health harms—including substance use/disorder—so students can achieve academic, career, and personal success. The foundation of CHS programs is built on best practice recommended for substance abuse in a university setting in the College Alcohol Intervention Matrix (College AIM, 2015).

Additionally, CHS substance abuse programs are in compliance with the Drug-Free Schools and Communities Act (DFSCA). DFSCA report available upon request. Select programs and targeted services are described below.

WSU Tri-Cities Counseling Services partners regularly with Cougar Health Services to provide similar programs and access for Tri-Cities students.

#### **Clinical Treatment**

CAPS utilizes a generalist model of alcohol and other drug (AOD) treatment, whereby all senior clinical staff (e.g. licensed psychologists) and counselors-in-training (e.g. doctoral psychology interns, practicum students) may be referred clients with AOD issues, as AOD issues are often co-morbid with other psychological disorders. All CAPS clinicians are able to work with AOD issues. Generally, clinical services are based on student need and voluntary participation.

These include:

Alcohol and other drug use screening at intake and addressed within individual counseling sessions.

Follow-up for WSU students following AOD-related hospitalization, in conjunction with Pullman Regional Hospital.

Ongoing workshops/groups provided in CAPS integrate AOD use into discussion and intervention.

Referral to community-based services and resources.

#### **Harm Reduction Outreach**

[E-CHUG](#): e-CHUG is an online and confidential survey that allows students to receive personalized feedback about the impacts of alcohol and other drug use. It is an open access survey available to all students.

#### **IMPACT**

IMPACT is an education service provided to students, who are referred by the Center for Community Standards (CCS) for substance use violations. The purpose of this intervention is to administer a substance abuse education program that is focused on harm reduction strategies, motivational interviewing, and brief intervention. The IMPACT classes and 1:1 sessions have been developed to

provide an empirically-based intervention to meet the specific needs of students who exhibit high risk substance use behaviors. The IMPACT program is unique in that it is not a 'one size fits all' intervention; rather, IMPACT is structured to route students, via confidential assessment with personalized feedback, to the intervention that best meets their needs in terms of behavior change, psycho-education, and clinical concerns.

Students receive direction for their routed participation (group or 1:1 sessions and assessment type) in multiple ways: from the Center for Community Standards (CCS), in the IMPACT workshop, and the Health Promotion website. A detailed procedural flow chart and routing logic for 1:1 vs. group the 4 sanction types (alcohol, cannabis, poly-substance, and other drug) as well as the sanction/violation number (1, 2, 3) is available upon request.

## Additional Campus Security Policies or Resources

### Missing Student Policy

WSU takes the well-being of students seriously and the university has processes in place when a student is missing. If anyone has reason to believe that a WSU student is missing, they should immediately call 911 and report the concern. Callers outside of Benton and Franklin Counties should call SECOMM at 509-628-0333. All WSU staff and faculty must contact Campus Security if they believe a student is missing or is reported by others to be missing.

### Contact Person Policy

All students residing in on-campus housing, regardless of age, may identify one or more individuals to be a contact strictly for missing persons purposes. The contact person(s) will be contacted by the university not later than 24 hours after the time that the student is determined to be missing by Richland Police. Students are encouraged to provide contact information on their my.WSU account at incoming mandatory orientation. Students can update the contact(s) by accessing their my.WSU account. The information provided will only be accessible to authorized campus offices and to law enforcement in furtherance of a missing person investigation.

Students under 18 years of age and not emancipated are advised that the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. In addition, WSU will notify local law enforcement agencies within 24 hours of the determination that a student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing..

### Procedures

When any student who resides in on-campus housing is reported missing, Campus Security will make inquiries regarding the student and contact the City of Richland Police if they are unable to locate the student within 24 hours. WSU Police will also be notified, and will provide assistance to Richland Police as needed. Richland Police will make the determination as to whether the student is considered to be missing, will coordinate with other law enforcement agencies, and make entries into state and local crime information databases as they determine necessary. Additionally, if the missing student is under the age of 18 and not emancipated, WSUTC will notify the student's parent or legal guardian within 24 hours after police have determined the student is missing.

All students residing in on-campus housing, regardless of age, may identify one or more individuals to be a contact strictly for missing persons purposes. The contact person(s) will be contacted by the university not later than 24 hours after the time that the student is determined to be missing by Richland Police. Students are encouraged to provide contact information on their my.WSU account at incoming mandatory orientation. Students can update the contact(s) by accessing their my.WSU account. The information provided will only be accessible to authorized campus offices and to law enforcement in furtherance of a missing person investigation.

### Weapons Policy

The WSU Standards of Conduct for Students, [WAC 504-26-213](#), prohibits students from carrying, possessing or using any firearm, explosive (including fireworks), dangerous chemicals, or any dangerous weapon on university property or in university approved housing. Additionally, airsoft guns and any other item that appears to be a firearm, or any item that shoots projectiles are prohibited.

### Sexual or Violent Offenders List

The Campus Sex Crimes Prevention Act of 2000 requires colleges and universities to inform students and employees how to learn the identity of registered sex offenders on campus. This law also requires that sex offenders provide notice to any institution of higher education at which the person is employed or is a student.

You can obtain information regarding registered sexual offenders by contacting the Benton County Sheriff's Office at 7122 W. Okanogan Place, Building 2 in Kennewick, Washington, (509)735-6555, ext. 3843. Sex offender information is also available online at [http://www.sheriffalerts.com/cap\\_main.php?office=54457](http://www.sheriffalerts.com/cap_main.php?office=54457). This page includes information on how to search for registered sex offenders in the area as well as additional information about sex offender registration laws, safety tips, and shareable Community Awareness Fliers.

### Housing and Fire Safety

In August 2008, the Higher Education Opportunity Act (Public Law 110-315) became law. This act requires all U.S. academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on campus statistics pertaining to on-campus residential

buildings. Pursuant to this act, the following section includes fire safety practices and standards, applicable to the WSU Tri-Cities campus. Fire statistics are available in Chapter XX.

## On Campus Student Housing Fire Safety Systems

### Campus Apartments

The Brelsford Vineyards is equipped with full fire sprinkler systems and automatic fire alarm systems that report to a continuously staffed dispatch center. This complex is owned and operated by DABCO Property Management.

Information on emergency procedures at the Brelsford Vineyards can be obtained by contacting the Vineyards business office at (509) 845-9221.

## On Campus Housing Fire Safety Regulations

DABCO Property Management establishes and manages all fire and safety policies in the Brelsford Vineyards. Below is a summary of relevant DABCO policies which have been communicated to WSUTC:

- Smoking is prohibited in the commons area, recreation room, fitness room, and indoor community study rooms. Additionally, smoking by an individual tenant – including smoke, odor, ash, and smoking trash such as cigarette butts – must not be allowed to bother other tenants. Open-flame grills are prohibited in units, including on decks, patios, and balconies, and may not be used within ten (10) feet of any part of any building.

The following are additional residential fire safety recommendations from the WSU Tri-Cities Campus Safety office:

- All extension cords must be three-wire, three-prong type, and must be constructed with a minimum of 16-gauge wire. (Gauge numbers vary inversely with capacity.) Cords must be well-maintained with no breaks in the insulation.
- Light-construction, multiple-outlet devices (cube taps) that plug directly into outlets are not recommended. Heavy duty, multiple outlet devices equipped with internal breaker protection, three-wire, three-prong ground protection, and 16-gauge or heavier wires are preferred.
- Not more than one high-wattage appliance such as a hair dryer, water warmer, etc., should be connected to a single wall outlet at one time.
- All appliances should be sufficiently protected from shock hazards and should be maintained in good repair with no insulation damage or exposed wires.
- Electrical cords should be protected from being crushed, compressed, constricted, or coiled in a manner that may cause breakdown of insulation, cause heat, or cause an induced current to appear in adjacent metal objects. Electrical cords should not run through walls, ceilings, floors, doorways or windows, or across exits.
- Draperies, tapestries, blankets, or posters that are displayed on walls and doors in a manner which would facilitate ignition, block exits or fire detection units, or present overhead fire hazards are not recommended.
- Student-constructed furniture, posters, papers, and combustible decorations should not be present in sufficient amounts to constitute an excessive combustible fire load, nor should fire safety devices be obstructed.

Individuals found in violation of safety regulations may be cited by the Richland Fire Marshal's office. Failure to comply with safety regulations may also result in disciplinary action.

No smoking is permitted on the WSU Tri-Cities campus. WSU Tri-Cities' tobacco/nicotine policy prohibits all forms of tobacco and any nicotine-delivery devices, including electronic cigarettes, in or on WSU Tri-Cities campus grounds and state owned vehicles and equipment. The WSU Tri-Cities campus policy does *not* apply to the Brelsford Vineyards.

WSU employees, students and visitors are responsible for complying with Washington state law (RCW Chapter 70.160, Clean Indoor Air Act) and any applicable campus tobacco and nicotine use policy, referenced above.

## Fire Drills for Residence Halls

Academic buildings receive fire drills periodically based on hazard assessment, accreditation requirements, and safety committee recommendations. DABCO Property Management has indicated that no fire drills are conducted in the Brelsford Vineyards.

## Plans for Future Improvement in Fire Safety

WSU will continue to maintain facilities in a manner consistent with the International Fire Code, International Building Code, National Fire Protection Association, as well as state and federal laws. All new construction shall be compliant with the appropriate fire, building, and life safety code requirements.

The WSU Campus Safety Office works with the Richland Fire Marshal to address and correct deficiencies in an ongoing effort to improve fire safety on campus.

## University Fire Safety Resources and Education Programs

### Education and Training Programs

WSU Tri-Cities Campus Safety includes fire safety information in orientation sessions and other presentations when requested. Five fire safety videos from the Center for Campus Fire Safety regarding college residence hall fires are available. Fire safety training includes the procedures that students and employees should follow in the case of a fire. For further information, call the Fire and Safety Compliance Officer's office at 509-335-4310.

### Resources

#### **Emergency Fire Response:**

Richland Fire Department is a combination department comprised of full-time professional and reserve firefighters engaging in the performance of fire suppression and emergency medical services. Fire suppression is provided to all properties within the city limits of Richland, including WSU Tri-Cities. Department Paramedics and Emergency Medical Technicians provide ambulance service to the city.

## Reporting in Case of a Fire

If there is a fire emergency dial 911

Reports that a fire occurred should be made to the WSU Tri-Cities Campus Safety office by calling 509-372-7163. Reports made to the WSU Tri-Cities Campus Safety Office are included in the statistics in the annual fire safety report. WSU employees should follow the Fire Safety Procedures, Section 8.20 in the Safety Policies and Procedures Manual.

## Crime definitions under Federal Law

The following definitions are provided in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)(34 CFR Part 668), or referenced from the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program. For purposes of complying with the Clery Act, an incident meeting these definitions is considered a crime for the purpose of Clery Act reporting.

### *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.

**(i)** The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**(ii)** For the purposes of this definition -

**(A)** Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**(B)** Dating violence does not include acts covered under the definition of domestic violence.

**(iii)** For the purposes of complying with the requirements of this section and [§ 668.41](#), any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### *Domestic violence:*

**(i)** A felony or misdemeanor crime of violence committed -

**(A)** By a current or former spouse or intimate partner of the victim;

**(B)** By a person with whom the victim shares a child in common;

**(C)** By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;



**(D)** 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

**(E)** 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.

*Sexual assault:*

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

*Rape:*

The carnal knowledge of a person, 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 or physical incapacity.

*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 their age or because of their temporary or permanent mental or physical incapacity.

*Incest:*

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

*Statutory Rape:*

Sexual intercourse with a person who is under the statutory age of consent.

*Stalking:*

**(i)** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to -

**(A)** Fear for the person's safety or the safety of others; or

**(B)** Suffer substantial emotional distress.

**(ii)** For the purposes of this definition -

**(A) *Course of conduct*** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

**(B) *Reasonable person*** means a reasonable person under similar circumstances and with similar identities to the victim.

**(C) Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Murder and nonnegligent manslaughter*

The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as murder and non-negligent manslaughter.

*Negligent manslaughter*

The killing of another person through negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and accidental traffic fatalities, are not included in the category Manslaughter by Negligence.

*Robbery:*

The taking, or attempting to take anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

*Aggravated Assault:*

Aggravated assault is an unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or 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.

*Burglary:*

The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

*Motor Vehicle theft:*

The theft of a motor vehicle.

*Arson:*

To unlawfully and intentionally damage or attempt to damage any real or personal property by fire or incendiary device.

*Liquor Law Violations:*

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

*Drug Law Violations (Drug/Narcotic Offenses, Drug/Narcotic Violations, and Drug Equipment Violations):*

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

The unlawful manufacture, sale, purchase, possession, or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics.

*Hate crime:*

A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias: Murder and non-negligent manslaughter, sex offense, robbery, aggravated assault, burglary, motor vehicle theft, arson, destruction/damage/vandalism to property, intimidation, larceny/theft, and simply assault.

## Crime definitions under Washington State Law

The following definitions are provided under Washington State Law.

### **Consent ([RCW 9A.44.010](#))**

At the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

### **Mental Incapacity ([RCW 9A.44.010](#))**

A condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance, or from some other cause.

### **Physically Helpless ([RCW 9A.44.010](#))**

A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

### **Forcible Compulsion ([RCW 9A.44.010](#))**

Physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped.

### **Sexual Intercourse ([RCW 9A.44.010](#))**

- Has its ordinary meaning and occurs upon any penetration, however slight, and
- Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and

- Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex

**Sexual Contact ([RCW 9A.44.010](#))**

Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.

**Domestic Violence ([RCW 26.50.010](#))**

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one intimate partner by another intimate partner; or
- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one family or household member by another family or household member.

**Family Or Household Members ([RCW 26.50.010](#))**

- Adult persons related by blood or marriage;
- Adult persons who are presently residing together or who have resided together in the past; and
- Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

**Intimate Partner ([RCW 26.50.010](#))**

- Spouses, or domestic partners;
- Former spouses, or former domestic partners;
- Persons who have a child in common regardless of whether they have been married or have lived together at any time;
- Adult persons presently or previously residing together who have or have had a dating relationship;
- Persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship; and
- Persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship.

**Dating Relationship ([RCW 26.50.010](#))**

A social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- The length of time the relationship has existed;

- The nature of the relationship; and
- The frequency of interaction between the parties

#### **RAPE IN THE FIRST DEGREE ([RCW 9A.44.040](#))**

A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory:

- Uses or threatens to use a deadly weapon or what appears to be a deadly weapon; or
- Kidnaps the victim; or
- Inflicts serious physical injury, including but not limited to physical injury which renders the victim unconscious; or
- Feloniously enters into the building or vehicle where the victim is situated.

#### **RAPE IN THE SECOND DEGREE ([RCW 9A.44.050](#))**

A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

- By forcible compulsion;
- When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated;
- When the victim is a person with a developmental disability and the perpetrator is a person who:
  - Has supervisory authority over the victim; or
  - Was providing transportation, within the course of his or her employment, to the victim at the time of the offense;
- When the perpetrator is a health care provider, the victim is a client or patient, and the sexual intercourse occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual intercourse with the knowledge that the sexual intercourse was not for the purpose of treatment;
- When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who has supervisory authority over the victim; or
- When the victim is a frail elder or vulnerable adult and the perpetrator is a person who:
  - Has a significant relationship with the victim; or
  - Was providing transportation, within the course of his or her employment, to the victim at the time of the offense.

#### **RAPE IN THE THIRD DEGREE ([RCW 9A.44.060](#))**

A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person:

- Where the victim did not consent as defined in RCW 9A.44.010(7), to sexual intercourse with the perpetrator; or
- Where there is threat of substantial unlawful harm to property rights of the victim.

#### **VOYEURISM ([RCW 9A.44.115](#))**

A person commits the crime of voyeurism in the first degree if, for the purpose of arousing or gratifying the sexual desire any person, he or she knowingly views, photographs, or films:

- Another person without that person's knowledge and consent while the person being viewed, photographed, or filmed is in a place where he or she would have a reasonable expectation of privacy; or
- The intimate areas of another person without that person's knowledge and consent and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place.

A person commits the crime of voyeurism in the second degree if he or she intentionally photographs or films another person for the purpose of photographing or filming the intimate areas of that person with the intent to distribute or disseminate the photograph or film, without that person's knowledge and consent, and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place.

#### **INDECENT EXPOSURE ([RCW 9A.88.010](#))**

A person is guilty of indecent exposure if he or she intentionally makes any open and obscene exposure of his or her person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm. The act of breastfeeding or expressing breast milk is not indecent exposure.

#### **HARASSMENT ([RCW 9A.46.020](#))**

A person is guilty of harassment if:

- Without lawful authority, the person knowingly threatens:
  - To cause bodily injury immediately or in the future to the person threatened or to any other person; or
  - To cause physical damage to the property of a person other than the actor; or
  - To subject the person threatened or any other person to physical confinement or restraint; or
  - Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and
- The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

## **STALKING ([RCW 9A.46.110](#))**

A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

- He or she intentionally and repeatedly harasses or repeatedly follows another person, and the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another.
  - The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
- The stalker either:
  - Intends to frighten, intimidate, or harass the person; or
  - Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

Note, some of the above definitions will be modified effective July 1, 2022, pursuant to House Bill 1320. For the updated definitions, see section “Washington State Definitions.”

## Crime statistics

### Preparation of Crime Statistics

Washington State University (WSU) prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as well as the Violence Against Women Reauthorization Act of 2013 (VAWA) amendments to the Clery Act, using information obtained by WSU Tri-Cities Campus Security from various WSU offices including, but not limited to, WSU Compliance and Civil Rights (CCR), the Center for Community Standards (CCS), and the Office of Emergency Management.

Additionally, information is gathered from Campus Security Authorities, local law enforcement agencies (including the Richland Police Department (RPD)), and information provided by other surrounding law enforcement agencies.

The report includes statistics for the previous three calendar years (2017, 2018, and 2019) concerning reported crimes that occurred on campus and in certain off-campus buildings or property owned or controlled by WSU. In accordance with the Clery Act, the statistics contained in this report are limited to specific crimes occurring within a designated geographic area. While WSU Tri-Cities does have academic and research spaces off-campus, there are no recognized student organizations or student housing facilities with off-campus locations.

The statistics in this report may vary from statistics maintained within other WSU offices authorized to receive reports of incidents implicating laws and WSU policies, such as the WSU Police Department, the Richland Police Department, WSU Compliance and Civil Rights, and/or the Center for Community Standards.





Crime Statistics – Tri-Cities

2018-2020\* Comparative Crime Statistics, WSU Tri-Cities, On-Campus Property

| <b>OFFENSE</b>                           | <b>2018</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|-------------|
| <b>Murder/Non-negligent manslaughter</b> | 0           | 0           | 0           |
| <b>Manslaughter by Negligence</b>        | 0           | 0           | 0           |
| <b>Rape</b>                              | 1           | 0           | 0           |
| <b>Fondling</b>                          | 0           | 0           | 0           |
| <b>Incest</b>                            | 0           | 0           | 0           |
| <b>Statutory Rape</b>                    | 0           | 0           | 0           |
| <b>Robbery</b>                           | 0           | 0           | 0           |
| <b>Assault (Aggravated)</b>              | 0           | 0           | 0           |
| <b>Burglary</b>                          | 0           | 0           | 0           |
| <b>Motor Vehicle Theft</b>               | 0           | 0           | 0           |
| <b>Arson</b>                             | 0           | 0           | 0           |
| <b>Stalking</b>                          | 0           | 0           | 0           |
| <b>Domestic Violence</b>                 | 0           | 0           | 0           |
| <b>Dating Violence</b>                   | 0           | 0           | 0           |
| <b>Arrests: Alcohol Law Violations</b>   | 0           | 0           | 0           |
| <b>Arrests: Drug Abuse Violations</b>    | 0           | 0           | 0           |
| <b>Arrests: Weapons Violations</b>       | 0           | 0           | 0           |
| <b>Referrals: Alcohol Law Violations</b> | 0           | 0           | 0           |
| <b>Referrals: Drug Abuse Violations</b>  | 0           | 0           | 0           |
| <b>Referrals: Weapons Violations</b>     | 0           | 0           | 0           |

2018-2020\* Comparative Crime Statistics, WSU Tri-Cities, On-Campus Residences (subset of On-Campus Property)

| <b>OFFENSE</b>                           | <b>2018</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|-------------|
| <b>Murder/Non-negligent manslaughter</b> | 0           | 0           | 0           |
| <b>Manslaughter by Negligence</b>        | 0           | 0           | 0           |
| <b>Rape</b>                              | 1           | 0           | 0           |
| <b>Fondling</b>                          | 0           | 0           | 0           |
| <b>Incest</b>                            | 0           | 0           | 0           |
| <b>Statutory Rape</b>                    | 0           | 0           | 0           |
| <b>Robbery</b>                           | 0           | 0           | 0           |
| <b>Assault (Aggravated)</b>              | 0           | 0           | 0           |
| <b>Burglary</b>                          | 0           | 0           | 0           |
| <b>Motor Vehicle Theft</b>               | 0           | 0           | 0           |
| <b>Arson</b>                             | 0           | 0           | 0           |
| <b>Stalking</b>                          | 0           | 0           | 0           |
| <b>Domestic Violence</b>                 | 0           | 0           | 0           |
| <b>Dating Violence</b>                   | 0           | 0           | 0           |
| <b>Arrests: Alcohol Law Violations</b>   | 0           | 0           | 0           |
| <b>Arrests: Drug Abuse Violations</b>    | 0           | 0           | 0           |
| <b>Arrests: Weapons Violations</b>       | 0           | 0           | 0           |
| <b>Referrals: Alcohol Law Violations</b> | 0           | 0           | 0           |
| <b>Referrals: Drug Abuse Violations</b>  | 0           | 0           | 0           |
| <b>Referrals: Weapons Violations</b>     | 0           | 0           | 0           |

2018-2020\* Comparative Crime Statistics, WSU Tri-Cities, Non-Campus Student Housing Facilities

| <b>OFFENSE</b>                           | <b>2018</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|-------------|
| <b>Murder/Non-negligent manslaughter</b> | 0           | 0           | 0           |
| <b>Manslaughter by Negligence</b>        | 0           | 0           | 0           |
| <b>Rape</b>                              | 0           | 0           | 0           |
| <b>Fondling</b>                          | 0           | 0           | 0           |
| <b>Incest</b>                            | 0           | 0           | 0           |
| <b>Statutory Rape</b>                    | 0           | 0           | 0           |
| <b>Robbery</b>                           | 0           | 0           | 0           |
| <b>Assault (Aggravated)</b>              | 0           | 0           | 0           |
| <b>Burglary</b>                          | 0           | 0           | 0           |
| <b>Motor Vehicle Theft</b>               | 0           | 0           | 0           |
| <b>Arson</b>                             | 0           | 0           | 0           |
| <b>Stalking</b>                          | 0           | 0           | 0           |
| <b>Domestic Violence</b>                 | 0           | 0           | 0           |
| <b>Dating Violence</b>                   | 0           | 0           | 0           |
| <b>Arrests: Alcohol Law Violations</b>   | 0           | 0           | 0           |
| <b>Arrests: Drug Abuse Violations</b>    | 0           | 0           | 0           |
| <b>Arrests: Weapons Violations</b>       | 0           | 0           | 0           |
| <b>Referrals: Alcohol Law Violations</b> | 0           | 0           | 0           |
| <b>Referrals: Drug Abuse Violations</b>  | 0           | 0           | 0           |
| <b>Referrals: Weapons Violations</b>     | 0           | 0           | 0           |

2018-2020\* Comparative Crime Statistics, WSU Tri-Cities, Non-Campus Public Property Tri-Cities

| <b>OFFENSE</b>                           | <b>2018</b> | <b>2019</b> | <b>2020</b> |
|--|-------------|-------------|-------------|
| <b>Murder/Non-negligent manslaughter</b> | 0           | 0           | 0           |
| <b>Manslaughter by Negligence</b>        | 0           | 0           | 0           |
| <b>Rape</b>                              | 0           | 0           | 0           |
| <b>Fondling</b>                          | 0           | 0           | 0           |
| <b>Incest</b>                            | 0           | 0           | 0           |
| <b>Statutory Rape</b>                    | 0           | 0           | 0           |
| <b>Robbery</b>                           | 0           | 0           | 0           |
| <b>Assault (Aggravated)</b>              | 0           | 0           | 0           |
| <b>Burglary</b>                          | 0           | 0           | 0           |
| <b>Motor Vehicle Theft</b>               | 0           | 0           | 0           |
| <b>Arson</b>                             | 0           | 0           | 0           |
| <b>Stalking</b>                          | 0           | 0           | 0           |
| <b>Domestic Violence</b>                 | 0           | 0           | 0           |
| <b>Dating Violence</b>                   | 0           | 0           | 0           |
| <b>Arrests: Alcohol Law Violations</b>   | 0           | 0           | 0           |
| <b>Arrests: Drug Abuse Violations</b>    | 0           | 0           | 0           |
| <b>Arrests: Weapons Violations</b>       | 0           | 0           | 0           |
| <b>Referrals: Alcohol Law Violations</b> | 0           | 0           | 0           |
| <b>Referrals: Drug Abuse Violations</b>  | 0           | 0           | 0           |
| <b>Referrals: Weapons Violations</b>     | 0           | 0           | 0           |

2018-2020\* Comparative Crime Statistics, WSU Tri-Cities, Unfounded

| OFFENSE                                  | 2018 | 2019 | 2020 |
|--|------|------|------|
| <b>Murder/Non-negligent manslaughter</b> | 0    | 0    | 0    |
| <b>Manslaughter by Negligence</b>        | 0    | 0    | 0    |
| <b>Rape</b>                              | 0    | 0    | 0    |
| <b>Fondling</b>                          | 0    | 0    | 0    |
| <b>Incest</b>                            | 0    | 0    | 0    |
| <b>Statutory Rape</b>                    | 0    | 0    | 0    |
| <b>Robbery</b>                           | 0    | 0    | 0    |
| <b>Assault (Aggravated)</b>              | 0    | 0    | 0    |
| <b>Burglary</b>                          | 0    | 0    | 0    |
| <b>Motor Vehicle Theft</b>               | 0    | 0    | 0    |
| <b>Arson</b>                             | 0    | 0    | 0    |
| <b>Stalking</b>                          | 0    | 0    | 0    |
| <b>Domestic Violence</b>                 | 0    | 0    | 0    |
| <b>Dating Violence</b>                   | 0    | 0    | 0    |

*For 2018-2020, there were no reported Hate Crimes.*

*It should be noted that this report provides the definition of Domestic Violence as defined by Washington State law (RCW). However, for the purpose of reporting statistics, some relationships, falling under the Washington State definition of domestic violence, may be counted as dating violence, not domestic violence, pursuant to the definitions provided by the Clery Act. The Clery Act definition generally provides that an intimate, or romantic, relationship must exist to be considered dating violence, whereas, domestic violence requires that the individuals be cohabitating as current or former spouses, or have an intimate relationship, thus, the relationship must be more than just two people living together as roommates. The complete definition can be found in *The Handbook for Campus Safety and Security Reporting*. (see Chapter 3, U.S. Department of Education, Office of Postsecondary Education, [The Handbook for Campus Safety and Security Reporting](#), 2016 Edition, Washington, D.C., 2016.)*

# Fire Statistics – Tri-Cities

| 2018-2020 Fire Statistics, Brelsford Vineyards |                 |            |   |                                    |   |
|--|-----------------|------------|---|------------------------------------|---|
| WSU Tri-Cities                                 |                 |            |   |                                    |   |
| Year   | Number of Fires | Fire Cause | Number of persons who received fire related injuries resulting in treatment at a medical facility | Number of deaths related to a fire | Value of property damage caused by a fire |
| 2018   | 0               | N/A        | 0   | 0                                  | 0   |
| 2019   | 0               | N/A        | 0   | 0                                  | 0   |
| 2020   | 0               | N/A        | 0   | 0                                  | 0   |

## Campus Geography

### CRIME STATISTICS GEOGRAPHIC AREA

The locations for which Clery crimes are reported in the tables above includes the following areas:

1. Buildings and property that are part of the institution's campus;
2. The institution's non-campus buildings and property; and
3. Public property within or immediately adjacent to and accessible from the campus.

Campus is defined as:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Clery crimes are also reported when they occur at non-campus student housing facilities which includes university recognized fraternity and sorority residences.

Campus Map – Tri-Cities



WSU Tri-Cities Campus, 2710 Crimson Way



WSU Tri-Cities Nursing Facility, 1266 Lee Boulevard



