

# ANNUAL FIRE SAFETY AND SECURITY REPORT 2020





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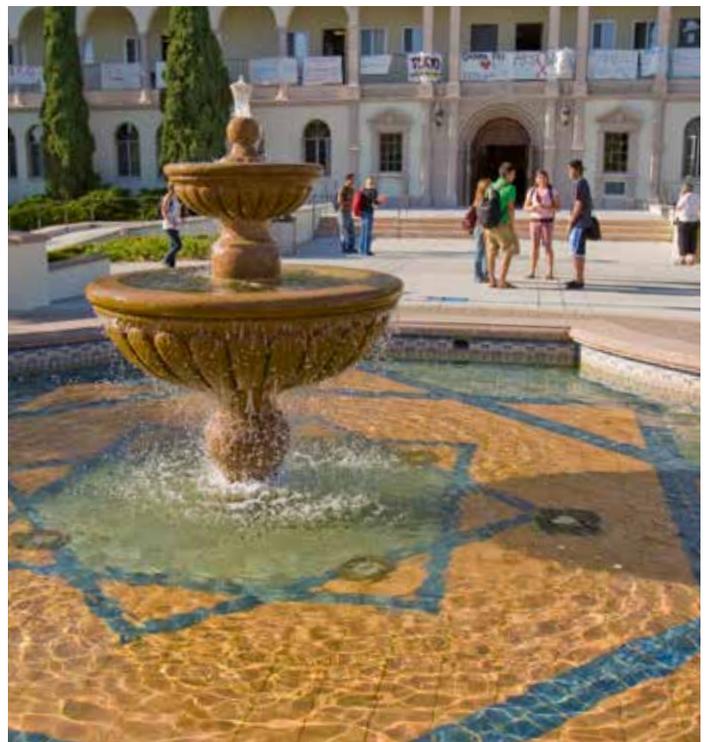
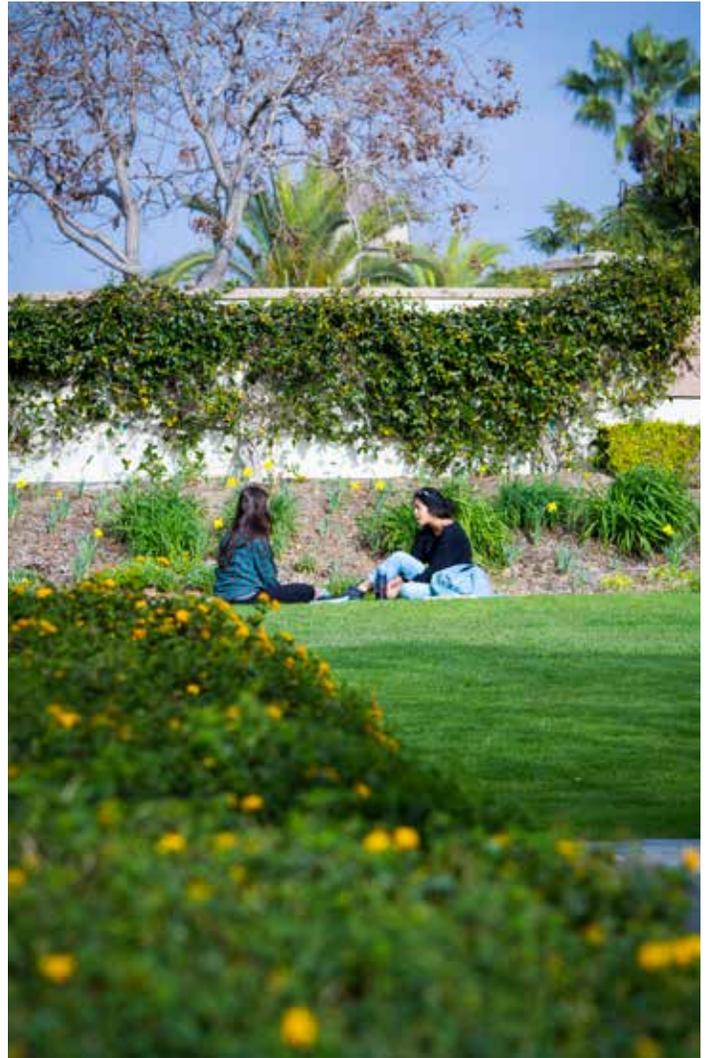
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**FROM THE CHIEF OF PUBLIC SAFETY  
UNIVERSITY OF SAN DIEGO**

Dear Friends:

The University of San Diego Department of Public Safety (DPS) is committed to maintaining a safe and secure campus by providing top quality professional service in partnership with our university community. Together, the department and community work to create an environment free from the distractions of criminal activity and disorder, for the pursuit of educational excellence that brings people to the University of San Diego. By engaging with the community and keeping its members informed, we can increase awareness and promote a positive University experience. We strive to be leaders in innovative security practices utilizing the latest technologies. We urge you as members of the USD community to use this publication as a guide for safe practices on and off-campus and look forward to partnering with you to accomplish this important mission.

Chief James Miyashiro  
Assistant Vice President for Public Safety  
University of San Diego





## AVAILABILITY OF THE ANNUAL SECURITY & FIRE SAFETY REPORT

The Annual Security & Fire Safety Report is published in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (“Clery Act”). It is available online at [www.sandiego.edu/safety/documents/annualreport.pdf](http://www.sandiego.edu/safety/documents/annualreport.pdf). It is presented in a Portable Document Format (pdf) file format and can be viewed using Adobe Acrobat Reader. A hard copy of the report may also be obtained by calling the Department of Public Safety at (619) 260-7777 or visiting the Department of Public Safety in the Hughes Administration Center, Room 150.

## TITLE IX NOTICE OF NON-DISCRIMINATION

The University of San Diego is committed to upholding standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. It is the policy of the university to maintain an educational and work environment free from all forms of unlawful discrimination and harassment. To that end, the university prohibits and does not tolerate unlawful discrimination against or harassment of its employees, students or applicants for employment or admission on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position. All members of the university community are expected to uphold this policy. Engaging in unlawful discrimination or harassment will result in appropriate disciplinary action, up to and including dismissal from the university. USD’s Title IX Coordinator monitors and oversees the university’s compliance with Title IX and related laws in the prevention of sex harassment

and discrimination, including the coordination of education and training activities and the response to Title IX complaints. Students, faculty, administrators, staff, or others who participate in USD’s education programs and activities with questions, concerns, or complaints about sex discrimination, sex harassment or sexual misconduct are encouraged to contact the Title IX Coordinator.

Nicole Schuessler Veloz, Ph.D., Director of Title IX, EEO Programs and Employee Relations  
University of San Diego, Department of Human Resources  
Maher Hall 101  
5998 Alcalá Park  
San Diego, CA 92110  
(619) 260-4594  
[TitleIX@sandiego.edu](mailto:TitleIX@sandiego.edu)



# ANNUAL SECURITY REPORT

## PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

University of San Diego prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by University of San Diego Department of Public Safety, information provided by other offices at the University of San Diego such as Student Affairs, Residence Life, and other Campus Security Authorities and information provided by local law enforcement agencies surrounding the main campus. Each of these offices provides updated policy information and crime data.

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

University of San Diego distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of University of San Diego community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting University of San Diego Department of Public Safety at (619) 260-7777 or by visiting <https://www.sandiego.edu/safety/>.

## REPORTING CRIMES AND OTHER EMERGENCIES

The Department of Public Safety (DPS) has procedures in place to allow for and facilitate the reporting of criminal offenses and other emergencies occurring on campus in a manner consistent with the requirements of the Clery Act. Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to DPS in an accurate and timely manner. In response to a reported crime or other emergency occurring within the patrol jurisdiction, DPS will dispatch an officer to the appropriate location, conduct a preliminary investigation, and prepare a crime report. If assistance is required from San Diego Police Department, DPS will contact SDPD immediately. When appropriate, DPS will investigate the incident further, or forward the crime report to the San Diego Police Department for additional follow-up. As applicable and necessary, DPS will forward crime reports to the Office of the Dean of Students for student conduct referrals, or to Human Resources for employee conduct referrals.

To report a crime, suspicious activity, or emergency occurring on the USD main campus/within the DPS patrol jurisdiction, contact the Department of Public Safety immediately:

- (619) 260-2222 (emergencies only)
- (619) 260-7777 (non-emergencies)
- Visit the Hughes Administration Center, Room 150
- Activate any blue light phone located throughout campus
- Use USD's SafetyCheck on the MySD Mobile App or go to USD SafetyCheck site at <https://sites.sandiego.edu/safetycheck/>

To report a crime occurring at the Pacific Ridge Apartment complex, off campus or at a non-campus property in San Diego, contact the San Diego Police Department:

- 9-1-1 (emergencies only)
- (619) 531-2000 (non-emergencies)

To report a crime, suspicious activity, or emergency occurring at the Madrid Center, or occurring off campus or at a non-campus property in Madrid, contact the Madrid Center emergency number and/or local law enforcement at:

- +34 640 390 971 (USD Madrid Center Emergency Number)
- 1-1-2 Local Emergency Services in Madrid (911 equivalent)

Individuals may also report incidents or information anonymously at the DPS website through an Anonymous Report form. The Anonymous Report form is also designed to provide DPS with crime tips, along with reports in which anonymity is desired. The Anonymous Reporting form can be found online at:

- [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php)

USD encourages all individuals to accurately and promptly report all crimes to DPS, the San Diego Police Department, and/or the Policía Municipal de Madrid (Madrid Police) when the victim of a crime elects to, or is unable to, make such a report.

## VOLUNTARY, CONFIDENTIAL REPORTING

Occasionally, victims or witnesses of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice or university judicial systems.

The University of San Diego does not have any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis, for inclusion in the annual disclosure of crime statistics. The university does however have procedures in place that allow victims or witnesses to report crimes on an anonymous basis. The purpose of anonymous reporting is to comply with an individual's wish to keep their identity anonymous while taking steps to ensure the future safety of the reporting individual and others. The Anonymous Report form can be found online at [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php).

Crimes reported anonymously are included in the annual statistical disclosure and considered for Timely Warning purposes.

## REPORTING TO UNIVERSITY OF SAN DIEGO PUBLIC SAFETY

We encourage all members of the University of San Diego community to report all crimes and other emergencies to University of San Diego Campus Public Safety in a timely manner. University of San Diego Public Safety has a dispatch center that is available by phone at (619) 260-2222 and or in person twenty-four hours a day at the University of San Diego Public Safety Office. Though there are many resources available, DPS should be notified of any crime, whether or not an investigation continues, to assure University of San Diego can assess any and all security concerns and inform the community if there is a significant threat to University of San Diego community.

## EMERGENCY PHONES

University of San Diego has installed more than 100 emergency phones throughout the University of San Diego's campus. Phones are located in public areas of buildings including parking garages, elevators, residence hall complexes, administration buildings, and also numerous outdoor locations. Emergency phones provide direct voice communications to University of San Diego Public Safety Dispatch Center. Please visit <https://www.sandiego.edu/safety/>

## ANONYMOUS REPORTING

The university has procedures in place that allow victims or witnesses to report crimes on an anonymous basis. The purpose of anonymous reporting is to comply with an individual's wish to keep their identity anonymous while taking steps to ensure the future safety of the reporting individual and others. The Anonymous Report form can be found online at [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php).

Crimes reported anonymously are included in the annual statistical disclosure and considered for Timely Warning purposes.



## REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While University of San Diego prefers that community members promptly report all crimes and other emergencies directly to University of San Diego Department of Public Safety at (619) 260-7777 or 911, we also recognize that some may prefer to report to other individuals or University of San Diego offices. The Clery Act recognizes certain University of San Diego officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student conduct and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

While University of San Diego has identified several hundred CSAs, we officially designate the following offices as places where campus community members should report crimes. The representatives in the following areas are available to facilitate reporting a crime to DPS for annual statistical disclosure and Timely Warning purposes.



OFFICE:	TITLE:	LOCATION:	PHONE:
Department of Public Safety	Any full-time staff	Hughes Administration Center, Room 150	(619) 260-7777 (619) 260-2222 (Emergency line)
Academic Affairs	Vice President for Academic Affairs and Provost	Hughes Administration Center, Room 214	(619) 260-4553
Student Affairs	Vice President, Student Affairs	University Center Room 232	(619) 260-4588
Student Affairs	Assistant Vice President and Dean of Students	University Center Room 232	(619) 260-4588
Law Student Affairs	Assistant Dean, Law Student Affairs	Warren Hall, Room 218	(619) 260-6851
Human Resources	Director, Title IX, EEO Programs and Employee Relations	Maher Hall, Room 101	(619) 260-4594
Human Resources	Associate Vice President and Chief Human Resources Officer	Maher Hall, Room 101	(619) 260-4594
International Center	Director, International Studies Abroad	Saints Tekakwitha & Serra Hall, Room 201	(619) 260-4598

## PASTORAL AND PROFESSIONAL COUNSELORS

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. 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 into the annual disclosure of crime statistics. While the university does not have any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, pastoral and professional counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes for inclusion in the annual disclosure of crime statistics.

The federal government defines counselors as:

- *Pastoral Counselor:* An employee of an institution, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- *Professional Counselor:* An employee of an institution whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of the counselor’s license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

As allowed by the *Clergy Act*, pastoral and professional counselors who receive confidential reports are not required to report these crimes to the Department of Public Safety for inclusion into the annual disclosure of crime statistics or for the purpose of a Timely Warning. The University of San Diego however, encourages individuals in these roles to report crimes to the Department of Public Safety for these purposes if and when they deem appropriate.

## ABOUT THE DEPARTMENT OF CAMPUS PUBLIC SAFETY AGENCY & PUBLIC SAFETY

### ROLE, AUTHORITY, AND TRAINING

University of San Diego Department of Public Safety protects and serves the USD community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs including Emergency Management, Campus Safety and Security Education, physical security, including security technology, behavioral threat assessment, and special event management.

DPS is comprised of 40 full-time staff including 14 public safety officers, 2 kiosk officers, 6 dispatchers, 6 tram services staff, and 6 part-time student workers, and is located on the University of San Diego Campus at 5998 Alcalá Park, Hughes Administration Bldg. Room 150, San Diego, CA 92110.

The main contact information is 619-260-2222 for emergencies, and 619-260-7777 for non-emergencies.



## ABOUT THE USD DEPARTMENT OF PUBLIC SAFETY

Safety is our number one priority and DPS encourages students and employees to take responsibility for their own safety, as well as the safety for others. DPS works to ensure USD is a safe and secure campus. However, crime prevention and personal safety is the responsibility of each individual. Our philosophy of community-based policing is taught throughout the year with a variety of safety programs to inform students and employees on best safety practices.

### MISSION STATEMENT

The University of San Diego, Department of Public Safety is dedicated to maintaining a safe and secure living, learning and working environment in partnership with those it serves in a fair, transparent and respectful manner. We believe in working within the highest professional standards, while providing exceptional service to our University Community.

### OUR VISION

The Department of Public Safety’s vision is to lead in all areas of professional campus safety practices; to effectively address the safety and security needs of its community, and to uphold the mission of the university by supporting an environment in which social, cultural, and academic values are free to develop and prosper.

### OUR VALUES

- **Service:** We pledge to work in partnership with the USD community and do our best to provide for its public safety needs.
- **Commitment to Integrity:** We will demonstrate honest, ethical behavior in all our interactions.
- **Respect for People:** We believe in treating all people with respect and dignity.

## **WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES**

The Department of Public Safety is primarily responsible for handling all emergency calls and crimes in progress on USD property. It also investigates all non-violent property crimes that occur on USD property pursuant to a Memorandum of Understanding with the San Diego Police Department. Officers are certified by the state of California and are trained in criminal law, patrol procedures, firearms, use of force, investigations, report writing, first aid, CPR, and in the use of automatic external defibrillators (AED). Ongoing in-service training ensures that officers remain capable and up-to-date in their skills.

The Department of Public Safety is not a sworn agency but is granted the authority to enforce University of San Diego policy as established by the Board of Trustees. Pursuant to a memorandum of understanding (MOU) with the San Diego Police Department (SDPD), SDPD is the primary reporting and investigating agency for all violent crimes occurring on USD property in San Diego.

The Department of Public Safety enforces all other crimes occurring within the DPS patrol jurisdiction including alcohol and drug law violations. DPS may call upon the San Diego Police Department to assist with misdemeanor crimes occurring within the patrol jurisdiction. The patrol division is primarily responsible for handling all emergency calls and crimes in progress but does not have police arrest authority. The Department of Public Safety works with the San Diego Police Department, San Diego County Sheriff's Department, California Highway Patrol, and other local, state, and federal law enforcement agencies, which includes training and cooperative investigations for all crimes. The Department of Public Safety does not have jurisdictional authority on Public Property or at the Pacific Ridge Apartment Complex (5945 Linda Vista Road, San Diego, CA 92110). When and if the need arises, Public Safety officers are authorized and directed to make a citizen's arrest of any and all persons creating disturbances against the general peace, interfering with the security of campus facilities or grounds, or interfering with or disturbing the safety and general welfare of the USD community. When such a citizen's arrest is necessary, the Department of Public Safety shall promptly notify the San Diego Police Department to come and render assistance as needed and necessary.

## **ENFORCEMENT AND ARREST AUTHORITY – MADRID CENTER**

The University of San Diego Madrid Center does not have any sworn or commissioned law enforcement personnel on site at the Madrid Center. The university does however contract with *Metro Vacesa* to provide security for the Madrid Center campus. Security personnel have jurisdiction to patrol the Madrid Center but do not have law enforcement arrest authority. *Policía Municipal de Madrid* (Madrid Police) is the primary reporting and investigating agency for all crimes occurring on USD property in Madrid including the Madrid Center. While the University of San Diego and *Metro Vacesa* have a working relationship with *Policía Municipal de Madrid*, neither have any agreements or written memoranda of understanding with *Policía Municipal de Madrid* regarding the investigation of alleged criminal offenses.

## **ENFORCEMENT AND ARREST AUTHORITY – PACIFIC RIDGE APARTMENTS**

The University of San Diego has a written agreement to provide a limited number of students with on-campus student housing at the Pacific Ridge Apartment Complex (Pacific Ridge) across the street from the University of San Diego (5945 Linda Vista Road, San Diego, CA 92110). Pacific Ridge does not have any sworn or commissioned law enforcement personnel on site but does provide general security for the apartment complex. Security personnel have jurisdiction to patrol the Pacific Ridge complex but do not have law enforcement arrest authority. The San Diego Police Department is the primary reporting and investigating agency for all crimes occurring at Pacific Ridge. While security personnel at Pacific Ridge have a working relationship with the San Diego Police Department, neither have any agreements or written memoranda of understanding regarding the investigation of alleged criminal offenses. The University of San Diego Department of Public Safety does not have patrol jurisdiction or the authority to respond to any incidents reported at Pacific Ridge.

## **CRIMES INVOLVING STUDENT ORGANIZATIONS AT NON-CAMPUS LOCATIONS**

For crimes reported off campus or outside of the DPS patrol jurisdiction, but in San Diego, the San Diego Police Department has primary jurisdiction. This includes jurisdiction over the Pacific Ridge apartment complex and certain non-campus buildings or properties owned and/or controlled by the university. However, DPS and the San Diego Police Department allows for SDPD officers to contact the university and provide reports as necessary for crimes reported in those locations.

For crimes reported off campus, but in Madrid, *Policía Municipal de Madrid* (Madrid Police) has primary jurisdiction. This includes jurisdiction over student residential facilities, public property, and non-campus buildings or properties owned and/or controlled by the university.

## **MONITORING AND RECORDING**

USD does not monitor or record, through local police agencies, criminal activity committed by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

## **TIMELY WARNING REPORTS – CRIME ALERTS**

The University of San Diego Department of Public Safety is responsible for issuing timely warnings in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Timely warnings will be issued in response to reported Clery Act crimes committed either on campus or at other locations considered to be within the university's Clery Act geography that in the judgment of the university, constitute a serious or continuing threat to students and employees.

Anyone with information believed to warrant a timely warning should promptly report the circumstances to DPS by phone at (619) 260-2222 or in person at the dispatch center in the Hughes Administration Center, Room 150. The Department of Public Safety will consult, as necessary, with other university officials regarding whether a timely warning should be issued. The decision to issue

a timely warning will be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime and the continuing danger or risk to the campus community. The decision will be made in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar crimes.

When a determination is made that a timely warning should be issued, the Department of Public Safety, or its designee, will take appropriate steps to ensure timely notification to the campus community. Timely warnings primarily will be issued through the university's mass notification system (phone, text, and email). Additional options for notification include, but are not necessarily limited to, the outdoor notification system, campus-wide e-mails, physical postings on doors and bulletin boards, the MySanDiego portal, The Vista student newspaper, the Department of Public Safety website, or the university's website. The warnings will include some or all of the following information: the date, time and location of the reported crime; a summary of the incident; a description of the suspect and/or vehicle, if available; and any other special instructions or incident specific safety tips.

The university policy concerning Timely Warnings can be found at [www.sandiego.edu/safety/documents/Policy-2.4.3.pdf](http://www.sandiego.edu/safety/documents/Policy-2.4.3.pdf)

## OTHER CRIME, SAFETY, OR SECURITY ALERTS

Some reported crimes or other incidents that occur either on campus or off campus may not meet the criteria for a timely warning or emergency notification under the Clery Act, but still have the potential to impact the campus community. DPS, or its designee, will evaluate these situations on a case-by-case basis and, when deemed appropriate under the circumstances, will release crime alerts, safety alerts, or security alerts. The alerts may include physical postings in the impacted area, announcements sent through the MySanDiego portal, and/or announcements on the DPS or university websites. The alerts typically will contain a concise summary of the reported incident, directions to contact DPS to provide additional information, and, depending on the circumstances, specific crime prevention or personal security tips recommended by DPS.

These alerts are not intended to serve as Timely Warning Notifications and therefore the same procedures and criteria used for issuing Timely Warning Notices will not be followed when issuing these alerts.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### EMERGENCY MANAGEMENT AT UNIVERSITY OF SAN DIEGO

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

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency.
- Coordination with University of San Diego departments to write, maintain, test, and exercise the CEMP.
- Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their CEMPs.

## DRILLS, EXERCISES AND TRAINING

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

To ensure USD's emergency management plans remain current and actionable, USD will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. USD conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, USD will notify the community of the exercise and remind the community of the information included in USD's publicly available information regarding emergency response procedures (<https://www.sandiego.edu/emergency/procedures/>).

### LIST OF EMERGENCY DRILLS, EXERCISES AND TRAININGS

January – March 2019 – Emergency Operations Center Trainings – Provided individual and group training regarding EOC functions to members of the Emergency Operations Center.

April 24, 2019 - Emergency Operations Center (EOC) Exercise: the campus Emergency Operations Team and Executives conducted a 2-hour Emergency Operations Center (EOC) functional exercise focused on a moderate to severe earthquake (6.9 magnitude) in the greater San Diego area. Objectives established for the exercise – (1) Demonstrate an understanding of the roles and responsibilities of the EOC and EOC staff during response to an emergency through a SEMS compliant operational structure, coordination and communication, and provide resource, technical, and policy support to field staff & departments; (2) Maintain active communication and information sharing, through the collection, posting and dissemination of information to the entire campus emergency organization using a crisis coordination system; (3) Provide decision makers with decision-relevant information regarding the nature and extent of the hazard, any cascading effects, and the status of the response; and (4) Evaluate how well EOC staff develops a Situational Assessment of the entire campus to better equip decision-makers and inform the campus community through its mass notification systems. The exercise was followed by a 2-hour post-exercise critique, a 34-question Post-Exercise Participant Survey, and development of a formal Exercise After-Action Report (AAR).

July 30, 2019 and August 14, 2019 Summer Brown Bag Preparedness Days – These training sessions provided members of the campus community with an overview of basic preparedness

as well as the types of local threats to prepare for, and how to develop an emergency preparedness kit for an emergency.

August 13, 2019 – Public Safety Staff Annual Training which included safety training as well as information on policies related to the Clery Act.

September 6, 2019 - Post-Exercise After-Action Report Meeting with EOC Section Chiefs

September 17, 2019 - Regional (County) Exercise Planning with County Emergency Managers

October 1, 2019 – Evacuation Preparedness with USD Building Coordinators.

October 17, 2019 – The Great California ShakeOut Earthquake Drill –In coordination with the annual state-wide earthquake drill, USD Public Safety conducted a campus-wide test of its mass notification system and USD's emergency response and evacuation procedures.

October 25, 2019- Sensitive Issues Team (SIT) Firestorm Preparedness Training with DPS and SIT staff

November – December 2019 – WebEOC Training Sessions

## **EMERGENCY NOTIFICATION**

Pursuant to the requirements of the Clery Act, the Department of Public Safety, or its designee, will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. In those instances, DPS, or its designee, will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities (including, but not limited to, DPS, San Diego Police Department, San Diego Fire Department, National Weather Service, City and County of San Diego, or other emergency medical services), compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Anyone with information believed to warrant immediate notification should promptly report the circumstances to DPS by phone at (619) 260-2222, in person at the Hughes Administration Center, Room 150, or by using an emergency phone on campus.

## **PROCEDURES USED TO NOTIFY THE CAMPUS COMMUNITY**

Once information constituting an immediate threat is received, the Assistant Vice President for Public Safety (Chief), or designee, in conjunction with other university administrators, local first responders and/or the National Weather Service, is responsible for confirming whether a significant emergency or dangerous situation exists and, if so, which segment or segments of the campus community will receive the notification depending upon whether the threat is limited to a particular building or segment of the community. The Assistant Vice President for Public Safety (Chief), or designee, will assess each threat on a case-by-case basis and will notify the entire campus community when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. The Assistant Vice President for Public

Safety (Chief), or designee, will continually assess and monitor each situation and may notify additional segments of the campus community if a situation warrants such action. The Assistant Vice President for Public Safety (Chief), or designee, is also responsible for activating the emergency notification procedures by developing the content of the message and initiating the notification system(s). The content of an emergency notification originates from a pre-existing template developed by the Department of Public Safety and reviewed on an on-going basis by individuals in the Department of Public Safety and University Communications. The Assistant Vice President for Public Safety (Chief), or designee, will determine how much information is appropriate to disseminate at different points in time. Depending on what segment(s) of the community the notification targets, the content may differ. The Chief will attempt to contact and advise the appropriate Vice President or other senior administrative designee, but will not delay notification if they are not immediately available.

## **CONFIRMING THE EXISTENCE OF A SIGNIFICANT EMERGENCY OR DANGEROUS SITUATION AND INITIATING THE EMERGENCY NOTIFICATION SYSTEM**

The notification to the campus community will be done by activating the university's mass notification system. This content will be developed and initiated by the Assistant Vice President for Public Safety (Chief), or designee. The University's mass notification system disseminates emergency information to the campus community via concurrent voicemail, text and email notifications. The outdoor notification system may also be used to immediately notify the campus community and is equipped to broadcast announcements and siren tones over outdoor and indoor speakers located throughout campus. DPS may also collaborate with Information Technology Services to post pertinent information on closed-circuit televisions and electronic marquees throughout campus and the university website. When possible, other notification methods may include campus-wide emails, physical posting on doors and bulletin boards, MySanDiego portal announcements, and/or the DPS website and the university website. If any of these systems fail, or the University deems it appropriate, in person communication may be used to communicate an emergency.

University Communications will also coordinate, as appropriate and necessary, with local media to provide current and timely information for campus emergencies to the larger non-USD community. The University of San Diego may additionally utilize social media (Twitter, Facebook, etc.) or other supplemental resources to disseminate emergency information to the larger USD community, alumni, family, and media-related organizations. Social media sites also serve as redundant (back-up) contingency sites should the USD web pages and server sites become overwhelmed by visitor overload during a crisis. In addition, the City and County of San Diego may use social media and their mass notification systems into and throughout the University of San Diego campus community, the adjacent Linda Vista community, and/or the entire county by use of cellular Wireless Emergency Alerts (WEA), to registered telephone and e-mail addresses. Wireless Emergency Alerts (WEA) are emergency notifications sent from local, state, or federal officials that are broadcast to cell phones in a geo-targeted area, alerting subscribers about an emergency, and with important, but limited information such as the emergency's location, what

actions residents should take, and how they can find out more information by directing people to local media and/or officials for additional details. "AlertSanDiego" is a regional notification system that will be able to send telephone notifications to residents and businesses within San Diego County impacted by, or in danger of being impacted by, an emergency or disaster, and may include University of San Diego registrants who have subscribed to the system. The University of San Diego may also relay to the campus community, through its mass notification system, information, advisories, and alerts received by the City and County of San Diego public safety officials.

When there is an immediate threat to the health or safety of the students or employees occurring on campus, The University of San Diego will provide appropriate follow-up information regarding the incident using the university's mass notification system.

Additional information regarding the university's emergency procedures is available at

[www.sandiego.edu/safety/emergency](http://www.sandiego.edu/safety/emergency).

### **DETERMINING THE APPROPRIATE SEGMENT OR SEGMENTS OF THE CAMPUS COMMUNITY TO RECEIVE AN EMERGENCY NOTIFICATION**

University of San Diego and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of USD community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. University of San Diego may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via University of San Diego mass notification system, University of San Diego will also post applicable messages about the dangerous condition on University of San Diego homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, University of San Diego officials will distribute the notification to the entire campus community.

### **DETERMINING THE CONTENTS OF THE EMERGENCY NOTIFICATION**

Once information constituting an immediate threat is received, the Assistant Vice President for Public Safety (Chief), or designee, in conjunction with other university administrators, local first responders and/or the National Weather Service, is responsible for confirming whether a significant emergency or dangerous situation exists and, if so, which segment or segments of the campus community will receive the notification depending upon whether the threat is limited to a particular building or segment of the community. The Assistant Vice President for Public Safety (Chief), or designee, will assess each threat on a case-by-case basis and will notify the entire campus community when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. The Assistant Vice President for Public Safety (Chief), or designee, will continually assess and monitor

each situation and may notify additional segments of the campus community if a situation warrants such action. The Assistant Vice President for Public Safety (Chief), or designee, is also responsible for activating the emergency notification procedures by developing the content of the message and initiating the notification system(s). The content of an emergency notification originates from a pre-existing template developed by the Department of Public Safety and reviewed on an on-going basis by individuals in the Department of Public Safety and University Communications. The Assistant Vice President for Public Safety (Chief), or designee, will determine how much information is appropriate to disseminate at different points in time. Depending on what segment(s) of the community the notification targets, the content may differ. The Chief will attempt to contact and advise the appropriate Vice President or other senior administrative designee, but will not delay notification if they are not immediately available.

### **ENROLLING IN USD'S EMERGENCY NOTIFICATION SYSTEM**

All USD faculty, staff, and students are automatically enrolled into the University's Emergency Notification System. If you need to update your emergency contact information, please sign onto the MySanDiego portal at <https://my.sandiego.edu/>. The Emergency Notification section is located on the right side of the page. We encourage USD community members to regularly update their Emergency contact information on the MySanDiego portal.

## **SECURITY OF AND ACCESS TO USD FACILITIES**

Controlling who has access to university buildings, facilities and grounds, and under what circumstances, is an important security concern of the University of San Diego. All members of the university community, including guests and visitors, are expected to comply with this policy. Violation of this policy may result in disciplinary action, up to and including separation from the university.

### **ACCESS TO CAMPUS, BUILDINGS AND FACILITIES**

The campus, buildings, and facilities of the university are restricted to students, faculty, administrators, staff and guests of the university, except when part or all of the campus, its buildings or facilities are open to the general public for a designated time or purpose, or when used by non-affiliated groups, organizations or individuals that have been granted or approved by authorized university officials.

When an event on campus is open to the general public, attendees are expected to comply with applicable university policies, rules and procedures and to comply with reasonable behavior expectations. Those who do not comply may be required to leave the campus. The main entrances to buildings on campus are to be open to students, faculty, administrators, staff, and guests of the university during normal operating hours. All university buildings and facilities will be locked when they are not open for general use by those who are authorized or permitted to use them. When a university building or facility is not open for general use and is locked, entry to the building or facility may be controlled or limited by the Department of Public Safety. Advance authorization by an appropriate university official may be required before an individual is permitted access to

a university building or facility when the building or facility is locked and not open for general use.

Permission to access the campus, buildings and facilities of the university may be denied or rescinded at any time, in the university's sole and complete discretion. An individual who refuses to leave the campus or a university building or facility after being asked to do so by a university official and/or security personnel will be considered to be trespassing on university property.

## IDENTIFICATION CARDS

All persons who are on the university campus or participating in university-related activities must provide adequate photo identification, upon request, to any university official and/or security personnel. Any person who refuses to provide the requested identification may be asked to leave the campus.

All employees and students of the university must possess a valid and current university-issued identification card at any time when they are on campus or otherwise engaging in university-related activities. An employee or student is authorized to have only one validly-issued identification card at any given time, except where an employee also is a university student in which case the individual may be issued an employee identification card and a separate student identification card. Individuals who are not employees or students may be granted university-issued identification cards only with advance approval of a Vice President. Access to or use of university facilities or other privileges may be denied without presentation of a valid university identification card. Guests and visitors must carry a valid form of identification with them at all times when on campus or otherwise engaging in university-related activities.

University identification cards are the property of the university and must be presented to authorized university officials upon request. Upon request, a university identification card must be returned to the university. All employees are required to return the university identification cards to Human Resources upon separation from employment.

## KEYS OR OTHER ACCESS SYSTEMS

Keys to university buildings, facilities and other property are the property of the university. Only authorized individuals are permitted to have keys to university buildings, facilities or other property. Those who are permitted to have keys are expected to use the keys only for authorized university-related purposes. Permission to have or use keys to university buildings, facilities or other property may be denied or rescinded at any time and for any reason. "Keys" for the purpose of this policy refers to keys, cards or any other access systems or devices.

Responsibility for safeguarding university keys rests with the individual who has been granted permission to have the key in his or her possession. The duplication or transfer of keys to third parties is expressly prohibited. Lost or stolen keys must be reported promptly to the appropriate building manager, the Department of Public Safety, or Human Resources.

All keys to university buildings, facilities or other property must be immediately returned when an individual is no longer an employee or student of the university, or otherwise upon the request of an authorized university official.

Private locks generally may not be used on university property, unless approval has been given in advance by an authorized university official. If approval is granted, the individual must provide a key to the private lock to appropriate university personnel upon request. For safety or other legitimate purposes, the university reserves the discretion to cut and remove a private lock if the lock has been used without appropriate authorization or a key to the private lock has not been provided to appropriate university personnel.

The university policy concerning Access to University Buildings, Facilities, and Grounds can be found online at [www.sandiego.edu/legal/policies/community/safety/access.pdf](http://www.sandiego.edu/legal/policies/community/safety/access.pdf).

## SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

The Department of Public Safety officers routinely patrol the USD campus, including residence halls. The university also has an extensive video surveillance system. Security is a consideration when maintaining USD facilities. Security surveys are conducted daily by DPS, security personnel, and Residential Life staff to examine factors such as landscaping, locks, alarms, propped doors, fire hazards, lighting and malfunctioning emergency phones and/or video surveillance cameras. Any deficiencies found are reported to Facilities Management for corrective action.

The university uses a number of systems based on the unique feature of each building, to monitor the security of and access to residence halls. Access to most of the university residence halls requires a keycard at the exterior entrances. Access to all of the university residence hall rooms requires a keycard at an individual's assigned unit along with a unique pin to access the room. The individual's university identification card serves as the keycard. Access to the university residence halls is assigned by the Department of Residential Life for the students assigned to the residence hall and units therein, and to any faculty, staff, and administrators working and/or living in the facility for a programmatic purpose approved by the university. Additionally, all floor level windows are provided with a sash lock for additional security. Security personnel patrol and monitor the University Terrace Apartments in the evenings, during the Fall and Spring semesters.

Resident Assistants monitor the residence halls through a duty rotation. Resident Assistants routinely patrol all residential buildings and floors to check for safety and security concerns both inside and outside of each building. Resident Assistants are trained to call DPS and/or a Residential Life professional staff member if a crime occurs, if there is an escalated Student Code of Conduct violation, and/or if an individual's personal welfare requires additional attention.

The residence hall guest policy requires students to escort their guests at all times and guests must have picture identification on their person at all times. Students do not sign in guests at residence hall desks.



### SECURITY OF AND ACCESS TO PACIFIC RIDGE APARTMENTS

Pacific Ridge Security Personnel routinely patrol the Pacific Ridge Apartment Complex, including hallways and common areas such as the parking garage, perimeter of the property, pool, and other common area amenities. Pacific Ridge has an extensive video surveillance system and security is a consideration when maintaining the grounds of the complex. Security surveys are conducted daily by security personnel who examine factors such as landscaping, locks, propped doors, fire hazards, lighting and malfunctioning video surveillance cameras. Any deficiencies found are reported to the on-site property management for corrective action. Pacific Ridge security personnel regularly monitor security of and access to the apartment complex 24 hours a day. Unaccompanied guests are required to check in at a kiosk before entry onto the property. All common areas require a key fob to access the area and all apartments require access with a physical key.

A USD Residential Life professional staff member may access a USD leased apartment at Pacific Ridge, in conjunction with Pacific Ridge security and management in order to unlock and access an apartment, in order to conduct a welfare check, and may be accompanied by the San Diego Police Department.

### SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

University of San Diego is committed to campus safety and security. At USD, locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings and from building to building.

Environmental Health and Safety, in conjunction with representatives from the Department of Public Safety, conducts surveys of campus property twice each year to evaluate campus lighting. We encourage community members to promptly report any security concern, including concerns about locking mechanism, lighting, or landscaping to DPS.

### USD'S RESPONSE TO SEXUAL AND RELATIONSHIP VIOLENCE

The University of San Diego is committed to upholding standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. Sexual misconduct and relationship violence in any form are antithetical to the university's mission and core values, violate university policy, and may also violate federal and state law. In support of that commitment, the University of San Diego responds to allegations of sexual harassment, including sexual misconduct and relationship violence, through one of two processes:

1. Allegations that meet the threshold of Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq, as updated in May 2020 ("Title IX"), specifically allegations of sexual harassment and sexual misconduct that occurred on University of San Diego owned or managed property or at a University of San Diego sponsored event, in the United States of America where the complainant and the respondent are registered students, will follow the protocols outlined in the Title IX Sexual Harassment Grievance Process.
2. Allegations that do not meet the Title IX threshold, but nevertheless may violate University policy, are responded to using the procedures outlined in below and the [Student Code of Rights and Responsibilities](#).

Title IX is a federal law that prohibits discrimination on the basis of sex in education programs and activities by educational institutions that receive federal financial assistance. Prohibited sex discrimination includes sex harassment. Prohibited sex harassment, in turn, includes but is not limited to sexual assault and other forms of sexual violence.

The Violence Against Women Reauthorization Act of 2013 (“VAWA”), including the Campus Sexual Violence Elimination Act (“Campus SaVE Act”) amending the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), is a federal law that requires colleges and universities to have procedures in place to respond to incidents of sexual assault, domestic violence, dating violence, and stalking. All such offenses are prohibited by the university.

The university maintains a Policy Prohibiting Discrimination and Harassment that includes sexual harassment among its prohibited behaviors and that applies to all employees and students. Sexual Misconduct and Relationship Violence are forms of sex harassment prohibited by that policy, whether the conduct at issue occurred on or off campus. In order to address its responsibilities in support of its’ Mission as well as under Title IX and the VAWA, the university has implemented two reporting and response standards and protocols specifically to address incidents of Sexual Misconduct and Relationship Violence. In addition, and in compliance with the Clery Act, these standards are issued to inform the campus community of the university’s programs to address and prevent sexual assault, domestic violence, dating violence, and stalking, as well as the procedures for institutional disciplinary action in cases that are reported to the university, whether the conduct occurs on or off campus.

All students, faculty, administrators and staff at the university are expected to be familiar with and to abide by these Standards and Protocols.

## REPORTING AN INCIDENT

USD strongly encourages all members of the university community to report information about any incident of Sexual Misconduct or Relationship Violence as soon as possible, whether the incident occurred on or off campus. Reports can be made either to USD or to law enforcement.

USD *requires* all faculty members, administrators, supervisors, and any employees who have responsibility for student welfare to promptly report information about any incident of Sexual Misconduct or Relationship Violence to USD as provided below, unless the employee is required by law to keep that information confidential by virtue of their professional role (e.g. the employee received the information in their role as a psychological counselor or a pastoral counselor). In addition, those employees who have been informed by the Department of Public Safety that they are “campus security authorities” under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) are legally required to report such incidents to the Department of Public Safety. All such employees to whom an incident is reported should strongly encourage the reporting party, whether it is the individual who allegedly experienced the act or acts of Sexual Misconduct or Relationship Violence or a third party, to speak directly with the Title IX Coordinator, a CARE Advocate, and/or the Department of Public Safety.

- Reporting to the University of San Diego – A report to USD of an incident of Sexual Misconduct or Relationship Violence should be made to any of the following:
  - Title IX Coordinator. The Title IX Coordinator can be reached in Maher Hall 101 in the Department of Human Resources or at (619) 260-4594. For more information about the Title IX Coordinator, please see [www.sandiego.edu/titleix/](http://www.sandiego.edu/titleix/).
  - Trained Campus Assault Resources and Education (CARE) Advocate. You may reach a CARE Advocate at any time, 24 hours a day/7 days a week, through the Department of Public Safety’s Dispatch Office at (619) 260-2222. When you call, you should ask specifically to speak with a CARE Advocate and you may do so without providing any information other than your contact information so that a CARE Advocate can contact you. CARE Advocates are specially trained to provide support to USD students who are impacted by Sexual Misconduct or Relationship Violence. For more information about the CARE Advocate Program, including a list of CARE Advocates with their direct contact information during regular business hours, please see [www.sandiego.edu/CARE](http://www.sandiego.edu/CARE).
  - USD’s Department of Public Safety. You may reach USD’s Department of Public Safety by calling (619) 260-2222 at any time, 24 hours a day/7 days a week. For more information about the Department of Public Safety, please see [www.sandiego.edu/safety](http://www.sandiego.edu/safety).
  - Where the matter involves allegations of sexual assault or other criminal conduct and/or the matter involves the safety of any member of the USD community, the Department of Public Safety will notify law enforcement of a report of Sexual Misconduct or Relationship Violence. If the incident is alleged to have been perpetrated against an individual under age 18, appropriate notifications will be made as required by California law addressing the mandatory reporting of incidents of child abuse and neglect.

In every case, the CARE Advocate or the Department of Public Safety will inform the Title IX Coordinator of the report. In addition, if the incident involves a university employee, the Chief Human Resources Officer will be informed of the report.

An individual who has experienced an incident of Sexual Misconduct or Relationship Violence may report the incident at any time, regardless of how much time has elapsed since the incident occurred. USD is committed to supporting the rights of a person reporting an incident of Sexual Misconduct or Relationship Violence to make an informed choice among options and services available.

USD will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

- Reporting to Law Enforcement - An incident of Sexual Misconduct or Relationship Violence can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911.
- At the Complainant's request, USD will assist the Complainant in contacting law enforcement. If the Complainant decides to pursue the criminal process, USD will cooperate with law enforcement agencies to the extent permitted by law. A Complainant has the option to decline making their report to law enforcement but is strongly encouraged to do so.
- As stated above, where the matter involves allegations of sexual assault or other criminal conduct and/or the matter involves the safety of any member of the USD community, the Department of Public Safety will notify law enforcement of a report of Sexual Misconduct or Relationship Violence. A Complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement.

**Making an Anonymous Report** – An individual may report an incident of Sexual Misconduct or Relationship Violence anonymously at [www.sandiego.edu/safety/reporting/anonymous.php](http://www.sandiego.edu/safety/reporting/anonymous.php). An anonymous report does not require the disclosure of the name of the person making the report or the names of individuals involved, and the anonymous report may, but need not, request any particular action. Depending on the amount of information available about the incident or the individuals involved, USD's ability to respond may be limited.

## CALIFORNIA DEFINITIONS OF SEXUAL ASSAULT, STALKING, DOMESTIC VIOLENCE, AND AFFIRMATIVE CONSENT

### Rape 261 PC

- a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:
  - 1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
  - 2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
  - 3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

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

### Sexual Battery 243.4 PC (Fondling)

- a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching

is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

- c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).
- d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

#### **Incest 285 PC**

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

#### **Statutory Rape 261.5**

- a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.
- b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.
- c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

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

#### **Stalking 646.9 PC**

- a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.
- b) Any person who violates subdivision (a) when there is a temporary restraining order, injunction, or any other court order in effect prohibiting the behavior described in subdivision (a) against the same party, shall be punished by imprisonment in the state prison for two, three, or four years.
- c) (1) Every person who, after having been convicted of a felony under Section 273.5, 273.6, or 422, commits a violation of subdivision (a) shall be punished by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison for two, three, or five years.

#### **Domestic Violence 243(e)(1) PC**

When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer's treatment program, as described in Section 1203.097, or if none is available, another appropriate counseling program designated by the court. However, this provision shall not be construed as requiring a city, a county, or a city and county to provide a new program or higher level of service as contemplated by Section 6 of Article XIII B of the California Constitution.

#### **Domestic Violence 273.5 PC**

- a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one

year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.

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

### Affirmative Consent

"Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

### **PROCEDURES VICTIMS SHOULD FOLLOW**

Any individual who has experienced an act or acts of Sexual Misconduct or Relationship Violence is encouraged to take steps to preserve evidence, as doing so may be necessary to the proof of a criminal act or to obtain a protection order from the court.

In order to preserve evidence, the urge to change clothes, bathe, shower, douche, change clothing or clean the bed or linens where the incident occurred should be resisted. If clothing is changed, each garment should be placed in a separate paper (not plastic) bag. If the incident involves any written or electronic communications (e.g. pictures, texts, social media posts, videos, etc.), preserve copies.

Additional steps that can be taken to preserve evidence include, but are not limited to, the following:

- **Medical-Legal Evidence Collection (SART Exam).** A person who has experienced an incident of Sexual Misconduct or Relationship Violence (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails a police report and interaction with the police and the County's Sexual Assault Response Team (SART) at an off-campus medical facility. Prompt collection of physical evidence through an exam is important should a person later decide to pursue criminal prosecution and/or a civil action. For more information regarding the SART exam, or if you wish to get a SART exam without reporting the incident to USD, please contact the Center for Community Solutions Hotline (888-385-4657) ([www.ccssd.org/get-help/hotline](http://www.ccssd.org/get-help/hotline)).

- **Non Investigative Report (NIR)** – A person who wishes to have physical evidence collected pursuant to an incident of Sexual Misconduct or Relationship Violence, but does not wish to have law enforcement investigate the incident, may have this evidence collected at one of the SART facilities in San Diego County. This non-investigative SART reporting process is to allow DNA and other physical evidence to be collected and stored in the event a victim decides to initiate the investigative process at a later time. This evidence may include SART kits, clothing, or other items collected, sexual assault exam report forms, and photographs. For more information regarding the NIR option, or if you wish to pursue the NIR option without reporting the incident to USD, please contact the Center for Community Solutions Hotline (888-385-4657) ([www.ccssd.org/get-help/hotline](http://www.ccssd.org/get-help/hotline)).

In addition, an individual who has experienced an act or acts of Sexual Misconduct or Relationship Violence is encouraged to identify potential witnesses.

### **ON & OFF CAMPUS RESOURCES**

Any individual who has been impacted by Sexual Misconduct or Relationship Violence is encouraged to seek appropriate help, whether or not the individual chooses to report the incident to USD. Specific on-campus and off-campus resources for counseling, health, mental health, victim advocacy, legal assistance and other services are listed below, and information about those resources is provided in writing to students and employees.

- USD Campus Resources
  - **CARE Advocates, (619) 260-2222 (Public Safety Dispatch)**, [www.sandiego.edu/CARE](http://www.sandiego.edu/CARE) – Specially trained USD community members are available to support students impacted by Sexual Misconduct or Relationship Violence. CARE Advocates will help students understand reporting options, access support services, and identify concerns and accommodations. In addition, CARE Advocates will facilitate a report to the Title IX Coordinator, the Department of Public Safety and/or law enforcement.
  - **Counseling Center, Saints Tekakwitha & Serra Hall 300, (619) 260-4655** (for after hour emergencies, call (619) 260-2222), <http://www.sandiego.edu/usdcc> – Students may access confidential counseling services from licensed professionals and interns through the Counseling Center.
  - **Student Health Center, Maher 140, (619) 260-4595** (for after-hours emergencies, call (619) 260-2222), <http://www.sandiego.edu/health-center/> - Student Health Center professional staff members are available to provide primary health care to and promote the health and well-being of USD students. If a Student Health Center health practitioner treats a student who is suffering from a physical injury that is the result of assaultive or abusive conduct, reports to local law enforcement will be made as required by California Penal Code Section 11160.

- **Center for Health and Wellness Promotion, Hahn University Center 161, (619) 260-4618, <http://www.sandiego.edu/health-wellness/>** - The Center for Health and Wellness Promotion provides USD students with a comprehensive array of health and wellness promotion initiatives and clinical alcohol and other drug services.
- Title IX Coordinator, Department of Human Resources, Maher 101, (619) 260-4594, <http://www.sandiego.edu/titleix/> - The Title IX Coordinator monitors and oversees USD's compliance with Title IX and the prevention of sex harassment and discrimination, including the coordination of education and training activities and the response to Title IX complaints. The Title IX Coordinator receives complaints of sex harassment and participates in the coordination of accommodations and interim measures for parties impacted by an incident, including those described in Section VIII above and facilitating access to on-campus resources and offices.
- **University Ministry, University Center 238, (619) 260-4735, <http://www.sandiego.edu/ministry/>** - University ministers are available to provide support and confidential pastoral care to students in need.
- **Office of the Dean of Students, University Center 232, (619) 260-4588, <http://www.sandiego.edu/student-affairs/>** The Assistant Vice President for Student Affairs/Dean of Students or their designee is available to provide support to students and to facilitate the response to and resolution of any complaints made under USD's Student Code of Rights and Responsibilities.
- **Department of Public Safety, Hughes Administration Center 150, (619) 260-2222 (available 24/7), <http://www.sandiego.edu/safety/>** - The Department of Public Safety is responsible for a wide range of activities that contribute to the safety and security of the USD campus community, including but not limited to crime prevention programs, responding to reports of crimes and medical emergencies, facilitating reports made to the law enforcement, and providing other general assistance.
- **Women's Center, Student Life Pavilion 420, (619) 260-2396, <http://www.sandiego.edu/womenscenter/>** - The USD Women's Center is a student-centered learning community that provides resources and engages women and men in educational dialogue around gender-related issues. The Women's Center advocates for a safe, supportive campus environment that promotes equity among all voices.

## SAN DIEGO COMMUNITY RESOURCES

- **Center for Community Solutions, (858) 272-5777, [www.ccssd.org](http://www.ccssd.org)** – The Center for Community Solutions (CCS) is an organization whose mission is to end relationship and sexual violence by being a catalyst for caring communities and social justice. CCS provides a wide range of prevention and education programs and response services for those impacted by domestic violence and sexual assault. CCS provides a 24-hour hotline and legal, victim advocacy, counseling, and shelter and transitional services.

- San Diego Domestic Violence Hotline, (888) 385-4657
  - San Diego Community Medical Resources See Section VI above.

San Diego Family Justice Center, (866) 933-4673, <http://www.sandiego.gov/sandiegofamilyjusticecenter/> - Located in downtown San Diego at 1122 Broadway, Suite 200, San Diego, CA 92101, the San Diego Family Justice Center is a public safety initiative launched by the City of San Diego to assist victims of family violence.

## ACCOMMODATIONS

After a report is made and prior to a final determination, USD will provide written notification to the Complainant of options for accommodations, safety measures, and interim measures. USD will implement appropriate accommodations, safety measures, and interim measures to protect the Complainant and the needs of others involved in the incident, if so requested by the Complainant or others involved in the incident and if such measures are reasonably available, regardless of whether the Complainant chooses to make their report to local law enforcement or participate in any law enforcement investigation. The implementation of these measures typically is coordinated by or under the supervision of the Title IX Coordinator or the Dean of Students.

These measures may include, but are not limited to:

- the implementation of a USD-issued no-contact order
- academic accommodations
- residential accommodations
- transportation accommodations
- employment accommodations
- safety consultations with the Department of Public Safety
- personal protection devices
- on-campus escorts

If USD receives a report that a USD-issued no-contact order has been violated, USD will investigate the report and initiate appropriate disciplinary proceedings and sanctions if the individual is found responsible for the violation.

Referrals also may be made to on-campus offices for information regarding student financial aid, immigration and visa assistance, leaves of absence, or other matters relating to the student's enrollment.

Until the matter is resolved, and when necessary and appropriate to protect the safety and well-being of the parties involved, the Dean of Students, in consultation with the Title IX Coordinator, may limit a Respondent's access to certain USD facilities or activities or may impose an interim suspension. Interim measures taken with respect to USD employees will be implemented in consultation with the Title IX Coordinator in a manner consistent with the university's processes applicable to the employee.



## VICTIM CONFIDENTIALITY

The university is committed to protecting the privacy of all individuals involved in a report of Sexual Misconduct or Relationship Violence. In any report made under these Standards and Protocols, the privacy interests of those involved will be protected in a manner consistent with the need to respond to and to conduct a thorough review of the incident reported. Information will be shared only with those individuals who have a legitimate need to know the information in order to assist in the response to, investigation and/or resolution of the complaint. By only sharing personally identifiable information with individuals on a need-to-know basis, the university will maintain as private any accommodations or protective measures to the extent that doing so would not impair the ability of the university to provide those accommodations or protective measures.

Confidentiality, on the other hand, is not the same as privacy. Confidentiality means that the information shared with a certain university employee or outside professional cannot be disclosed to others without the express permission of the individual who shared the information.

Individuals who wish to obtain confidential assistance without making a report to USD may do so by speaking confidentially with professionals who are obligated by law to maintain confidentiality, subject to the stated terms of confidentiality by that office. At USD, students may speak confidentially with any of the following:

- Counseling Center psychologists, psychiatric providers, care coordinators, or psychology trainees; Saints Tekakwitha & Serra Hall 300, (619) 260-4655 [www.sandiego.edu/usdcc](http://www.sandiego.edu/usdcc)
- Center for Health and Wellness Promotion providers and psychology trainees; Hahn University Center 161, (619) 260-4618 <https://www.sandiego.edu/health-wellness/>
- University Ministry pastoral counselors or members of the clergy who work for USD (provided that the communication occurs with the counselor or clergy member in their pastoral role), Hahn University Center 238, (619) 260-4735

Information shared with these confidential sources will not be shared with USD without consent, unless the disclosure is specifically permitted or required by law, such as when the circumstances pose an imminent risk of harm to self or others or where the report involves the suspected abuse of a minor under the age of 18.

The university does not publish the names of crime victims or other identifiable information regarding victims in its daily crime log or in the annual crime statistics that are disclosed in compliance with the Clery Act. Furthermore, if a timely warning is issued pursuant to the Clery Act on the basis of a report of sexual assault, domestic violence, dating violence, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## BYSTANDER INTERVENTION AND RISK REDUCTION

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes: recognizing situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; identifying safe and effective intervention options; and taking action to intervene. Bystanders play a critical role in the prevention of sexual misconduct and relationship violence. At the University of San Diego, we are a community of Active Bystanders who strive to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

We encourage all members to learn to recognize the warning signs when someone is in danger and step in to prevent it. Active bystanders learn how to recognize and safely intervene in potentially dangerous situations. Sometimes this means distracting someone who appears to be targeting someone who is too drunk to consent. Other times, it means reaching out to USD staff or the police for help.

Some simple steps to becoming an Active Bystander include:

- Notice the situation: Be aware of your surroundings.
- Interpret it as a problem: Do I recognize that someone needs help?
- Feel responsible to act: See yourself as being part of the solution to help.
- Know what to do: Educate yourself on what to do.
- Intervene safely: Take action but be sure to keep yourself safe.

How to Intervene Safely:

- Tell another person. Being with others is a good idea when a situation looks dangerous.
- Ask the individual if they are okay. Provide options and a listening ear.
- Ask the person if they want to leave. Make sure that they get home safely.
- Call the police (9-1-1).
- If on campus, call the Department of Public Safety at (619) 260-2222 for support and options.
- If you are at or near the Madrid Center, notify the *Policia Municipal de Madrid* by calling 1-1-2, or notify the USD Madrid staff by calling the USD Madrid Center Emergency number at +34 640 390 971.

Acting as a community helps USD to be a safe place. Remember these tips when you are out:

- **Have a plan.** Talk with your friends about your plans for the night **BEFORE** you go out. Do you feel like *drinking*? Are you interested in *hooking up*? Where do you want to go? Having a clear plan ahead of time helps friends look after one another.
- **Go out together.** Go out as a group and come home as a group; never separate and never leave your friend(s) behind.
- **Watch out for others.** If you are walking at night with friends and notice a woman walking by herself in the same direction, ask her to join you so she doesn't have to walk alone.
- **Diffuse situations.** If you see a friend coming on too strong to someone who may not be able to make a consensual decision due to alcohol or other drug use, interrupt, distract, or redirect the situation. If you are too embarrassed or shy to speak out, get someone else to step in.
- **Trust your instincts.** If a situation or person doesn't seem "right" to you, trust your gut and remove yourself, if possible, from the situation.

For further information regarding how to be an active bystander visit: [www.sandiego.edu/care](http://www.sandiego.edu/care).

## RISK REDUCTION STRATEGIES

Risk reduction means options designated to decrease perpetration and bystander inaction; increase empowerment for victims in order to promote safety; and help individuals and communities address conditions that facilitate violence. Risk reduction strategies can be helpful in understanding the context of violence, but are never meant to attribute blame to victims for their behavior, decisions, or judgments. The perpetrator of abuse and violence is always the one responsible. There are strategies to assist with reducing risk, safety planning and recognizing abusive behaviors as harmful.

The adapted list below comes from RAINN, the nation's largest anti-sexual violence organization:

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.

- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Protect your drink.** Don't leave your drink unattended, don't accept an open drink from anyone other than a bartender, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out.
- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.
- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't.
- **Get Consent.** Consent is an affirmative, conscious and voluntary agreement to engage in sexual activity. It is an informed decision made freely, actively and voluntarily by all parties. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent cannot be obtained by threat, coercion, or force. Furthermore, a current or previous dating or sexual relationship between the persons involved should never by itself be assumed to be an indicator of consent. Being intoxicated does not diminish one's responsibility to obtain consent.

A person cannot give consent if he or she (1) is a minor (under age 18); (2) has a mental disorder or developmental or physical disability that renders him or her incapable of giving consent, and this is known or reasonably should have been known to the Alleged Offender; (3) is unconscious of the nature of the act, and this is known to the Alleged Offender; or (4) is incapacitated from alcohol or other drugs, and this condition is known or reasonably should have been known to the Alleged Offender. Some indicators that an individual is or may be incapacitated due to intoxication may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, or inability to perform other physical or cognitive tasks without assistance.

For more information about risk reduction strategies visit:

[www.rainn.org/articles/staying-safe-campus](http://www.rainn.org/articles/staying-safe-campus) or [www.sandiego.edu/care](http://www.sandiego.edu/care)

## EDUCATION PROGRAMS

The University of San Diego engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking. These programs are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. Additionally, these programs consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

## EDUCATION AND PREVENTION

USD provides prevention and awareness programs on Sexual Harassment, Sexual Misconduct and Relationship Violence to the campus community in order to create and maintain an environment that is safe and inclusive and that respects the dignity of each USD community member. USD is committed to the prevention of Sexual Harassment, Sexual Misconduct and Relationship Violence through regular and ongoing education and awareness programs. Incoming students and new employees receive primary prevention and awareness programming, and returning students and current employees receive ongoing training and related education. USD also provides programs addressing safe and positive options for risk reduction and bystander intervention. Below is a list of the education programs and campaigns.

**Bridges, Building a Supportive Community** - This interactive online training examines the interconnected issues of sexual harassment and sexual assault to faculty and staff. It includes examples and scenarios of issues related to sexual misconduct situations.

**AlcoholEdu for College** – this interactive personalized online program helps students learn about topics such as risk factors and choices, how choices affect goals, sexual assault and understanding consent, how to take care of yourself and others.

**Sexual Assault Prevention for Undergraduates** - is a curriculum designed specifically for new students. This course offers Title IX and Clery Act Training which enables students to recognize sexual assault and harassment behavior, identify healthy and unhealthy relationship practices, and equips students with essential skills to navigate consent-based conversations and engage in bystander intervention safely.

**Sexual Assault Prevention for Graduate Students; Graduate and Law students** - This online training for graduate and law students was implemented to provide further education to the campus community about the Campus SaVE act and sexual violence and other forms of sexual harassment.

These programs include:

- A statement that the university prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined by the Clery Act. Clery Act definitions can be found in the “Reportable Crime Definitions” section of this report.
- Reference to the definition of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. Clery Act definitions can be found in the “Reportable Crime Definitions” section of this report.

- Reference to the definition of dating violence, domestic violence, sexual assault, stalking, and consent (in reference to sexual activity) in the institution’s applicable local jurisdiction.
  - California Penal Code definitions can be found online at [www.sandiego.edu/titleix/policies](http://www.sandiego.edu/titleix/policies).
- Madrid, Spain, the location of the University of San Diego separate campus, does not have equivalent definitions of dating violence, domestic violence, sexual assault, and stalking in the local jurisdictional penal code.
- Reference to the institutional definition of consent and the purposes for which that definition is used, which can be found in the “Key Definitions” subheading of the “Sexual Misconduct and Relationship Violence Reporting and Response Standards and Protocols” section of this report.
- Reference to the Sexual Misconduct and Relationship Violence Reporting and Response Standards and Protocols which outlines procedures for complainants and the institution to follow when dating violence, domestic violence, sexual assault, and/or stalking is reported.
- Reference to the institutional disciplinary procedures in cases of alleged dating violence, domestic violence, sexual assault, and stalking.
- Student Conduct
- A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Information on risk reduction in no way encourages victim blaming.

## CONDUCT PROCEEDINGS

University of San Diego strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face disciplinary action by University of San Diego. Individuals found responsible for having committed such a violation face permanent expulsion, termination of employment, suspension, probation, and other actions. Incidents involving accused students will be handled by the Office of the Dean of Students, and incidents involving accused employees/affiliates will be handled by Human Resources Title IX Coordinator.

Complaints of Sexual Misconduct or Relationship Violence against a USD student will be addressed pursuant to the Student

Conduct Procedures contained in USD's [Student Code of Rights and Responsibilities](#).

Complaints of Sexual Misconduct or Relationship Violence against a USD employee will be addressed pursuant to USD's Policy Prohibiting Discrimination and Harassment and the procedures applicable to the employee. If termination of a faculty member is contemplated, applicable rules governing dismissal for serious cause will be followed.

Typically, the period from commencement of an investigation through resolution will not exceed sixty (60) calendar days. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement for a temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for USD breaks or vacations, to account for the complexities of a case, including the number of witnesses and amount of information provided by the parties, and for other legitimate reasons. The Complainant and the Respondent will be provided with periodic updates as to the status of the investigation.

One of the more serious crimes that too often is unreported is Sexual Assault. It is important to know what these crimes are, because in many cases, victims do not realize that have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to assist those help who may have been victims of sexual assault or who have a friend who has been sexually assaulted.

**There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes. Such as:**

- Know your surroundings
- Be alert
- Call for help
- Report any suspicious people and/or activity, immediately

#### PROHIBITION ON RETALIATION

USD prohibits retaliation against any person who makes a good faith complaint of an incident of Sexual Misconduct or Relationship Violence or any other person who participates in the investigation of any such complaint. Any incident of retaliation should be promptly reported to the Title IX Coordinator, the Dean of Students, the Department of Public Safety, or the Chief Human Resources Officer.

#### SEX OFFENDER REGISTRATION – CAMPUS SEX CRIMES PREVENTION ACT

##### MEGAN'S LAW

The University of San Diego's policy is to comply with the federal Campus Sex Crimes Prevention Act. This Act requires registered sex offenders to provide notice to the State "of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student..." Thus, any registered sex offenders who are current employees, students, or carry on other vocations at USD will be required to notify the State of California of their status. In addition, such institutions of higher education are required to provide information to their campus community regarding where to obtain law enforcement information concerning such registered sex offenders (Megan's Law sex offenders). The Office of the Attorney General of California maintains a website, [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov), which provides information regarding Megan's Law and a registered sex offender locator. Please note, however, that it is illegal under California law to use any disclosed public information to commit a crime against any registrant or to engage in illegal discrimination or harassment against any registrant.

##### DISCLOSURE OF DISCIPLINARY PROCEEDING OUTCOME TO VICTIMS (OR NEXT OF KIN) OF SEX CRIMES OR OF VIOLENCE

The University of San Diego will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Written requests should be submitted to:

- The Office of Ethical Development and Restorative Practices  
University Center, Room 132  
[studentconduct@sandiego.edu](mailto:studentconduct@sandiego.edu)  
[www.sandiego.edu/conduct](http://www.sandiego.edu/conduct)

#### CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

The Department of Public Safety recognizes the key role education plays in generating security-conscious behavior. Therefore, security awareness and crime prevention programs are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others. Security awareness and crime prevention programs are offered in a variety of formats and can be tailored to meet the changing needs of the campus community. Programs are open to all campus community members and are regularly scheduled throughout the year. Programs address topics such as sexual assault awareness, crime prevention tactics, and personal safety when on or off campus, but can include a variety of other safety and security information. A common theme of all awareness and crime

prevention programs is to encourage students and employees to be responsible for their own security and the security of others. Individuals and groups are encouraged to contact the Department of Public Safety to schedule a program, or to visit the Department of Public Safety website at [www.sandiego.edu/safety](http://www.sandiego.edu/safety) for more information.

Listed below is a sample of the security awareness and crime prevention programs and actions taken by the Department of Public Safety, in the preceding 18 months, to increase safety on campus:

- **Active Assailant Training:** All new faculty and employees receive training on how to respond during an active assailant incident on campus. New employee training is conducted monthly by the Human Resources and the active assailant training is conducted by DPS personnel.
- **Athletics: Staying Safe at USD:** Prior to the start of each school year, all new student-athletes receive specific training on crime prevention, emergency procedures, and emergency notification. Student-athletes are also given information on how to contact the Department of Public Safety, bystander intervention, risk reduction, and alcohol and other drug-related prevention services.
- **Community Director and Resident Assistant Security Training:** DPS equips Community Directors and Resident Assistants with the knowledge and tools they need for conducting their own basic crime prevention discussions in their residence halls by providing them with a specialized security training each fall.
- **Campus Crime and Safety Alerts:** In addition to USD's Emergency Notification and Timely Warning Procedures, DPS may also issue crime and/or safety alerts on a case-by-case basis. DPS will publish and distribute a crime and/or safety alert to notify the campus community as quickly as possible. These alerts are available online ([www.sandiego.edu/safety/prevention/alerts.php](http://www.sandiego.edu/safety/prevention/alerts.php)), and in some cases are also posted in an impacted area or in residence halls through coordination with Residential Life professional staff.
- **Emergency Mass Notification Systems:** In the event of an emergency, DPS will employ either or both of our all-campus alert systems. The mass notification system will send a combination of text, email, and voicemail messages concurrently to every community member (student, faculty and staff). Additionally, our outdoor notification system allows DPS to broadcast campus alerts as necessary through speakers located around campus. All community members are encouraged to keep their contact information updated on the MySanDiego portal so that they may receive these critical announcements.
- **Emergency Preparedness Training:** Emergency Preparedness trainings are provided on an on-going basis, throughout the year, to the entire campus community. Trainings address topics such as basic preparedness for home and/or the workplace, the types of local threats you should prepare for, how an emergency preparedness kit can help during an emergency, and how to establish a basic preparedness plan for you and your family.

- **Emergency Telephones:** Emergency telephones are located throughout the main campus. All of these phones are marked as emergency telephones and many of them are marked by a blue light on top of the phone. The phones are connected to Public Safety's 24-hour Dispatch Center and identify the phone's location if the caller is unable to talk. The phones can be used to request a safety escort, report suspicious activity, and to report crimes. Some tower phones are also equipped with outdoor notification speakers and video surveillance cameras.
- **Orientation Programs:** the Department of Public Safety personnel participate in orientation programs to help educate new students and new employees on crime prevention, security awareness, and fire safety. New student orientation programs occur at the beginning of each semester, and new employee orientation programs occur on a regular/basis in coordination with Human Resources.
- **Personal and Office Safety Programs:** As requested throughout the year, Department of Public Safety officers will present personal and office safety and security programs to interested groups, individuals, or offices. Topics may include general office safety tips, sexual assault, substance abuse, general crime prevention, fire safety, and safety abroad.
- **Property Identification:** In addition to encouraging on-going basic theft prevention (i.e. bicycle registration, property identification, keeping records of serial numbers and descriptions of valuable items, etc.), the Department of Public Safety also offers engraving of personal property, free of charge, for all campus community members.
- **Rape Aggression Defense (R.A.D.):** R.A.D. is a unique crime prevention program that focuses on women's safety and self-defense techniques. The R.A.D. program focuses on the realistic development of self-defense options for women in situations of imminent or actual attack. The techniques taught in a R.A.D. course require no special equipment or skills, and become instinctive with repetition. R.A.D. is for women only and is open to all community members. Classes are taught continuously throughout the year. Class and contact information is available online at [www.sandiego.edu/safety/prevention/rad.php](http://www.sandiego.edu/safety/prevention/rad.php).
- **Resident Hall Floor Meetings:** The Department of Public Safety collaborates with Residential Life staff on individual residence hall meetings at the beginning of every fall semester. Topics such as crime prevention, security awareness, and emergency preparedness are covered. Additionally, students are encouraged to ask questions and elaborate on information or experiences they have encountered while on campus.
- **Resource Fairs:** The Department of Public Safety personnel are available at various orientation events and campus resource fairs to provide information, tips, and crime prevention techniques that encourage individuals to be responsible for their own security and the security of others. Some resources fairs include the Alcalá Bazaar (fall and spring semester), Law School Orientation (fall semester), Graduate Student Resource Fair (fall semester).

- **Safety Escort Service:** The Department of Public Safety provides safety escort services on main campus, 24 hours a day, for campus community members that request them. Simply contact the Department of Public Safety by calling (619) 260-7777 or use any blue emergency phone and a DPS officer will respond to your location and escort you to your desired on-campus location (i.e. classroom, parking lot, residence hall, etc.).
- **Security Surveys:** Upon request, the Department of Public Safety will conduct security surveys of main campus offices and residence halls. DPS recognizes that various work and living environments require additional review to enhance the security and safety of those involved.
- **USD SafetyCheck:** USD Safety Check is a feature within the MySDMobile App and allows the campus community to do the following: contact Public Safety if you need assistance or are in an emergency; notify USD that you are safe during an emergency; register side trips while studying abroad; report safety concerns; request a safety escort from Public Safety; store emergency contact information; and quickly check out important safety tips. The MySDMobile App can be downloaded for free from iTunes.
- **Video Surveillance:** Video surveillance cameras are located throughout main campus and assist the Department of Public Safety in the prevention and investigation of crimes on campus.

## MISSING STUDENT NOTIFICATION POLICY

If a member of the university community has reason to believe that a student is missing, whether or not the student resides on campus, the university requires that individual to immediately contact the University's Department of Public Safety at (619) 260-7777. Public Safety will collaborate with the Division of Student Affairs, other university officials, and/or the appropriate law enforcement agency to make an effort to locate the student and determine his or her state of health and well-being. Public Safety will gather pertinent information about the student from the reporting person or others. Such information may include but is not limited to the student's description, cellular phone number, clothes last worn, vehicle description, information about the student's health or well-being, or an up-to-date photograph.

University officials also will endeavor to determine the student's whereabouts by contacting friends, associates, faculty members, and/or employers of the student, and/or determining whether the student has been attending classes, scheduled organizational or academic meetings, and work. If the student is an on-campus resident, the Department of Public Safety officers may make a welfare entry into the student's room. If the student resides off-campus, the Department of Public Safety may enlist the aid of the neighboring police agency having jurisdiction.

Students are given the opportunity through the university's on-line portal to designate an individual to be contacted by the university if the student is determined to be missing or otherwise in the case of an emergency. The designation will remain in effect until changed or revoked by the student. The contact information will be confidential and will be accessible only to authorized university officials or law enforcement personnel.

Students can designate a missing contact person by logging in to the MySanDiego portal and clicking on "Torero Hub" then "Safety Check". As a reminder this contact information will be registered confidentially and will be accessed only by authorized campus officials and law enforcement and may not be disclosed outside of a missing person investigation.

For residential students and for students who live off-campus, notices will be made to each of the following individuals within 24 hours of Public Safety's, or a local law enforcement agency's determination that the student is missing:

- The student's parent or guardian. The university is required by law to notify the student's custodial parent or guardian if the student is under age 18 and is not emancipated at the time he or she is determined to be missing. If the student is age 18 or over, notification may be provided to the student's parent or guardian, in addition to any other person identified as the student's designated emergency contact.
- Local law enforcement personnel.
- The student's designated emergency contact (if any).

After the student has been located, Public Safety will attempt to verify the student's state of health, well-being, and intention of returning to campus. When and where appropriate, a referral may be made to the Counseling Center, the Student Health Center, and/or a community provider. The University policy regarding Missing Student Notification can be found at:

[www.sandiego.edu/legal/policies/community/safety/missingstudent.pdf](http://www.sandiego.edu/legal/policies/community/safety/missingstudent.pdf)

## DAILY CRIME AND FIRE LOG

University of San Diego Public Safety maintains a combined Daily Crime and Fire Log of all crime and fire incidents reported to the Department. USD publishes the Daily Crime and Fire Log, Monday – Friday, when USD is open. The log is available 24 hours per day to members of public. This log identifies the type, location, and time of each criminal incident reported to University of San Diego Public Safety.

The University of San Diego's policy is to comply with the *Clery Act*. As a component of compliance, the USD Daily Crime & Fire Log ([www.sandiego.edu/safety/clery-act-compliance/usd-daily-crime-log.php](http://www.sandiego.edu/safety/clery-act-compliance/usd-daily-crime-log.php)), as well as the Madrid Center Daily Crime Log ([www.sandiego.edu/safety/clery-act-compliance/madrid-center-daily-crime-log.php](http://www.sandiego.edu/safety/clery-act-compliance/madrid-center-daily-crime-log.php)), is written and updated by personnel within the Department of Public Safety. The Daily Crime Log contains information regarding crimes reported to have occurred within the University of San Diego Clery reportable geography. The Daily Fire Log contains information regarding fires reported to have occurred within any identified on-campus student residential facilities. The most recent 60 days are available for public inspection at any time in person at the Hughes Administration Center, Room 150, or online. Archived logs are available upon request within two business days by emailing [publicsafety@sandiego.edu](mailto:publicsafety@sandiego.edu).

## UNIVERSITY OF SAN DIEGO POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

It is the policy of the University of San Diego to provide a safe, healthy and productive educational and work environment for its students and employees. This policy is enacted in compliance with the federal Drug-Free Schools and Communities Act and the federal Drug-Free Workplace Act, and their amendments and implementing regulations.

All university employees and students are required to adhere to this policy. In addition, individuals who are not university employees or students, but who perform work at or for the university, attend university activities or otherwise are on university property (including, but not limited to, independent contractors, volunteers, activity participants, visitors and guests) are required to comply with this policy.

The unlawful possession, use, distribution, sale, manufacture or promotion of illegal drugs, drug paraphernalia and alcohol, or willfully being under the influence of illegal drugs, is prohibited while on university property or as part of any university-sponsored or university-funded activity. Notwithstanding any California law regarding the use of marijuana, federal law continues to make marijuana, with or without a prescription, an illegal drug as that term is used in this policy.

Employees are prohibited from reporting to work or working under the influence of alcohol, illegal drugs, or controlled substances that are used illegally. The same prohibition applies to independent contractors, visitors, and others who perform work at USD or any university-sponsored or university-funded activities. An individual is "under the influence" when his or her work performance, alertness, coordination, or response is impaired or diminished, or where the individual's actions affect the safety of the individual or others.

If an employee or other individual subject to this policy is not able to perform his or her job responsibilities safely and effectively as a result of a legally-prescribed and/or over-the-counter medication, it is the individual's responsibility to inform his or her supervisor or Human Resources so that appropriate accommodations can be made.

Employees, students, and others subject to this policy are expected to comply with any other applicable student or departmental policies addressing the use or possession of alcohol. For information concerning what conduct is or is not prohibited, please contact Student Affairs, Auxiliary Services, or Human Resources.

At some university events, alcohol consumption will occur. Those who consume alcohol at university events are expected to comply with applicable laws and to conduct themselves in a professional, responsible and safe manner.

An employee who is convicted of a criminal drug-related or alcohol-related violation occurring in the workplace must notify Human Resources, which in turn will notify the vice president of the division in which the employee works at the university, no later than five (5) days after the conviction.

## DISCIPLINARY ACTION

Violation of any of the standards set forth in this policy will result in appropriate disciplinary action, up to and including dismissal from the university and referral for prosecution. For those who are not students or employees of the university, disciplinary sanctions may include severance of the individual's relationship with the university and referral for prosecution. For employees, a drug-related or alcohol-related conviction, even for off-campus conduct not part of university-sponsored or university-related activities, may result in disciplinary action, up to and including termination of employment, depending on the relevance of the conviction to the employee's position, the severity of the offense, and other relevant circumstances

## GETTING HELP

Any student, employee, or other member of the university community who is concerned about substance use, abuse and rehabilitation is strongly encouraged to contact his or her family physician or health plan. In addition, confidential counseling services are available to students through the university's Wellness area, including the Center for Health and Wellness Promotion ([www.sandiego.edu/health-wellness](http://www.sandiego.edu/health-wellness)), the Counseling Center ([www.sandiego.edu/counseling-center](http://www.sandiego.edu/counseling-center)), and the Student Health Center ([www.sandiego.edu/health-center](http://www.sandiego.edu/health-center)). Employees may seek help through the university's Employee Assistance Program. For information about the university's Employee Assistance Program ([www.sandiego.edu/hr/employee/employee-relations/work-life-resources.php](http://www.sandiego.edu/hr/employee/employee-relations/work-life-resources.php)), please contact the Human Resources Department. In accordance with applicable law, the university will reasonably accommodate an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, unless doing so presents and undue hardship to the university.

For more information on the USD Alcohol and Drug Policy visit: [www.sandiego.edu/legal/policies/community/health/Alcohol.pdf](http://www.sandiego.edu/legal/policies/community/health/Alcohol.pdf)

The Department of Public Safety has the primary responsibility for the enforcement of both federal and state alcohol and drug laws on-campus, including enforcement of state underage drinking laws. The San Diego Police Department has the primary responsibility for the enforcement of both federal and state alcohol and drug laws at Pacific Ridge and other non-campus locations in San Diego, including enforcement of state underage drinking laws. The *Policia Municipal de Madrid* has the responsibility for the enforcement of both federal and municipal alcohol and drug laws at the Madrid Center, including enforcement of state/municipal underage drinking laws. The Department of Public Safety strictly enforces federal and state drug laws on-campus, which are also a violation of USD Policies and Procedures. Violators are subject to University disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful in the US to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol in the US by anyone under 21 years of age in a public place or a place open to the public is illegal. Further, it is unlawful for any minor to consume at any place not open to the public any alcoholic beverage, unless in connection with the consumption of the alcoholic beverage that minor is being supervised by his or her parent or legal guardian. Individuals, organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.



## ANNUAL DISCLOSURE OF CRIME STATISTICS

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. All reported Clery Act crimes, which occurred within the institution's identified Clery Geography, are included as a statistic in this publication, which is compiled and published by the Department of Public Safety on a calendar year basis pursuant to the requirements of the *Clery Act*. Statistical information is compiled from Campus Security Authorities as well as anonymous reports submitted to the Department of Public Safety. Additionally, statistical information is requested and compiled from local law enforcement agencies and included in this publication.

All reported fires, which occurred within the institution's on-campus student housing facilities, are included as a statistic in this publication, which is compiled and published by the Department of Public Safety on a calendar year basis pursuant to the requirements of the *Clery Act*. Statistical information is compiled from reports submitted to the Department of Public Safety in conjunction with the Environmental Health and Safety Office.

All crime and fire statistics included in this publication are also submitted by the Department of Public Safety on an annual basis to the Department of Education.

By October 1 of each year, the campus community is made aware of the Annual Security & Fire Safety Report by email notification that offers a brief summary of the contents, as well as information on how to view the report. The report is available online at [www.sandiego.edu/safety/documents/annualreport.pdf](http://www.sandiego.edu/safety/documents/annualreport.pdf). A hard copy of the report may also be obtained by calling the Department of Public Safety at (619) 260-7777 or by visiting the Department of Public Safety in the Hughes Administration Center, Room 150.

### DEFINITIONS OF REPORTABLE CRIMES

The following are offenses that the University is required to report under the *Clery Act*. Criminal Offense, Hate Crime, arrest and disciplinary referral statistics are counted based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards. For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that institutions use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department's Clery Act regulations.

### ANNUAL NOTICE

In compliance with the Drug-Free Schools and Communities Act of 1989, the University distributes in writing, annually and as needed, information to students and employees regarding:

- Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
- A description of the applicable legal sanctions under Federal, State, or local law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the abuse of alcohol and/or use of illicit drugs.
- A list of drug and alcohol programs (i.e. counseling, treatment, rehabilitation, and re-entry) that are available to employees or students.
- A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law) for violation of the standards of conduct and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution.

For more information regarding this notice for employees please visit: [www.sandiego.edu/hr](http://www.sandiego.edu/hr) and scroll down to "Resources" and visit the *USD Alcohol and Other Drug Resources and Policies* link.

For more information regarding this notice for students, please visit: [www.sandiego.edu/health-wellness](http://www.sandiego.edu/health-wellness) and scroll down to the *USD Alcohol and Other Drug Resources and Policies* link.

Additionally, USD conducts a Biennial Review of its drug and alcohol abuse prevention programs to determine its effectiveness, implement needed change, and ensure disciplinary sanctions are consistently enforced. For the most recent Biennial Review visit [www.sandiego.edu/health-wellness](http://www.sandiego.edu/health-wellness) and scroll down to the USD Biennial Review section and select the link titled *Biennial Review of Drug and Alcohol Abuse Prevention Programs*.

## PRIMARY CRIMES

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

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

**Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

**Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery** – is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – is the theft or attempted theft of a motor vehicle.

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

## HATE CRIMES:

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

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

**Simple Assault** — an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation** — to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

## Destruction/Damage/Vandalism or Property (except Arson)

— to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## CATEGORIES OF PREJUDICE:

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

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

**Gender Identity** – A preformed negative opinion or attitude toward a group of persons because of the gender identity by those persons.

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

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

**National Origin** - A preformed negative opinion about a group of persons based upon them being from a particular country or part of the world.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.





## VAWA CRIMES

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition –

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

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

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:



- Course of Conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.



Please note the following:

- Crime statistics below include all Clery Act crimes that were reported to the Department of Public Safety (either directly by a reporting party or by a Campus Security Authority) and local law enforcement agencies.
- Reported crimes may involve individuals not associated with the institution.
- As indicated below with an asterisk (\*), Student Residential Facility statistics are a subset of the on-campus category (i.e. they are counted in both categories) for the University of San Diego Main Campus.
- In 2014, USD formally established the University of San Diego Madrid Center as a Separate Campus. As a result, crime statistics for the Madrid Center are reported separately from the USD Main Campus.
- In 2017, 2018 and 2019, the USD Madrid Center Campus did not have any On-Campus Student Residential Facilities.

**Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws:** The University is required to disclose the number of arrests and the number of persons referred for disciplinary action for the following law violations:

- **Weapons: Carrying, Possessing, Etc.:** Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **Drug Abuse Violations:** 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. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- **Liquor Law Violations:** Violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.



**CLERY ACT CRIME STATISTICS – MAIN CAMPUS**

UNIVERSITY OF SAN DIEGO – MAIN CAMPUS						
CRIMINAL OFFENSES	YEAR	GEOGRAPHIC LOCATIONS				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Murder/Non Negligent Manslaughter	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Rape	2019	9	0	0	9	7
	2018	2	0	0	2	2
	2017	7	0	0	7	6
Fondling	2019	2	0	0	2	0
	2018	6	0	0	6	3
	2017	4	0	1	5	2
Incest	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Statutory Rape	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Robbery	2019	1	0	0	1	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Aggravated Assault	2019	0	0	0	0	0
	2018	0	1	0	1	0
	2017	2	0	2	4	1
Burglary	2019	13	0	0	13	8
	2018	8	0	0	8	3
	2017	12	0	0	12	6
Motor Vehicle Theft	2019	8	0	1	9	2
	2018	1	0	0	1	0
	2017	10	0	1	11	2
Arson	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0

UNIVERSITY OF SAN DIEGO MAIN CAMPUS						
VAWA OFFENSES (NOT REPORTED BY HIERARCHY)	YEAR	GEOGRAPHIC LOCATIONS				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Domestic Violence	2019	7	0	0	7	4
	2018	2	1	0	3	1
	2017	3	0	0	3	2
Dating Violence	2019	2	0	0	2	2
	2018	5	0	0	5	2
	2017	0	0	0	0	0
Stalking	2019	4	0	0	4	2
	2018	7	0	0	7	4
	2017	8	0	0	8	2

UNIVERSITY OF SAN DIEGO MAIN CAMPUS						
ARRESTS AND DISCIPLINARY REFERRALS	YEAR	GEOGRAPHIC LOCATIONS				
		On Campus	Non-Campus	Public Property	Total	Residential Facilities*
Arrests: Liquor Law Violations	2019	2	0	0	2	1
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Arrests: Drug Abuse Violations	2019	1	0	0	1	1
	2018	0	0	0	0	0
	2017	1	0	0	1	0
Arrests: Weapons: Carrying, Possessing, Etc.	2019	3	0	0	3	1
	2018	0	0	0	0	0
	2017	1	0	1	2	0
Disciplinary Referrals: Liquor Law Violations	2019	391	0	0	391	358
	2018	342	0	0	342	305
	2017	437	0	0	437	400
Disciplinary Referrals: Drug Abuse Violations	2019	2	0	0	2	0
	2018	9	0	0	9	9
	2017	3	0	0	3	3
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2019	4	0	0	4	3
	2018	0	0	0	0	0
	2017	10	0	0	10	8

**NOTES**

2017: No Hate Crimes Reported  
 2018: No Hate Crimes Reported  
 2019: One on-campus student residential facility vandalism incident  
 There were no unfounded crimes at the University of San Diego Main Campus for the years 2017, 2018 and 2019

**CLERY ACT CRIME STATISTICS – MADRID CENTER CAMPUS**

UNIVERSITY OF SAN DIEGO – MADRID CENTER CAMPUS					
CRIMINAL OFFENSES	YEAR	GEOGRAPHIC LOCATIONS			
		On Campus	Non-Campus	Public Property	Total
Murder/Non Negligent Manslaughter	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Manslaughter by Negligence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Fondling	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Incest	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Robbery	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Burglary	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Arson	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0

UNIVERSITY OF SAN DIEGO MADRID CENTER CAMPUS					
VAWA OFFENSES (NOT REPORTED BY HIERARCHY)	YEAR	GEOGRAPHIC LOCATIONS			
		On Campus	Non-Campus	Public Property	Total
Domestic Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Dating Violence	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Stalking	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
UNIVERSITY OF SAN DIEGO MADRID CENTER CAMPUS					
ARRESTS AND DISCIPLINARY REFERRALS	YEAR	GEOGRAPHIC LOCATIONS			
		On Campus	Non-Campus	Public Property	Total
Arrests: Liquor Law Violations	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Arrests: Drug Abuse Violations	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Arrests: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2019	0	0	0	0
	2018	0	0	0	0
	2017	0	0	0	0
NOTES					
2017: No Hate Crimes reported 2018: No Hate Crimes reported 2019: No Hate Crimes reported There were no unfounded crimes at the University of San Diego Madrid Center Campus for the years 2017, 2018 and 2019					



## REPORTABLE GEOGRAPHIC AREAS

The following are the required geographic parameters as identified by the *Clery Act*:

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-campus Student Housing Facility:** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Separate Campus:** A location is considered a separate campus if it meets all of the following criteria: the institution owns or controls the site, it is not reasonably geographically contiguous with the main campus, it has an organized program of study, and there is at least one person on site acting in an administrative capacity.







## ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for University of San Diego.

### DEFINITIONS

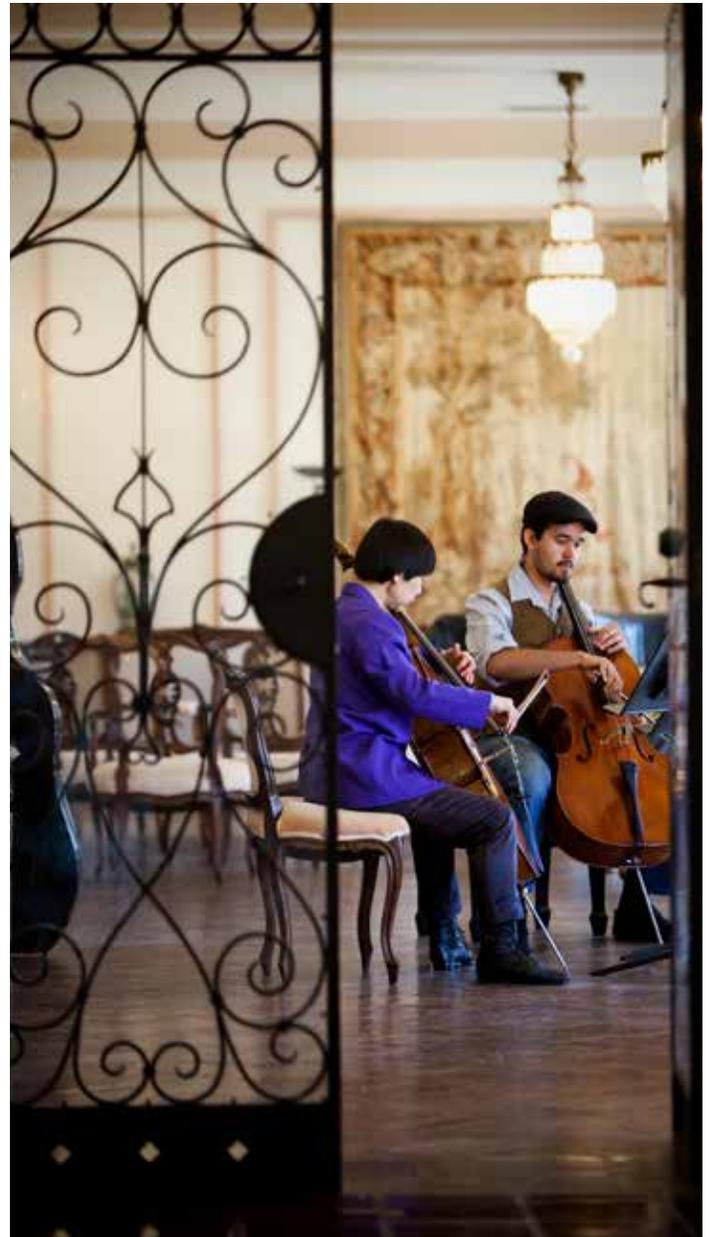
**THE FOLLOWING TERMS ARE USED WITHIN THIS REPORT. DEFINITIONS HAVE BEEN OBTAINED FROM THE HIGHER EDUCATION OPPORTUNITY ACT:**

**On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within a reasonable contiguous area that makes up the campus.

**Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

### RESIDENCE HALL FIRE DRILLS

Monthly fire drills are conducted in all on-campus residence halls during the school year to allow occupants to become familiar with and practice their evacuation skills. The drills are coordinated with Residential Life, Environmental Health and Safety and the USD Department of Public Safety.



## FIRE SAFETY AMENITIES - ON CAMPUS STUDENT RESIDENTIAL FACILITIES

Residential Facility		Address	Fire Alarm System	Smoke Detection	Fire Extinguisher Devices 3	Posted Evacuation Plans & Placards	Number of Fire Drills per Calendar Year
Alcala Vista Apts	Borrego*	1520 Via Las Cumbres	Yes 1	C and R	X	X	2
	Cuyamaca*	1506/1508 Via Las Cumbres	Yes 1	C and R	X	X	2
	Laguna*	1502/1504 Via Las Cumbres	Yes 1	C and R	X	X	2
	Palomar*	1510/1512 Via Las Cumbres	Yes 1	C and R	X	X	2
San Antonio de Padua Apartments		1624 Santa Paula	Yes 1	C and R	X	X	2
Camino Hall		5600 Marian Way	Yes 1	C and R	X	X	2
Founders Hall		5690 Marian Way	Yes 1	C and R	X	X	2
Maher Hall		5770 Marian Way	Yes 1	C and R	X	X	2
Missions A Suites		5909-5981 San Dimas	Yes 1	C and R	X	X	2
Missions B Suites	San Juan*	6025 San Dimas	Yes 1	C and R	X	X	2
	San Luis*	6065 San Dimas	Yes 1	C and R	X	X	2
	San Miguel*	6045 San Dimas	Yes 1	C and R	X	X	2
	San Rafael*	6015 San Dimas	Yes 1	C and R	X	X	2
Manchester Village Apts	Bldg, 1*	1714 Via Las Cumbres	Yes 1	C and R	X	X	2
	Bldg, 2*	1720 Via Las Cumbres	Yes 1	C and R	X	X	2
Presidio Terrace Apts		5702 Linda Vista Road	No	R+	X	X	0
San Buenaventura*		6030 San Dimas	Yes 1	C and R	X	X	2
University Terrace Apartments		1301 Goshen Street	No	C+ and R+	X	X	0
		1309 Goshen Street	No	C+ and R+	X	X	0
		1317 Goshen Street	No	C+ and R+	X	X	0
		1325 Goshen Street	No	C+ and R+	X	X	0
		1333 Goshen Street	No	C+ and R+	X	X	0
		1341 Goshen Street	No	C+ and R+	X	X	0
		1349 Goshen Street	No	C+ and R+	X	X	0
Pacific Ridge Apartment Complex	Bldg. 5925	5945 Linda Vista Road	Yes 2	C and R	X	X	0
	Bldg. 5935	5945 Linda Vista Road	Yes 2	C and R	X	X	0
	Bldg. 5955	5945 Linda Vista Road	Yes 2	C and R	X	X	0
	Bldg. 5965	5945 Linda Vista Road	Yes 2	C and R	X	X	0

**KEY:**

\* Denotes Residential Facility that has a full sprinkler system, defined as complete coverage of common areas and individual rooms. There are no partial sprinkler systems in USD Residential Facilities  
 1 Denotes Fire Alarm System defined as being connected to a control panel that is monitored 24/7 by the Department of Public Safety Dispatch  
 2 Denotes Fire Alarm System defined as being connected to a control panel that is monitored 24/7 by Allied Universal  
 C indicates smoke detection in the common room  
 R indicates smoke detection in a sleeping or residential room  
 "+" indicates battery operated, stand along smoke detectors  
 3 Denotes Fire Extinguishing Device is stored in the common area only

2019

Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries 1	Deaths 2	Est. Property Damage 3
Alcala Vista Apts	Borrego	1520 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Cuyamaca	1506/1508 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Laguna	1502/1504 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Palomar	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
San Antonio de Padua Apartments		1624 Santa Paula	0	N/A	N/A	N/A	N/A	N/A
Camino Hall		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Founders Hall		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Maher Hall		5770 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Missions A Suites		5909-5981 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Missions B Suites	San Juan	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Luis	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Miguel	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Rafael	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Manchester Village Apts	Bldg. 1	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Bldg. 2	1714 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
Presidio Terrace Apts		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
San Buenaventura		6030 San Dimas	0	N/A	N/A	N/A	N/A	N/A
University Terrace Apartments		1301 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1309 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1317 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1325 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1333 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1341 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1349 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
Pacific Ridge Apartment Complex		Bldg. 5925	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5935	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5955	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5965	0	N/A	N/A	N/A	N/A	N/A

KEY:

- 1 Number of persons who received fire related injuries that resulted in treatment at a medical facility
- 2 Number of deaths related to fire
- 3 Value of property damage caused by fire

2018

Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries 1	Deaths 2	Est. Property Damage 3
Alcala Vista Apts	Borrego	1520 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Cuyamaca	1506/1508 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Laguna	1502/1504 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Palomar	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
San Antonio de Padua Apartments		1624 Santa Paula	0	N/A	N/A	N/A	N/A	N/A
Camino Hall		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Founders Hall		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Maher Hall		5770 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Missions A Suites		5909-5981 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Missions B Suites	San Juan	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Luis	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Miguel	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Rafael	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Manchester Village Apts	Bldg. 1	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Bldg. 2	1714 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
Presidio Terrace Apts		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
San Buenaventura		6030 San Dimas	1	1	Unintentional; open flame	1	0	\$1,000-9-999
University Terrace Apartments		1301 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1309 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1317 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1325 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1333 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1341 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1349 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
Pacific Ridge Apartment Complex		Bldg. 5925	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5935	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5955	0	N/A	N/A	N/A	N/A	N/A
		Bldg. 5965	0	N/A	N/A	N/A	N/A	N/A

KEY:

- 1 Number of persons who received fire related injuries that resulted in treatment at a medical facility
- 2 Number of deaths related to fire
- 3 Value of property damage caused by fire

2017

Residential Facility		Address	Total Fires	Fire Number	Cause of Fire	Injuries 1	Deaths 2	Est. Property Damage 3
Alcala Vista Apts	Borrego	1520 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Cuyamaca	1506/1508 Via Las Cumbres	1	1	Undetermined	0	0	\$100-999
	Laguna	1502/1504 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Palomar	1510/1512 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
San Antonio de Padua Apartments		1624 Santa Paula	0	N/A	N/A	N/A	N/A	N/A
Camino Hall		5600 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Founders Hall		5690 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Maher Hall		5770 Marian Way	0	N/A	N/A	N/A	N/A	N/A
Missions A Suites		5909-5981 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Missions B Suites	San Juan	6025 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Luis	6065 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Miguel	6045 San Dimas	0	N/A	N/A	N/A	N/A	N/A
	San Rafael	6015 San Dimas	0	N/A	N/A	N/A	N/A	N/A
Manchester Village Apts	Bldg, 1	1720 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
	Bldg, 2	1714 Via Las Cumbres	0	N/A	N/A	N/A	N/A	N/A
Presidio Terrace Apts		5702 Linda Vista Road	0	N/A	N/A	N/A	N/A	N/A
San Buenaventura		6030 San Dimas	0	N/A	N/A	N/A	N/A	N/A
University Terrace Apartments		1301 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1309 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1317 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1325 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1333 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
		1341 Goshen St.	1	1	Electrical	0	0	\$100-999
		1349 Goshen St.	0	N/A	N/A	N/A	N/A	N/A
	1357 Goshen St.	0	N/A	N/A	N/A	N/A	N/A	

KEY:

- 1 Number of persons who received fire related injuries that resulted in treatment at a medical facility
- 2 Number of deaths related to fire
- 3 Value of property damage caused by fire



## FIRE SAFETY POLICIES

### REPORTING A FIRE

Any community member who discovers a fire or other burning on campus should immediately contact the Department of Public Safety at (619) 260-2222. The Department of Public Safety will then notify the San Diego Fire Department and guide them quickly to the location of the fire. If a community member finds evidence of a fire that has been extinguished, they should also immediately contact the Department of Public Safety at (619) 260-2222 to ensure that the Department of Public Safety is aware of and documented the incident for potential inclusion in the institution's fire statistics. After a fire occurs, students and employees should also notify the following departments of the incident:

- Facilities Management
- Environmental Health and Safety (EHS)
- Residential Life (for residential areas)
- Director of Residential Facilities (for residential areas)
- Assistant Dean of Students (for residential areas)

Any community member who discovers a fire or other burning at Pacific Ridge should immediately contact 9-1-1. The Security Personnel at Pacific Ridge will respond with the San Diego Fire Department. If possible, the community member should also contact the Department of Public Safety at (619) 260-7777 to ensure that the Department of Public Safety is aware of and has documented the incident for potential inclusion in the institution's fire statistics. If a community member finds evidence of a fire that has been extinguished, they should also immediately contact the Department of Public Safety at (619) 260-2222 to ensure that the Department of Public Safety is aware of and has documented the incident for potential inclusion in the institution's fire statistics.

Any community member who discovers a fire or other burning at the Madrid Center should immediately contact security personnel on site or emergency services in Madrid by calling 1-1-2. Security personnel will then notify the Madrid Fire Department and guide them quickly to the location of the fire. If a community member finds evidence of a fire that has been extinguished, they should immediately contact emergency services in Madrid by calling 1-1-2 as well as the USD Madrid Center Emergency Number +34 640 390 971 to ensure that the University of San Diego is aware of, has responded to, and documented the incident for potential inclusion in the institution's fire statistics. Please note that, at this time, the Madrid Center campus does not have Residence Halls that are owned or controlled by the university.

### FIRE SAFETY SYSTEMS

Fire alarms or smoke detectors are installed in every campus building, including residential buildings, that alert the occupants of potential hazards when activated. Fire alarm systems at the USD main campus are connected to control panels that are monitored 24/7 in the Department of Public Safety Dispatch Center. Fire alarms at the Pacific Ridge Apartment Complex are monitored 24/7 by Allied Universal Security Systems. Upon activation of a fire alarm, indicated by an audible siren, community members must immediately evacuate to their building or residence hall's evacuation area, exiting through stairwells not elevators. Community members should not re-enter any building unless authorized to do so by the San Diego Fire Department (SDFD), the Department of Public Safety personnel, other law enforcement or safety personnel, and authorized Residential Life personnel.

### FIRE SAFETY EDUCATION

The safety and fire prevention technician is responsible for providing training on fire extinguisher use and evacuation procedures. Training may occur periodically or by request for

any faculty, staff, building safety representatives, student housing employees and student workers who wish to learn or refresh their knowledge. On an annual basis, prior to the fall semester, student workers and resident assistants train on the use of fire extinguishers and emergency evacuation procedures. The following topics are discussed during the fire extinguisher class:

### FIGHTING A FIRE:

- If the fire is very small, and you know how to use a fire extinguisher safely, you may attempt to extinguish the fire. You are not required to fight a fire, and it should only be done if you feel comfortable in doing so.

### RESPONDING TO A FIRE:

- Always pull the fire alarm and call public safety at ext. 2222 (or send someone to do this), before attempting to fight a fire. Do not try to fight a fire unless you feel it can be done safely and there is a clear escape route.
- Before opening any doors to investigate a possible fire, feel the top part of the door with the back of your hand. If it is hot, do not open the door. If door is cool, open it a crack to see if the fire is still confined and small; if not, close the door and leave immediately.
- If the fire is small, obtain the proper fire extinguisher. Enter the room and try to extinguish the flames using the PASS acronym:

**PULL** the safety pin at the top of the extinguisher.

**AIM** the nozzle, horn, or hose at the base of the flames.

**SQUEEZE** the handle of the extinguisher

**SWEEP** the nozzle from side to side until the fire goes out.

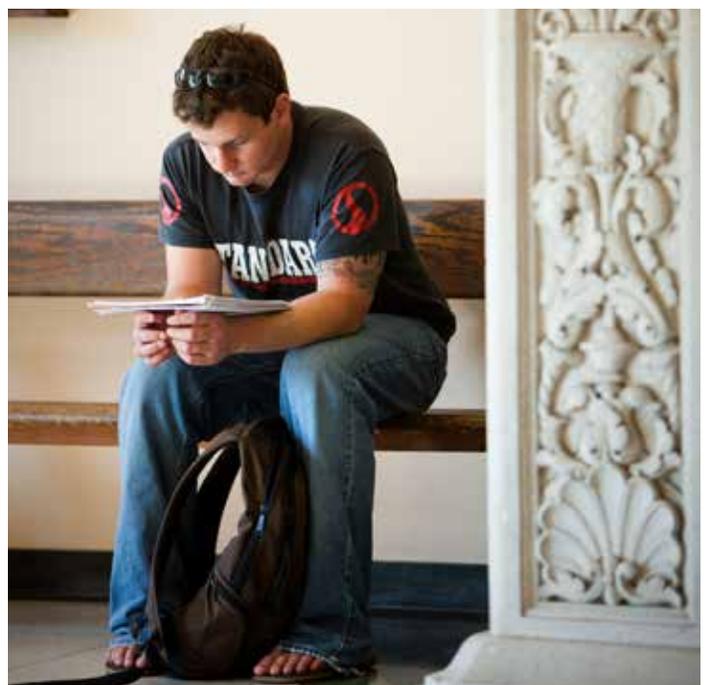
- Move to within approximately 6-8 feet from the fire's base and squeeze the handle, thereby releasing the extinguisher's contents toward the base of the fire.
- Direct the extinguisher at the base of the fire. Be careful to keep yourself between the fire and the door. Do not allow the fire to block your egress from the room. Do not turn your back to the fire, as it may be hot enough to re-ignite.
- Continue extinguishing fire in a sweeping pattern across the base of the fire. As the fire dies out move closer until it is completely extinguished. If unable to control the fire, evacuate immediately.
- Once the fire is out, contact Facilities Management to clean-up broken glass, beakers, extinguishing powder, etc. and to replace the used fire extinguisher.
- If you are able to extinguish the fire successfully, remain near the site at a safe location to make a report to the City of San Diego Fire Department or USD Public Safety.

Fire safety emergency procedures are communicated to students through residence hall meetings, the resident's lease agreement, and/or by placards detailing evacuation procedures and locations.

## EVACUATION PROCEDURES IN CASE OF A FIRE

### MAIN CAMPUS STUDENT RESIDENTIAL FACILITIES:

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless it is safe and you feel comfortable in doing so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- Residential Life staff members who are present on the floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds, Residential Life staff will shout (example: "there is an emergency in the building leave by the nearest exit") and knock on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- Seek and assist any disabled or mobility-impaired persons in evacuating the building. Exit via stairway. If unable to evacuate disabled or immobile person, use an "Area of Rescue Assistance". An "Area of Rescue Assistance" is defined as an area where persons unable to use stairways can remain temporarily to await instructions or assistance during an emergency evacuation.



- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. Residential Life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a headcount and do not allow re-entry into the building until directed to do so by emergency personnel.
- Notify the Department of Public Safety at (619) 260-2222. The Department of Public Safety will notify the fire department and guide them as quickly as possible to the location of the fire.
- Keep roadways and walkways clear for emergency vehicles.
- Wait for the instructions from the Department of Public Safety or emergency personnel. DO NOT REENTER THE BUILDING UNLESS INSTRUCTED TO DO SO BY THE DEPARTMENT OF PUBLIC SAFETY.

#### **PACIFIC RIDGE APARTMENT COMPLEX:**

- If you are able to leave your room
  - Close your unit door, and take your unit key with you.
  - If there is smoke, stay low to the ground.
  - Use stairways to evacuate.
  - Never use elevators during a fire. They could stop at floors that contain fire.
  - Handicapped persons should proceed to stairwell for assistance.
  - Pull the closest fire alarm and warn other people in the area.
  - If there is a telephone available dial 9-1-1.
- If trapped in your room
  - If your front door is hot, don't open it.
  - Call the Fire Department at 9-1-1.
  - Wedge cloth material along the bottom of the door to keep smoke out.
  - Close as many doors as possible between you and the fire.
  - Block air conditioning vents if there is smoke coming in.
  - Open windows cautiously so as not to allow outside smoke to enter the room. Remember, if you have broken the window, you cannot close it again if you need to.

#### **EMPLOYEES**

In the event of an evacuation, employees are accountable to their specific building manager, safety representative, or the contact person responsible for overseeing the safety of building occupants. General fire evacuation procedures are included in the section of this publication titled "Emergency Response and Evacuation Procedures." For more information about USD

evacuation procedures, including assembly areas and building safety representatives, please visit the following website and log in with your MySanDiego username and password: [www.sandiego.edu/emergency/procedures/evacuation](http://www.sandiego.edu/emergency/procedures/evacuation).

All individuals are expected to follow fire evacuation procedures, regardless of the nature of the alarm (legitimate or false activation). Specifically for resident students, failure to follow fire evacuation procedures may result in disciplinary action and fines and may jeopardize campus housing privileges.

#### **FUTURE IMPROVEMENTS FOR FIRE SAFETY**

The university plans to improve the fire safety systems in Camino Hall, Sacred Heart Hall, and Founders Hall, starting in the summer of 2020. The project includes installing fire sprinkler systems throughout each building, and upgrading their fire alarm panels. The project is expected to be completed in August 2021.

For more information regarding fire detection, notification and suppression systems in residence halls, please refer to the "Fire Safety Amenities in On-Campus Student Residential Facilities" section of this document.

#### **HEALTH AND SAFETY CHECKS**

##### **USD MAIN CAMPUS**

Health and safety checks are an important component to ensure that fire safety systems are in proper working order. The safety and fire prevention technician completes health and safety inspections on a monthly basis, looking for fire, safety and health hazards as well as inspecting fire protection and detection systems. Additional fire safety components that are addressed in these inspections include ensuring that fire-rated, emergency exit and/or rolling steel fire doors are not propped open or tampered with, and any misuse and/or tampering of fire equipment (i.e. fire alarms, smoke detectors, fire extinguishers or hoses) has not occurred.

The safety and fire prevention technician also conducts annual testing of all buildings equipped with fire alarm and sprinkler systems. These tests are scheduled and announced to building managers, building safety representatives, and occupants impacted by the testing.

Health and safety inspections of individual residences on campus are conducted by residential life staff, and are conducted at a minimum of three times a year. Additional unannounced inspections by residential life staff are conducted throughout each semester, or as necessary.

These visual inspections by residential life staff specifically seek to identify all possible fire, safety and health hazards within residential facilities. Such fire hazards include, but are not limited to, burning incense, burning candles, halogen lamps, exposed heating elements, personal barbecues, and flammable liquids and solvents (i.e. gasoline, kerosene, lighter fluid, propane, butane, etc.). Such items are strictly prohibited in or around any living area, as outlined in the Community Standards ([www.sandiego.edu/residentlife/community-living/community-standards.php](http://www.sandiego.edu/residentlife/community-living/community-standards.php)) reviewed and signed by all resident students at the time of check in. Utilization of electrical appliances, including portable electrical appliances, is subject to the evaluation and discretion of the Residential Life Staff.



The University of San Diego prohibits smoking and the use of any smoking or tobacco products at all times on or in any USD-owned or USD-leased property or facility, either indoor or outdoor.

Inspections of safety and health standards in residence halls may include assessments of general room cleanliness, proper use of furniture (i.e. stacked bunks, closet doors, etc.), and properly secured window screens, among other expectations further detailed in the Community Standards. Students found in violation of these standards may be referred for possible disciplinary action.

### **PACIFIC RIDGE APARTMENTS**

Health and safety checks are an important component to ensure that fire safety systems are in proper working order. Maintenance personnel at Pacific Ridge complete health and safety inspections on a regular basis, looking for fire, safety, and health hazards, as well as inspecting fire protection and detection systems. Health and safety inspections of individual residences are not conducted at Pacific Ridge. Specific items that have the potential to be a fire, safety, and health hazard within residential facilities (including but not limited to, burning incense, burning candles, halogen lamps, exposed heating elements, personal barbecues, and flammable liquids and solvents (i.e. gasoline, kerosene, lighter fluid, propane, butane, etc.) are strictly prohibited in or around any living area, as outlined in the USD Community Standards ([www.sandiego.edu/residentiallife/community-living/community-standards.php](http://www.sandiego.edu/residentiallife/community-living/community-standards.php)) and are reviewed and signed by all resident students at the time of check in. Utilization of electrical appliances, including portable electrical appliances, is subject to the evaluation and discretion of Pacific Ridge. Pacific Ridge prohibits smoking and the use of any smoking or tobacco products at all times on or in the Pacific Ridge complex except in building 5965 where smoking is permitted.



