2020 ANNUAL SECURITY AND FIRE SAFETY REPORT
### Table of Contents

- Message From Chancellor Carol Christ
- Reporting Crimes and Other Emergencies
- The University of California Berkeley Police Department (UCPD) and UCDC Security
- Timely Warnings
- Emergency Response and Evacuation Procedures
- Emergency Notifications
- Security of and Access to UC Berkeley Facilities
- UC Berkeley Response to Sexual Violence and Sexual Harassment (SVSH)
- Violence Against Women Act Offenses
- VAWA Offenses as Defined by the State of California
- Procedures Victims Should Follow
- Filing a Complaint with the University
- Support Resources On & Off Campus
- Supportive Measures
- University Disciplinary Procedures for Incidents Involving Sexual Violence
- Campus Security Policies, Crime Prevention, and Safety Awareness Programs
- Missing Student Notification Policy
- Daily Crime and Fire Log
- UC Berkeley Policies Governing Alcohol and Other Drugs
- Definitions of Reportable Crimes and Clery Geography
- UC Berkeley Crime Statistics
- UCDC Crime Statistics
- Annual Fire Safety Report
- Preparation of the Annual Fire Safety Report
- Fire Safety Policies
- Procedures for the Washington Center UCDC On-Campus Student Housing Fire
- Safety Systems—Residence Halls/Apartments
- UC Berkeley Fire Incident Reporting
- Fire Statistics
Message from Chancellor Christ

Dear campus community,

I am pleased to share with you the 2020 Annual Security and Fire Safety Report.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires all colleges and universities that participate in federal financial aid programs to disclose information about crime on and near their respective campuses.

The Clery Act is based on the premise that current and prospective students and employees are entitled to accurate, complete, and transparent disclosures about campus crime and threats to their personal safety, allowing them to make well-informed decisions about where to study, work, and live. As a campus, we wholeheartedly agree with that charge and have taken numerous steps to strengthen our compliance efforts.

We have purchased and updated new emergency alert systems and records management technologies, convened a campus-wide Clery Compliance Committee, created more robust training opportunities, increased staffing levels, strengthened policies and procedures to address sexual violence and sexual harassment on campus, and streamlined campus safety communications policies and procedures.

The health and safety of our campus community remain our top priorities and we are committed to ongoing efforts to strengthen our Clery Act compliance program. It is always our goal, as a university, to do everything we can to ensure the safety and well-being of our community.

Fiat lux!

Carol T. Christ Chancellor, University of California, Berkeley
Prohibition on Retaliation

The University of California, Berkeley (UC Berkeley), prohibits retaliation against individuals for exercising their rights or responsibilities under the Clery Act and/or other UC policies governing sexual harassment and sexual or gender violence. Students, faculty and staff, and non-affiliated individuals who report sexual assault, dating or domestic violence, or stalking; assist someone with a report of sexual assault, dating or domestic violence, or stalking; or participate in any manner in an investigation of or resolution for sexual assault, dating or domestic violence, or stalking, are protected from retaliation. Please direct all inquiries regarding the prohibition of retaliation policies of the university to the following:

- Contact the Office for the Prevention of Harassment and Discrimination by calling (510) 643-7985 or emailing ask_ophd@berkeley.edu
- Contact the National Whistleblower Hotline by calling (800) 403-4744, or report a Whistleblower Concern through a Whistleblower Concern Report
- Contact the PATH to Care Center for urgent support by calling the 24/7 Care Line at (510) 643-2005. Contact the PATH to Care Center for appointments by calling (510) 642-1988 or emailing pathtocare@berkeley.edu

Accessibility to Information and Non-Discrimination Statement

The University of California, in accordance with applicable federal and state law and university policy, does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. The university also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in university programs and activities. Please direct inquiries regarding the nondiscrimination policies of the university to the following:

- Direct inquiries about gender discrimination, sexual harassment, and all other concerns about discrimination and harassment to the Office for the Prevention of Harassment and Discrimination by calling (510) 643-7985 or emailing ask_ophd@berkeley.edu
- Direct all disability discrimination and access inquiries to the Disabled Students Program by calling (510) 642-8783 or emailing dsp@berkeley.edu, Disability Access and Compliance Office by calling (510) 643-6456 or emailing access@berkeley.edu, and/or Disability Management by calling (510) 643-7921

1Pregnancy includes pregnancy, childbirth, and medical conditions related to pregnancy or childbirth.

2Service in the uniformed services includes membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.
COVID-19 Impacts On Campus Efforts

Given the unprecedented challenges and limitations facing the University of California (UC) Berkeley campus due to the COVID-19 response, the 2020 Annual Security and Fire Safety Report provides details based on the efforts, services, and processes the campus generally supports and provides. Some operational aspects may differ slightly from what is reported, including: hours of operation, live services and availability, contact information, and estimated timelines and deadlines. The situation and our response is continually evolving, and we aim to remain adaptable while also providing high-quality, sustainable, and compliant violence prevention and response efforts.

Report Terminology

This report includes terminology and information from multiple sources. Please note that the terms “victim”, “complainant”, and “survivor” are used interchangeably. Additionally, the terms “perpetrator” and “respondent” are used interchangeably.

University of California Washington Center, UCDC

Unless otherwise denoted, all policies and procedures provided in this report apply to the University of California Washington Center, UCDC.

Annual Report Preparation & Disclosure of Crimes Statistics

The 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. In compliance with federal law and the policy of the University of California Office of the President (UCOP), UC Berkeley takes all necessary steps to ensure that Clery-reportable incidents are properly collected, classified, and counted according to the definitions in the Clery Act and that each incident is reported in the Annual Security and Fire Safety Report (ASFSR) and submitted to the U.S. Department of Education. The Clery Division, in conjunction with the University of California, Berkeley Police Department (UCPD) and the University of California (UC) Berkeley Campus Fire Marshal, prepared this report. The Clery Division collects crime statistics from UCPD, university offices such as the Center for Student Conduct and Residential and Student Services Programs, individual campus security authorities, and other local law enforcement agencies. The Clery Division also collects crime information from the University of California Washington Center (UCDC). Each of these campus offices are also asked to provide updated policy information for the report. More information can be found in the UCOP Clery Act Policy.

This report provides Clery crime statistics for the previous three calendar years (2017, 2018, and 2019) that occurred on the Clery geography of the university. This report also includes university policies and procedures about campus security, including policies regarding sexual violence, alcohol, and other drugs.

The university distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to current students and employees with a link to the report. For 2020, due to the COVID-19 pandemic, the notice of availability will be sent by December 31st. Anyone, including prospective students and employees, may obtain a paper copy of this report free of charge by contacting the Clery Division at clery@berkeley.edu or finding UCPD located at 1 Sproul Hall.

University of California Washington Center, UCDC

Anyone, including prospective students and employees, may obtain a paper copy of this report free of charge by contacting the Clery Division at clery@berkeley.edu.

Reporting Crimes and Other Emergencies

Voluntary, Confidential Reporting at UC Berkeley

According to the Clery Act, pastoral, professional counselors, and confidential advocates who are appropriately credentialed and hired by UC Berkeley to serve in a counseling role are not considered campus security authorities when they are acting in the counseling role. The institution has reporting procedures that encourage pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Survivors, who wish to discuss an incident and maintain complete confidentiality, may do so by contacting Social Services Counseling at (510) 642-6074 or the PATH to Care Center at (510) 642-1988.

California law allows survivors who report crimes of sexual assault, relationship violence, and stalking to the police to keep their name and contact information off the public record (Penal Code § 293 and Government Code § 6254). For other reports, UCPD does not have policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Anyone may contact UCPD by calling (510) 642-6760 to report concerning information.
Voluntary, Confidential Reporting at UCDC
UCDC does not have policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. At UCDC, students and employees may file voluntary private reports with any member of the residential life team via an informational incident report. These reports do not go through the conduct process and are used to ensure the UCDC leadership is aware of community incidents or trends and can distribute information to the community. These reports can be filed in person with a member of the residential life team at the Residential Life Office (room 413) during the posted hours.

Reporting to UC Berkeley Police
The university encourages the accurate and prompt reporting of all crimes to campus law enforcement and to the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. UCPD is available 24 hours a day by phone by calling (510) 642-6760 or in person at 1 Sproul Hall.

Reporting To Police At University of California Washington Center, UCDC
Students, faculty, and staff at the UCDC facility should immediately report emergencies to the DC Police by calling 911 and the coordinators of student development (CSD) by calling (202) 415-9275. If you have an emergency and cannot reach CSD on duty, please contact the security desk by calling (202) 974-6233. You can also dial the DC Police by calling 311 for non-emergency calls.

Emergency Blue Light Phones
The university has installed between 700 - 900 emergency phones on campus, including those in outlying parking areas and garages, dorms, elevators, and at other off campus locations. The phones are located in public areas and are topped with a blue light that remains illuminated at all times. Pushing the circular button on the panel will connect you to UC police dispatch.

Reporting to Other Campus Security Authorities
While the university encourages community members to consider promptly reporting all crimes and other emergencies directly to UCPD by calling (510) 642-6760 or calling 911, we also recognize there may be a preference to report to other individuals or university offices. The Clery Act recognizes certain university officials and offices as campus security authorities (CSAs). Go to the UC Berkeley Clery Division website to learn more.

CSAs are required to report all Clery crimes to the campus Clery coordinator as soon as practically possible. The university has an online CSA reporting form for the prompt reporting of crimes. Please note that this form should not be used in an emergency situation or to generate a law enforcement response.

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

<table>
<thead>
<tr>
<th>Office</th>
<th>Campus Address</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of California Berkeley Police</td>
<td>1 Sproul Hall Berkeley, CA 94720</td>
<td>Emergency: 911</td>
</tr>
<tr>
<td>(UCPD Berkeley)</td>
<td></td>
<td>Emergency from Cell: (510) 642-3333</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-Emergency: (510) 642-6760</td>
</tr>
<tr>
<td>Office for the Prevention of Harassment and</td>
<td>2111 Bancroft Way, Suite 300</td>
<td>(510) 643-7985</td>
</tr>
<tr>
<td>Discrimination (Title IX)</td>
<td>Berkeley, CA 94720</td>
<td>(510) 643-9069</td>
</tr>
<tr>
<td>Center for Student Conduct</td>
<td>203 Sproul Hall Berkeley, CA 94720</td>
<td>(510) 642-9179</td>
</tr>
<tr>
<td>Residential and Student Services Programs</td>
<td>2610 Channing Way Berkeley, CA 94720</td>
<td>(510) 642-6741</td>
</tr>
<tr>
<td>Dean of Students Office</td>
<td>326 Sproul Hall Berkeley, CA 94270</td>
<td></td>
</tr>
</tbody>
</table>
Hate crimes and hate incidents can also be reported using an online Hate Report Form, UC System Intolerance Report Form, and Campus Security Authority Report Form.

**Reporting To Other Campus Security Authorities At University of California Washington Center, UCDC**

At UCDC, CSA reports may be filed with the Director of Student Services by calling (202) 974-6216 or going to 1608 Rhode Island Ave NW.

**The University of California Berkeley Police Department (UCPD) and UCDC Security**

**Role, Authority and Training**

The University of California Police Department, Berkeley is empowered pursuant to section 830.2 (b) of the California Penal Code and fully subscribes to the standards of the California Commission on Peace Officer Standards and Training (POST).

UCPD officers have the authority to conduct criminal investigations and make arrests anywhere in the State of California. Officers receive the same basic training as city and county peace officers through the state, plus additional training to meet the unique needs of a campus environment. The primary jurisdiction of the UC Berkeley Police Department is university owned properties on and around core campus. The department handles all patrol, investigation, crime prevention education, and related law enforcement duties for the campus community. The department provides these services 24 hours per day seven days a week.

The **Security patrol officer (SPO) program** at UCPD provides non-sworn, uniformed officers at university facilities. Their primary responsibility is to provide security and safeguard university property. These officers do not have arrest authority.

**Community service officers (CSOs)** are student employees of the police department. CSOs run several safety programs at Berkeley, such as BearWALK, building watch, and night patrol. These officers do not have arrest authority.

At times UCPD supplements its staff with officers from other agencies who have arrest authority under mutual aid agreements. The university may occasionally hire event staff that are exclusively security or crowd management and do not have arrest authority.

**University of California Washington Center, UCDC**

Security at the Washington Center (UCDC), is provided by access control systems, video systems (CCTV), and security guard services. These officers do not have arrest authority and confine their efforts to UCDC property. All entry and exit points to the building...
are monitored 24/7 by a network based video monitoring system. Access control is maintained and monitored by Stanley Convergent Security Services. The security guard station in the main lobby is staffed 24/7.

UC Berkeley Commitment to Safety
UC Berkeley takes great pride in its community and has many advantages for students, faculty, and staff. We strive to ensure the university is a great place to live, learn, work, and study. However, like other communities, the campus is not immune from crime, fire, or other forms, incidents, and experiences of threat, harm, and violence.

Theft is the most common crime on the Berkeley campus. To address this, UCPD actively promotes the practice of community crime prevention. UC Berkeley provides many programs and campaigns developed to help promote safety awareness, to educate about preventive actions, and to encourage communication with UCPD.

Crime is never the fault of the victim. Some tips to potentially reduce risk are to develop a strong sense of community with others at your residence, living group, or workplace. Consider exchanging information about your schedules with those you trust and keep an eye on property in your living and work areas. Please report suspicious activities to UCPD by calling (510) 642-6760 or calling 911.

Working Relationships With Local, State, and Federal Law Enforcement Agencies
UCPD maintains a cooperative relationship with local police agencies. This includes inter-operative radio capability, a joint police records computer system, training programs, special events coordination, and investigation of serious incidents.

UCPD has a memorandum of understanding (MOU) with the City of Berkeley Police Department. The MOU outlines the administrative responsibility, the geographic responsibility, and the operational responsibility of the departments. Key topics in the MOU are emergency response to crimes, medical or fire response, alarm response, 911 response, explosive ordnance response (Bomb Team), tactical operations, special events, south campus patrol, and People's Park. The MOU also addresses ongoing communication and informational exchanges in the form of reports and statistical data.

University of California Washington Center, UCDC
UCDC does not have a memorandum of understanding with local police departments.

Monitoring & Reporting of Criminal Activity
UCPD does not routinely monitor criminal activity at the locations of off-campus student organizations. Criminal activity at off-campus locations would normally be reported to the local law enforcement jurisdiction.

The MOU between UCPD and the City of Berkeley Police Department addresses the collaboration between the two departments to enhance the reporting, investigation, and appropriate response to crimes in each jurisdiction. When UCPD learns of students or student organizations involved in criminal activity, it will coordinate with the appropriate external law enforcement agency to forward information to the Center for Student Conduct, as appropriate.

The university requires all recognized student organizations to abide by university policies and federal, state, and local laws. The university may become involved in the off campus conduct of recognized student organizations when such conduct is determined to affect a substantial university interest (as defined in the University Conduct Policy).

University of California Washington Center, UCDC
The Washington Center (UCDC) does not have any recognized student organizations that control noncampus property. Therefore, criminal activity that occurs on noncampus property controlled by officially recognized student organizations is not monitored or recorded through local police agencies.

Timely Warnings

Overview
In the event of a report of a Clery Act crime on Clery Act geography that constitutes a serious or ongoing threat to members of the campus community, a campus-wide timely warning will be issued to all students and employees. The intent of a timely warning is to aid in the prevention of similar crimes by helping members of the campus community protect themselves.

The university encourages anyone with information regarding criminal activity that may warrant a timely warning to immediately report the circumstances to UCPD. The university has also communicated with neighboring law enforcement agencies asking them to notify UCPD if they receive reports or information warranting a timely warning.
Timely Warning Criteria
A timely warning will be issued by the university when the criteria below have been met:

1. A crime is reported to UCPD or a CSA;
2. The crime is a Clery Act crime;
3. The crime is reported to have occurred on the Clery Act geography of the university; and
4. The circumstances present a serious or ongoing threat to the campus community.

The university has the discretion to issue safety alerts in other situations as well.

Crimes reported to confidential resources, such as professional counselors, or privileged information protected by state law are exempt from timely warning consideration.

Serious or Ongoing Threat Analysis
The on-duty UCPD patrol sergeant or designee, in collaboration with command staff as necessary, is responsible for determining what constitutes a serious or ongoing threat to the campus community. This evaluation is completed on a case-by-case basis in consideration of the circumstances surrounding the situation at hand. There may be times when a Clery Act crime has occurred on Clery geography, but the situation does not present an ongoing threat to the campus community, and thus would not necessitate a timely warning.

Timely Warning Content
The timely warning will include information that the on-duty UCPD patrol sergeant or designee determines is necessary and appropriate to promote safety and aid in the prevention of similar crimes.

The content of a timely warning will, at minimum, include the time, location, and type of crime. The warning may also provide brief information about the situation if warranted, and information that promotes safety and helps individuals protect themselves from similar crimes. However, caution will be taken to not issue such a lengthy warning that it cannot be quickly understood by recipients. Names of the victim(s) will be withheld from timely warnings, and the university will also refrain from including information that could compromise law enforcement efforts.

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

Timely Warning Methods
The on-duty UCPD patrol sergeant or designee is responsible for communicating timely warnings to all students and employees via email and/or text message using the Everbridge emergency notification system, branded UCB WarnMe. Students, faculty, and staff are automatically registered for UCB WarnMe with their CalNet emails. Campus community members can update their contact information and add text messaging to their account by going to UCB WarnMe, clicking the “update your info” button, and logging in with a CalNet ID. Community members, parents, and friends can sign up for email alerts by registering for UCB WarnMe through the public access portal. The university may also supplement the email and/or text message with other methods or a combination of other methods including, but not limited to, paper postings on building doors, a message on UCPD website/social media, or public announcements.

University of California Washington Center, UCDC
UCDC uses the Regroup notification system to send phone, email, and text notifications. Student information is uploaded each term, and the students receive a test message on orientation day.

Emergency Response and Evacuation Procedures

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

You can find more information on the UC Berkeley Emergency Operations Plan and other preparedness information at Office of Emergency Management website.

General Evacuation Information

Emergency Assembly Area
The emergency assembly area (EAA) for a campus building is noted on the emergency procedures signs posted by exits and stairways. EAAs are open areas located a safe distance from a building that serve as rally points during an evacuation. (EAAs should not be confused with designated waiting areas.)
Designated Waiting Area
A designated waiting area (DWA) is a known waiting spot inside of a building for those who need help evacuating (e.g. for those who cannot use the stairs).

- From a DWA, call 911 (510-642-3333 via cell) for assistance.
- If you cannot reach your DWA, find a room with an exterior window, and call 911.
- If phones are down, signal from a window with a visible object, or use a whistle.
- For more information on evacuation resources for people with access and functional needs, please visit the Access & Functional Needs website.

Know When to Leave
- A fire alarm sounds, or an authorized person (e.g. building manager, police officer, firefighter) directs you to evacuate
- An emergency evacuation alert via UCB WarnMe
- A prolonged utility outage
- Anytime you feel unsafe

How to Evacuate (Stay Calm and Be Safe)
- Take your go bag (if available)
- Walk, don’t run
- Use stairs (never use elevators)
- Assemble in your emergency assembly area (EAA). During a large-scale evacuation, the EAA for your building may not be available, so follow the instructions of first responders
- Do not re-enter until allowed by emergency personnel
- Visit Berkeley News page, listen to KALX 90.7 FM (UC Berkeley radio station), and watch for UCB WarnMe alerts
- Call 911 (510-642-3333 via cell) for life threats to life

Practice Your Evacuation
- Make a go bag
- Know the exit routes and stairways for your building
- Look for emergency procedures signs at the exits and stairways, and locate your emergency assembly area
- Participate in building evacuation drills
- If you have disabilities, visit the Access & Functional Needs page to get prepared for an evacuation

Emergency Procedures
It is important to know common local hazards and procedures you can follow to prepare and respond to the situation.

During an Earthquake
Indoors:
- Drop to the floor immediately
- Cover under sturdy furniture (or near an interior wall) and protect your head with your elbows and arms
- Hold on until the shaking stops
- Immediately evacuate the building once the shaking stops
Outdoors:
  • Move away from buildings, power lines, and trees
  • Drop, cover, and hold on to keep yourself stable and protect yourself from falling/thrown objects
  • If you are driving, pull over in a clear area

Other Tips:
  • Stay away from windows and other objects that can fall on you
  • Do not run outside
  • Do not stand in a doorway (it’s safer under sturdy furniture)
  • Do not use the elevators when evacuating a building

After an Earthquake:
  • Check yourself for injuries
  • Exit campus buildings and go to an emergency assembly area (EAA) or open space; if you are off-campus, stay only if the building is structurally safe
  • Don’t tie up phone lines if it’s a non life-threatening emergency; use text messages and social media
  • Do not re-enter campus buildings until allowed by emergency personnel
  • Be prepared for potential aftershocks and falling debris
  • Visit Berkeley News page, listen to KALX 90.7 FM (UC Berkeley radio station), and watch for UCB WarnMe alerts

Signaling for Help
In the unlikely event that you are trapped by falling debris:
  • Don’t yell because you may inhale dust
  • Tap on metal objects to get attention
  • Use your mobile phone to call 911 (510-642-3333 on campus) to alert emergency personnel to your location
  • Do not light a match due to potential gas leaks; use the flashlight on your cellphone if available

Building Fires
  • Take the closest exit (use the stairs, never elevators)
  • Feel door handles with the back of your hand; if warm, find a different exit

If you can’t exit:
  • Call 911 (510-642-3333 via cellphone)
  • Shove clothing in the gap underneath door frames to prevent smoke from entering the room
  • Seek shelter in a designated waiting area
  • Pull the fire alarm as you exit
  • Do not re-enter the building until allowed by emergency personnel
Wildfires
• Check ongoing incidents at CAL FIRE Incidents
• Make a go bag and be ready to leave at a moment’s notice
• Visit Berkeley News, listen to KALX 90.7FM, and watch for UCB WarnMe alerts
• If sheltering in place, close all doors and windows, and await further instructions
• See the City of Berkeley page on Wildfire Evacuation

Wildfire Smoke
• Check local air quality reports
(Bay Area Air Quality Management District)
• Close windows, doors, and other openings through which smoke can enter.
• Close fresh-air intake on air conditioning units and run air purifiers if available.
• Try to stay indoors. If you need to venture outside wear a particle respirator like an N95 mask

Public Safety Power Shutoff (PSPS)
• When severe weather and fire conditions threaten a portion of the electric infrastructure or community, Pacific Gas and Electric may turn off electricity in the interest of public safety.
• PSPS may occur with as little as one day notice and can remain active for days. It is best to be prepared for a power outage at all times.
• In the event of a PSPS, recharging stations will be set up by the university prioritizing students with medical needs and other vital functions.

When Power is Out
• Turn off and unplug all electronics
• Do not use a generator, grill, or camp stove indoors
• Leave one light on so you’ll know when the power comes back
• Keep refrigerator doors closed (it stays cool for 4 hours)
• Call 911 (510-642-3333 via cell) if trapped in an elevator
• If you are evacuated, do not re-enter until allowed by emergency personnel
• Visit news.berkeley.edu and watch for UCB WarnMe alerts for updates

When to Stop Working
• Be prepared to stop what you’re doing until utilities are back on
  ○ Life safety systems, such as alarms, sprinklers, emergency lighting, and fume hoods may not work (especially during a prolonged outage)
• You will be notified if classes or other activities are cancelled

Suspicious Packages / Bomb Threats
If you see something, say something! Call 911 (510-642-3333 via cellphone) and warn others to avoid the area.

What to Look Out For
• Odd markings or too much postage
• No return address; sender unknown
• Heaviness or unusual thickness
• Excessive tape or string
• Visible wires
• Oily or discolored wrappings
• Powdery substances or strange odors
• Unattended items that seem out of place

Do Not Touch a Suspicious Package
• Do not interact with a suspicious package in any way.
• Leave the area, close doors, and warn others to avoid the area
• Call 911 (510-642-3333 via cellphone)
• Wash any exposed skin with soap and water

If There’s a Bomb Threat
• Always treat a bomb threat like it’s real
• Evacuate the area (remain calm and exit the building as directed)
• Leave your doors and windows open and the lights on
• Scan your area for unfamiliar items as you leave
• Do not handle any suspicious items you find
• Do not activate the building fire alarm

Targeted Violence / Active Threat
If you see a person with a weapon on campus, immediately call 911 (510-642-3333 via cellphone).

Tools to Survive Targeted Violence
UCPD officers have all received extensive training on what to do in this situation, but it is equally important that our campus community members think of how they will respond.

If you witness any armed individual on campus at any time, immediately call UCPD to report the emergency by dialing 911 (or dialing 510-642-3333 via cellphone). If escaping from danger is impossible, you should lockdown and prepare to counter the attacker.

About Fleeing
If it is possible to flee the area safely and avoid danger, do so. If it is safe to do so, consider:
• Escaping out of the other side of the building.
• Do not go to the normal gathering site for your building. Instead, get far away from the shooting scene and then contact the police department to notify of your location.
• Do not attempt to flee if the shooter is between you and your escape. If you are unsure, do not attempt to flee.

Shots Fired

About Hiding in Place
If it is not possible to flee the area safely:
• Go dark. Turn off all the lights.
• Lock all windows and doors and secure yourself in your space.
• Barricade the entrance if possible (heavy furniture, etc.)
• Prepare to counter the attacker. Don’t just hide and wait.
• Develop a plan (have items to throw...laptops, chairs, etc.)

About Notifying Others
Alert the police, and alert others in your building or nearby if possible.

Dial 911 (or 510-642-3333 via cell) to notify police and give your location, if that seems practical.

Do not pull the fire alarm because it will provide the shooter with more opportunities to cause harm.

If the shooter comes into your room or office
• There is not one procedure that can be recommended in this situation.
• Attempting to negotiate with the individual may be very dangerous.
• Attempting to overcome the individual with force is a last resort that should only be initiated in the most extreme circumstances, but, again, do something!

All-Clear
Wait for the all-clear instruction given by an authorized or known voice, or via a WarnMe message. If the staff or students do not recognize the voice that is giving instruction, they should not change their status. Call the police to verify that officers are at your location.
• Unknown or unfamiliar voices may be giving false assurances.
• Remember, there may be more than one active shooter.

After a Valid All-Clear
Follow the direction of police officers as you leave the building.

Police may direct you to one collection point.
• When encountering police officers, keep your hands on your head or open in front of you.
Officers are trained to be aware of all possible dangers and need to see quickly that you are not a threat.
• Be careful not to make any changes to the scene of the incident since law enforcement authorities will investigate the area later.

Sometimes evacuating isn’t the best response to an emergency. Listen to authorities and be prepared to shelter in place!

Shelter in Place
• When a shelter in place directive is issued, find a safe location indoors and remain in place until an all-clear or evacuation order is given
• Select a small interior room with few/no windows, and close any doors, windows, or vents.
• Visit Berkeley News, listen to KALX 90.7FM, and watch for UCB WarnMe alerts for any updates

Drills, Exercises and Training
UC Berkeley conducts an emergency management exercise to test emergency procedures annually. The scenarios for these exercises change from year-to-year and include several departments from across the campus. These tests may include drills, tabletop exercises, emergency operations center exercises, or campus-wide emergency response exercises. The university conducts after-action reviews of all emergency management exercises. OEM maintains records of the after-action review process and tracks the completion of corrective actions.

OEM helps to conduct at least one scheduled exercise each year to test emergency response and evacuation on a campus-wide scale. The test is designed to address the plan for evacuating campus buildings and evacuation notification capabilities for UC Berkeley. OEM tests campus evacuation procedures annually to assess and evaluate emergency plans and capabilities. It is designed with clear written objectives and is followed by an after-action review process. Following the test, OEM leads the completion of the development of an after action report which is maintained by OEM for seven years. Each year, OEM also sends out a campus-wide email that contains a link to the UC Berkeley emergency response and evacuation procedures.
Emergency Notifications

In the event of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees, the university has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated during the event for emergency notification to all or a segment of the campus community. These methods of communication may include the Everbridge mass notification system (UCB WarnMe), alert & warning siren system, the university email system, social media, flyers, or verbal announcements via public address systems. The university may post updates during a critical incident on university websites, particularly in the event of a prolonged emergency. If the situation warrants, the university will establish a telephone call-in center to communicate with the campus community during an emergency situation.

The Everbridge emergency notification system, branded UCB WarnMe, is the primary means to proactively contact students, staff, and faculty at their CalNet Directory e-mail in the event of a significant emergency. Messages can be sent by multiple methods to the contact information listed in the campus directory as well as contact information registered by the users. Campus community members can update their contact information and add text messaging to their account by going to UCB WarnMe, clicking the “update your info” button, and logging in with a CalNet ID. Community members, parents, and friends can sign up for email alerts by registering for UCB WarnMe through the public access portal.

UC Berkeley 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 campus. The institution 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 judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event that a significant emergency or dangerous situation occurs, UCPD will; (1) confirm the existence of a significant emergency or dangerous situation; (2) determine the appropriate segment or segments of the campus community to notify; (3) determine the content of the emergency notification; and (4) initiate the emergency notification system.
Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

In the event of a significant emergency or a dangerous situation, UCPD Dispatch Center will notify the appropriate emergency services unless those services have already been notified and are responding. Emergency services will typically be provided by UCPD, Berkeley Police Department (BPD), Berkeley Fire Department (BFD), and the Emergency Medical Services Division of BFD. If a dangerous situation is reported to UCPD police dispatch, UCPD officers or other local authorities will confirm the threat by either responding to the scene or through the report of a credible witness. Some emergencies (e.g., infectious diseases) may be reported through other university offices first, such as University Health Services.

Once first responders confirm that there is a significant emergency or dangerous situation that poses an immediate threat to the health or safety to the campus community, first responders will notify supervisors at UCPD or other authorized university offices to issue an emergency notification.

If the university activates its emergency notification system in response to a situation that poses an immediate threat to members of the campus community, several offices at the university are responsible for notifying the larger community, such as parents, the local community, alums, etc., about the situation and steps the university has taken to address the emergency. Primarily, the Office of Communications & Public Affairs is responsible for crisis communications and for maintaining communications with national, regional, and local news outlets.

The authorized representatives to request or initiate all or some portions of the emergency notification system in an emergency, urgent or important situation include:

1. UCPD chief, UCPD command staff, or designee;
2. UC Berkeley Office of Emergency Management director, or designee;
3. Designated public affairs personnel;
4. Chancellor;
5. Executive vice chancellor & provost;
6. Vice chancellor administration; and
7. Emergency operations center (EOC) director.

University of California Washington Center, UCDC

UCDC uses the Regroup notification system to send phone, email, and text notifications. Student information is uploaded each term, and the students receive a test message on orientation day.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the university community should receive the notification. If the emergency affects a significant portion of the entire campus, university officials will distribute the notification to the entire campus community.

Determining The content of The Emergency Notification

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

Follow up/status update notifications may be released when/if there is new information or instructions for the university population, such as changes in protective actions. Messages may also be sent at appropriate intervals to reiterate the current state of the emergency, especially if significant time has passed since the last update. An all-clear notification will be sent at the conclusion of an event when it is helpful to provide an all-clear message.

Security of and Access to UC Berkeley Facilities

The Crime Prevention Unit maintains control of access to campus facilities, monitors the issuance of keys, and administers alarm systems. It is important to understand that the Berkeley campus is generally open to the public. Administrative buildings are generally open from 8:00 a.m. until 5:00 p.m., and academic buildings generally are open from 7:00 a.m. until 10:00 p.m., Monday through Friday. Academic buildings are scheduled to be open on weekends, only as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.
**Special Considerations for Residence Hall Access**
The residence halls are locked 24 hours a day, with entry controlled by a mechanical and/or card key system. Auxiliary staff members are responsible for checking and securing doors when needed. All residence hall and apartment exterior doors are equipped with locks and with crash bars to ensure a quick emergency exit. Only residents and their invited guests are permitted in the living areas of the residence halls. It is the responsibility of the residents to ensure that their guests are aware of the university and residence hall policies. Guests are not provided with room keys or door access cards. A resident of the building must escort guests at all times. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents. When university police receive a report of a suspicious person in the residence halls, a police officer is dispatched to identify that person.

**University of California Washington Center, UCDC**
UCDC is secured by access control, CCTV, and security guard service. All entry and exit points to the building are monitored 24/7 by a network based CCTV system. Access control is maintained and monitored by Stanley Convergent Security Services. The security guard station in the main lobby is staffed 24/7. The front doors of the building open at 7:30 a.m. and lock at 6:30 p.m. on weekdays and is locked 24 hours on weekends and university holidays. Access to classrooms and offices is generally limited to those attending classes or meetings in those spaces.

**Security Considerations for the Maintenance of Campus Facilities**
UC Berkeley is committed to a safe and healthy campus environment and commits resources, such as the campus architect, campus landscape architect, campus real estate, campus construction & design, and facility services to address safety and security considerations for campus facilities. Locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, illuminated routes from parking areas to buildings and from building to building. Grounds personnel trim shrubs from sidewalks, walkways, and building entrances to make sure routes to buildings are in good repair. All campus walkways are inspected at least twice per year to ensure adequate lighting. Burned-out lights are promptly replaced. Representatives from several campus departments, including UCPD, conduct an annual survey of university property to evaluate campus lighting. All security concerns, including concerns about locking mechanisms, lighting, or landscaping can be reported to UCPD by calling (510) 642-6760. You can also view a map showing campus buildings and pathways.

**Maintenance of Campus Facilities UCDC**
UCDC is committed to a safe and healthy campus environment and commits resources, such as the UCOP real estate and facility services to address safety and security of the physical location. Locks, landscaping, and outdoor lighting are designed for safety and security. Representatives from the UCDC facilities team and the UCOP Environmental Health & Safety Team conduct an annual survey of university property to evaluate campus lighting.

We also encourage community members to promptly report any security concern, including concerns about locking mechanisms, lighting, or landscaping to the UCDC Facilities Team by contacting Mac Hamlett by calling (202) 974-6365 or submitting an electronic work order.

**UC Berkeley Response to Sexual Violence and Sexual Harassment (SVSH)**

**Introduction**
The University of California Berkeley is committed to providing a safe learning and working environment. UC Berkeley policy prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. These policies apply to all students, faculty, staff, contractors, and visitors.

All forms of sexual violence and harassment, including the acts described and defined in this report, are prohibited and violate the University of California Policy on Sexual Violence and Sexual Harassment, code of student conduct, faculty code of conduct and other university policies. Violations of these policies are subject to disciplinary sanctions through the applicable university policy. Please visit the Office for the Prevention of Harassment and Discrimination (OPHD) website for additional information.

**Reporting An Incident**
If a student, employee, or third party has been the victim of an incident of sexual violence they should immediately report it to UCPD by calling (510) 642-6760 or by visiting their physical location at 1 Sproul Hall. In the case of an emergency or ongoing threat, if possible, get to a safe location and report the incident by calling (510) 642-3333 (if using a cellphone) or by calling 911. The City of Berkeley Police Department (BPD) can be called at (510) 981-5900 or can be found at their physical location at 2100 Martin Luther King, Jr. Way, Berkeley, CA. Victims are not required to report to law enforcement. The police can document and investigate crimes involving sexual violence, and with sufficient evidence they can present the case to the District Attorney to consider for prosecution.
Whether or not a victim chooses to pursue a criminal investigation, in some cases survivors may be eligible for additional protections by applying to the Superior Court of California for a civil restraining order.

Administrative reports may be made to the Office for the Prevention of Harassment and Discrimination (OPHD) by calling (510) 643-7985, submitting a report online, or going to their physical location at 2111 Bancroft Way. Reports may also be made to the UC Berkeley Center for Student Conduct by calling (510) 643-9069, submitting a report online or going to their physical location at 203 Sproul Hall. UC Berkeley officials will assist any victim in notifying law enforcement, including UCPD, if they elect to do so.

Someone who has experienced harm from sexual violence, sexual harassment, dating or domestic violence, stalking, and/or invasion of privacy (SVSH) has the right – and the choice – to report it to UC Berkeley, to the police, or to both, and the right not to make a report. These are separate options, each with a different process and different potential outcomes. Reporting is an intensely personal decision. UC Berkeley respects the right of a survivor to decide whether or not to report to anyone. Survivors are encouraged to consult a confidential resource, such as the PATH to Care Center, about reporting options and processes. Confidential support services are available to anyone who has experienced harm, whether or not they choose to report.

When someone reports to the institution that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the reporting party a written explanation of rights and options. This written explanation identifies existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. This document describes options for available assistance in and how to request changes to academic, living, transportation and working situations, or protective measures. The institution will provide accommodations/protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
Violence Against Women Act Offenses

- A sexual assault is defined as an offense that meets the definition of rape, fondling, statutory rape, or incest as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- Domestic violence is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or 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 occurred.

- Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- Stalking is defined as 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.

VAWA Offenses As Defined By The University of California (Education Code Section 67386)

Consent

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

It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone, constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity.

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

The respondent’s (the person who is answering a charge) belief that the complainant (the person who is bringing forth the complaint) consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the fact finder will consider all of the facts and circumstances the respondent knew, or reasonably should have known, at the time. In particular, the respondent’s belief is not a valid defense where:

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

Note: Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.
For more information on consent go to the University Health Services consent website.

Sexual Violence

a. Sexual Assault - Penetration: Without the consent of the complainant, penetration, no matter how slight, of:
   • The complainant’s mouth by a penis or other genitalia; or
   • The complainant’s vagina or anus by any body part or object.

b. Sexual Assault - Contact: Without the consent of the complainant, intentionally:
   • Touching complainant’s intimate body part (genitals, anus, groin, breast, or buttocks);
   • Making the complainant touch another or themselves on any intimate body part; or
   • Touching the complainant with one’s intimate body part, whether the intimate body part is clothed or unclothed.

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

Conduct that meets the definition of both sexual assault-contact and sexual assault-penetration will be charged as sexual assault-penetration.

Note: sexual assault – penetration and sexual assault - contact are aggravated when it includes the following:

Overcoming the will of complainant by:
   • Force - the use of physical force or inducing reasonable fear of immediate or future bodily injury;
   • Violence - the use of physical force to cause harm or injury;
   • Menace - a threat, statement, or act showing intent to injure;
   • Duress - a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship (including a power imbalance), to do or submit to something that they would not otherwise do; or deliberately causing the complainant to be incapacitated (for example, through drugs or alcohol); deliberately taking advantage of the complainant’s incapacitation (including incapacitation that results from voluntary use of drugs or alcohol); or recording, photographing, transmitting, or distributing intimate or sexual images of complainant without complainant’s prior knowledge and consent.

c. Relationship Violence

I. Relationship violence is physical violence toward the complainant or a person who has a close relationship with the complainant (such as a current or former spouse or intimate partner, a child or other relative), or
   • Intentional or reckless physical or non-physical conduct toward the complainant or someone who has a close relationship with the complainant (such as a current or former spouse or intimate partner, a child, or other relative) that would make a reasonable person in the complainant’s position fear physical violence toward themselves or toward the person with whom they have the close relationship, that is by a person who is or has been in a spousal, romantic, or intimate relationship with the complainant, or who shares a child with the complainant, and that is part of a pattern of abusive behavior by the person toward the complainant.

II. Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.

III. Patterns of abusive behavior may consist of or include non-physical tactics (such as threats, isolation, property destruction, abuse of pets, economic control, displaying weapons, degradation, or exploitation of a power imbalance).

VI. The nature of the relationship between the complainant and the respondent is determined by the length and type of relationship, and the frequency of interaction between them. Relationship violence includes both dating violence and domestic violence.

V. Conduct by a party in defense of self or another is not relationship violence under this policy. If either party asserts that they acted in defense of self or another, the Title IX officer will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

d. Stalking

Stalking is repeated conduct directed at a complainant (for example, following, monitoring, observing, surveilling, threatening,
Retaliation

Retaliation is an adverse action against a person based on their report or other disclosure of alleged prohibited conduct to a university employee, or their participation in, refusal to participate in, or assistance with the investigation, reporting, remedial, or disciplinary processes provided for in the policy.

An adverse action is conduct that would discourage a reasonable person from reporting prohibited conduct or participating in a process provided for in the policy, such as threats, intimidation, harassment, discrimination and coercion. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct (such as gathering evidence) are not, without more, retaliation.

VAWA Offenses As Defined By The State of California

**Consent (California Penal Code 261.1)**

**PENAL CODE - PEN**

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

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

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

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

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

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.
Domestic Violence (California Penal Code 243)

PENAL CODE - PEN

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

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

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

243.

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

(b) When a battery is committed against the person of a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of his or her duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of him or her as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of his or her duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, and the person committing the offense knows or reasonably should know that the victim is a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of his or her duties, nonsworn employee of a probation department, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(c) (1) When a battery is committed against a custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of his or her duties, whether on or off duty, or a nonsworn employee of a probation department engaged in the performance of his or her duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, and the person committing
the offense knows or reasonably should know that the victim is a nonsworn employee of a probation department, custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of his or her duties, or a physician or nurse engaged in rendering emergency medical care, and an injury is inflicted on that victim, the battery is punishable by a fine of not more than two thousand dollars ($2,000), by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, or by imprisonment pursuant to subdivision (h) of Section 1170 for 16 months, or two or three years.

(2) When the battery specified in paragraph (1) is committed against a peace officer engaged in the performance of his or her duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of him or her as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman and the person committing the offense knows or reasonably should know that the victim is a peace officer engaged in the performance of his or her duties, the battery is punishable by a fine of not more than ten thousand dollars ($10,000), or by imprisonment in a county jail not exceeding one year or pursuant to subdivision (h) of Section 1170 for 16 months, or two or three years, or by both that fine and imprisonment.

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

(e) (1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment. If probation is granted, or the execution or imposition of the sentence is suspended, it shall be a condition thereof that the defendant participate in, for no less than one year, and successfully complete, a batterer’s treatment program, as described in Section 1203.097, or if none is available, another appropriate counseling program designated by the court. However, this provision shall not be construed as requiring a city, a county, or a city and county to provide a new program or higher level of service as contemplated by Section 6 of Article XIII B of the California Constitution.

(2) Upon conviction of a violation of this subdivision, if probation is granted, the conditions of probation may include, in lieu of a fine, one or both of the following requirements:

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

(B) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant’s offense.

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

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

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

(5) If a peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of this section, the peace officer is not required to inform the victim of his or her right to make a citizen’s arrest pursuant to subdivision (b) of Section 836.
(f) As used in this section:
(1) “Peace officer” means any person defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.
(2) “Emergency medical technician” means a person who is either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses a valid certificate or license in accordance with the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
(3) “Nurse” means a person who meets the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
(4) “Serious bodily injury” means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.
(5) “Injury” means any physical injury which requires professional medical treatment.
(6) “Custodial officer” means any person who has the responsibilities and duties described in Section 831 and who is employed by a law enforcement agency of any city or county or who performs those duties as a volunteer.
(7) “Lifeguard” means a person defined in paragraph (5) of subdivision (d) of Section 241.
(8) “Traffic officer” means any person employed by a city, county, or city and county to monitor and enforce state laws and local ordinances relating to parking and the operation of vehicles.
(9) “Animal control officer” means any person employed by a city, county, or city and county for purposes of enforcing animal control laws or regulations.
(10) “Dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.
(11) “Code enforcement officer” also includes any person who is employed by the Department of Housing and Community Development who has enforcement authority for health, safety, and welfare requirements pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000) of Division 13 of the Health and Safety Code); the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code); the Manufactured Housing Act of 1980 (Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code); the Mobilehome Parks Act (Part 2.1 (commencing with Section 18200) of Division 13 of the Health and Safety Code); and the Special Occupancy Parks Act (Part 2.3 (commencing with Section 18860) of Division 13 of the Health and Safety Code).
(12) “Custody assistant” means any person who has the responsibilities and duties described in Section 831.7 and who is employed by a law enforcement agency of any city, county, or city and county.
(13) “Search and rescue member” means any person who is part of an organized search and rescue team managed by a government agency.
(14) “Security officer” means any person who has the responsibilities and duties described in Section 831.4 and who is employed by a law enforcement agency of any city, county, or city and county.
(g) It is the intent of the Legislature by amendments to this section at the 1981–82 and 1983–84 Regular Sessions to abrogate the holdings in cases such as People v. Corey, 21 Cal. 3d 738, and Cervantez v. J.C. Penney Co., 24 Cal. 3d 579, and to reinstate prior judicial interpretations of this section as they relate to criminal sanctions for battery on peace officers who are employed, on a part-time or casual basis, while wearing a police uniform as private security guards or patrolmen and to allow the exercise of peace officer powers concurrently with that employment.

**Stalking (California Penal Code 646.9)**

**Penal Code - Pen**


**Title 15. Miscellaneous Crimes [626 - 653.75] (Title 15 enacted 1872)**

**Chapter 2. Of Other and Miscellaneous Offenses [639 - 653.2] (Chapter 2 enacted 1872)**
(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

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

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

(2) Every person who, after having been convicted of a felony under subdivision (a), commits a violation of this section shall be punished by imprisonment in the state prison for two, three, or five years.

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

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

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

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

(h) For purposes of this section, the term “electronic communication device” includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. “Electronic communication” has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.

(i) This section shall not apply to conduct that occurs during labor picketing.

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

(k) (1) The sentencing court also shall consider issuing an order restraining the defendant from any contact with the victim, that may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any restraining order be based upon the seriousness of the facts before the court, the probability of future violations, and the safety of the victim and his or her immediate family.

(2) This protective order may be issued by the court whether the defendant is sentenced to state prison, county jail, or if imposition of sentence is suspended and the defendant is placed on probation.

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

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

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

**Rape (California Penal Code 261)**

PENAL CODE - PEN

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

TITLE 9. OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS [261 - 368.7] (Heading of Title 9 amended by Stats. 1982, Ch. 111, Sec. 2.)

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

**261.**

(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.

(b) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.

**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.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts:

(A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars ($2,000).

(B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars ($5,000).

(C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars ($10,000).

(D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000).

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

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

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

261.6. In prosecutions under Section 261, 262, 286, 287, or 289, or former Section 288a, in which consent is at issue, “consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 287, or 289, or former Section 288a. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

(Amended by Stats. 2018, Ch. 423, Sec. 44. (SB 1494) Effective January 1, 2019.)

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

(Amended by Stats. 2018, Ch. 423, Sec. 45. (SB 1494) Effective January 1, 2019.)

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

(b) Every fine imposed and collected pursuant to this section shall, upon appropriation by the Legislature, be available to fund programs and services for commercially sexually exploited minors in
(Added by Stats. 2011, Ch. 75, Sec. 3. (AB 12) Effective January 1, 2012.)

262.

(a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

(1) 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.

(2) 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.

(3) 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 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.

(4) 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.

(5) 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.

(b) As used in this section, “duress” means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce
in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in apprising the existence of duress.

(c) As used in this section, “menace” means any threat, declaration, or act that shows an intention to inflict an injury upon another.

(d) If probation is granted upon conviction of a violation of this section, the conditions of probation may include, in lieu of a fine, one or both of the following requirements:

(1) That the defendant make payments to a battered women’s shelter, up to a maximum of one thousand dollars ($1,000).

(2) That the defendant reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant’s offense.

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

(Amended by Stats. 2006, Ch. 45, Sec. 1. Effective January 1, 2007.)

263.
The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

(Amended by Stats. 1979, Ch. 994.)

263.1.
(a) The Legislature finds and declares that all forms of non-consensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors.

(b) This section is declarative of existing law.

(Added by Stats. 2016, Ch. 848, Sec. 1. (AB 701) Effective January 1, 2017.)
264.
(a) Except as provided in subdivision (c), rape, as defined in Section 261 or 262, is punishable by imprisonment in the state prison for three, six, or eight years.

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

(c) (1) Any person who commits rape in violation of paragraph (2) of subdivision (a) of Section 261 upon a child who is under 14 years of age shall be punished by imprisonment in the state prison for 9, 11, or 13 years.

(2) Any person who commits rape in violation of paragraph (2) of subdivision (a) of Section 261 upon a minor who is 14 years of age or older shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

(3) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(Amended by Stats. 2010, Ch. 219, Sec. 5. (AB 1844) Effective September 9, 2010.)

264.1.
(a) The provisions of Section 264 notwithstanding, in any case in which the defendant, voluntarily acting in concert with another person, by force or violence and against the will of the victim, committed an act described in Section 261, 262, or 289, either personally or by aiding and abetting the other person, that fact shall be charged in the indictment or information and if found to be true by the jury, upon a jury trial, or if found to be true by the court, upon a court trial, or if admitted by the defendant, the defendant shall suffer confinement in the state prison for five, seven, or nine years.

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

(2) If the victim of an offense described in subdivision (a) is a minor who is 14 years of age or older, the defendant shall be punished by imprisonment in the state prison for 7, 9, or 11 years.

(3) This subdivision does not preclude prosecution under Section 269, Section 288.7, or any other provision of law.

(Amended by Stats. 2010, Ch. 219, Sec. 4. (AB 1844) Effective September 9, 2010.)

264.2.
(a) Whenever there is an alleged violation or violations of subdivision (e) of Section 243, or Section 261, 261.5, 262, 273.5, 286, 287, or 289, the law enforcement officer assigned to the case shall immediately provide the victim of the crime with the “Victims of Domestic Violence” card, as specified in subparagraph (H) of paragraph (9) of subdivision (c) of Section 13701, or with the card described in subdivision (a) of Section 680.2, whichever is more applicable.

(b) (1) The law enforcement officer, or his or her agency, shall immediately notify the local rape victim counseling center, whenever a victim of an alleged violation of Section 261, 261.5, 262, 286, 287, or 289 is transported to a hospital for any medical evidentiary or physical examination. The hospital may notify the local rape victim counseling center, when the victim of the alleged violation of Section 261, 261.5, 262, 286, 287, or 289 is presented to the hospital for the medical or evidentiary physical examination, upon approval of the victim. The victim has the right to have a sexual assault counselor, as defined in Section 1035.2 of the Evidence Code, and a support person of the victim’s choosing present at any medical evidentiary or physical examination.

(2) Prior to the commencement of any initial medical evidentiary or physical examination arising out of a sexual assault, the medical provider shall give the victim the card described in subdivision (a) of Section 680.2.

This requirement shall apply only if the law enforcement agency has provided the card to the medical provider in a language understood by the victim.

(3) The hospital may verify with the law enforcement officer, or his or her agency, whether the local rape victim counseling center has been notified, upon the approval of the victim.

(4) A support person may be excluded from a medical evidentiary or physical examination if the law enforcement officer or medical provider determines that the presence of that individual would be detrimental to the purpose of the examination.

(5) After conducting the medical evidentiary or physical examination, the medical provider shall give the victim the opportunity to shower or bathe at no cost to the victim, unless a showering or bathing facility is not available.
(6) A medical provider shall, within 24 hours of obtaining sexual assault forensic evidence from the victim, notify the law enforcement agency having jurisdiction over the alleged violation if the medical provider knows the appropriate jurisdiction. If the medical provider does not know the appropriate jurisdiction, the medical provider shall notify the local law enforcement agency. (Amended by Stats. 2018, Ch. 423, Sec. 46. (SB 1494) Effective January 1, 2019.)

265. Every person who takes any woman unlawfully, against her will, and by force, menace or duress, compels her to marry him, or to marry any other person, or to be defiled, is punishable by imprisonment pursuant to subdivision (h) of Section 1170.

(Amended by Stats. 2011, Ch. 15, Sec. 303. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

266. A person who inveigles or entices a person under 18 years of age into a house of ill fame, or of assignation, or elsewhere, for the purpose of prostitution, or to have illicit carnal connection with another person, and a person who aids or assists in that inveiglement or enticement, and a person who, by any false pretenses, false representation, or other fraudulent means, procures a person to have illicit carnal connection with another person, is punishable by imprisonment in the state prison, or by imprisonment in a county jail not exceeding one year, or by a fine not exceeding two thousand dollars ($2,000), or by both that fine and imprisonment.

(Amended by Stats. 2019, Ch. 615, Sec. 1. (AB 662) Effective January 1, 2020.)

266a. Each person who, within this state, takes any person against his or her will and without his or her consent, or with his or her consent procured by fraudulent inducement or misrepresentation, for the purpose of prostitution, as defined in subdivision (b) of Section 647, is punishable by imprisonment in the state prison, and a fine not exceeding ten thousand dollars ($10,000).

(Amended by Stats. 2014, Ch. 109, Sec. 1. (AB 2424) Effective January 1, 2015.)

266b. Every person who takes any other person unlawfully, and against his or her will, and by force, menace, or duress, compels him or her to live with such person in an illicit relation, against his or her consent, or to so live with any other person, is punishable by imprisonment pursuant to subdivision (h) of Section 1170.

(Amended by Stats. 2011, Ch. 15, Sec. 304. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

266c. Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person’s free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, “fear” means the fear of physical injury or death to the person or to any relative of the person or member of the person’s family.

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

266d. Any person who receives any money or other valuable thing for or on account of placing in custody any other person for the purpose of causing the other person to cohabit with any person to whom the other person is not married, is guilty of a felony.

(Amended by Stats. 1975, Ch. 996.)

266e. Every person who purchases, or pays any money or other valuable thing for, any person for the purpose of prostitution as defined in subdivision (b) of Section 647, or for the purpose of placing such person, for immoral purposes, in any house or place against his or her will, is guilty of a felony punishable by imprisonment in the state prison for 16 months, or two or three years.

(Amended by Stats. 2011, Ch. 15, Sec. 303. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

266f. Every person who sells any person or receives any money or other valuable thing for or on account of his or her placing in custody, for immoral purposes, any person, whether with or without his or her consent, is guilty of a felony punishable by imprisonment in the state prison for 16 months, or two or three years.

(Amended by Stats. 2011, Ch. 15, Sec. 304.7. (AB 109) Effective April
266g.
Every man who, by force, intimidation, threats, persuasion, promises, or any other means, places or leaves, or procures any other person or persons to place or leave, his wife in a house of prostitution, or connives at or consents to, or permits, the placing or leaving of his wife in a house of prostitution, or allows or permits her to remain therein, is guilty of a felony and punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three or four years; and in all prosecutions under this section a wife is a competent witness against her husband.

(Amended by Stats. 2011, Ch. 15, Sec. 305. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

266h.
(a) Except as provided in subdivision (b) Any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person’s prostitution, or from money loaned or advanced to or charged against that person by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person, is guilty of pimping, a felony, and shall be punishable by imprisonment in the state prison for three, four, or six years.

(b) Any person who, knowing another person is a prostitute, lives or derives support or maintenance in whole or in part from the earnings or proceeds of the person’s prostitution, or from money loaned or advanced to or charged against that person by any keeper or manager or inmate of a house or other place where prostitution is practiced or allowed, or who solicits or receives compensation for soliciting for the person, when the prostitute is a minor, is guilty of pimping a minor, a felony, and shall be punishable as follows:

(1) If the person engaged in prostitution is a minor 16 years of age or older, the offense is punishable by imprisonment in the state prison for three, four, or six years.
(2) If the person engaged in prostitution is under 16 years of age, the offense is punishable by imprisonment in the state prison for three, six, or eight years.

(Amended by Stats. 2010, Ch. 709, Sec. 8. (SB 1062) Effective January 1, 2011.)

266i.
(a) Except as provided in subdivision (b), any person who does any of the following is guilty of pandering, a felony, and shall be punishable by imprisonment in the state prison for three, four, or six years: (1) Procures another person for the purpose of prostitution. (2) By promises, threats, violence, or by any device or scheme, causes, induces, persuades, or encourages another person to become a prostitute. (3) Procures for another person a place as an inmate in a house of prostitution or as an inmate of any place in which prostitution is encouraged or allowed within this state. (4) By promises, threats, violence, or by any device or scheme, causes, induces, persuades, or encourages an inmate of a house of prostitution, or any other place in which prostitution is encouraged or allowed, to remain therein as an inmate. (5) By fraud or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority, procures another person for the purpose of prostitution, or to enter any place in which prostitution is encouraged or allowed within this state, or to come into this state or leave this state for the purpose of prostitution. (6) Receives or gives, or agrees to receive or give, any money or thing of value for procuring, or attempting to procure, another person...
for the purpose of prostitution, or to come into this state or leave this state for the purpose of prostitution.

(b) Any person who does any of the acts described in subdivision (a) with another person who is a minor is guilty of pandering, a felony, and shall be punishable as follows: (1) If the other person is a minor 16 years of age or older, the offense is punishable by imprisonment in the state prison for three, four, or six years. (2) If the other person is under 16 years of age, the offense is punishable by imprisonment in the state prison for three, six, or eight years.

(266k.)
Upon the conviction of any person for a violation of Section 266h or 266i, the court may, in addition to any other penalty or fine imposed, order the defendant to pay an additional fine not to exceed five thousand dollars ($5,000). In setting the amount of the fine, the court shall consider any relevant factors including, but not limited to, the seriousness and gravity of the offense and the circumstances of its commission, whether the defendant derived any economic gain as the result of the crime, and the extent to which the victim suffered losses as a result of the crime. Every fine imposed and collected under this section shall be deposited in the Victim-Witness Assistance Fund to be available for appropriation to fund child sexual exploitation and child sexual abuse victim counseling centers and prevention programs under Section 13837.

(b) Upon the conviction of any person for a violation of Section 266j or 267, the court may, in addition to any other penalty or fine imposed, order the defendant to pay an additional fine not to exceed twenty-five thousand dollars ($25,000).

(c) Fifty percent of the fines collected pursuant to subdivision (b) and deposited in the Victim-Witness Assistance Fund pursuant to subdivision (a) shall be granted to community-based organizations that serve minor victims of human trafficking.

(d) If the court orders a fine to be imposed pursuant to this section, the actual administrative cost of collecting that fine, not to exceed 2 percent of the total amount paid, may be paid into the general fund of the county treasury for the use and benefit of the county.

(267.)
Every person who takes away any other person under the age of 18 years from the father, mother, guardian, or other person having the legal charge of the other person, without their consent, for the purpose of prostitution, is punishable by imprisonment in the state prison, and a fine not exceeding two thousand dollars ($2,000).

(269.)
(a) Any person who commits any of the following acts upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child:

(Amended by Stats. 1987, Ch. 1068, Sec. 1.)

(266j.)
Any person who intentionally gives, transports, provides, or makes available, or who offers to give, transport, provide, or make available to another person, a child under the age of 16 for the purpose of any lewd or lascivious act as defined in Section 288, or who causes, induces, or persuades a child under the age of 16 to engage in such an act with another person, is guilty of a felony and shall be imprisoned in the state prison for a term of three, six, or eight years, and by a fine not to exceed fifteen thousand dollars ($15,000).
(1) Rape, in violation of paragraph (2) or (6) of subdivision (a) of Section 261.

(2) Rape or sexual penetration, in concert, in violation of Section 264.1.

(3) Sodomy, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 286. (4) Oral copulation, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 287 or former Section 288a. (5) Sexual penetration, in violation of subdivision (a) of Section 289.

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

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

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

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

(25) Any person who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the following amounts:

(A) An adult who engages in an act of unlawful sexual intercourse with a minor less than two years younger than the adult is liable for a civil penalty not to exceed two thousand dollars ($2,000).

(B) An adult who engages in an act of unlawful sexual intercourse with a minor at least two years younger than the adult is liable for a civil penalty not to exceed five thousand dollars ($5,000).

(C) An adult who engages in an act of unlawful sexual intercourse with a minor at least three years younger than the adult is liable for a civil penalty not to exceed ten thousand dollars ($10,000).

(D) An adult over the age of 21 years who engages in an act of unlawful sexual intercourse with a minor under 16 years of age is liable for a civil penalty not to exceed twenty-five thousand dollars ($25,000).
Statutory Rape (California Penal Code Section 261.5)

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

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

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

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.

(e) (1) Notwithstanding any other provision of this section, an adult who engages in an act of sexual intercourse with a minor in violation of this section may be liable for civil penalties in the If It is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. If possible, a victim of a sexual assault should not wash, douche, use and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

Fondling (Sexual Battery) (California Penal Code 243.4)

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

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

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

243.4.

(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
(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, “touches” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), “touches” means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

1. “Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.
2. “Sexual battery” does not include the crimes defined in Section 261 or 289.
3. “Seriously disabled” means a person with severe physical or sensory disabilities.
4. “Medically incapacitated” means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.
5. “Institutionalized” means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.
6. “Minor” means a person under 18 years of age.

(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars ($10,000).

(Amended by Stats. 2002, Ch. 302, Sec. 1. Effective January 1, 2003.)

Incest (California Penal Code 285)

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

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

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

285.

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older,
commit fornication or adultery with each other, are punishable by imprisonment in the state prison. (Amended by Stats. 2005, Ch. 477, Sec. 1. Effective January 1, 2006.)

Procedures Victims Should Follow
If you experience sexual assault, dating or domestic violence, or stalking:

- Go to a safe place as soon as you can.
- You can contact the UCPD emergency line by calling 911, or from a cellphone calling (510) 642-3333. You can contact the UCPD non-emergency line by calling (510) 642-6760, or contact the Berkeley Police Department by calling 911 or calling (510) 981-5900
- Consider seeking medical attention as soon as possible to make sure you are physically well.
- Consider speaking with a confidential advocate. They can help explain your rights and options, give you information, and provide emotional support. For urgent 24/7 support, please call the CARE Line at (510) 643-2005. For an office appointment, please call (510) 642-1988 or visit the PATH to Care Center website.
- You can contact the Office of the Prevention of Harassment and Discrimination (OPHD) to file an administrative report through the university by calling (510) 643-7985 or emailing ask_ophd@berkeley.edu.

Generally, a report to the police will involve speaking with a uniformed patrol officer who will make sure you are safe, gather basic information about the incident, collect evidence, and document the circumstances in a police report. The officer may also take photographs to document any injuries or other evidence. The officer will typically have a body camera activated which is useful for accurately capturing your statement, but you may request to have the camera turned off.

During a sexual assault investigation, the officer may recommend a medical exam for your health and for the purpose of collecting evidence. This medical exam will be conducted by specially trained medical practitioners at a hospital and there will be no cost to you. You have the right to decline a medical exam.

If you have experienced any physical violence, such as sexual assault, dating violence, or domestic violence, and are considering reporting to law enforcement now or in the future, you have the option to have forensic evidence formally documented. It is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. If possible, a victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. If possible, any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of dating or domestic violence should be documented if possible, including through the preservation of photographic evidence. If possible, evidence of stalking, including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way.

As a survivor of sexual assault, dating or domestic violence, or stalking, you have the right to speak with a confidential advocate to help explain your rights and options, give you information, and provide emotional support. The advocate may be present with you during an evidentiary exam and all law enforcement and prosecutor interviews. UCPD will contact a confidential advocate to speak with you. You are not required to use the service of a confidential advocate. You may alternatively have a friend or family member present with you when you meet with a police officer. You may also contact a confidential advocate prior to deciding to make a police report if you are in a safe place and would like confidential guidance on what your rights and options are as a survivor of a sexual assault, dating or domestic violence, or stalking. Please contact (510) 642-1988 (office appointment) or the CARE Line (24/7 urgent support) (510) 643-2005 or visit http://care.berkeley.edu.

Forensic evidence collection is a police process, and in many cases, making a police report is required in order to get forensic evidence collected. However, some law enforcement agencies - including UCPD – will approve the collection of evidence through an official sexual assault exam before a survivor decides whether or not to file a criminal report.

The closest hospital to campus approved for evidence collection in Alameda County is Highland Hospital, located at 1411 E 31st St, Oakland, CA 94602. You can reach Highland Hospital by calling (510) 437-4800.

UCPD police officers and staff are responsible employees per campus policy and must report violations of campus sexual violence and sexual harassment (SVSH) policy to the UC Berkeley Office for the Prevention of Harassment and Discrimination (OPHD). However, California law allows survivors who report crimes of sexual assault, relationship violence and stalking to the police to keep their name and contact information off the public record (Penal Code § 293 and Government Code § 6254), and in those cases UCPD will not give this information to OPHD - or anyone outside of th criminal justice system - without the survivor’s permission.
After the initial responding police officer documents your report, it may be necessary for a detective to contact you for further follow-up. This would typically happen within a few days of your initial report. If you become aware of any additional details you would like to have documented for your case prior to hearing from a detective, you may contact UCPD at any time and ask to speak with an officer.

Once an investigation is complete and a suspect has been identified, UCPD will present the case to the district attorney’s office for review. A prosecutor will determine if there is enough evidence to move forward with prosecution of a suspect. If charges are filed, the district attorney’s office will work with you moving forward. Sometimes a case will proceed to a trial, which would require your testimony. However, not all cases will result in a trial as they are sometimes resolved by a plea agreement without the need for a trial.

**California Crime Victim’s Bill of Rights**

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

1. To be treated with fairness and respect for his or her privacy and dignity and to be free from intimidation, harassment and abuse, throughout the criminal or juvenile justice process.

2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.

3. To have the safety of the victim and the victim’s family considered in fixing the amount of bail and release conditions for the defendant.

4. To prevent the disclosure of confidential information or records to the defendant, the defendant’s attorney or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim’s family or which disclose confidential communications made in the course of medical or counseling treatment or which are otherwise privileged or confidential by law.

5. To refuse an interview, deposition or discovery request by the defendant, the defendant’s attorney or any other person acting on behalf of the defendant and to set reasonable conditions on the conduct of any such interview to which the victim consents.

6. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant and, upon request, to be notified of and informed before any pretrial disposition of the case.

7. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings and to be present at all such proceedings.

8. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision or any proceeding in which a right of the victim is at issue.

9. To a speedy trial and a prompt and final conclusion of the case and any related post- judgement proceedings.

10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim’s family and any sentencing recommendations before the sentencing of the defendant.

11. To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

12. To be informed, upon request, of the conviction, sentence, place and time of incarnation, or other disposition of the defendant, the scheduled release date of the defendant and the release of or the escape by the defendant from custody.

13. To restitution.
   a. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
   b. Restitution shall be ordered from the convicted wrong doer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
   c. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. To the prompt return of property when no longer needed as evidence.

15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. To have the safety of the victim, the victim’s family, and the general public considered before any parole or other post-judgement release decision is made.

17. To be informed of the rights enumerated in paragraphs (1) through.

**Procedures Victims Should Follow at UCDC**

If you experience sexual assault, dating or domestic violence, or stalking:

- Go to a safe place as soon as you can.
- You can contact the DC Metro Police by calling 911 or calling 311 for non-emergency calls, and can also contact the coordinators of student development (CSD) by calling (202) 415-9275 or contact the Washington Center security desk by calling (202) 974-6233.
- Consider seeking medical attention as soon as possible to make sure you are physically well.
- Consider speaking with a confidential advocate. They can help explain your rights and options, give you information, and provide emotional support. For urgent 24/7 support, please call the CARE Line at (510) 643-2005. For an office appointment, please call (510) 642-1988 or visit the [PATH to Care Center website](#).

It is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. If possible, a victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. If possible, any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of dating or domestic violence should be documented if possible, including through the preservation of photographic evidence. If possible, evidence of stalking, including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way.

**Filing A Complaint With The University**

**Office for the Prevention of Harassment and Discrimination**

OPHD is responsible for ensuring the university provides an environment for faculty, staff, and students that is free from discrimination and harassment on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition (cancer related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services.

OPHD oversees the process for the investigation and resolution of complaints of protected-class discrimination and harassment, including sexual harassment and sexual violence, against faculty, staff, and students pursuant to the UC policy on SVSH and UC nondiscrimination policy. For complaints of any form of discrimination and harassment, OPHD follows the resolution process that is established in the UC systemwide policy and corresponds to the campus implementing procedure. These processes are developed so that every case is reviewed and addressed in a consistent way.

In cases involving student respondents, at the conclusion of an OPHD investigation involving allegations of sexual violence, OPHD makes a recommendation regarding a violation of the UC policy on SVSH, and forwards that report to the Center for Student Conduct (CSC) to determine violations of the UC policy on SVSH and the code of student conduct.

In cases involving faculty, staff, or non-faculty academic personnel respondents, following the conclusion of the investigation, the Title IX investigator will prepare a written report. The written investigation report will include a statement of the allegations and issues, statements of the parties and witnesses, and a summary of the evidence the investigator considered. The investigation report will include findings of fact and a preliminary determination (in a DOE grievance process) and a determination (in a formal investigation) regarding whether, applying the preponderance of the evidence standard, there is sufficient evidence to conclude that the respondent violated the UC policy on SVSH. If there is a determination that a policy violation occurred, the matter is forwarded to the chancellor or the chancellor’s designee to advise on appropriate resolution under applicable procedure, including any fact-finding hearing under the UC policy on SVSH.

You can reach OPHD by calling (510) 643-7985, emailing ask_ophd@berkeley.edu, visiting the [OPHD website](#), and/or going to their physical location at 2111 Bancroft Way.

**Center for Student Conduct (CSC)**

The CSC determines if a student or student organization engaged in behavior that violates the code of student conduct. Students, faculty, staff, and community members can report an incident to the Center for Student Conduct.

CSC reviews information reported to the office and will contact the student or student organization if there is reason to believe that the code of student conduct may have been violated. The student or student organization charged with violating the code has the option to resolve the case by meeting with CSC or by having a hearing. During a meeting with CSC, a CSC staff member listens
to the student’s side of the story and determines whether the student is responsible for violating the code. If the student is found responsible for violating policy, the CSC staff member proposes sanctions and the case is considered resolved if the student agrees with the sanctions. If the student does not agree with the proposal the case goes to a hearing. During a hearing, either a panel or the independent hearing officer makes the determination of responsibility and recommends sanctions to the dean of students. Regardless of whether a case is resolved through a meeting with CSC or by going to a hearing, disciplinary action is based on a combination of factors, including the circumstances of the particular case and past conduct history. Sanctions include a range of outcomes, including suspension and dismissal from the university.

CSC is located at 203 Sproul Hall. You can reach the office by calling (510) 643-9069 or emailing studentconduct@berkeley.edu.

**Support Resources On & Off Campus**

UC Berkeley and the City of Berkeley community offer important resources to the victims of sexual violence including medical treatment, counseling, and advocacy they may wish to utilize. The PATH to Care Center and UCPD have personnel available that can assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. A victim is not required to make a formal report to UC Berkeley or law enforcement to access the resources provided in the tables below.
### On and Off Campus Resources

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<thead>
<tr>
<th>Resource</th>
<th>Address</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td><strong>PATH to Care Center</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>care.berkeley.edu</td>
<td>(510) 642-1988 (Appointments)</td>
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<tr>
<td></td>
<td></td>
<td>(510) 643-2005 (24/7 support)</td>
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<tr>
<td><strong>Social Services (SOS)</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>Tang Center Room 2280</td>
<td>(510) 642-6074 (24/7 Support)</td>
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<tr>
<td></td>
<td>2222 Bancroft Way</td>
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<tr>
<td><strong>Gender Equity Resource Center</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>202 E. Chávez Center</td>
<td>(510) 642-4786 (Main)</td>
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<tr>
<td><strong>University Health Services (UHS)</strong></td>
<td>Tang Center</td>
<td>(510) 643-5727</td>
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<tr>
<td><strong>UHS Employee Assistance Program</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>2222 Bancroft Way</td>
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<td></td>
<td></td>
<td>(510) 642-2000</td>
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<tr>
<td><strong>Student Advocate’s Office (SAO)</strong>&lt;sup&gt;+&lt;/sup&gt;</td>
<td>412B Eshleman Hall</td>
<td>(510) 642-6912</td>
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<tr>
<td><strong>Bay Area Women Against Rape CA</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>470 27th Street</td>
<td>(510) 430-1298 24hr Hotline</td>
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<tr>
<td></td>
<td>Oakland, CA</td>
<td>(510) 845-7273</td>
</tr>
<tr>
<td><strong>Family Violence Law Center CA</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>470 27th Street</td>
<td>(510) 208-0220 24hr Crisis Line</td>
</tr>
<tr>
<td></td>
<td>Oakland, CA</td>
<td>(800) 947-8301</td>
</tr>
<tr>
<td><strong>Student Legal Services</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>470 27th Street</td>
<td>(510) 664-7487</td>
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<tr>
<td></td>
<td>Oakland, CA</td>
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<tr>
<td><strong>Berkeley International Office</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>2150 Shattuck Ave, Suite 500</td>
<td>(510) 642-2818</td>
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<tr>
<td><strong>Financial Aid and Scholarships Office</strong></td>
<td>201 Sproul Hall, #1960</td>
<td>(510) 664-9181</td>
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<tr>
<td><strong>Highland Hospital (Evidence Collection)</strong></td>
<td>1411 East 31st Street</td>
<td>(510) 534-9291</td>
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<td></td>
<td>Oakland, CA</td>
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*Confidential Resource
### UCDC Resources

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<thead>
<tr>
<th>Resource</th>
<th>Address</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td><strong>DC Rape Crisis Center</strong>&lt;br&gt;dcrcc.org</td>
<td>5321 1st Pl NE&lt;br&gt;Washington, DC 2011</td>
<td>Hotline: (202) 333-7273</td>
</tr>
<tr>
<td><strong>Access HelpLine</strong>&lt;br&gt;dbh.dc.gov/service/access-helpline</td>
<td></td>
<td>(888) 793-4357</td>
</tr>
<tr>
<td><strong>National Center for Victims of Crime</strong>&lt;br&gt;victimsofcrime.org</td>
<td></td>
<td>(202) 467-8700</td>
</tr>
</tbody>
</table>

*Confidential Resource*
Supportive Measures
Whether or not a student or employee reports to law enforcement or pursues any formal action, if they report sexual assault, dating and domestic violence, and stalking, UC Berkeley is committed to providing them as safe of a learning or working environment as possible. UC Berkeley will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations, or protective measures. The university will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Survivors or others directly or indirectly impacted by sexual or gender violence may contact the PATH to Care Center confidential advocates to discuss options or for an appointment by calling (510) 642-1988 or the Care Line (for 24/7 urgent support) by calling (510) 643-2005. For more information visit the PATH to Care website. Students may also choose to contact Social Services located at The Tang Center, 2nd Floor Room 2280, or by calling (510) 642-6074. Students, staff, and faculty also have the option to contact the Office of the Prevention of Harassment and Discrimination (OPHD) to file an administrative report through the university by calling (510) 643-7985 or emailing ask_ophd@berkeley.edu.

Survivors may request assistance in obtaining an emergency protective order from UCPD or the City of Berkeley Police. Confidential advocates can also assist survivors in understanding their options to pursue protective orders.

If a survivor is concerned that the protective order has been, is, or will be violated, they can contact UCPD to discuss enforcement of said protection order.

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

Victim Confidentiality
The University of California Berkeley recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. However, reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the suspect, unless the report is subject to victim confidentiality per California Penal Code section 293 and Government Code sections 6253 and 6254.

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

Reports made to the PATH to Care Center, medical professionals, licensed mental health counselors, and staff within the ombuds offices will not be shared with third parties except in cases of imminent danger to the victim or a third party.

UCPD will not release personally identifiable information of the victim in publicly available Clery record keeping such as timely warnings, emergency notifications, the daily crime log, or the Annual Security and Fire Safety Report.

The university will maintain as confidential any accommodations or protective measures provided to the survivor of sexual assault, dating violence, domestic violence, or stalking to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Education Programs
UC Berkeley prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act. The university is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches. These programs cover topics such as the definition of consent, options for bystander intervention, information about risk reduction, and university policies and procedures for responding to these incidents.

Sexual Assault Prevention Education Programs
In a collaborative effort, UC Berkeley provides a vast of array of ongoing programs designed to facilitate the prevention and awareness of sexual assault, dating violence, domestic violence, and stalking. The University of California Office of the President (UCOP) requires all faculty and staff to complete sexual harassment/sexual violence prevention training online through the UC Learning Center. All incoming students are also required to complete a series of training programs, both online and live, as part of their new student orientation. More information on these requirements can be found on the campus sexual violence/sexual harassment website.
Below is a list of resource programs, both mandatory and optional for staff and students that are available at UC Berkeley:

- **PATH to Care Center**
- **UC Berkeley SVSH**
- **Gender Equity Resource Center**
- **Bear Pact:** A mandatory presentation that teaches students about important issues faced by college students: sexual violence and harassment, mental health, and alcohol use.
- **The LEAD Center** provides numerous prevention activities, including training for fraternities and sororities and other university-affiliated student groups. They are physically located at 432 Eshleman Hall, and can be contacted by calling (510) 642-5171.
- **Residential and Student Service Program** (RSSP) also organizes a variety of prevention activities for their residents, including residence hall staff training. RSSP is located at 2610 Channing Way, and can be contacted by calling (510) 643-9179.

**Bystander Intervention and Risk Reduction**

The [CARE (Confront, Alert, Re-Direct, and Engage) Model](https://www.bearsatcare.org/) equips UC Berkeley community members with strategies for taking action. Depending on the situation at hand and your personal style for intervening, there is always an option for taking action while keeping yourself safe. Through interactive workshops about bystander intervention, [Bears That CARE](https://www.bearsatcare.org/) educates and empowers individuals to effectively and safely intervene in potentially harmful or violent situations. We strive to create a community of care. Bystander intervention is a great tool and has the power to transform our campus. For more information, please visit the [Bears That CARE website](https://www.bearsatcare.org/).

**University Disciplinary Procedures for Incidents Involving Sexual Violence**

UC Berkeley strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees, and other affiliates may also face disciplinary action by the university. The university disciplinary processes for students and employees are designed to afford a complainant and a respondent a fair, prompt, and impartial disciplinary and resolution process. The [UC policy on SVSH](http://www.ucop.edu/hr/policies/1.macro-UCSVSH.html), which applies to students, faculty, and staff, states that complainants and respondents may have an advisor or emotional support person present when interviewed and at any related meeting during the investigation and disciplinary process. Other support persons may be allowed under other policies (e.g. personnel policies or a collective bargaining agreement). Other witnesses in the investigation may have an advisor present at the discretion of the investigator or as required by university policy or collective bargaining agreement. Full text of this policy is available at the [Office for the Prevention of Harassment and Discrimination (OPHD) website](https://www.ophd.berkeley.edu/). People who need support as they address these incidents can seek both campus and community-based services during the process. The protocol for how the university responds to sexual assault, dating or domestic violence, and stalking complaints through the campus conduct process can be found in the [UC policy on SVSH](http://www.ucop.edu/hr/policies/1.macro-UCSVSH.html), and in the local implementing procedures, all of which can be found at [Office for the Prevention of Harassment and Discrimination (OPHD) website](https://www.ophd.berkeley.edu/).

University disciplinary sanctions include, but are not limited to: dismissal from the University of California, suspension, exclusion from areas of the campus or from official university functions, loss of privileges, exclusion from activities, restitution, probation censure/warning, and/or other actions as set forth in university policy and campus regulations.

**Employee Disciplinary Proceedings**

Employees found responsible for having committed such a violation face discipline up to and including termination of employment. Other disciplinary actions may include formal letters of warning or censure, disciplinary probation, or demotion. The [Office for the Prevention of Harassment and Discrimination (OPHD)](https://www.ophd.berkeley.edu/) investigates all incidents involving accused students, faculty, and staff and forwards any preliminary and/or final policy determinations to the appropriate office for implementation of disciplinary proceedings.

All disciplinary proceedings involving staff and faculty shall follow the specific personnel policies or academic code of conduct policies that govern that individual’s employment or academic appointment status. Complainants shall be informed of the outcome of the disciplinary process, as required by UC system-wide policy. [Central Human Resources](http://hr.berkeley.edu/) and the [Academic Personnel Office](http://hr.berkeley.edu/) implement policies governing the discipline of staff, non-senate faculty, and non-faculty academic personnel. The [faculty code of conduct](http://hr.berkeley.edu/) governs matters involving faculty members of the [academic senate](http://hr.berkeley.edu/) (tenure-track faculty) accused of misconduct.

All disciplinary proceeding officials will, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
Student Conduct Proceedings
Determination of responsibility for violating the code of student conduct is made using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred). The Center for Student Conduct implements policies governing the discipline of student respondents, and students face disciplinary action up to and including dismissal from the university.

Both the respondent and complainant shall simultaneously be informed in writing of the outcome of the proceedings, the procedures for appealing the results, and of case progression through the conduct process, including notice of final outcome. Disclosure of the outcome shall be made to both parties unconditionally, simultaneously, and each shall be free to share or not share the details with any third parties. All disciplinary proceeding officials will, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

For additional information about student conduct proceedings, please consult the code of student conduct.

Complaint Resolution Process
UC Berkeley will, upon request, disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased.
Undergraduate & Graduate Students

Process

The process outlined below represents a summary of UCOP Appendix E. Not all cases will undergo the process steps according to the order provided in the outline below. Please reference the full body for additional details and information.

1. In all cases within the process, regardless of the location of the alleged misconduct, the university will provide the complainant with the survivor support handout that explains the various rights and options when reporting an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

2. Wherever possible, the university will provide the complainant with access to medical care, emotional support, information regarding confidential care advocates, and assistance with academic/housing concerns or issues when requested and as appropriate.

3. The university will assess the immediate safety needs of the complainant, including, for example, assisting with acquiring protective/restraining orders or other protective measures, including no-contact directives.

4. The university will provide information for reporting to UCPD or the local police department, when applicable and will assist the complainant with contacting law enforcement, if the complainant requests.

5. According to the UC policy on sexual violence and sexual harassment, the Office for Prevention of Harassment and Discrimination (OPHD), directed by the Title IX officer for UC Berkeley, will assess the need to implement interim or long-term protective measures, such as interim suspensions, exclusions from areas of campus, housing changes, changes in class schedule, and no-contact directives between both parties.

6. OPHD will provide complainants and respondents a copy of the UC policy on SVSH and local implementing procedures that include an outline of the administrative investigation and adjudication procedures.

7. Respondents will be provided with contact information for the appropriate respondent services coordinator, who can explain the respondent’s rights and options under applicable policies.

8. After an initial assessment, and if the complainant and respondent agree, OPHD will begin an alternative resolution process. In the alternative resolution process the parties can propose and agree to terms which may include separating the parties, referring parties to counseling, and conducting targeted preventive education and training programs.

9. If either party wishes to end this process, or if OPHD stops the process before the parties agree to terms, then OPHD will reassess how to resolve the complaint, including initiating a formal investigation.

10. The alternative resolution process is successfully concluded when the parties agree to terms. This concludes the complaint resolution process, unless the respondent fails to satisfy the terms or new conduct occurs. If a formal investigation will be conducted, OPHD, after consulting with CSC, will send written notice of the allegations to the complainant and respondent.

11. OPHD will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. OPHD will use a preponderance of evidence standard to make a preliminary determination regarding whether the UC policy on SVSH as well as the code of student conduct have been violated.

12. During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit evidence, identify witnesses who may have relevant information, propose questions for the investigator to ask the other party and witnesses, and review and respond to evidence the investigator has deemed relevant.

13. OPHD will simultaneously notify the complainant and respondent of the preliminary determination. OPHD will provide each party with a redacted copy of the written investigation report.

14. OPHD will provide CSC with the written notice of the preliminary determination and an unredacted copy of the investigation report. In cases where there is a preliminary determination of responsibility, CSC will review the report, the evidence deemed relevant by the investigator as documented in the report, the preliminary determinations, respondent’s prior conduct record, any comment on sanctions from the parties (received either in person or in writing), and any other information relevant to the factors described in Appendix E Section IX, and will determine a proposed sanction. Either party may schedule a meeting with or submit a written statement to CSC to provide input on sanctions.

15. Either party may contest the preliminary determination within 20 business days of the notice of investigative findings and preliminary determination.

16. If either party wishes to discuss the possibility of contesting and the implications of contesting or not contesting the preliminary determination, including the hearing that will result if either party contests, they may discuss their options with CSC (even if the investigator’s preliminary determination was that no policy violation occurred). If either party wishes to meet with CSC, they will contact CSC within 3 business days of receiving the notice of preliminary determination to schedule the meeting.

17. In cases where CSC proposes suspension or dismissal, the respondent is presumed to contest the preliminary determination unless the respondent provides CSC with written acknowledgement that they do not contest, accept the preliminary determination, and waive their right to a hearing.

18. If either party contests, or is presumed to contest, the investigator’s preliminary determinations, there will be a fact finding hearing before a single hearing officer.
19. If a party requests a fact finding hearing, CSC will notify both parties within 5 business days that there will be a hearing. If no party contests or is presumed to contest the preliminary determination, CSC will notify the parties that there will be no hearing.

20. The hearing officer and hearing coordinator will hold a separate meeting with each party, to explain the hearing process, address questions, begin to define the scope of the hearing, and address other issues to promote an orderly, productive, and fair hearing.

21. Any party contesting (or presumed to contest) the investigator’s preliminary determination regarding policy violation(s) is required to participate in the pre-hearing meeting. If a contesting or presumed to contest party does not attend the pre-hearing meeting, the hearing coordinator will provide them 2 business days to reschedule. If they do not reschedule, CSC will notify the parties that there will be no hearing and the preliminary determination is final.

22. Within 5 business days after the last pre-hearing meeting, the hearing coordinator will notify parties of the scope of the hearing and witnesses.

23. Not less than 10 business days before the hearing, the hearing coordinator will send a written notice to the parties informing them of the hearing date, time, location, and procedures.

24. At least 2 business days prior to the hearing, the parties will receive the hearing officer’s confirmation of scope and evidence.

25. The hearing officer will decide whether a violation of the UC policy on SVSH (or related non-SVSH policy violation) occurred based on a preponderance of evidence standard. The hearing officer will take into account the investigative file and the evidence presented and accepted at the hearing. On any disputed and material issue, the hearing officer should make their own

26. The hearing coordinator will send a copy of the hearing officer’s determination to CSC. Based on the hearing officer’s findings and determinations, and other information relevant to sanctioning, CSC will determine an appropriate sanction.

27. Within 15 business days of the hearing, the hearing coordinator will send written notice to the complainant and respondent setting forth the hearing officer’s determination on whether the UC policy on SVSH and/or other student conduct policies have been violated, and, if so, CSC’s determination of any sanctions to be imposed.

28. The complainant and respondent have an equal opportunity to appeal the policy violation determination(s) and any sanction(s). The university administers the appeal process, but is not a party and does not advocate for or against any appeal.

29. If either party appeals the finding, the appeal officer will determine whether the appealing party met the grounds for appeal. In cases where a ground of appeal is disproportionate sanction, the parties may meet separately with the appeal officer or provide a written statement for the limited purpose of providing input on their desired outcomes as to sanctions only.

30. The appeal officer may uphold the findings and sanctions; overturn the findings or sanctions; modify the findings or sanctions; or in appeals alleging material procedural error, send the case back to the hearing officer for further fact finding if needed. The appeals officer will send their written decision to the complainant and respondent within 10 business days.

From the initial filing of the complaint with OPHD, through any appeals, the university will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for filing a complaint or for assisting in the investigation. Additional details regarding this process can be found in UCOP Appendix E.

**Offices Responsible**
- OPHD
- Center for Student Conduct
- Center for Support and Intervention
- Vice chancellor of student affairs
- University Health Services
- UCPD Berkeley
- PATH to Care Center

**Available Sanctions**
The following disciplinary outcomes are possible, depending on the outcome of the investigation and adjudication process:
- No sanction
- Warning/censure
- Probation
- Restitution
- Loss of privileges/exclusion from activities
- Exclusion from areas of the campus and/or from official university functions
- Suspension
- Dismissal
- Educational sanctions such as completing workshops or assessments may also be applied.

**Anticipated Timelines**
- All days referred to in this timeline are work days, defined as Monday – Friday, when the university is officially open.
- OPHD investigates allegations and makes preliminary determinations as promptly as possible, optimally within 60 - 90 days. Extensions to this timeline can be made for good cause. If extensions are made, the parties will be notified.

Additional timeline information can be found in the process description and UCOP Appendix E.
Staff and Faculty

Process

1. In all cases, regardless of the location of the alleged misconduct, the university will provide the complainant with the survivor support handout that explains the various rights and options when reporting an incident of sexual harassment, sexual assault, dating violence, domestic violence and stalking.

2. Wherever possible, the university will provide the complainant with access to medical care, emotional support and any workplace accommodations, as necessary.

3. OPHD and relevant campus offices will assess immediate safety needs of complainant, including, for example, assisting with acquiring protective orders or other measures.

4. Complainants will also be provided with contact information for the local police department when applicable. UCPD, a confidential CARE advocate, HR, or the Academic Personnel Office will assist the complainant with contacting local police if the complainant requests.

5. OPHD, in consultation with relevant campus partner offices (e.g. PATH to Care Center, Human Resources, the Office of the Vice Provost for the Faculty, UCPD) will assess the need to implement other interim measures, such as administrative leave, work reassignments, or no contact directives between both parties.

6. OPHD will provide all complainants and respondents with a copy of the applicable UC policy on SVSH and applicable implementing procedures, including an outline of the administrative investigation process.

7. Respondents will be provided with contact information for the appropriate respondent services coordinator, who can explain the respondent's rights and options under applicable policies.

8. OPHD will conduct a prompt, fair and impartial investigation of the allegations to determine if the UC policy on sexual harassment and sexual violence has been violated, using a preponderance of the evidence standard.

9. OPHD will simultaneously notify the complainant and respondent of the outcome of the investigation. OPHD will provide each party with a redacted copy of the written investigation report.

10. OPHD will forward that report to the appropriate administrative authority, as outlined in the applicable local procedures for senate faculty, non-senate faculty, non-faculty academic personnel, or non-academic staff employees.

11. Disciplinary and/or remedial measures will be determined according to the process outlined in the applicable procedures.

Offices Responsible

- OPHD
- Human Resources
- Office of the Vice Provost for the Faculty
- University Health Services
- UCPD
- PATH to Care Center

Available Sanctions

The following disciplinary outcomes are possible, depending on the outcome of the investigation and adjudication process:

- No sanction
- Remedial education or training
- Warning/censure
- Corrective salary decrease
- Suspension
- Demotion/reduction in rank
- Termination
- Curtailment of emeritus status

Anticipated Timelines

- OPHD investigates allegations and makes findings as promptly as possible and in most cases, optimally within 60 working days. Extensions to this timeline can be made for good cause. If extensions are made, the parties will be notified.
- The review and discipline process follows timelines determined by applicable policies, labor agreements, or codes of conduct that cover the terms and conditions of the responding employee or faculty member.
Senate Faculty Adjudication Model – Process Flow Chart

Stage 0 Resources and Reporting
- The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options
- Individual reports to OPHD or other responsible employee

Stage 1 Investigation and Findings
- Insufficient information to proceed
- Allegation received by OPHD; outreach and preliminary inquiry conducted
- Alternative resolution; no formal investigation
- Formal investigation by OPHD under UC policy on SVSH; OPHD informs chancellor
- Investigation report, applying preponderance of evidence standard, finds a violation of UC policy on SVSH, which establishes probable cause under APM-015
- Investigation report sent to chancellor/designee; complainant and respondent can receive copy of report
- Investigation report, applying preponderance of evidence standard, does not find a violation of UC policy on SVSH

Stage 2 Assessment and Consultation
- Complainant and respondent have opportunity to submit written response and/or request meeting with the chancellor/designee
- Chancellor/designee engages peer review committee to advise on discipline or other actions to resolve

Stage 3 Disciplinary Sanctions in Accordance with APM-016
- Chancellor/designee makes determination
- Respondent refuses early resolution
- Proposes early resolution, which may include discipline and other measures
- No formal discipline; outcome communicated to complainant and respondent
- Following hearing, privilege and tenure committee makes recommendation to chancellor regarding discipline
- Chancellor makes final decision; outcome communicated to complainant and respondent

Supportive and interim measures are available throughout the process.
Respondent may be placed on involuntary leave at any time in accordance with APM-016.
Notice of any proposed disciplinary action must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.
Supportive and interim measures are available throughout the process.

Respondent may be placed on involuntary leave at any time in accordance with APM-016.

Notice of any proposed discipline must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.

### Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource:
- on/off campus resources, notice of rights, reporting options

OPHD receives report, conducts outreach and initial assessment, and decides how to proceed

OPHD oversees alternative resolution instead of investigation

End

### Stage 1/Stage 2 Investigation, Preliminary Determination, Assessment and Consultation

OPHD investigates

OPHD preliminarily determines respondent violated policy using preponderance of evidence standard; assessment and consultation occurs; chancellor/chancellor’s designee proposes resolution

OPHD preliminarily determines respondent did not violate policy using preponderance of evidence standard; assessment and consultation occurs

### Stage 2.A Opportunity to Accept the Preliminary Determination

Parties have equal opportunity to accept or not accept the preliminary determination and any proposed resolution; if either party does not accept, the matter goes to a hearing

Either party or both parties do not accept the preliminary determination

### Stage 2.B Prehearing and Hearing

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of conduct

Hearing

Hearing officer determines that respondent violated policy using preponderance of evidence standard

Hearing officer determines respondent did not violate policy using preponderance of evidence standard

### Stage 2.C Appeal of Determination

Right to appeal on limited grounds

Appeal

No appeal

Appeal officer decides

In procedural error and new evidence appeals, appeal officer may remand to hearing officer and then decide

If final determination is that respondent violated policy: see stage 3 of the senate faculty adjudication model process in flow chart 1 on page 52

For all non-DOE-covered conduct see flow chart 1
Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

Individual reports to OPHD or other responsible employee

Stage 1 Investigation and Findings

Insufficient information to proceed

End

Allegation received by OPHD; outreach and preliminary inquiry conducted

Investigation report sent to chancellor/designee; complainant and respondent can receive copy of report

Investigation report, applying preponderance of evidence standard, finds a violation of UC policy on SVSH, which establishes probable cause under APM-015

Investigation report, applying preponderance of evidence standard, does not find a violation of UC policy on SVSH

End

Formal investigation by OPHD under UC policy on SVSH; OPHD informs chancellor

Stage 2 Assessment and Consultation

Complainant and respondent have opportunity to submit written response and/or request meeting with the chancellor/designee

Chancellor/designee engages peer review committee to advise on discipline or other actions to resolve

Stage 3 Corrective Action in Accordance with APM-150

Chancellor/designee makes determination

Respondent refuses informal resolution

Issues notice of intent to institute corrective action or dismissal (see APM-150.40)

Following consideration of reply (if any), notice of action issued; outcome communicated to complainant and respondent

Respondent accepts informal resolution; outcome communicated to complainant and respondent

No further action; outcome communicated to complainant and respondent

End

Proposes informal resolution, which may include discipline and other measures

End*

*Respondent may grieve decision pursuant to APM-140

Supportive and interim measures are available throughout the process.

Respondent may be placed on investigatory leave at any time in accordance with APM-150.

Notice of any proposed disciplinary action must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.

60–90 Business Days for Investigation**

**Can be extended for good cause

40 Business Days to Issue any Notice of Intent

For all DOE-covered conduct see attachment 2.A
Supportive and interim measures are available throughout the process. Respondent may be placed on investigatory leave at any time in accordance with APM-150. Notice of any proposed disciplinary action must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.

Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

OPHD receives report, conducts outreach and initial assessment, and decides how to proceed

Title IX oversees alternative resolution instead of investigation

End

Stage 1/Stage 2 Investigation, Preliminary Determination, Assessment and Consultation

OPHD investigates

OPHD preliminarily determines respondent violated policy using preponderance of evidence standard; assessment and consultation occurs; chancellor/chancellor’s designee proposes resolution

OPHD preliminarily determines respondent did not violate policy using preponderance of evidence standard; assessment and consultation occurs

Stage 2.A Opportunity to Accept the Preliminary Determination

Parties have equal opportunity to accept or not accept the preliminary determination and any proposed resolution; if either party does not accept, the matter goes to a hearing

Either party or both parties do not accept the preliminary determination

Stage 2.B Prehearing and Hearing

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of conduct

Hearing

Hearing officer determines that respondent violated policy using preponderance of evidence standard

Hearing officer determines respondent did not violate policy using preponderance of evidence standard

Stage 2.C Appeal of Determination

Right to appeal on limited grounds

Appeal

No appeal

Appeal officer decides

In procedural error and new evidence appeals, appeal officer may remand to hearing officer and then decide

If respondent is found responsible:
see stage 3 of non-senate faculty adjudication model process in flow chart 2 on page 54

For all non-DOE-covered conduct see flow chart 2
**Stage 1 Resources and Reporting**

The following can be provided by the CARE advocate, licensed counselor, or other resource:
- on/off campus resources, notice of rights, reporting options

**Stage 2 Investigation and Proposed Sanctions**

- OPHD investigates
- OPHD preliminarily determines respondent violated policy; student conduct proposes sanctions
- OPHD preliminarily determines respondent did not violate policy

**Stage 3 Opportunity to Contest**

- Parties have equal opportunity to accept or not accept the preliminary determination and any proposed resolution; if either party does not accept, the matter goes to a hearing (in suspension/dismissal cases, respondent is presumed to contest unless they waive)
- Either party or both parties contest the preliminary policy determination (in suspensions/dismissal cases, respondent does not waive presumption)

**Stage 4 Hearing**

- Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues
- Hearing
- Hearing officer determines that respondent violated policy; student conduct determines sanction
- Hearing officer determines respondent did not violate policy

**Stage 5 Appeal**

- Right to appeal sanction
- Right to appeal on limited grounds, including sanction (if any)
- Appeal officer decides
- No appeal
- Appeal officer decides
- In procedural error appeals, appeal officer may remand to hearing officer and then decide
- End
- End
- End

*Please see the PACAOS Appendix E for full procedural details*
Supportive and interim measures are available throughout the process.

**Interim Policy PACAOS - Appendix F**

**Student Investigation and Adjudication Process Flow Chart for DOE-Covered Conduct**

**Stage 1 Resources and Reporting**

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

OPHD receives report, conducts outreach and initial assessment, and decides how to proceed

OPHD oversees alternative resolution instead of investigation

End

**Stage 2 Investigation and Proposed Sanctions**

OPHD investigates

OPHD preliminarily determines respondent violated policy; student conduct proposes sanctions

OPHD preliminarily determines respondent did not violate policy

**Stage 3 Opportunity to Accept or Not Accept**

Both parties accept the preliminary determination

The preliminary determination becomes final; sanction is imposed

Parties have equal opportunity to accept or not accept the preliminary determination and any proposed resolution; if either party does not accept, the matter goes to a hearing

Either party or both parties do not accept the preliminary determination

**Stage 4 Hearing**

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of conduct

Hearing

Hearing officer determines that respondent violated policy; student conduct determines sanction

Hearing officer determines respondent did not violate policy

**Stage 5 Appeal**

Right to appeal sanction

Appeal

Appeal officer decides

End

Right to appeal on limited grounds, including sanction (if any)

Appeal

In procedural error appeals, appeal officer may remand to hearing officer and then decide

End

End

End

*Please see the PACAOS Appendix F for full procedural details*
Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

Individual reports to OPHD or other responsible employee

Stage 1 Investigation and Findings

Insufficient information to proceed

End

Alternative resolution; no formal investigation

Formal investigation by OPHD under UC policy on SVSH

STAGE 2 Assessment and Consultation

Complainant and respondent have opportunity to submit written response

Supervisor proposes course of action to chancellor's designee; forwards written responses if any

Chancellor's designee does not approve the proposed action and sends back for new proposal

Chancellor's designee, in consultation with staff human resources, determines whether to approve proposed action

Chancellor's designee approves the proposed action

Stage 3 Corrective Action in Accordance with Applicable PPSM

Supervisor implements approved course of action

No further action; outcome communicated to complainant and respondent

End*

Issues notice of intent to institute corrective action or termination

Following consideration of reply (if any), corrective action or termination instituted; outcome communicated to complainant and respondent

*Respondent may file a complaint pursuant to PPSM-70 or a grievance pursuant to the applicable collective bargaining agreement

Supportive and interim measures are available throughout the process.

Respondent may be placed on investigatory leave at any time in accordance with PPSM-63 and any investigatory leave article in the applicable collective bargaining agreement.

PPSM - Covered Staff and Represented Staff Adjudication Model - Process Flow Chart 3

60-90 Business Days for Investigation**

**Can be extended for good cause

40 Business Days to Issue any Notice of Intent

60-90 Business Days for Investigation**

**Can be extended for good cause

End

End

Investigation report, applying preponderance of evidence standard, finds a violation of UC policy on SVSH

Investigation report sent to respondent's supervisor and chancellor's designee; complainant and respondent can receive copy of report

Investigation report, applying preponderance of evidence standard, does not find a violation of UC policy on SVSH

End
Supportive and interim measures are available throughout the process.
Respondent may be placed on investigatory leave at any time in accordance with PPSM-63 and any investigatory leave article of the applicable collective bargaining agreement.

Stage 0 Resources and Reporting

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

OPHD receives report, conducts outreach and initial assessment, and decides how to proceed

OPHD oversees alternative resolution instead of investigation

End

Stage 1/Stage 2 Investigation, Preliminary Determination, Assessment and Consultation

OPHD investigates

OPHD preliminarily determines respondent violated policy using preponderance of evidence standard; assessment and consultation occurs; respondent's supervisor or other appropriate administrative authority proposes resolution

OPHD preliminarily determines respondent did not violate policy using preponderance of evidence standard; assessment and consultation occurs

Stage 2.A Opportunity to Accept the Preliminary Determination

Parties have equal opportunity to accept or not accept the preliminary determination; if either party does not accept, the matter goes to a hearing

Either party or both parties do not accept the preliminary determination

Stage 2.B Prehearing and Hearing

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of contact

Hearing

Hearing officer determines that respondent violated policy

Hearing officer determines respondent did not violate policy

Stage 2.C Appeal of Determination

Right to appeal on limited grounds

Appeal

No appeal

Appeal officer decides

In procedural error and new evidence appeals, appeal officer may remand to hearing officer and then decide

If respondent is found responsible: see stage 3 of PPSM-covered staff and represented staff adjudication model process flow chart 3 on page 58

For all non-DOE-covered conduct see flow chart 3
Non-Senate (Non-Represented) Faculty Adjudication Model Process Flow Chart 4

**Stage 0 Resources and Reporting**

The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options

Individual reports to OPHD or other responsible employee

**Stage 1 Investigation and Findings**

- Insufficient information to proceed
- Allegation received by OPHD; outreach and preliminary inquiry conducted
- Alternative resolution; no formal investigation

**Stage 2 Assessment and Consultation**

Investigation report, applying preponderance of evidence standard, finds a violation of UC policy on SVSH, which establishes probable cause under APM-015

Investigation report sent to chancellor/designee; complainant and respondent can receive copy of report

Investigation report, applying preponderance of evidence standard, does not find a violation of UC policy on SVSH

Complainant and respondent have opportunity to submit written response and/or request meeting with the chancellor/designee

Chancellor/designee engages peer review committee or consults with Academic Personnel Office to advise on discipline or other actions to resolve

**Stage 3 Corrective Action in Accordance with APM-150**

Chancellor/designee makes determination

Respondent refuses informal resolution

Issues notice of intent to institute corrective action or dismissal (see APM-150.40)

Following consideration of reply (if any), notice of action issued; outcome communicated to complainant and respondent

Proposes early resolution, which may include discipline and other measures

Respondent accepts informal resolution; outcome communicated to complainant and respondent

No further action; outcome communicated to complainant and respondent

**End**

*Respondent may grieve decision pursuant to APM-140

Supportive and interim measures are available throughout the process.

Respondent may be placed on investigatory leave at any time in accordance with APM-150.

Notice of any proposed disciplinary action must be delivered no later than three years after the chancellor is deemed to have known about the alleged violation.

60-90 Business Days for Investigation**

**Can be extended for good cause

40 Business Days to Issue any Notice of intent

For all DOE-covered conduct see attachment 4A
End

Stage 0 Resources and Reporting

- The following can be provided by the CARE advocate, licensed counselor, or other resource: on/off campus resources, notice of rights, reporting options
- OPHD receives report, conducts outreach and initial assessment, and decides how to proceed
- OPHD oversees alternative resolution instead of investigation

OPHD investigates

Stage 1/Stage 2 Investigation, Preliminary Determination, Assessment and Consultation

OPHD preliminarily determines respondent violated policy using preponderance of evidence standard; assessment and consultation occurs; respondent’s supervisor or other appropriate administrative authority proposes resolution

OPHD preliminarily determines respondent did not violate policy using preponderance of evidence standard; assessment and consultation occurs

Stage 2.A Opportunity to Accept the Preliminary Determination

- Both parties accept the preliminary determination
- The preliminary determination becomes final; proposed resolution is imposed
- End

Stage 2.B Prehearing and Hearing

Prehearing meeting and other procedures to promote fair, productive, and orderly hearing, including defining disputed and relevant issues, and discussing rules of conduct

Stage 2.C Appeal of Determination

Right to appeal on limited grounds

- No appeal
- Appeal officer decides
- Appeal officer may remand to hearing officer and then decide
- In procedural error and new evidence appeals, appeal officer may remand to hearing officer and then decide

Hearing officer determines that respondent violated policy

Hearing officer determines respondent did not violate policy

If respondent is found responsible: see stage 3 of non-faculty (non-represented) academic personnel adjudication model process flow chart 4 on page 60

Supportive and interim measures are available throughout the process.

Respondent may be placed on investigatory leave at any time in accordance with APM 150.

For all non-DOE-covered conduct see flow chart 4

End
Sex Offender Registration

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

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

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

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

For more information about the Megan’s Law Data Program, the campus affiliated registered sex offender data, or to make an appointment, contact UCPD Records Unit by calling (510) 642-6760. The general public can view sex offender registration information at the Megan’s Law website.

University of California Washington Center, UCDC
The sex offender registry may be accessed at the Washington Center by way of the Metro Police Department website.
Campus Security Policies, Crime Prevention, and Safety Awareness Programs

In addition to the many programs offered by the university police and university offices, UC Berkeley has established a number of policies and procedures related to ensuring a reasonably safe campus community. Crime is never the fault of the victim. UCPD encourages students and employees to take responsibility for keeping themselves, their belongings, and everyone with whom they live and work safe.

Crime Prevention and Safety Awareness Programs

In an effort to promote safety awareness, UCPD participates in a variety of programs to educate and inform students, employees, parents, and the community on a variety of issues. The programs include general safety presentations for campus community members, targeted violence presentations for students/staff, and pepper spray workshops within the residence halls. Self-defense classes are offered including Cal Self-Defense for All (CSDA) and R.A.D for men. The programs are presented upon request or are scheduled at various times and locations on or near campus. UCPD also conducts tabling and outreach at resource fairs and campus events such as: Welcome Week, Caltopia, Calapooza, Cal Day, and Staff Appreciation Week. If you or your organization would like to request a specific program, please contact UCPD Crime Prevention Unit by calling (510) 642-3722.

UC Berkeley offers comprehensive free night safety services and a door-to-door service. The time of day determines what services are available. BearWalks are available from dusk to 3:00am, night shuttles run on routes from 7:30pm to 3:00am, and the door-to-door service is available from 3:00am until 6:00 am. For more information or to make a request for services, you may visit the UC Berkeley night safety website or call (510) 642-9255.

University of California Washington Center, UCDC

The UCDC Campus discusses safety and crime prevention at orientation.

Behavior Risk/Response Team (BRT) & Students of Concern Committee (SOCC)

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

SOCC focuses on students who are showing signs of being a danger to themselves or others.

The teams have been formed to augment existing systems and convene when individual service departments do not have adequate resources to respond to situations alone (including legal and psychological issues), coordinate communication internally and externally, and monitor the resolution of situations.

Threat Management Unit

UCPD Threat Management Unit (TMU) is an element of UCPD Criminal Investigations Bureau (CIB), and consists of detectives (sworn peace officers) who are assigned to assess, investigate and manage the response to potential threats, in addition to their other duties as criminal investigators. To help educate the campus community on issues related to threat assessment and management, TMU detectives are available to provide affiliated groups with presentations on this topic. To learn more about available UCPD presentations, or to schedule a presentation, please visit the presentations and outreach information page.

Do not ignore or downplay even indirect threats, as they could escalate into serious incidents. If you are the victim of a threat, you can report the incident to the police. The police may take a report or arrest the responsible individual if a crime has been committed. If you need help assessing a situation, contact the Threat Management Unit for assistance through UCPD, located at 1 Sproul Hall, or contact them by calling (510) 642-6760.

Weapons Policy

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

The only exception to this policy is for authorized law enforcement officers or others specifically authorized by the university. Requests for exemption to the weapons policy shall be directed to the following email: police@berkeley.edu. Failure to comply with the university weapons policy will result in disciplinary and/or criminal action against violators.

Security Surveys

Contact the UCPD Crime Prevention Unit (CPU) for a security survey and an officer will meet with you to identify areas in your office or building that may need security improvements. The CPU can assist you in safeguarding your building or office against unlawful entry and theft and advise on how to get involved with the
Policy Regarding Contact Persons
Each student living in student housing has the option to identify a contact person who will be notified within 24 hours if the student has been determined missing by UCPD or local law enforcement. This contact is strictly for missing persons and can be the same as their general emergency contact, or students may also choose someone different. The missing student contact is registered, confidential, accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation. If a student is under 18 and not emancipated, the university will also notify a custodial parent or guardian in addition to notifying any additional contact person designated by the student within 24 hours of the determination that the student is missing.

Students residing in on-campus housing specify emergency contact information in their housing application when accepting a housing offer. On the housing application, students are able to note whether the emergency contact(s) they provide will also serve as their missing student contact.

After providing this initial information, if a student wishes to change either their emergency contact or their missing person contact information, then the student must communicate the changes needed in writing to UC Berkeley Housing at reshall@berkeley.edu, including the phone number and email address of their preferred emergency contact or missing student contact.

Actions To Be Taken When A Student is or May Be Missing
If a student is suspected of being missing, then the reporting party will typically first notify Residential Life staff (e.g. resident assistant, resident director, and/or assistant director). Residential Life staff that receives a report that a student is or may be missing or who suspects that a student is missing, will initiate the missing student notification protocol, which includes an attempt to gather information regarding the student’s current whereabouts. Residential Life staff will also immediately contact UCPD for consultation, and to convey any report Residential Life staff has received that a student is missing.

Concerns that may give rise to a missing student investigation may consist of, but are not limited to:
• Medical or health related problems;
• The student has not regularly attended classes and has not been seen elsewhere;
• A UC Berkeley official has made an inquiry of concern;
• A parent, roommate, suitemate, or apartment–mate of the student has reported such disappearance due to irregular contact with the student;
• Residential staff believes that a student may be missing based upon absence from the residence or other information received by staff.

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

SAFETeam Program
The SAFETeam Program is an application of the neighborhood watch model adapted to a university setting. The program increases communication between the police department and those who live or work on campus property, to facilitate services that are buildingspecific and help to increase resident awareness of safety issues. The SAFETeam offers the following:
• Make regular visits to participating buildings in order to provide a visible police presence and stay familiar with building users and issues.
• Work with building coordinators by email to review incidents and crime trends and recommend risk reduction measures.
• Distribute safety education materials to the building.
• Coordinate crime prevention presentations and/or informal Q&A sessions for building occupants.

Please contact the SAFETeam Program by calling (510) 642-4832 for additional information.

Missing Student Notification Policy
UC Berkeley and Residential and Student Service Programs (RSSP) take the welfare of our students very seriously and have the following procedures in place to provide for each student’s well being. The missing student policy applies to any student who lives in an on-campus student housing facility, regardless of their age, status, or whether they have registered a confidential contact person. Any person who is aware of a student who is missing should immediately report that information to UCPD.

Concerns that may give rise to a missing student investigation may consist of, but are not limited to:
• Medical or health related problems;
• The student has not regularly attended classes and has not been seen elsewhere;
• A UC Berkeley official has made an inquiry of concern;
• A parent, roommate, suitemate, or apartment–mate of the student has reported such disappearance due to irregular contact with the student;
• Residential staff believes that a student may be missing based upon absence from the residence or other information received by staff.

While an unexplainable absence of more than 24 hours gives rise to heightened concern, a student may be determined to be missing even if the student has been absent from the campus for a period of less than 24 hours.
students affected by the incident (e.g. roommates or friends).

If the search for the missing student is deemed unsuccessful, the director of residential programs and/or associate vice chancellor for Residential Life, UCPD, and the dean of students will decide what further action(s) should be taken.

**Notifying Law Enforcement**

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UCPD will notify the local law enforcement agency that has jurisdiction in the area within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

If UCPD has been notified that a student is suspected to be missing and makes a determination that a student has been missing for more than 24 hours, UC Berkeley staff will initiate emergency contact procedures as outlined in the campus policy and protocol.

**University of California Washington Center, UCDC**

The above procedures apply to the UCDC Berkeley campus with the following exceptions:

- If a student is suspected of being missing, then the reporting party will typically first notify the CSD on duty by calling the duty line at 202-495-9275 who will then notify the director of student services or associate director of student services.
- The director will notify campus security and the DC Metro PD of the report of a missing student.
- If the search for the missing student is deemed unsuccessful, the director of student services will decide what further action(s) should be taken.

**Daily Crime and Fire Log**

UCPD maintains and publishes a daily crime log of all crimes reported to the department that occurred within their patrol jurisdiction. This log identifies the type, location, and date/time each criminal incident was reported to UCPD. The most recent 60 days of the log is available online 24 hours per day to members of the public. Upon request, a copy of log entries made prior to the most recent 60 days will be made available for viewing within 2 business days of the request.

The UC Berkeley Fire Prevention Division maintains a fire log of all fire incidents in on-campus UC residential buildings that are reported to the fire prevention division. The daily fire log is updated as events are reported. This log identifies the type, location, and time of each fire incident in on-campus residential buildings, reported to the UC Berkeley Fire Prevention Division. The most
current 60 days of the daily fire log is available online. Anyone may obtain a hard copy of the daily fire log by visiting the office of Environment, Health & Safety in University Hall, Suite #317.

**UC Berkeley Policies Governing Alcohol and Other Drugs**

**Alcohol and Drug Policy**

The university strives to maintain a campus community and worksite free from illegal use, possession or distribution of alcohol or of controlled substances as defined in schedules I through V of the Controlled Substances Act, 21 United States Code Sec. 812 and by regulation at 21 Code of Federal Regulations Sec.1308.

Unlawful manufacture, distribution, dispensing, possession, use, or sale of alcohol or of controlled substances by university employees and students on university premises, at official university functions, or on university business is prohibited. In addition, employees and students shall not use illegal substances or abuse legal substances in a manner that impairs work performance, scholarly activities, or student life.

Employees found to be in violation of this policy, including student employees, if the circumstances warrant, may be subject to corrective action, up to and including dismissal, under applicable university policies and labor contracts; or may be required, at the discretion of the university, to participate satisfactorily in an employee support program.

Students found to be in violation of this policy may be subject to disciplinary action, up to and including dismissal, as set forth in the code of student conduct and in campus regulations; or may be required, at the discretion of the university, to participate in educational workshops and services.

**Policies Specific To UC Berkeley Students**

Any student who violates the drug and alcohol policies is subject to disciplinary action including sanctions as outlined in the code of student conduct in addition to any penalties resulting from violating local, state, and/or federal law. Disciplinary sanctions may include: warning, disciplinary probation, suspension, or dismissal from the university. Students residing in university housing may also lose the privilege of living on campus for violating university rules and regulations or conditions of the housing contract. In most cases the Center for Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision-making for students and to further deter misconduct.
California Alcohol and Drug Laws and Sanctions

California law prohibits furnishing and selling alcoholic beverages to underage (younger than 21) or obviously intoxicated individuals. Underage persons may not buy alcoholic beverages or possess them on campus, in public, or in places open to public view; the penalties for violations of these laws may include substantial fines and jail. Alcohol may not be sold without a license or permit. State law also prohibits driving a motor vehicle under the influence (a blood alcohol level of .08 percent or higher creates a presumption of intoxication, but one can be charged with lower blood alcohol levels); drinking or possessing an open container of alcohol while driving; and operating a bicycle while intoxicated. Drunken driving penalties include jail or prison, fines of $1,000 or more, driver’s license suspension or revocation, and required drug/alcohol treatment programs. Refusing to submit to a test for blood alcohol can result in suspension of driver’s license for up to 3 years. Sale or possession for sale of controlled substances such as cocaine, methamphetamines, heroin, ecstasy, GHB, ketamine, LSD, PCP, marijuana, and designer drugs is a felony. Sentences are enhanced for previously convicted felons, for distribution within 1,000 feet of a school or university or within 100 feet of a recreational facility, and for distribution to a pregnant woman or to someone under 18 by one over 18. Property used in drug transactions can be seized. UCPD enforces all state laws related to alcohol and other drug use and possession.

Drugs and Alcohol Abuse Education Programs

The University of California recognizes misuse of alcohol and other drugs as a treatable condition and offers programs and services for university employees and students with substance misuse problems in accordance with the Federal Drug-Free Schools and Community Act (DFSCA). The UC Berkeley DFSCA biennial review is also available. Employees and students are encouraged to seek assistance as appropriate from employee support programs, health centers, and counseling or psychological services available at university locations or through referral. Information obtained regarding an employee or student during participation in such programs or services will be treated as confidential, in accordance with federal and state laws.

Alcohol and Drugs Policies

Alcohol Policy

The possession, sale, manufacturing, distribution, or consumption of alcohol by persons under the age of 21 is prohibited and illegal under state and federal laws, and University of California policy. Violators are subject to disciplinary action, criminal prosecution and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21.

1. A resident who is at least 21 years of age and elects to consume alcohol may do so in his/her own apartment with the door closed.

2. No possession, transportation (in plain view), or consumption of open containers will be allowed in common or public areas by any person, regardless of age. Common/public areas are defined as all facility areas that are not part of the private confines of a resident apartment. In such a case where the resident apartment door is propped open, the apartment will be considered common/public space.

3. Possession of large quantities of alcohol is prohibited. Large quantities can include kegs, pony kegs, party balls, tap systems, keg taps, trash cans, funnels, surgical tubing etc., and similar large volume containers.

4. The inability to exercise care for one’s own safety or the safety of others due in whole or in part to alcohol consumption is considered a violation of policy.

5. Any disruptive or abusive behavior or damage resulting from the use of alcoholic beverages shall not limit the responsibility of the individual for his/her activity. Such behavior and/or violation will result in disciplinary sanctions and possible eviction.

6. Violation of any other policy while under the influence of alcohol is considered an additional violation.

Controlled Substances Policy

1. Possession, use, manufacture, sale, distribution, or consumption of illegal and/or dangerous drugs is prohibited and illegal under state and federal laws, and a violation of University of California policy.

2. Possession of paraphernalia containing controlled substances, or residue of controlled substances, is prohibited.

3. Violation of any other policy while under the influence of a controlled substance is considered an additional violation.

4. The inability to exercise care for one’s safety or the safety of others due in whole or in part to being under the influence of a controlled substance is considered a violation of policy.

Residents in violation of any of the above drug policies will immediately have his/her housing contract terminated without refund and could also be subject to additional disciplinary action, and could also be subject to criminal prosecution and
imprisonment. Additionally, a report of the incident will be forwarded to the appropriate campus academic program or judicial office for review. Further sanctions may be imposed upon the students’ home campus.

**Parties Policy**

- Serving drinks to minors or supplying minors with alcohol is illegal and prohibited.
- The person(s) hosting a party will be held responsible for any drinking by minors.
- The person(s) hosting a party must ensure that any guest drinking alcohol is over the age of 21.
- Drinking must only occur within the physical premises of the apartment with the door closed. If a door to a resident apartment is propped open, the room is considered to be a common area.
- Violation of this policy may result in disciplinary action (also see section on alcohol).

Residents under the age of 21 cannot host a party where alcohol is present.

**Resources for Students, Faculty, and Staff**

Staff members at the Tang Center play a central role in the year-round initiatives with campus and community partners designed to support low risk alcohol and other drug-related behaviors and environments. Find more information on the [UHS Social Services website](#).

As part of the alcohol prevention program for the university, all incoming students are required to complete a confidential, online alcohol education course. The course uses science-based research to educate students about alcohol and its effects. The course is designed to help students make informed decisions about alcohol and better deal with drinking behavior that may occur around them.

**PartySafe@Cal** aims to reduce alcohol-related risks and harm in the campus area. Our efforts operate simultaneously to reach the individual student, the student body as a whole, and the greater college community.

The [University Health Services](#) (UHS) works closely with students, faculty and staff, and community partners on year-round services and initiatives that aim to reduce risk, consequences, and harm from the use of alcohol and other drugs.

Services provided at the UHS Tang Center include the following for students:

- Medical, confidential counseling, and educational services for alcohol and other drugs. There is no
Alcohol Poisoning is a Medical Emergency
Call for help. You could save someone's life. Call (510) 642-6760 or call 911. At UCDC, call (202) 415-9275 or 911.

UHS Emergency Warning Signs & Steps

Know The Signs:
• Cold, clammy skin
• Unconsciousness
• Slowed or irregular breathing
• Puking, particularly while passed out

Know How to Help:
• Make health and safety the #1 priority
• Stay with the person
• Put them in a recovery position to prevent them from choking on their own vomit
• Cooperate and don’t obstruct police and emergency services

The recovery position is as follows:
1. With the person lying on their back, kneel on the floor at their side.
2. Extend the arm nearest you at a right angle to their body with their palm facing up.
3. Take their other arm and fold it so the back of their hand rests on the cheek closest to you, and hold it in place.
4. Use your free hand to bend the person’s knee farthest from you to a right angle.
5. Carefully roll the person onto their side by pulling on the bent knee.
6. Their bent arm should be supporting the head, and their extended arm will stop you rolling them too far.
7. Make sure their bent leg is at a right angle.
8. Open their airway by gently tilting their head back and lifting their chin, and check that nothing is blocking their airway.
9. Stay with the person and monitor their condition until help arrives. Cooperate and don’t obstruct police and emergency services.

UC Berkeley Health Promotion also engages, educates and empowers all stakeholders to reduce alcohol and other drug-related risk and harm in the campus area. Further information can be obtained on the University Health Services: Health Promotion website.
Definitions of Reportable Crimes and Clery Geography

Murder/Non-negligent Manslaughter – is defined as the willful (non-negligent) killing of one human being by another.

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

Rape – is 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.

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

Statutory Rape – is 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 care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – 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 – is 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 criminal offenses listed above that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias (categories listed below) against the victim, plus the following criminal offenses.

Larceny/Theft – is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

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

Intimidation – is 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) - is 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.

Weapons: Carrying, Possessing, Etc. - is the 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 - are the violations 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 - are defined as the violations 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.
Arrest - persons processed by arrest, citation, or summons.

Referred for Disciplinary Action -- the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. The statistics reported for the sub categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

Clery Geography

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

On Campus Student Housing - 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 campus.

Noncampus Building or Property - (i) any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) 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.

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.

Categories of Bias

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.

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

Sexual Orientation – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender – preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender.

Gender Identity – preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity. Gender non-conforming describes a person who does not conform to the gender-based expectations of society. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity – a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that race refers to a grouping based mostly upon biological criteria, while ethnicity also encompasses additional cultural factors.

National Origin – a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.
<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Student Housing (Subset of On Campus)</th>
<th>Non-Campus Building or Property</th>
<th>Public Property</th>
<th>Unfounded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Homicide</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>20</td>
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<td>21</td>
<td>13</td>
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*In 2020, an additional case of rape was found to have been reported in 2018. This statistic has been changed to reflect this addition.
**20 aggravated assaults occurred in one event.
***In the 2018 edition of this report, the student housing motor vehicle theft statistic was reported as 1, the correct statistic is 0.
****In 2020, an additional case of dating violence was found to have been reported in 2018. This statistic has been changed to reflect this addition.
******In 2019, an additional stalking case was found to have been reported in 2017. The statistic has been changed to reflect this addition.
*******In 2020, an additional stalking case was found to have been reported in 2018. The statistic has been changed to reflect this addition.
<table>
<thead>
<tr>
<th>Location</th>
<th>Crime</th>
<th>Category of Bias</th>
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</thead>
<tbody>
<tr>
<td>On Campus</td>
<td>Intimidation</td>
<td>Race</td>
</tr>
<tr>
<td>On Campus</td>
<td>Simple Assault</td>
<td>Race</td>
</tr>
<tr>
<td>On Campus</td>
<td>Aggravated Assault</td>
<td>Sexual Orientation</td>
</tr>
<tr>
<td>On Campus</td>
<td>Vandalism</td>
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</tr>
<tr>
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<td>Vandalism</td>
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</tr>
<tr>
<td>Student Housing</td>
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<td>National Origin</td>
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<td>Vandalism</td>
<td>Ethnicity</td>
</tr>
<tr>
<td>Public Property</td>
<td>Intimidation</td>
<td>Sexual orientation</td>
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<table>
<thead>
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<tbody>
<tr>
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<td>Intimidation</td>
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<td>On Campus</td>
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<td>Race</td>
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<td>Aggravated Assault</td>
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<td>Non-Campus</td>
<td>Intimidation</td>
<td>Race</td>
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</table>
There were no hate crimes reported at UCDC during 2017, 2018, or 2019.

* In 2018 & 2019, this statistic was incorrectly classified as a rape instead of a fondling. This statistic was corrected on Dec. 31, 2020.

<table>
<thead>
<tr>
<th>Offense</th>
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<th>Student Housing (Subset of On Campus)</th>
<th>Non-Campus Building or Property</th>
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<td>Arithmetic</td>
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</table>
**Annual Fire Safety Report**

**COVID-19 Impacts On Campus Efforts**

Given the unprecedented challenges and limitations facing the University of California (UC) Berkeley campus due to the COVID-19 response, the 2020 Annual Security and Fire Safety Report provides details based on the efforts, services, and processes the campus generally supports and provides. Some operational aspects may differ slightly from what is reported, including: hours of operation, in-person services and availability, contact information, and estimated timelines and deadlines. The situation and our response is continually evolving, and we aim to remain adaptable while also providing high-quality, sustainable, and compliant violence prevention and response efforts.

**Preparation of the 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. The following report details all information required by this act for the University of California, Berkeley and UCDC Berkeley.

The Annual Fire Safety Report is prepared each year by the UC Berkeley fire marshal with information from the Washington Center (UCDC Berkeley) building and housing manager in order to provide the campus community and its leaders with current information on fire safety systems and procedures. The report is also issued to meet the fire safety related requirements of the federal Higher Education Opportunity Act, which requires that certain information pertaining to fire safety be made available to the general public.

**Definitions**

**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 reasonably 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. Fire drills are conducted in all residential facilities once per year.

### Fire Drills

<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Frequency</th>
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<tbody>
<tr>
<td>Berkeley Student Cooperative - Cloyne Court (Dorm)</td>
<td>1</td>
</tr>
<tr>
<td>Berkeley Student Cooperative - Convent (Dorm)</td>
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</tr>
<tr>
<td>Blackwell Hall (Dorm)</td>
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<td>Bowles Hall (Dorm)</td>
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<tr>
<td>Channing-Bowditch (Apartment)</td>
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</tr>
<tr>
<td>Clark Kerr Campus (Dorm) - Bldgs. 2, 3, 4, 7, 8, 9, 11, 12, 16, and 17</td>
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</tr>
<tr>
<td>Foothill (Dorm) - Bldgs. 1, 2, 3, 5, 6, 7, 8, and 9</td>
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</tr>
<tr>
<td>Garden Village</td>
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<td>Ida Louise Jackson Graduate House (Apartment)</td>
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<tr>
<td>International House Berkeley (Dorm)</td>
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<td>Manville (Apartment)</td>
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<td>Maximino Martinez Commons</td>
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<td>Panoramic Berkeley</td>
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</tr>
<tr>
<td>Unit 2 (Dorm) - Cunningham Hall, Davidson Hall, Ehrman Hall, Griffiths Hall, Towle Hall, Wada Hall</td>
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</tr>
<tr>
<td>Unit 3 (Dorm) - Ida Sproul Hall, Norton Hall, Priestley Hall, Spens-Black Hall, Cleary Hall</td>
<td>1/building</td>
</tr>
</tbody>
</table>

**Fire Drills**

The drills generally occur within one month of the start of the fall semester. The UC Berkeley Fire Prevention Division conducts the drills in coordination with student housing staff. The residents are aware that a fire drill will take place. However, they are not notified in advance of the date or time of the scheduled drill. When the fire alarm system is activated, all residents are informed that a drill is taking place and that they are required to exit the building. The student housing staff will do a room check to ensure that all occupants have evacuated. When this is complete, the fire prevention staff delivers a 5-7 minute safety talk to the residents and staff.

**Fire Safety Policies**

The majority of the student residents, approximately 8500, generally live in dormitories and apartments owned and operated by the Resident Student Services Program Department (RSSP). Generally, there are approximately 570 students living in the International House Berkeley (I-House), an independent, self-supporting, non-profit organization affiliated with the university. Most years, about 175 students live in the university owned and Berkeley Student Cooperative (BSC) operated non-profit housing cooperatives that provide affordable housing to the UC Berkeley students.
The fire safety policy for each one of these entities varies slightly. A full version of the respective fire safety policies can be found below.

**For Resident Student Services Program (RSSP) Residents:**

“Fire and Earthquake Safety” Guide

“Fire Safety” Guide

**For International House (I-House) Residents:**

International House Berkeley – Resident Handbook

**For Berkeley Student Cooperative (BSC) Residents:**

BSC Policy Manual

**For Bowles Hall Residential College (BHRC) Residents:**

Bowles Hall Residential College Community Standards can be provided upon request.

Excerpts from each organization are listed below:

### Fire Safety Policies

#### 1. Fire Hazards/Appliances

**RSSP - Fire Safety**

- Open coil, grease burning or high heat appliances are not permitted in the residential facilities. This includes hot plates, space heaters, popcorn poppers and rice makers. Coffee pots which are Underwriters Laboratories (UL) approved are permitted.
- Too many electrical appliances plugged into one circuit will overload that circuit and blow a fuse, causing power failure. Should this occur, contact a residential staff or facilities staff member.
  - Don’t overload outlets.
  - Don’t plug extension cords into each other.
  - Candles are not permitted because of the increased fire danger resulting from open flames.
  - Incense burning is not permitted.
  - Halogen lamps are not permitted. These produce extremely high temperatures.
  - Paper lamp shades are not permitted.
  - Non-metal or perforated waste baskets should not be used in your room, as they are also fire hazards.
  - Use only the fire retardant waste baskets that have been provided.
  - Barbeques are not allowed to be used in rooms or on balconies.

**I-House Resident Handbook**

- All electrical appliances must be used responsibly and be in good working order, free of wiring defect, and approved for use by Underwriters’ Laboratory (UL). All cords and plugs must be grounded and free of frays.
- One microwave and one micro fridge are allowed in any single or double room. The maximum storage capacity permitted for refrigerators is 4.5 cubic feet with a maximum height of 35 inches. The maximum allowable wattage for microwave ovens is 800 watts. Only one coffee maker may be in use at a time in any residence hall room. Due to a sensitive heat/fire detection system, hot air popcorn poppers may not be used in residence hall rooms, food related appliances such as toasters, toaster ovens, crock pots, hot plates, waffle irons, rice cookers, broilers, etc. are strictly prohibited.
- Use of portable electric heaters in your room is prohibited. If there is a problem with the heat in your room, please submit a maintenance request online using the StarRez Portal.
- Use of halogen lamps in your room is prohibited. The Consumer Product Safety Commission (CPSC) has issued a warning to consumers that the light bulbs in most halogen lamps can reach very high temperature and easily start a fire if they come in contact with curtains, clothes, or other flammable materials. Due to the increased fire and safety risk, halogen lamps are prohibited.
- No modifications to or changes in, electrical wiring is permitted. No “splicing,” “octopuses,” or modification devices of any kind may be used to “add plugs” in your room or suite. UL approved, grounded power strips with fuses may be used only for computer and computer related hardware.

**BSC Member’s Manual**

- The BSC discourages the use of any appliance other than a personal iron, UL approved coffee makers, a small microwave, and/or mini refrigerator in bedrooms. The use of any appliance that has an open coil or creates heat or flame is strongly discouraged outside designated kitchen areas.
- Members should also avoid halogen lamps and decorative light strings due to their high fire danger. Do not overload electrical outlets and make sure that furniture and other items are not placed on top of or are causing damage to extension cords.
Bowles Hall Community Standards
In order to maintain an environment that is healthy, safe, and secure for all members of the Bowles Hall community, certain items are prohibited in or on the grounds of Bowles Hall including:

- Electrical appliances, such as hot plates, rice cookers or coffee makers, halogen lights, and bulk substances that constitute a fire hazard
- Incense, candles, and other open flames
- Microwave ovens

2. Smoking

Note: As of 2014, the University of California has transitioned to a tobacco and smoke-free campus.

RSSP- Residential Code of Conduct
In accordance with the UC Berkeley tobacco - free policy, smoking of any kind is not permitted within university housing or within properties owned or leased (e.g., courtyards, parking lots, etc.) by UC Berkeley. This prohibition is inclusive of the use of all tobacco products, including cigarettes, cigars, smokeless tobacco, electronic cigarettes, and vaporizers.

Violating any other policy while smoking or using other tobacco products is prohibited.

I-House Resident Handbook
• UC Berkeley and I-House are committed to providing a healthy, tobacco-free environment for students, faculty, and staff. International House and all adjacent university property are tobacco-free. The tobacco-free policy prohibits the use of all tobacco products including cigarettes, cigars, marijuana, water pipes, hookahs, “e-cigarettes,” and smokeless tobacco products on I-House property and grounds. To be specific, if you choose to smoke or use other tobacco products, you will have to leave I-House and the surrounding university property to do so. Tobacco use is prohibited in all areas of I-House and the adjacent university property, including the dining room patios, all floor lounges, the front steps, staff parking lot, and resident rooms. Smoking is prohibited in all common areas of I-House, including the dining room patios, all floor lounges, the front steps, and resident rooms. In accordance with local law, additional smoke-free areas are within 25 feet of any building, courtyard, exterior walkway, or balcony. This distance must be increased if the smoke is traveling towards a building or any window. As a courtesy to community residents, incense burning is not allowed.

BSC Member’s Manual
• Smoking, candles, incense, and open flames are strictly prohibited at Cloyne Court.
• Convent Housing Contract Addendum: RULE 13: Members agree to assist the BSC in complying with all applicable codes and ordinances regarding fire safety, equipment, and exiting and shall be responsible for insuring that fire safety and suppression systems are in working order.

Bowles Hall Community Standards
• UC Berkeley and BHRC are smoke-free areas, and in accordance with the university and BHRC tobacco free policies, smoking of any kind is not permitted within or on the grounds of the UC Berkeley campus or Bowles Hall. This prohibition is inclusive of the use of all tobacco products, including cigarettes, cigars, smokeless tobacco, and electronic cigarettes.

3. Open Flames

RSSP - Residential Conduct Code
• Use or possession of explosives, flammable substances, or any object that creates an open flame is prohibited. Examples include firecrackers, gasoline, lighter fluid, candles, incense, hookahs, and flame starters.
• Use or possession of appliances that produce heat or flame are prohibited outside of designated kitchen spaces. UL approved coffee makers, tea kettles and personal irons are permitted in residential rooms.
• Use or possession of cookouts and barbeques (BBQ) is not permitted in residential facilities without approval from a residential staff member.

I-House Resident Handbook
Open flames are not permitted in residential areas.
• Possession of explosives or flammable substances is not permitted. This includes firecrackers, flammable liquids such as lamp oil, gasoline, lighter fluid, or other chemicals that are toxic or explosive in nature.
• Candles or use of candles are not permitted.
• Use of any object that creates an open flame is not permitted. This includes candles, incense, matches, lighters and charcoal, hookahs, and flame starters.
BSC Member’s Manual
• Currently there are no specific provisions for candles, incense, or open flames at Convent. However, all members are subject to relevant city, state, and federal laws.
• Cloyne Court and Convent Housing Contract, Section 21A: Dangerous Materials. The possession of firearms, volatile solutions, explosives, fireworks, or other dangerous materials is strictly prohibited in or on the premises.

Bowles Hall Community Standards
• In order to maintain an environment that is healthy, safe, and secure for all members of the Bowles Hall community, certain items are prohibited in or on the grounds of Bowles Hall including:
  o Incense, candles, and other open flames.

B. Fire Evacuation Procedures

RSSP – Fire and Earthquake Safety:
What to do if there is a fire:
• If you discover a fire, pull the alarm and call 911 (or dial 510-642-3333 from a mobile phone) to confirm the fire department alert.
• Be sure to pull both the tamper cover alarm and the fire alarm lever.
• Some fire alarm stations are protected with tamper covers. Pulling the tamper cover to gain access to the fire alarm will activate the tamper alarm. This is a local alarm only and will not report the alarm condition to anyone. You must proceed to pull the lever on the fire alarm. By doing so, the building alarm will sound, enabling the entire facility to be evacuated and will alert UCPD and the Berkeley Fire Department of the activated alarm.
• Use an extinguisher with caution and always stay between the fire and the exit.
• If the fire becomes too large, close your door and leave the building at once. Be sure to wear shoes to avoid cutting your feet during the evacuation.
• Take your keys with you.
• Be familiar with evacuation exits. Evacuate the building immediately. Walk, do not run.
• Do not use the elevator. Use the stairs.
• When smoke or heat is encountered, keep low or crawl to avoid inhaling toxic fumes.
• When the fire alarm sounds, feel your room door to see if it is hot before opening it.
• If the door feels hot or smoke prevents exit, keep your door closed and open a window until rescued.
• Do not reenter the building until authorized by the fire department. Tampering with fire safety
Procedures for the Washington Center UCDC

Fire Procedures
In the event of a fire or other hazard, you should be familiar with evacuation exits. Be prepared to use an alternative exit route if the normal exit route is blocked. On the back of each apartment front door is the fire evacuation route for your apartment.

The fire alarm system at the Washington Center UCDC has a horizontal notification system. This means that the alarm will sound on the floor where there is a problem and the floor directly above and directly below the source of the alarm. As soon as you hear the alarm on your floor or are notified by the building public address system that you should evacuate, please follow the procedures listed on this page. If you see others evacuating the building, it is always required that you do the same, regardless of whether the alarm sounded on your specific floor.

If you hear an alarm on your floor, do the following as quickly as possible:
1. Leave your apartment immediately, locking the door behind you. Be sure to carry your keys and ID with you.
2. Carry a moistened towel with you in case you encounter smoke in a stairwell.
3. Use the stairwells to evacuate the building. Do not use the elevator.
4. When you exit the building, you will be directed to the evacuation location.
5. Do not attempt to re-enter the building until the alarm has been turned off and a residential services staff member has given the signal to re-enter.
6. In the event you need additional assistance leaving the building, please inform the residential services staff upon check-in.

In the event you discover a fire, do the following:
1. Pull the nearest fire alarm.
2. Do not attempt to fight the fire.
3. Leave the building immediately.
4. Report all details to the residential life staff member in front of the building.

In the event of a utility failure (gas leak, ventilation plumbing, electrical) do the following:
1. Report the incident to the security desk.
2. If the fire alarm sounds as a result of a utility failure, follow the steps outlined above in the fire evacuation.

I-House Resident Handbook
• When a fire alarm sounds, leave the building immediately using the stairs. Do not use the elevators. Learn at least two ways of exiting in the event that one is not available. Tampering with fire safety equipment, which includes alarms, pull stations, extinguishers, smoke detectors, and fire suppression sprinkler systems or refusing to evacuate during an alarm are serious violations of state law and will result in disciplinary action and possible criminal prosecution.

BSC Member’s Manual
• When you discover a fire, pull the alarm and call 911 from a landline telephone or (510) 981-5911 from a cellphone.
• Use an extinguisher with caution and always stay between the fire and the exit.
• Grease fires should be extinguished with baking soda, a pot lid, or chemical extinguisher—never water as this can cause serious injury.
• If the fire becomes too large, close your door and leave the building at once. Be sure to wear shoes to avoid cutting your feet during the evacuation. Take your keys with you!
• Evacuate the building immediately. Walk, do not run.
• Do not use the elevator. Use the stairs.
• When smoke or heat is encountered, keep low or crawl to avoid inhaling toxic fumes. Breathe through a cloth, if possible and take shallow breaths.
• When the fire alarm sounds, feel your room door to see if it is hot before opening it.
• Do not open the door if the knob is hot—try to exit through a window or fire escape.
• Do not re-enter the building until the alarm has been reset and you have received authorization from the fire department.
• Tampering with fire safety equipment or refusing to evacuate during an alarm are serious violations of state law and will result in disciplinary action and possible criminal prosecution.
If you should become trapped inside the building, do the following:

1. Dial 911 and notify the dispatcher of your exact location.
2. Place your hand on the door and if it feels hot then do not open the door. Wet a blanket or similar item and place over the door opening (while the door is closed). This will help keep the toxic smoke from entering the room and give firefighters a chance to rescue you.
3. Fire alarms, hall smoke detectors, and sprinkler systems are all connected to a panel at the security desk. A security officer will respond to every emergency light on the panel.

Where to go—your emergency evacuation plan
This plan applies to all residents at the University of California Washington Center (UCDC). Potential internal and external emergencies such as fires, explosions, bomb threats, spills, or chemical/biological releases may require residents to safely and efficiently evacuate the building or depending on the emergency situation residents may be required to stay within the building.

Evacuation
Only one type of signal will be used for the evacuation order: the overhead public announcement system will call a Code 1 and state: Code 1, evacuation plan in effect—proceed immediately to (designated area). Unless otherwise instructed, the designated assembly area will be the multi-purpose room on the 1st floor of the building. Make sure to wear comfortable clothes, sturdy shoes, and bring with you prescription medications, your wallet and ID, and any medical or special dietary supplies that you might need.

No student will be permitted to re-enter his or her living space until advised by the emergency coordinator.

The emergency coordinator may make an announcement to those gathered in the designated assembly area regarding evacuation to a secondary site. Such a decision will also be announced on the overhead public announcement system, stating: This building is now being evacuated, please proceed to our secondary assembly area which will be the School Without Walls at Francis-Stevens located at 2425 N. Street, NW.
<table>
<thead>
<tr>
<th>Residential Facilities</th>
<th>Fire Sprinkler</th>
<th>Fire Alarm System</th>
<th>Fire Separations</th>
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On-Campus Student Housing Fire Safety Systems—Residence Halls/Apartments

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*During the course of a facilities improvement project, one room in International House was identified as not having a sprinkler, so this table has been revised accordingly. Plans are currently being formulated to install a sprinkler in the remaining room.

**University of California Washington Center, UCDC**

UCDC Berkeley students are housed in the UC Washington Center located at 1608 Rhode Island Avenue, NW, Washington DC 20036. Residential housing consists of 69 two-bedroom units and 12 one-bedroom units. The facility uses the Simplex Fire system which has a full sprinkler system, is alarmed, is equipped with pull stations, and has an intelligent notification system. Stanley Convergent Security Services monitors the system 24 hours seven days per week.

**Fire Safety Education and Training Programs for Students, Faculty, and Staff**

**RSSLP**

All resident assistants (RAs) are required to participate in fire safety training seminars each year prior to the start of the fall quarter. The UC Berkeley fire prevention staff delivers the training.

Residents in student housing receive the following safety education: participation in fire drills; fire safety information in the Bear Necessities—Guide to Living on Campus at UC Berkeley; and attend hall safety meetings held by the RAs.

**I-House**

Once per year, a fire drill is held to familiarize residents with the alarm sound and with exit locations. You must leave the building and remain outside until permission is given to re-enter the building. Only the fire department or police department personnel in charge at the scene can grant permission to re-enter the building after an alarm is sounded. Fire safety information is presented at our town hall meetings and can be found in the International House Resident Handbook.

**BSC**

Each house-level manager is required to attend a fire safety training session prior to the beginning of each semester. The City of Berkeley Fire Department, UC fire prevention, or a certified fire safety training instructor delivers this training.

Residents receive the following safety education:

- participation in fire drills, fire safety information in the BSC Owner’s Manual, and voluntary emergency preparedness workshops during the course of the semester.
UC Berkeley Fire Indecent Reporting
A list of titles of each person or organization to which students and employees should report that a fire occurred.

From landline or cellular phone, dial 9-1-1 for emergency services

UC Berkeley Police Department
dispatch emergency number (510) 642-3333

UCDC Fire Incident Reporting
A list of titles of each person or organization to which students and employees should report that a fire occurred.

From landline or cellular phone, dial 9-1-1 for emergency services

Report to coordinator of student development of development housing unit
UCDC Berkeley security desk phone: (202) 974-6233 or
UCDC residential staff member phone: (202) 415-9275
## 2017 Fire Statistics for On Campus Student Housing

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<th>Fires</th>
<th>Date Occurred</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries Requiring Treatment at a Medical Facility</th>
<th>Number of Fire Related Deaths</th>
<th>Values of Property Damage</th>
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<tr>
<td>2700 Hearst Ave.</td>
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<td></td>
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<td></td>
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</table>
## 2017 Fire Statistics for On Campus Student Housing

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fires</th>
<th>Date Occurred</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries Requiring Treatment at a Medical Facility</th>
<th>Number of Fire Related Deaths</th>
<th>Values of Property Damage</th>
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<tbody>
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<td>Foothill 9 2700 Hearst Ave.</td>
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</tr>
<tr>
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<td>0</td>
<td>n/a</td>
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<td>n/a</td>
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<td>n/a</td>
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</tr>
<tr>
<td>Jackson House 2333 College Ave.</td>
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<td>n/a</td>
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<tr>
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<td>Maximino Martinez Commons 2520 Channing Way</td>
<td>2</td>
<td>a) 10/12/17 b) 11/12/17</td>
<td>a) 7:40 pm b) 10:40 pm</td>
<td>a) Undetermined – Clothes Dryer b) Unintentional – Microwave</td>
<td>a) o b) o</td>
<td>a) o b) o</td>
<td>a) $1000-9999 b) $1000-9999</td>
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<td>New Sequoia Apartments 2441 Haste St.</td>
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<td>$50,000-$99,999</td>
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</table>
## 2018 Fire Statistics for On Campus Student Housing

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fires</th>
<th>Date Occurred</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries Requiring Treatment at a Medical Facility</th>
<th>Number of Fire Related Deaths</th>
<th>Values of Property Damage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowles Hall 1928 Stadium Rim Way</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
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<tr>
<td>Garden Village 2201 Dwight Way</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<tr>
<td>Jackson House 2333 College Ave.</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<tr>
<td>Facility Name</td>
<td>Fires</td>
<td>Date Occurred</td>
<td>Time</td>
<td>Cause of Fire</td>
<td>Number of Injuries Requiring Treatment at a Medical Facility</td>
<td>Number of Fire Related Deaths</td>
<td>Values of Property Damage</td>
</tr>
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<td>-------------------------------------------------------------</td>
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<td>Manville Hall 2100 Channing Way</td>
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<td>n/a</td>
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<td>n/a</td>
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<td>Maximino Martinez Commons 2520 Channing Way</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<tr>
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<td>Stern Hall Hearst Ave. &amp; Highland Place</td>
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<td>n/a</td>
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<tr>
<td>Unit 1 – Slottman Hall 2650 Durant Ave.</td>
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<tr>
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<tr>
<td>Unit 2 – Ehrman Hall 2650 Haste St.</td>
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<td>n/a</td>
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<tr>
<td>Unit 2 – Griffiths Hall 2650 Haste St.</td>
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<td>n/a</td>
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<tr>
<td>Unit 2 – Towle Hall 2650 Haste St.</td>
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<td>n/a</td>
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<tr>
<td>Unit 2 – Wada Hall 2650 Haste St.</td>
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<td>n/a</td>
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<tr>
<td>Unit 3 – Norton Hall 2400 Durant Ave.</td>
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<td>n/a</td>
<td>n/a</td>
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<td>Unit 3 – Priestly Hall 2400 Durant Ave.</td>
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<td>n/a</td>
<td>n/a</td>
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</table>
### 2019 Fire Statistics for On Campus Student Housing

<table>
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<tr>
<th>Facility Name</th>
<th>Fires</th>
<th>Date Occurred</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries Requiring Treatment at a Medical Facility</th>
<th>Number of Fire Related Deaths</th>
<th>Values of Property Damage</th>
</tr>
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<tr>
<td>Bowles Hall</td>
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## 2019 Fire Statistics for On Campus Student Housing

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Washington Center UCDC Berkeley Fire Statistics
There were no fires reported at the Washington Center location during calendar years 2017, 2018, and 2019.

Plans For Future Improvements in Fire Safety
The UC Berkeley Fire Prevention Division currently have no fire system upgrades planned for 2021.