

STUDENT & EMPLOYEE INFORMATION

2016 Annual Crime/Security Report

Introduction

Community Colleges of Spokane's (CCS) Board of Trustees policy states, "Every person in the organization shall be assigned the responsibility for both individual and organizational safety." CCS and its two separately accredited colleges (Spokane Community College and Spokane Falls Community College) provide information under the Campus Security Policy and Campus Crime Statistics Act (Clery Act). CCS serves students at two college campuses and numerous off-campus locations in six northeastern Washington counties.

Notice of crime statistics are updated annually and issued to students and employees through a variety of methods including e-mail and web-link. Members of the college community are encouraged to follow standard crime prevention practices such as locking their motor vehicles, parking and walking in well-lit areas, and being aware of their surroundings.

CCS does not have residential living facilities for students and therefore does not prepare an Annual Fire Safety Report or have a missing student notification policy. If a CCS student is reported missing, the Office of Campus Safety will assist the investigating law enforcement agency in any way possible.

Campus Law Enforcement

Facilities and Campus Safety staff have the authority to request identification. In addition, all full-time Campus Safety staff have limited police authority, granted by the City of Spokane Police Department, to stop, detain, arrest and investigate certain crimes. CCS does not have any formal agreements or memoranda of understandings in place with any law enforcement agency; however, the Office of Campus Safety does maintain cooperative relationships with the Spokane Police Department, Spokane County Sheriff, Washington State Patrol and other law enforcement jurisdictions in the CCS service area and has developed processes to exchange relevant information to receive prompt and effective assistance by local police.

When a college or a college organization hosts an off-campus activity, the presence of an appropriate number of college staff is required to oversee the event. These staff members are considered Campus Security Authorities who have been trained in the reporting of criminal activity consistent with state and Federal law. Any reportable incident must be disclosed to the Office of Campus Safety as quickly as possible and the office will coordinate as necessary with local law enforcement agencies. Investigative partnerships are initiated on a case by case basis with law enforcement agencies to ensure the proper exchange of information.

Reporting Crimes or Other Emergencies

Criminal actions and other emergencies can be reported to the Office of Campus Safety in person, by telephone, e-mail and/or via an internal online [Security Incident Report](#). In an emergency, please call 911. On-campus emergency assistance is available by calling the Office of Campus Safety at 533-3333.

CCS encourages accurate and prompt reporting of all crimes and other incidents to the proper authority. Incidents reported to the Office of Campus Safety are included in the Annual Security Report. Faculty and staff assigned responsibility as a Campus Security Authority are identified and trained annually. When these individuals receive information about criminal activity they report it to the Office of Campus Safety in a timely manner. Anyone else receiving information about criminal activity is encouraged to report it on a voluntary, confidential (but not anonymous) basis.

The following college officials are authorized to accept and process reports of criminal offenses.

Spokane Community College (SCC)
Director of Campus Safety
Building 1, Room 147, MS 2010
509-475-7035

Spokane Falls Community College (SFCC)
Director of Campus Safety
Building 16, Room 145, MS 3160
509-475-7040

Vice President of Student Services
Building 6, Room 218, MS 2061
509-533-7015

Vice President of Student Services
Building 30, Room 223, MS 3010
509-533-3514

All incidents reported to the Office of Campus Safety are investigated, documented as necessary and referred to Student Services, law enforcement or other agencies as determined by the Director of Campus Safety. Reports of child neglect are always documented and reported to law enforcement or the Department of Social and Health Services. Student conduct issues or potential Title IX violations are reported to Student Services and/or the college Title IX coordinator.

CCS reports data for crimes on campus and at off-campus locations and adjacent public property where for-credit classes are offered. For crimes that occur on adjacent public property, CCS partners with local law enforcement agencies to assist in providing the data. This information is collated with the internal reports and summarized by category. Warning reports or security alerts to the college community regarding crimes that have occurred are issued via e-mail, text alert and other appropriate channels on a timely basis.

Professional Counselors and Reporting

All counselors, because of the nature of their work, are Campus Security Authorities. A “professional” counselor, as defined in the Clery Act, is a counselor whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification. “Professional counselors,” when acting in that capacity, are not considered Campus Security Authorities and are not required to report crimes for inclusion into the CCS Annual Security Report. When acting in the role of professional counselor, counselors are encouraged to inform the student where to report crimes on a voluntary basis for inclusion into annual crime statistics. If the counselor deems it appropriate, the student should also be encouraged to contact the Office of Campus Safety.

Timely Warning Notifications

The Office of Campus Safety carefully reviews all reports of criminal activity, and when appropriate, warns the CCS community of serious crimes or threats occurring on or near campus. Depending on the nature and level of the threat, student and employee e-mail accounts, and/or the RAVE Emergency Alert messaging system may be used to disseminate timely warnings. These timely warnings may also be posted on the webpages of CCS, SCC and SFCC. CCS encourages students and employees to visit <https://www.getrave.com/login/ccs> to add, confirm or update their contact information in the emergency alert system.

Only the information required to adequately inform students and employees is included in a timely warning. Timely warnings are intended to inform the campus community to take general or specific precautions to be safe on campus and to aid in the prevention of students and employees being the victims of further criminal activity. Victim information is generally considered confidential and will not be disclosed as part of a crime alert or timely warning.

Emergency Response and Evacuation

CCS promptly evaluates any emergency or dangerous situation to determine if it is an immediate threat to the health or safety of students or employees. In an emergency, the first CCS employee on the scene is empowered to determine if there is a real emergency and to take charge of the situation and mobilize crisis responders until relieved by a trained Campus Emergency Response Team member.

In the event of an emergency, CCS notifies students, faculty, staff, visitors and the community in a timely and appropriate manner. Emergency messaging is developed and distributed at three tiers. The Incident Commander is responsible for the initial message during the first 8-10 minutes of the incident. The Incident Commander/Emergency Operations Center is responsible for messaging during and immediately following the incident. The Emergency Operations Center is

responsible for messages related to the aftermath of the situation and resumption of business.

CCS recognizes that no single means of communication will reach all students, faculty, staff, visitors and the community so it utilizes a variety of communication methods during emergencies including two-way radios, text messaging alert, e-mail, fire alarms, limited internal public address systems, building evacuation coordinators, department assistants, runners, Operations Hotline, web-based operations updates, news media, on-campus electronic signs, campus phone voice mail and phone trees.

Based on the Spokane geographical region, local expertise and national data, certain types of incidents have been identified as important for CCS to be prepared to manage. Message templates have been developed to make initial immediate emergency communications easier and the Public Information Officer, or her designee, sends out these messages. In the event of other incidents, the Chancellor and/or President(s) will mobilize the appropriate staff, including the Public Information Officer, to gather facts and decide upon communications strategies for the campus and larger community.

Evacuation is one of the primary strategies that a campus will employ in many emergencies. An evacuation can be from an area, a building or an entire campus. CCS designates employees in each major building as Building Evacuation Coordinators or alternates and these individuals receive training. CCS posts its evacuation procedures and [Emergency Management Plan – Immediate Actions for Specific Emergencies](#) guide in classroom and offices and also on the CCS web site.

The Office of Campus Safety conducts unannounced evacuation drills each fall and spring quarter at a time when each building is “typically” occupied. Each evacuation drill is evaluated and written suggested areas of improvement are provided to each building administrator. The Office of Campus Safety maintains records of all evacuation drills. The Office of Campus Safety may also conduct additional drills and tabletop exercises to enhance the CCS community’s ability to respond to an emergency.

Campus Security, Access and Maintenance

Both SCC and SFCC are open campuses, which means community members can move freely among campus facilities. The campus facilities and parking lots of CCS’s two major campuses are routinely patrolled 24 hours a day, seven days a week by Campus Safety and contracted security services. Limited emergency assistance is available. After hours, many facilities are monitored electronically.

Campus Safety staff will ensure every CCS building undergoes a safety and security inspection, using the OCS Building Security Survey form, at least once every two years. Once the inspection is completed, it will be documented and filed in the Office of Campus Safety. The inspection report shall note the listed deficiencies, the date the inspection was sent to the appropriate building administrator and also include a scanned version of the survey as an attachment.

When completing the survey, Campus Safety staff are inherently critical of the safety and security characteristics of the building. Any condition determined critical to safety/security will be submitted as a corrective maintenance work order to the Department of Facilities. Such work orders will be prioritized per [Administrative Procedure 6.00.01-C - Corrective Maintenance](#).

Education Programs

CCS promotes the “If You See Something, Say Something™” concept. The [Department of Homeland Security’s](#) website states in part “if you see something you know shouldn't be there —or someone's behavior that doesn't seem quite right— say something. Because only you know what’s supposed to be in your everyday.”

New students and employees are informed during orientation sessions of CCS security procedures and practices and are encouraged to be responsible for their own and other’s security and safety. In an effort to help promote a culture of safety and security, CCS offers many safety, security and crime prevention training opportunities for students and employees. Three times per year the Office of Campus Safety provides in person “active shooter” training and an online version of the training is also available for students and employees to access. Additional online and/or in person trainings

are offered annually to employees in the following areas: Building Evacuation Coordination, Recognizing and Preventing Violence in the Workplace and Emergency Management Planning. The Office of Campus Safety is also available to provide training upon request.

Each quarter an e-mail is sent to all employees and currently enrolled students outlining general campus safety information and crime prevention tips, safety escorts, emergency blue phones, parking, smoking and marijuana prohibitions, sexual assault/domestic violence, stalking/dating violence resources, health clinic information and community agency resources. Posters outlining emergency procedures and the [Emergency Management Plan – Immediate Actions for Specific Emergencies](#) are also distributed and posted in classrooms and offices on campus.

Drugs and Alcohol

Being under the influence of, possessing, manufacturing, using or selling drugs or alcohol, as well as underage drinking/drug use is prohibited by CCS. CCS complies with the Drug Free Workplace and Drug Free School and Communities Act. Offenders may be referred to community-based organizations that provide education and treatment. Local law enforcement authorities may also be contacted as appropriate. These policies are outlined in detail in [Board Policy 2.30.03 - Drug Free Workplace](#) and implementing [Administrative Procedures 2.30.03-A and B](#), and [WAC 132Q-10-228 – Drugs, controlled substances and marijuana](#) and [WAC 132Q-10-230 - Alcohol](#).

For students, a violation of any law regarding alcohol/drug use is also a violation of CCS's Standards of Conduct for Students and will be treated as a separate disciplinary matter by the College. Disciplinary sanctions for these types of violations can include education, referral, suspension or expulsion depending upon the nature and severity of the violation. For employees, a violation is subject to the disciplinary processes outlined in applicable collective bargaining agreements and/or policy.

Mental health counselors are available to assist students with drug and alcohol abuse issues and can refer students to off campus services as appropriate. A list of resources available to students is maintained by Student Services and is posted online at: <http://www.ccs.spokane.edu/Future-Students/righttoknow.aspx>. Employees have access to a CCS-provided Employee Assistance Program (EAP), with trained specialists available to assist both employees and family members.

The CCS Human Resources Office provides overall coordination of the Drug Free Workplace Act. The Student Services Offices' provide overall coordination of the Drug-Free School Program.

Student Conduct

Any student who commits an act on college facilities which is punishable as a misdemeanor or a felony, such as sexual assault, under state or Federal law shall also be subject to disciplinary sanctions through the regular student conduct process and procedure. Such sanctions can include suspension or expulsion. Please see the Standards of Conduct for Students for more information <http://apps.leg.wa.gov/wac/default.aspx?cite=132Q-10>. Procedures in these proceedings shall include the opportunity for the respondent/accused and complainant/accuser to have others present during a disciplinary proceeding. Please see the following section for additional information regarding alleged sexual misconduct discipline matters.

CCS will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the college will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Dating Violence, Domestic Violence, Sexual Assault and Stalking

Community Colleges of Spokane prohibits dating violence, domestic violence, sexual assault, sexual harassment and stalking and takes gender-based violence seriously. Members of the CCS community, guests and visitors have the right to be free from all forms of sexual and gender-based discrimination. A website (<http://www.ccs.spokane.edu/Future-Students/righttoknow/Sexual-Assault-and-Relationship-Violence-Resources.aspx>) dedicated to sexual assault and relationship violence provides general information; defines consent, dating violence, domestic violence, sexual assault, sexual harassment and stalking; has links to sexual misconduct policies and procedures, including the Standards of Conduct

for Students [Washington Administrative Code \(WAC\) 132Q-10-Sections 101-503](#) and administrative procedures including who to report offenses to; outlines students' rights; provides FAQs and prevention tips; and lists on and off-campus resources and contacts for survivors of sexual violence.

Students and employees are encouraged to attend educational programs concerning awareness and prevention of sex offenses, including brief encounter (acquaintance/date) rape, domestic violence, dating violence, sexual assault and stalking. CCS offers online training designed specifically for community college students to new students and provides similar online required training for all current and new employees as well. In person Sexual Assault Awareness and Response training has been developed and provided to employees on five occasions and this training has been videotaped to make it easier for employees to access. Instructions outlining how employees should respond to reports of sexual assault and a list of campus and community resources for survivors are e-mailed multiple times during the year to all CCS employees.

During new student orientation, students are given brochures outlining sexual assault prevention tips, how to report acts of sexual violence, and on campus and community resource information and are also required to watch a short video that explains consent. Signs are posted in campus restrooms encouraging individuals to report matters of concern to the appropriate Title IX Coordinator and sexual assault awareness and prevention educational programs including poster campaigns, panel discussions and in person training have been offered at CCS.

If a student or staff member is a survivor of a sexual assault their first priority should be to get to a place of safety and then they should obtain necessary medical treatment. CCS strongly advocates that a survivor of sexual assault report the incident in a timely manner. It is also important to preserve any evidence of a sexual assault for law enforcement authorities. When a sexual assault survivor contacts the Office of Campus Safety, the City of Spokane Police Department's Sex Crimes Unit will be notified as well. The Office of Campus Safety does not include personally identifiable information about the victim in its Clery Act reporting.

CCS offers counseling, information and referral for survivors of sexual assault and trained counselors are available at both colleges. Survivors of sexual assault committed on any district-owned or leased facility should report the incident immediately to a counselor, the appropriate Title IX Coordinator or the Office of Campus Safety. Survivors are also encouraged to report these incidents to local law enforcement authorities, although they are not required to do so. Survivors of sexual assault are also encouraged to use the resources of the Spokane Sexual Assault and Family Trauma Response Center at 509-747-8224 or 509-624-RAPE (24-hour crisis line) or the YWCA-Alternatives to Domestic Violence Program at 509-789-9297. Employees and family members may also contact CCS' EAP.

Sexual misconduct matters involving students are handled according to the procedures outlined in the Standards of Conduct for Students, [Washington Administrative Code \(WAC\) 132Q-10-Sections 101-503](#). Please also see [Administrative Procedure 3.30.01-A Prevention and Response to Complaints of Discrimination, Sexual Harassment or Misconduct, Domestic or Dating Violence, Stalking and Retaliation by Students](#) for more information. Sexual misconduct matters involving employees are handled according to the process outlined in [Administrative Procedure 2.30.01-A Complaints of Discrimination, Sexual Harassment or Misconduct, Domestic or Dating Violence, Stalking and Retaliation](#). Violations are dealt with according to the disciplinary processes outlined in applicable collective bargaining agreements and/or policy.

All initial reports of sexual misconduct involving a student should be forwarded to the [SCC or SFCC Title IX Coordinator](#). Reports of sexual misconduct involving a CCS employee should be made to the [CCS Title IX Coordinator](#). The initial report should be filed within 60 days of the alleged offense. A preliminary inquiry will then be conducted by the Title IX Coordinator to determine whether an investigation is warranted.

The Title IX Coordinator can provide the reporting party with resources, options and support; discuss confidentiality; explain and provide a written copy of their rights during the investigative and disciplinary process; and assist them with filing a police report if they so choose. CCS is prepared to work with survivors to coordinate interim measures to avoid contact with violators including, but not limited to adjusting work, academic and extracurricular activities schedules, leaves of absence, special parking arrangements and/or escorts. CCS also complies with Washington State law in recognizing orders of protection, no contact, or restraint.

Investigations into all alleged violations of the Standards of Conduct for Students are conducted by trained investigators in a timely manner as defined by Administrative Procedure 3.30.01-A. CCS uses a preponderance of evidence standard (i.e., whether it is more likely than not that the alleged violation occurred) for investigative purposes. If it is determined that a violation has occurred, then an interim sanction may be imposed by the Student Conduct Officer. The accused/respondent retains rights of due process and responsibilities as outlined in [WAC 132Q-10-315](#), [318](#) and [320](#). If the offense is such that a suspension of greater than ten class days or expulsion from the college may be deemed warranted, the matter is remanded to the Student Conduct Administrative Panel for hearing ([WAC 132Q-10-332](#)). Administrative panel members receive training that includes psychology of sexual violence, case studies that deal with sexual violence, case law, and current student conduct outcomes.

The administrative panel will hear testimony from the complainant/accuser, respondent/accused and witnesses. No cross-examination or other adversarial process is allowed. Each party may bring an advisor of their choosing during any stage of the investigative or hearing process. Rulings are determined according to a preponderance of evidence. At the conclusion of the hearing, if it is determined that a violation has occurred, the panel will determine the sanction to be imposed and inform both the complainant and respondent of the sanction. A full list of sanctions, including education, college suspension and expulsion, can be found in [WAC 132Q-10-400](#). The Student Conduct Officer notifies both parties in person, by mail or e-mail of the panel's decision. Written notice is sent within ten calendar days from the hearing date. If the college is not in session, this period may be reasonably extended ([WAC 132Q-10-333](#)).

In cases involving sexual misconduct, both the complainant and respondent have rights of appeal. Appeals are to be filed in writing with the Vice President of Student Services within 20 calendar days of the issuance of a sanction notification and are limited to appeals regarding the correct following of process, severity of the sanction, or new evidence not available at the time the sanction was determined by the Student Conduct Officer or Student Conduct Administrative Panel. Appeals will be considered by the Appeals Board and a decision rendered within 20 calendar days of the receipt of the appeal. The ruling of the Appeals Board shall be the final ruling of the college ([WAC 132Q-10-335](#)).

Registered Sex Offenders

CCS will provide relevant and necessary information regarding the presence of sex offenders on college premises pursuant to [RCW 4.24.550](#). All notifications from law enforcement agencies will be sent to the colleges' Vice Presidents of Student Services. Public information received will be placed in binders located in secure but accessible locations across campus. The binders are available to any requesting party. The location of these binders and other procedures regarding enrollment and employment of registered sex offenders is outlined in [Administrative Procedure 2.30.05 – M Sex Offender Admission/Employment](#).

Crime Statistics

This report is prepared in cooperation with the local law enforcement agencies surrounding the main campuses and rural centers, Office of Campus Safety, Student Services and the Compliance Office. Copies this report may be obtained at the SCC or SFCC Office of Campus Safety or by calling (509) 533-3333.

Summary of Crime Reported at CCS — 2013-2015

	2013 SFCC on Campus	2013 SFCC Off Campus	2013 SCC on Campus	2013 SCC Off Campus	2013 Public Property	2013 Total	2014 SFCC on Campus	2014 SFCC Off Campus	2014 SCC on Campus	2014 SCC Off Campus	2014 Public Property	2014 Total	2015 SFCC on Campus	2015 SFCC Off Campus	2015 SCC on Campus	2015 SCC Off Campus	2015 Public Property	2015 Total	
Campus Crimes																			
Criminal Homicide																			
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses																			
Forcible	0	0	1	0	0	1	0	0	0	0	0	0							
Nonforcible	0	0	0	0	0	0	0	0	0	0	0	0							
Rape																			
Fondling													0	0	1	0	0	0	1
Incest													2	0	0	0	0	0	2
Statutory Rape													0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1
Aggravated Assault	0	0	0	0	0	0	0	0	1	0	0	1	2	0	0	0	0	0	2
Burglary	4	0	1	0	0	5	1	0	0	0	0	1	1	0	3	0	0	0	4
Motor Vehicle Theft	0	0	11	0	0	11	6	0	4	0	0	10	1	0	4	0	0	0	5
Arson	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0
Hate Crimes																			
Group A																			
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Ethnicity/National Origin	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Group B																			
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	1
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	2
Arrests																			
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	1	0	1	0	0	2	0	0	0	0	0	0	0
Discipline Referral																			
Liquor Law Violation	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	1
Drug Law Violation	7	0	3	0	0	10	1	0	2	0	0	3	4	0	1	0	0	0	5
Weapons Possession	1	0	0	0	0	1	1	0	0	0	0	1	0	0	0	0	0	0	0
Violence Against Womens Act (VAWA)																			
Domestic Violence							2	0	1	1	0	4	6	0	0	0	0	0	6
Dating Violence							4	0	0	1	0	5	1	0	0	0	0	0	1
Stalking							9	0	0	1	0	10	10	0	0	0	0	0	10

Consent, Dating Violence, Domestic Violence, Sexual Assault/Sexually Violent Conduct and Stalking Definitions

CCS defines these terms as follows in [WAC 132Q-10-244](#).

“Consent means the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Any individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated, has engaged in nonconsensual conduct. Consent cannot be given by an individual who is: (a) Asleep or mentally or physically incapacitated, either through the effect of drugs, alcohol, or for any other reason; or (b) under the lawful age to provide legal consent; or (c) has an intellectual or other disability which prevents him or her from having the capacity to consent; or (d) under duress, threat, coercion or force. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual conduct.”

“Dating violence (aka relationship violence) is a type of domestic violence, except the acts are committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.”

Domestic violence refers to” (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent body harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking of one family or household member by another family or household member. Pursuant to Chapter [10.99](#) RCW, it also includes, but is not limited to, the following crimes when committed by one family or household member against another: Assault; drive-by shooting; reckless endangerment; coercion; burglary; criminal trespass, malicious mischief; kidnapping; unlawful imprisonment; and violation of a restraining order, no-contact order or protection order.”

“Sexually violent conduct includes the following: Domestic violence, dating violence, stalking, nonconsensual sexual intercourse, and nonconsensual sexual contact. This conduct also includes, but is not limited to, indecent liberties, sexual exploitation, indecent exposure, sexual exhibitionism, sex-based cyber harassment, prostitution or the solicitation of a prostitute, peeping or other voyeurism, or exceeding the boundaries of consent including allowing others to view consensual sex, the nonconsensual posting or recording of sexual activity, domestic violence, dating violence, and stalking.” Sanctions for sexually violent conduct violations are outlined in [WAC 132Q-10-400](#) and may include: warning; reprimand; probation; loss of privileges; restitution or compensation for loss, damage, or injury; education, which includes completion of an educational project or attending sessions, at the student's expense, which address the student's behavior such as anger management or counseling; fines; revocation of admission or degree; withholding degree; no trespass order; assessment; hold on transcript or registration; no contact order; suspension; and expulsion. More than one sanction can be imposed for any single violation.

“Stalking is intentional and repeated harassment or repeated following of another person, which places that person in reasonable fear that the stalker intends to injure the person, another person, or the property of the person or another person, and the stalker either intends to frighten, intimidate, or harass the person, or knows or reasonably should know that the person is frightened, intimidated or harassed, even if the stalker lacks such an intent.”

The state of Washington defines these terms as follows.

“Consent means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.” ([RCW 9A.44.010](#))

“Domestic Violence means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW [9A.46.110](#) of one family or household member by another family or household member.” ([RCW 26.50.010](#))

“Family or household members means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.” ([RCW 26.50.010](#))

“Dating relationship means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.” [\(RCW 26.50.020\)](#)

In the state of Washington, there is not an actual crime of “sexual assault.” The crimes of what most people would define as “sexual assault” are specifically expressed as rape or indecent liberties. Please see below.

“Rape in the first degree: (1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory: (a) uses or threatens to use a deadly weapon or what appears to be a deadly weapon; or (b) kidnaps the victim; or (c) inflicts serious physical injury, including but not limited to physical injury which renders the victim unconscious; or (d) feloniously enters into the building or vehicle where the victim is situated.” [\(RCW 9A.44.040\)](#)

“Rape in the second degree: (1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person: (a) by forcible compulsion; (b) when the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; (c) when the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who: (i) has supervisory authority over the victim; or (ii) was providing transportation, within the course of his or her employment, to the victim at the time of the offense; (d) when the perpetrator is a health care provider, the victim is a client or patient, and the sexual intercourse occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual intercourse with the knowledge that the sexual intercourse was not for the purpose of treatment; (e) when the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or (f) when the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who: (i) has a significant relationship with the victim; or (ii) was providing transportation, within the course of his or her employment, to the victim at the time of the offense.” [\(RCW 9A.44.050\)](#)

“Rape in the third degree: (1) A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person: (a) where the victim did not consent as defined in [RCW 9A.44.010](#) (7), to sexual intercourse with the perpetrator and such lack of consent was clearly expressed by the victim's words or conduct, or (b) where there is threat of substantial unlawful harm to property rights of the victim.” [\(RCW 9A.44.060\)](#)

“Indecent liberties: (1) A person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him or her or another: (a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless; (c) when the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who (i) has supervisory authority over the victim; or (ii) was providing transportation, within the course of his or her employment, to the victim at the time of the offense; (d) When the perpetrator is a health care provider, the victim is a client or patient, and the sexual contact occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual contact with the knowledge that the sexual contact was not for the purpose of treatment; (e) When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or (f) When the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who: (i) Has a significant relationship with the victim; or (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense.” [\(RCW 9A.44.100\)](#)

“Stalking: (1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime: (a) he or she intentionally and repeatedly harasses or repeatedly follows another person; and (b) the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and (c) the stalker either: (i) intends to frighten, intimidate, or harass the person; or (ii) knows or reasonably should know that the person is afraid, intimidated, or harassed

even if the stalker did not intend to place the person in fear or intimidate or harass the person. (2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person. (3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter [18.165](#) RCW. (4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person." [\(RCW 9A.46.110\)](#)