UCSF Annual Security Report 2019–2020

For all UCSF Campus Locations: Parnassus, Mission Bay, Mount Zion, UCSF Benioff Children's Hospital Oakland, and UCSF Fresno

Contains crime statistics for 2016–2018 calendar years

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The University of California, San Francisco (UCSF) is a health science university with four professional schools (Dentistry, Pharmacy, Nursing, and Medicine) and a Graduate Division located on sites throughout San Francisco and the greater Bay Area. The University is an institution whose mission is teaching, research, patient care and public service to all members of the community. The University has a workforce of more than 27,000 and a student population including residents and postdoctoral scholars of approximately 5,800.

The University shares many of the same interests and complex problems associated with any major modern urban community – including crime. The University is not isolated from this issue. Crime is a national concern that affects all facets of the UCSF community. Therefore, we urge you to be alert and aware of your surroundings and to exercise common-sense safety precautions.

This publication was produced in compliance with the Jeanne Clery Act, which requires colleges and universities receiving federal funding to disclose reported instances of criminal activity on their campuses. Also included is information about UCSF’s security policies and steps you can take to maximize your personal safety. This publication and additional safety information can be found at: www.police.ucsf.edu.

Mike Denson
Chief of Police
UCSF Police Department
Clery Act Compliance Officer
The UCSF Annual Security Report is produced by the UCSF Police Department in cooperation with the Office for the Prevention of Harassment and Discrimination, Student Academic Affairs, Student Life Services, Housing Services and other departments throughout UCSF. This document, in accordance with the Jeanne Clery Act, is the University of California San Francisco’s Annual Security Report which includes statistics for the previous three calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings owned or controlled by the University; and on public property within, or immediately adjacent to and accessible from the campus.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the UCSF Police Department, the San Francisco Police Department, the Oakland Police Department, the Alameda County Sheriff’s Office, other outside law enforcement agencies and non-police officials, and Campus Security Authorities (CSAs) (as defined on page 6). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all CSAs (as defined by federal law). This report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, timely warning of crimes, sexual violence and other campus safety topics presented and updated by the relevant UCSF department. Note that all policies referenced apply to all campuses listed unless otherwise stated.

For comments or copies of this publication, please contact:

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The University of California, San Francisco Police Department (UCSFPD) serves the University community by helping to protect it against crime. UCSFPD endeavors to be known for its community service orientation, effectiveness at preventing crime through campus community involvement, and for providing a safe living and working environment for the promotion of education, research and public service. The Department has three customer service locations: Parnassus campus – WeID office at Millberry Union, 654 Minnesota Street and Mission Center Building.

The emergency UCSF Police Department number is 911 when dialing from an on-campus landline, and (415) 476-6911 when dialing from a cell phone. The non-emergency number is (415) 476-1414.

For more information on UCSFPD, please go to http://police.ucsf.edu.
Vision Statement
The UCSF Police Department strives to provide a crime free and safe environment through strategic policing, integrity, respect and strong community partnerships. UCSFPD willingly accepts this responsibility and holds itself accountable for that accomplishment.

Mission Statement
UCSFPD’s mission is to enhance the safety and quality of life at UCSF by working in partnership with the community to promote public safety and crime prevention through education and enforcement; to maintain public order while preserving the legal rights of all individuals; to provide effective, efficient and courteous service; and to reduce the impact of crime. This mission is accomplished through effective:

- Crime prevention and suppression
- Victim support and assistance
- Infrastructure protection
- Emergency preparedness
- Traffic safety

Role, Authority, and Training
UCSFPD is vested with the authority and responsibility to enforce all applicable local, state, and federal laws. Officers have the authority and duty to conduct criminal investigations, arrest violators, and suppress campus crime. UCSFPD officers are duly sworn peace officers under California Penal Code Section 830.2(b), authorized to carry firearms, and have the same authority as municipal police officers to use police powers of arrest. UCSFPD has primary jurisdiction on all UCSF owned and operated properties and concurrent jurisdiction with local agencies in adjacent areas. UCSFPD provides law enforcement services 24 hours a day, 365 days a year.

UCSFPD officers are graduates of California Peace Officers Standards and Training (POST) certified training academies and continually undergo training to maintain their state certification and professional skills. UCSFPD officers have received training in Incident Command System (ICS), National Incident Management System (NIMS) and Standardized Emergency Management System (SEMS).

Working Relationships with Outside Law Enforcement Agencies and Jurisdictions
UCSFPD maintains professional working relationships with the San Francisco Police Department. UCSFPD maintains a Memorandum of Understanding (MOU) with SFPD pertaining to the investigation of alleged criminal incidents. UCSFPD also maintains MOUs with South San Francisco PD and Daly City PD.

Noncampus Criminal Activity
UCSF does not have any noncampus sites that are controlled by recognized student organizations.
If you are the victim or witness to a crime, you have the responsibility to report it immediately to the police. UCSF community members are encouraged to accurately and promptly report all crimes or suspicious activity to the UCSF Police Department, when the victim of a crime elects or is unable to make such a report. Students and employees who report crimes to UCSFPD may aid in averting crimes and in the apprehension of suspects, as well as allowing UCSFPD to initiate a Timely Warning notice and to include the information in the annual statistics disclosure. Most importantly, prompt reporting will assist the Police Department to maintain a safe and secure campus environment for all. Crimes reported to UCSFPD and designated Campus Security Authorities, as defined at right, will be reported in the annual statistical disclosure.

UCSF Campus Security Authorities

Campus Security Authorities (CSAs) have been identified and instructed to record any Clery Act crime or crime-like incident, and to submit this information to UCSFPD via the Clery Coordinator. All information is submitted anonymously without personally identifiable information of any involved party, unless the victim gives permission to document identifying data for police to investigate. Referrals for disciplinary action must be included when they involve an incident that may be a Clery Act crime. All CSAs who contribute to the Annual Security Report must maintain files documenting the information they report.

CSAs can also provide information about University programs for assisting victims of sexual assault and other assaults, and procedures for seeking medical help, as well as refer victims to counseling and support services.

The titles and contact information for Designated Campus Security Authorities are listed on page 57 of this report.
How to Report a Crime

San Francisco Campuses: In an emergency dial 9+9-1-1 from any campus phone or (415) 476-6911 from a noncampus phone. In a non-emergency dial (415) 476-1414. Whenever possible, the actual victim or witness should contact the UCSFPD directly. First-hand information is always more accurate and complete.

UCSF Benioff Children’s Hospital Oakland:
Report a crime by dialing “55” from a campus landline at the main hospital or (510) 428-3600 and 9-1-1 for off-site locations.

UCSF Fresno: Report a crime by calling the Fresno Police Department by dialing 9-1-1 in the Fresno area or (559) 621-7000. For UCSF Fresno Security contact (559) 499-6401.

What to Say…

When calling to report a crime or incident, please be ready to give information such as:

- Your name, your location, the phone number you are calling from
- A brief description of what occurred
- Where and when did the incident occur?
- How many suspects are involved?
- Did the suspect(s) have a weapon? If so, what type of weapon?
- Where and when was the suspect(s) last seen?
- What did the suspect(s) look like (gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars)?
- Where the police should go to meet you or to respond to this incident?
- Be sure to include any other relevant information (i.e., description of getaway car, distinct body odor, etc.)
- Speech issues (accent, dialect)
- Background noises
Reporting an Emergency

San Francisco Campuses: For reporting all emergencies related to police, fire, chemical spills or medical assistance, dial 9+9-1-1 from any campus telephone or dial (415) 476-6911 from a cell phone to contact the UCSF Police Department. When 9+9-1-1 is dialed, the public safety dispatcher receives information on a computer screen identifying the location where the call originated. When dialing from a cell phone, you will have to provide the dispatcher with the location.

If contacting the San Francisco Police Department for emergencies, dial 9-1-1 or if using a cell phone, dial (415) 553-8090.

To file a police report in person, you may go to the main UCSFPD administrative office at 654 Minnesota Street, Suite 180.

UCSF Benioff Children’s Hospital Oakland: Report an emergency by dialing “55” from a campus landline at the main hospital or (510) 428-3600 and 9-1-1 for off-site locations.

UCSF Fresno: Report an emergency by calling the Fresno Police Department by dialing 9-1-1 in the Fresno area or (559) 621-7000. For UCSF Fresno Security contact (559) 499-6401.

Reporting a Non-Emergency

For non-emergency assistance or for general inquiries, please dial (415) 476-1414 if dialing from a cell phone or 6-1414 if dialing from a campus landline.

Note: While everyone is encouraged to report crime directly to the police department, the Campus Security Authorities, listed on page 57 of this report, may also provide assistance with reporting.

Response to Reports of Crime

Dispatchers are available at the telephone numbers listed above 24 hours a day to answer your calls. In response to a call, UCSFPD will take the required action, either dispatching an officer or asking the victim to report to UCSFPD to file an incident report. All reported crimes will be investigated by UCSFPD and will become a matter of public record. If assistance is required from the local police department or the local fire department, UCSFPD will contact the appropriate jurisdiction. If a rape or other sexual assault should occur, staff on the scene, including UCSFPD, will offer the victim a wide variety of services.

Confidential Reporting Procedures

Reporting to Police: All incidents reported to UCSFPD are considered confidential except information that is required by law to be released. For cases involving sexual assault and with the complainant’s permission, UCSFPD can file a report on the details of the incident without revealing his or her identity. The purpose of a confidential report is to comply with the complainant’s wish to keep the matter confidential, while taking steps to ensure the future safety of the complainant and others.

With such information, UCSFPD can keep an accurate record of the number of incidents involving students and staff, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the University community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Non-Police Reporting: If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making an anonymous report to one of the Designated Campus Security Authorities listed on page 57. At a minimum, crime victims may receive valuable counseling and referral information.

Confidential v. Anonymous Reporting: Reports made to Campus Security Authorities are not strictly confidential, as CSAs are required to report the date, time, location, and all relevant information needed to classify the offense for statistical purposes. CSAs are instructed to never release personally identifiable information, so all reporting individual remain anonymous unless permission is given explicitly by the victim. For confidential reporting, individuals may contact the entities mentioned below. For additional resources, see page 23-25.

UCSF pastoral and professional counselors are exempt from Clery reporting requirements and reports made to these individuals are confidential. Confidential/anonymous reports are extremely valuable in order to prevent further victimizations and to obtain a more accurate portrait of UCSF campus crime.

The Faculty Staff Assistance Program (FSAP) provides confidential counseling for faculty and staff as well as support for victims; assisting them as necessary regardless of whether a police report has been made. Students may obtain similar services at Student Health & Counseling Services. More information about these services can be found on page 47 of this report. Confidential reports can also be made to those individuals listed on pages 23-24.

1 UCSF does not have policies that encourage counselors to inform those they counsel of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
Timely Warning Notices and Policy

UCSF will issue a Timely Warning Notice (called Crime Alerts at UCSF), if deemed necessary, in the event of a Clery Act crime that poses an ongoing or serious threat to members of the University community which occurs on Clery Act geography. Crime Alerts are typically issued for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications: arson, aggravated assault, murder/non-negligent manslaughter, robbery, and sex offenses (rape, fondling, incest and statutory rape). Alerts may also be issued for the Clery Act defined crimes of domestic violence, dating violence, and stalking.

All incidents are considered on a case-by-case basis, depending on the facts of the case.

For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other UCSF community members and a Crime Alert would not be distributed. In cases involving sexual assault, they are often reported long after the incidents occur, thus there is no ability to distribute a “timely” warning notice to the community. If there is a pattern of crime in the categories of burglary or motor vehicle theft, a crime alert would typically be distributed. Crime Alerts may also be issued for non-Clery Act enumerated crimes occurring at non-Clery Act geography locations, as deemed necessary.

Timely Warning Notices are written and distributed by UCSFPD.

As noted, such reports shall be provided to the UCSF community in a manner that is timely and may aid in the prevention of similar occurrences. UCSFPD reviews all crime reports to determine if there is an ongoing threat to the community and if the distribution of a Timely Warning Notice is warranted.

Timely Warnings (Crime Alerts) are disseminated to students, faculty, and employees through the all-University Administrative Listservs and are also posted on the UCSFPD website. UCSFPD will withhold the names and other identifying information of victims from all Crime Alerts.

Depending on the particular circumstances of the crime, the UCSF Police Department may also post a Crime Alert via the University-wide website, UCSF News Center, to provide the University community with additional timely information. The website is immediately accessible via the internet by all faculty, employees and students. https://www.ucsf.edu/news

Anyone with information warranting a Timely Warning should report the circumstances to UCSFPD by phone, (415) 476-1414, or at the dispatch center within 654 Minnesota Street, Suite 180, San Francisco, CA 94143-0238.

Emergency Notification – Imminent Threat To Life/Safety

UCSFPD will immediately notify the campus community upon receipt of information that a dangerous situation or significant emergency exists involving an immediate threat to the health or safety of students or staff on campus. UCSFPD will also immediately notify the community when immediate action is required by the recipient. Such situations might include natural disasters, chemical spills, and active shooter situations.

Confirmation of a Significant Emergency or Dangerous Situation

UCSFPD will confirm the existence of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees by contacting the appropriate department or agency (e.g., UCSF department(s) or the City and County of San Francisco). UCSFPD will verify that the threat/event is credible, identify the location(s) of the threat/event, the imminence of the threat, and its impact on life, safety and/or property.

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2 Timely Warning Notices related to UCSF Fresno are written by UCSF Fresno administration and UCSF PD, and are distributed by UCSF Fresno administration.
Content, Segments to Be Notified, and Initiation of the System

The content of the notification will be based on a combination of pre-scripted, approved messages and messages developed by authorized officials. These officials include the Chief of Police/Emergency Operations Center (EOC) Director, Chief of Police designee, and EOC Director alternates. Content where possible shall be developed in consultation with UCSF Public Affairs or the Public Information Office.

Those authorized individuals (Chief of Police/designee or EOC Director/designee) will determine the segments of the University to be notified, and have authorization to initiate the system. UCSFPD will without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system. Notification will not be sent if, in the professional judgment of responsible authorities, the notification would compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Follow up information pertaining to a significant emergency or dangerous situation on campus will be sent using some or all of the systems listed below, as deemed appropriate.

WarnMe

The WarnMe Mass Notification System may be used to communicate official information during an emergency or crisis situation that disrupts normal University operations or threatens the immediate health or safety of the University community.

WarnMe is a multi-modal emergency notification system used to inform the community about events and emergencies affecting the University. Systems include:

- **Email Messaging** – Current students, faculty, and staff are automatically registered to receive notifications via their UCSF email account and cannot opt-out of this type of notification. Anyone with an active UCSF ID can opt-in to receive emails on other personal email accounts.

- **Text Messaging** – An opt-in notification where a text message can be received on mobile phones and other ‘smart’ devices. UCSF does not charge for this service; however, SMS carriers may have standard text messaging charges.

- **Voice Message** – An opt-in notification where a voice message can be received by mobile, home or work phone. Officially assigned UCSF phone numbers are automatically included, and cannot opt-out of the system.

UCSF Benioff Children’s Hospital Oakland

Upon alert and notification of an emergency situation to the hospital, phone operators under support services and/or security personnel, will determine the nature of the incident using a standard checklist from the Emergency Operations Plan (Section 405; Emergency Response Plans). An overhead page emergency notification system initiated by the operator and support services provides alerts at the main medical center. Additionally, disaster pagers are available to all Children’s Hospital Oakland off-site locations that make a request via the hospital operator for call-out notification specific to a department/facility. The hospital has also designed a Disaster Hotline (510) 428-3192 that can be used for pre-recorded information and instructions.

UCSF Fresno

WarnMe messages are distributed at UCSF Fresno; confirmation of a significant emergency or dangerous situation, as well as, message content and system initiation is determined by UCSF Fresno administration, in consultation with UCSFPD. InformaCast emergency broadcast displays and telephones are located at the main UCSF Fresno campus and are available and activated in case of emergency.
Disseminating Emergency Information to Members of the Larger Community

UCSF Public Information Office (PIO) has primary responsibility for working with the press and media. The PIO is responsible for determining the publicity value of a story in addition to the method, time and sources of dissemination of stories. The Chief of Police or designee works with the news office in preparing and releasing factual information on major crimes, UCSFPD related issues or other newsworthy events, per the UCSF Crisis Communications Plan.

The PIO shall be notified by UCSFPD of all major incidents such as arson, explosions or civil disturbance which should be brought to their attention. For less serious situations, the Chief of Police or designee shall decide whether the circumstances warrant contacting news services. UCSF maintains a 24-hour hotline in order to initiate immediate notification, accessible to both UCSFPD and the PIO. Appropriate factual information, news briefings and “News Releases” will be planned cooperatively between UCSFPD and the PIO, following the protocols within the UCSF Crisis Communications Plan.

The systems below are available to members of the larger community who are interested in receiving notification information regarding emergencies on campus.

- **Campus Emergency Hotline** – In all emergencies, natural disasters and other crises, information will be recorded on the campus emergency hotline number, (415) 502-4000 (or 2-4000 in-house), or posted on the campus website as quickly as possible.

- **Electronic Display Boards** – Emergency alert beacons and marquees directly linked to the WarnMe system are located throughout University public spaces and are activated as deemed appropriate by UCSFPD.

Emergency Management at UCSF

Disasters or emergencies can happen suddenly, interrupting normal operations and overwhelming typical response scenarios. UCSF has an Emergency Operations Plan (EOP) to address these crisis situations. The EOP outlines the immediate actions and operations required for a major disaster or emergency in which special measures must be taken to save and protect the lives of students, patients, employees and the public; provide essential services; and manage UCSF resources effectively during the emergency response.

The EOP provides the management structure, key responsibilities, emergency assignments and general procedures to follow during an emergency.

Drills, Exercises, and Training

In conjunction with other agencies, the University conducts emergency response exercises each year, including table top and field exercises. Monthly testing of the Mass Notification System, WarnMe, is also conducted. These tests are designed to assess and evaluate the emergency response plans and capabilities of the institution. These tests may be announced or unannounced. At least annually, emergency response and evacuation procedures are publicized in conjunction with a test.

General information about emergency response and evacuation procedures are publicized each year as part of the University’s Clery Act compliance efforts and is available on the UCSFPD Emergency Management webpage under the “Preparing for Disasters” section.

UCSF Benioff Children’s Hospital Oakland: UCSF Benioff Children’s Hospital Oakland Emergency Preparedness Coordinator assists departments and sites with developing, maintaining, and implementing emergency operations plans, developing and conducting exercises, hazard vulnerability assessments (HVA), and building resilient partnerships with external response agencies. The Emergency Preparedness Coordinator assists with and coordinates the hospital’s overarching mitigation, preparedness, response, and recovery programs. The position develops and distributes emergency response procedures to employees via emergency response overview, badge buddy, and education programs, with information available at all Children’s Hospital locations through the Environmental Health & Safety Office.

Children’s Hospital conducts at least two exercises annually. These exercises include, but are not limited to: tabletops, drills, functional, or full-scale. UCSF BCHO conducts after-action reviews of all emergency management exercises. These exercises are coordinated with local, state, and federal agency stakeholders. In conjunction with at least two exercise each year, UCSF BCHO will notify the appropriate stakeholders of the exercise and remind the community of the alert and notification system and emergency response procedures.

Evacuation Procedures for UCSF

If you hear a FIRE ALARM:

- Do not ignore the building alarm warning.
- EVACUATE. Follow evacuation plan and procedures.
- Look for smoke or fire in the immediate area and along exit pathways.
- Listen for instructions from: Public Address systems, Police or Fire Department personnel, Emergency Coordinators/Floor Wardens.
- In high-rise buildings the fire alarm system requires staff on floors not directly involved in the fire remain in the building until instructed otherwise. The fire alarm will sound, alerting the need to evacuate only on the incident floor, two floors above, and one floor below. (Does not apply to in-patient care areas (e.g., Moffitt-Long Hospitals) and designated out-patient care areas.)
- Announcements will be made on additional floors if further evacuation is necessary. Become familiar with your building’s fire alarm and alert system. If the alarm sounds on your floor, implement evacuation plan.
- Never enter a smoke filled room.
- Feel all doors at top for heat. Do not open a door if it is warm to touch. Even if the door is cool, kneel as low to the floor as possible before opening.
- Determine in advance the nearest emergency exit/route from your work location.
- Establish an alternate exit route to be used in the event your first route is blocked or unsafe to use.
- If safe to do so, and time allows, secure sensitive documents upon exiting.
- Take personal property (e.g., purse, keys, and coats) with you. You may not be allowed to re-enter the building.
- Walk, do not run. Keep noise to a minimum.
- DO NOT use elevators.
- Do not push or crowd, use handrails in stairwells – stay to the right.
- Assist anyone with disabilities if they are present.
- Move to your Emergency Assembly Area, and await further instructions.
- Never try to re-enter an evacuated building until authorized personnel give the “all clear” signal.

Evacuation of Disabled Persons

It is recommended that individuals with mobility, visual or deaf/hearing impairments (both permanent and temporary) prepare for an emergency ahead of time by informing their Building Management, work site Emergency Coordinators, co-workers and classmates of the best methods of assistance during an emergency.

A “buddy” system should be established in which volunteers are paired with persons with disabilities, and will have the responsibility of alerting and assisting them during an evacuation.

Attempt a rescue evacuation ONLY if you have had rescue training or the person is in immediate danger and cannot wait for professional assistance.

All emergency exit stairwells are resistant to fire and smoke for approximately two hours. Disabled persons are advised to proceed to them and await assistance by rescue personnel.

State law requires occupants to evacuate a building when the fire alarm sounds. Title 19, Section 3.10.

When Not to Evacuate (Shelter-In-Place)
WarnMe, UCSF’s Mass Notification System will be activated with instructions to shelter-in-place to all UCSF email accounts, and any self-registered mobile devices, (registered at www.warnme.ucsf.edu) if deemed appropriate by UCSFPD.

Outdoor warning sirens or horns maintained by the City and County of San Francisco may be activated (San Francisco tests the system and can be heard every Tuesday at noon).

Summary

- **Know your department staff.** Encourage individuals with disabilities to self-identify with the EAP Emergency Coordinator for emergency planning purposes.
- **Refer to the Campus Emergency Procedures** (yellow flip chart) as a University-wide guideline.
- **Prepare an evacuation plan** for all staff, students, patients, and visitors. Plan for what you would do, who may need assistance, use of evacuation chairs if indicated, and where you should go to wait for assistance. Include this information in the respective departmental Emergency Action Plan.

During normal business hours UCSF facilities are open and accessible to students, staff, faculty and visitors of the University. After normal business hours and during breaks these facilities are locked and only accessible to authorized individuals. UCSFPD and Medical Center Security Services control entry into these facilities, monitor security cameras, and conduct routine patrols to identify trespassers and report any unusual circumstances.

UCSF buildings are secured by proprietary security systems, including electronic card readers and key locks. The access program for UCSF affiliates is managed by WeID and Facilities Services. UCSF badges (card access) are issued by WeID for campus employees and students, and by Medical Center Security Services (SecAccess) for Medical Center employees. Access to specific locations within UCSF is managed by the various departments, in cooperation with UCSF Human Resources and WeID.

Residential facilities are only accessible to building residents and their authorized guests. All UCSF Housing tenants are issued appropriate badge and key access to assigned Housing locations. Residents should avoid permitting unknown individuals access to residential buildings and are encourage to report suspicious activity.

Security Considerations Used in the Maintenance of Campus Facilities
UCSF maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. UCSFPD works closely with Facilities Services to promptly address burned out lights, malfunctioning door locks, or other physical conditions that may deter security. Facilities Services is notified by UCSFPD of all incidents of property damage that occur at UCSF locations.

UCSFPD, in cooperation with Facilities Services and other campus departments, conducts regular security reviews of existing and proposed campus buildings/infrastructure designed to mitigate the possibility of criminal conduct based on the most up-to-date information on physical safety and security. Any physical security upgrade requested by a UCSF department requires a physical security review conducted by UCSFPD prior to installation by Facilities Services.

To report any issues related to the maintenance of campus facilities please contact Facilities Service at (415) 476-2021. (For UCSF Benioff Children’s Hospital Oakland, contact hospital administration at (510) 428-3000.)
As a public university, UCSF is uniquely challenged to strengthen campus safety and security while also preserving openness and public accessibility. While there are no fail-safe solutions to preventing crime, UCSF has measures in place to enhance community safety.

These measures include:

- **Threat Management Team** – UCSF maintains a work place violence early warning system that provides for a multi-disciplinary approach to evaluating and mitigating potential work place violence situations.

- **Campus Police and Security Staff** – The UCSF Police Department consists of 157 plus authorized staff, including 56 sworn police officers, dedicated to crime suppression and prevention. The Police Department provides 24-hour service every day to UCSF sites in San Francisco County and UCSF Benioff Children’s Hospital Oakland main campus. The Department closely coordinates mutual-aid resources with neighboring police jurisdictions and other UC campuses. The Department also staffs approximately 74 security personnel deployed throughout UCSF campus locations. Additionally, the UCSF Medical Center maintains a staff of approximately 76 security guards and closely coordinates with UCSFPD. UCSF Benioff Children’s Hospital Oakland staffs approximately 35 full time security personnel throughout its locations.

- **911 Emergency Communications Center** – The UCSF Police Department operates a state-of-the-art 911 Emergency Communications Center (ECC) that operates 24/7 to answer calls for assistance and dispatch appropriate public safety personnel. The ECC ensures communication between emergency responders from multiple jurisdictions.

- **Emergency Notifications** – The Department employs numerous emergency notification processes, including a system that sends alerts to the phones, emails, pagers and ‘smart’ devices of campus leadership and Emergency Operations personnel. Also, email notification can be sent to every person at UCSF with an email address and real-time information can be posted on the Campus Emergency Hotline, which can be accessed during an emergency at (415) 502-4000. Additionally, some campus buildings are equipped with overhead alert systems.

- **Emergency Operations Center** – The Police Department and Emergency Operations staff routinely conduct emergency drills and trainings.

- **Intercoms and Panic Buttons** – The University has installed emergency intercoms and panic buttons throughout the Parnassus, Laurel Heights, Mount Zion and Mission Bay parking structures and in open parking lots. Upon receipt of any call for assistance, police officers are dispatched immediately to the incident location.
■ Safety Escorts – Safety escorts for patients, visitors, staff and students to the respective parking lots or garages (possibly bus stops if requested) are available for the Parnassus, Mission Bay, Mount Zion, Laurel Heights and Mission Center Building locations.

The phone numbers for safety escorts are as follows:
- Medical Center Security Services (Parnassus/Mount Zion) | (415) 885-7890
- Medical Sciences Lobby | (415) 476-6683
- Mission Bay Genentech Hall, 1st Floor Main Lobby | (415) 514-4020
- Rock Hall, 1st Floor Main Lobby | (415) 514-4317
- Sandler Neuroscience, Main Lobby | (415) 514-4975
- Mission Hall | (415) 476-5190
- Hellen Diller, Main Lobby | (415) 502-7511
- Laurel Heights, 1st Floor Main Lobby | (415) 476-8868
- Mission Center Building | (415) 476-0399

Most importantly, UCSF relies upon the vigilance of every member of the community to help maintain a safe and secure environment. On a departmental level, managers should ensure that Emergency Action Plans remain current and staff is aware of emergency procedures. Individually, everyone can contribute by wearing UCSF identification cards, immediately reporting suspicious activity, closing and locking doors appropriately and knowing emergency procedures.

For further information, and to download the UCSF Campus Emergency Procedures guide, please go to the UCSF Police Department website and follow the links to “Preparing for Emergencies” and “Forms and Resources”.

Daily Crime & Fire Logs
The purpose of the Daily Crime Log is to record all criminal incidents and alleged criminal incidents that are reported to the UCSF Police Department.

The log is designed to disclose crime information on a timelier basis than the annual statistical disclosures. A crime is entered into the log within two business days of when it is reported to UCSFPD. This includes crimes that are reported directly to UCSFPD, as well as crimes that are initially reported to another law enforcement agency who subsequently reports them to UCSFPD.

The Daily Crime Log can be accessed at:

The Daily Crime Log is also available at the UCSFPD main administrative location at 654 Minnesota Street, Suite 180, San Francisco, CA 94143-0238, or by calling (415) 502-9396.

The Daily Crime Log can be accessed at any public computer with internet access throughout UCSF, including the libraries at Parnassus and Mission Bay, along with other publicly available computers.

UCSF Benioff Children’s Hospital Oakland: UCSFPD began providing police services for the main Benioff Children’s Hospital Oakland campus in June of 2019. All Daily Crime Log information since that time is included in the log mentioned above. Prior logs are maintained by Benioff Children’s Hospital Oakland Security Services.

UCSF Fresno: Starting December 2018, UCSF Fresno entered into a security contract with the Community Regional Medical Center in Fresno. All Daily Crime Log information, from that date forward, is maintained by Community Regional Medical Center Security staff and can be obtained at the front desk at 155 N Fresno St.

The Fire Log records fire incidents occurring at all UCSF on-campus student housing facilities and like the Crime Log is updated within two business days of receiving the information.

The Fire Log may be accessed at: http://police.ucsf.edu/crime-prevention-statistics/clery-crime-report
Tips for Prevention of Campus/Personal Property Theft

In 2018, UCSF experienced 421 property crimes totaling $630,170 in losses. Computers and laptops remain one of the most targeted items for theft. What measures can you take to protect your property?

Tips to Secure Your Computer

■ Use a security device such as a cable lock whenever possible or store your laptop in a secure area.
■ Regularly update your virus protection software and download security updates and patches.
■ Use a firewall program and use a secure browser.
■ Delete all suspicious emails and their attachments. Report such emails to UCSF IT.
■ Don’t share your password; make your password difficult to guess. If possible, do not let the computer remember passwords for you.

Tips to Reduce the Opportunity for Theft

■ Do not leave your wallet/purse or other valuables unattended in an unlocked desk or cabinet.
■ Lock your door or your desk when you leave, even if you are gone for a short time.
■ Be alert for suspicious activity and promptly report to UCSFPD.
■ Maintain strict key/security code control.
■ Keep updated inventory of all office, lab and home equipment.
■ Have all equipment secured with approved lock-down device(s).
■ Identify all University equipment by engraving on the top or front side.*
■ Identify personal property by engraving your California driver’s license number; do not use your social security number.

*Note: Engravers are available for any UCSF employee/student. They may be checked out by contacting the Emergency Communications Center at (415) 476-1414. The Emergency Communications Center will coordinate the release of the engraver, which is available 24/7.

Vehicle Safety Tips

■ Have your vehicle keys in hand when you approach your vehicle.
■ Prior to entering your vehicle, check the inside and look underneath.
■ Immediately lock all doors upon entering and exiting your vehicle.
■ Maintain car in good working order, with safe tires and sufficient gas.
■ Park in well-lit heavily populated areas.
■ Do not leave valuable items visible in your car.
■ Close all windows and lock all doors before leaving your vehicle.

Carjacking

Your life is more important than anything of material value. It is recommended you give up your keys immediately and without protest. Avoid getting into the vehicle with the suspect(s) if at all possible. If you need to surrender your vehicle, try to remember details about the suspect(s) such as race, sex, height, clothing, speech issues (accent, dialect), the direction the suspect(s) went and type of weapons they had, if any. Report this information immediately to the police.

Prevention of ID Theft

■ Buy a good shredder – use it to shred pre-approved credit applications, credit card receipts, bills and other information you don’t want before discarding them.
■ Never leave receipts at bank machines, bank counters, or public trash receptacles.
■ Never give out personal information over the phone, such as your social security number, date of birth, mother’s maiden name, credit card number, or bank PIN code, unless you initiated the phone call or know exactly who you are speaking with.
■ Save all credit card receipts and match them against your monthly bills. Be sure to shred before discarding.
■ Never loan your credit cards to anyone else.
■ Report all lost or stolen credit cards immediately.
■ Be aware of con-artists who may use interactive service sites on the internet, or mail or telephone solicitations disguised as surveys or promotions offering instant prizes or awards to obtain your personal information or your credit card numbers.
What To Do if Your Wallet or Purse Has Been Stolen or Lost

- Have the toll free numbers and your credit card numbers handy so you know whom to call in case of theft. **Do not keep this info in your wallet or purse.**
- Cancel credit cards immediately.
- Contact the bank if your checkbook or ATM card was also stolen.
- File a police report immediately.
- Call all of the following numbers or go online immediately to place a fraud alert on your name and social security number. This alert means that they have to contact you by phone to authorize new credit:
  - Equifax (888) 836-6351
  - Experian (888) 397-3742
  - Trans Union (800) 680-7289
  - Social Security Administration Fraud Hotline (800) 269-0271

Apartment/Home Safety Tips

- Report suspicious individuals and activities immediately.
- Do not hold secure building entry doors open for strangers.
- Do not enter an elevator if you are uncertain of any occupant.
- Try to stand near the elevator control panel. If accosted, press all the buttons.
- Have keys ready to enter your residence quickly.
- Insure your apartment and keys against losses.
- Secure doors and windows at all times especially if windows are easily accessible from the outside.
- Install and use a wide angle peephole in all exterior doors.
- Change locks or re-key immediately if door keys have been misplaced or stolen.
- Identify callers before opening doors; check IDs of all repair and sales personnel prior to permitting entry into your home.
- If you suspect a prowler is inside your home, avoid confrontation, get out immediately and call the police.
- Keep money and valuables in secure places, preferably in a safe.
- Keep your curtains and blinds closed at night.

Personal Safety

- Travel with a friend or in a group.
- Be alert and aware of your surroundings.
- Be assertive.
- Do not carry excess amounts of cash or more credit cards than you need.
- Use well-lit and frequently traveled routes.
- Dress in clothes and shoes which do not hamper movement.

Personal Safety on Public Transportation

- Wait for buses or shuttles in well lighted areas if possible.
- Sit up front close to the driver.
- When you disembark, be aware of who else is getting off and if they are following you. If you feel you are being followed, go to the nearest store or occupied building to request assistance.
- Use well lighted streets to reach your destination.
Crime Prevention Education

Security awareness and crime prevention programs on personal safety are sponsored by various departments at UCSF throughout the year. UCSFPD facilitates programs for students, faculty, staff, orientations, organizations and residential housing. Housing Services and the Schools at UCSF offer programs for students specifically. UCSFPD, the Schools and Housing Services offer an average of more than two dozen security awareness educational programs during the course of the year. These programs address topics such as personal safety, alcohol and drug abuse awareness and sexual assault prevention. As part of the security awareness programs, students and employees are encouraged to be responsible for their own security and the security of others.

Crime Prevention and Security Awareness Programs available include:

Crime Prevention Safety Presentations
PowerPoint presentations covering University security services, basic crime prevention, personal safety (both on and off campus) as well as workplace safety are available. Please contact (415) 502-9396 for more information or to schedule a presentation.


Rape Aggression Defense
The Rape Aggression Defense (R.A.D.) System is a comprehensive course for people who identify as women that begins with awareness, prevention, risk reduction and risk avoidance, while progressing on to the basics of hands-on defense training. UCSFPD now offers classes for people who identify as men. R.A.D. is not a Martial Arts program. R.A.D. courses are taught by nationally certified R.A.D. Instructors and provide each person with a workbook/reference manual. This manual outlines the entire Physical Defense Program for reference and continuous personal growth, and is the key to R.A.D.’s free lifetime return and practice policy for R.A.D. graduates. R.A.D. courses are offered several times throughout the year at various UCSF locations. In addition to basic classes for men and women, advanced classes, including aerosol and keychain defense, are available. Offerings are announced through the all-University Listservs. For more information: https://police.ucsf.edu/crime-prevention-statistics/personal-safety-and-security/rad-self-defense-training.

Active Shooter Training
UCSFPD offers both an online training as well as in-person active shooter classes taught by members of UCSFPD.


Community Orientated Policing and Problem Solving (COPPS)
UCSFPD patrol officers, as part of their regular duties, conduct hundreds of COPPS related activities each year which include presentations, crime prevention and other targeted enforcement activities.

Fire Safety
The UCSF Fire Safety Program is essential in protecting the University community from injuries, death, business interruption, and property damage resulting from fires and related perils. The Fire Safety Program is intended to ensure reasonable and consistent protection for persons and property in or on UCSF administered properties, including all housing units.

The University of California, San Francisco is committed to creating and maintaining a community where all individuals can participate in University programs and activities, and work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Sexual assault, dating violence, domestic violence and stalking violate both California law and University policy. UCSF encourages students, employees and visitors who experience any of these offenses, whether on campus or off campus, to access on and off campus resources. Survivors are strongly urged to consider taking action through the University’s institutional conduct process and through the criminal justice system.

The University’s policy governing sexual violence and harassment, including sexual misconduct, is listed below. UCSF will take whatever action may be needed to prevent, correct and, as necessary, discipline behavior that violates this policy.

The University is committed to core values for all members of the UCSF community to fulfill our mission. These values are organized under the acronym PRIDE, which stands for Professionalism, Respect, Integrity, Diversity and Excellence. https://diversity.ucsf.edu/PRIDE-values

University of California Policy on Sexual Violence and Sexual Harassment

The University policy on Sexual Violence and Sexual Harassment applies to all employees, faculty, students and other members of the University community, including invitees and visitors. https://policy.ucop.edu/doc/4000385/SVSH

UCSF’s goal is to create a supportive climate that encourages each victim/survivor of sexual violence to report the incident(s) and to provide support and information to assist the person in dealing with these traumatic events. This policy also intends to promote campus safety through facilitating the collection of accurate data on incidents of sexual violence and prompt reporting of sexual violence incidents to appropriate University officials.

University policy and California law prohibit retaliation against any individual who opposes sexual harassment, sexual assault, domestic violence, dating violence and stalking, files a complaint, assists or participates in any manner in an investigation or proceeding conducted by the University or an external agency.

To report sexual misconduct or to ask a question about UCSF’s policy or procedures, please contact:

Title IX Officer, Director of OPHD
Office for the Prevention of Harassment and Discrimination
3333 California Street, Suite S-16
San Francisco, CA 94143-1249
(415) 502-3400

Definitions


To better identify these distinctions, the University policy definitions are stated below. The Clery definitions are stated in the Collection of Statistics for UCSF Annual Security Report section on pages 50-51. The State of California statutory definitions are given in full in the Appendix at the end of this publication.

University of California – Sexual Violence and Sexual Harassment Policy Definitions

Sexual Harassment is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal, or physical conduct of a sexual nature when:

1. Quid Pro Quo: a person’s submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program, activity, or service; or

2. Hostile Environment: such conduct is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person’s participation in or benefit from the education, employment or other programs, activities or services of the University, and creates an environment that a reasonable person would find to be intimidating or offensive.
Consideration is given to the totality of the circumstances in which the conduct occurred.

Sexual harassment may include incidents between any members of the University community, including faculty and other academic appointees, staff, student employees, students, coaches, residents, interns, and non-student or non-employee participants in University programs (e.g., vendors, contractors, visitors and patients). Sexual harassment may occur in hierarchical relationships, between peers, or between individuals of the same sex or opposite sex.

**SEXUAL VIOLENCE**

**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.

**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 they include any of 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.

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

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).

The nature of the relationship between the complainant and 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.”**

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.

**Stalking:** Repeated conduct directed at a complainant (for example, following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking of a non-sexual nature is addressed by other University policies including but not limited to the Policy on Student Conduct and Discipline Section 102.10.

**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 belief that the complainant consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the factfinder 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:

- The respondent’s belief arose from the respondent’s own intoxication or recklessness;
- 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
- The respondent knew or a reasonable person should have known that the complainant was incapacitated, in that the complainant was:
  - asleep or unconscious;
  - unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
  - 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.
Sexual Violence – Prevention and Resolution

GET HELP

Procedures Survivors are Encouraged to Follow

■ Call 9-1-1 if you or someone you know is in danger or needs immediate help.

If you have experienced sexual assault, domestic violence, dating violence, or stalking, you are encouraged to seek immediate assistance. If you prefer not to notify UCSF Police or the local police department, you are strongly encouraged to seek assistance from the other resources listed in this publication.

You have the right to decide who and when to tell about an incident of sexual assault, domestic violence, dating violence, or stalking. However, it is important to get medical attention after being sexually assaulted.

Seek Medical Attention after Being Sexually Assaulted: Free forensic exams are performed, 24 hours a day at Zuckerberg San Francisco General Hospital and Trauma Center in the Emergency Department, located at 1001 Potrero Avenue, Suite 1E21, San Francisco, CA, 94110, (415) 206-8000.

Exams should be conducted as soon as possible, but can be conducted as late as five days after an assault. Exams performed within 72 hours can include HIV prevention medication and emergency contraception.

Preserving of Evidence

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important for a survivor to preserve and collect evidence, so that the full range of options, including a successful criminal prosecution, remains available. If you have experienced a sexual assault, in order to preserve evidence, if possible, do not wash your hands or face, shower or bath, brush your teeth, straighten up the area where the assault took place, use the restroom, or change your clothes prior to a medical exam. It is best to seek a medical examination as soon as possible. Additionally, evidence of an incident of relationship violence, such as bruising or other visible injuries, should be documented by taking a photograph. Evidence of stalking, including any communication, such as written notes, voicemail, or other electronic communications, should be saved and not altered in any way.

In California, evidence may be collected even if you choose not to cooperate with law enforcement. The hospital may be required to contact law enforcement (consistent with California Penal Code Section 11160 [https://tinyurl.com/11160code]), but a victim can choose whether or not to file a formal complaint at that time.

Accommodations

Designated University representatives, including the Title IX Officer and the Confidential CARE Advocate, can provide sexual assault, domestic violence, dating violence and stalking survivors with important assistance and accommodations, where reasonably available, including the following:

■ Assistance with reporting the incident(s) to law enforcement;
■ Initiating institutional conduct proceedings;
■ Issuing “No Contact Orders” to eliminate contact with the accused(s);
■ Obtaining a restraining order issued by a criminal or civil court;
■ Providing academic accommodations, e.g., extensions on assignment due dates;
■ Changing living arrangements, e.g., changing residence location;
■ Changing transportation arrangements, e.g., providing parking in a different location; and
■ Changing work arrangements, e.g., relocation to a more private or secure location.

Accommodations may be made upon request, if they are reasonably available, irrespective of whether a survivor chooses to report an incident to the UCSF Police Department, local law enforcement, or the Title IX Officer. The Confidential CARE Advocate can provide this support to survivors who choose not to report.

3 Per Penal Code Section 11160: Any health practitioner employed in a health facility, clinic, physician’s office, local or state public health department, or a clinic or other type of facility operated by a local or state public health department who, in his or her professional capacity or within the scope of his or her employment, provides medical services for a physical condition to a patient whom he or she knows or reasonably suspects is a person described as follows, shall immediately make a report in accordance with subdivision (b): (1) Any person suffering from any wound or other physical injury inflicted by him or her own act or inflicted by another where the injury is by means of a firearm, (2) Any person suffering from any wound or other physical injury inflicted upon the person where the injury is the result of assaulative or abusive conduct.
Reporting Rights and Options
Survivors have several reporting options, and they may pursue one or all of the options at any time. Survivors also have a right to have the Confidential CARE Advocate, a friend, family member, or other representative present with them while reporting an incident. Survivors also have the right to have the Confidential CARE Advocate and a support person (of their choice) present during any sexual assault forensic examination. UCSF representatives, including the Title IX Officer and the Confidential CARE Advocate, can also support survivors in notifying the UCSF Police Department or local department, if a survivor chooses to report the incident.

NON-REPORTING OPTIONS
The resources listed below are available to provide support or counseling to survivors on a fully confidential basis. These resources can provide critically important assistance, but reporting to them will not lead to action being taken by UCSF.

CARE Advocate: The Confidential CARE Advocate provides confidential information about sexual assault, dating violence, domestic violence and stalking. The Confidential CARE Advocate can explain a survivor’s options, accompany a survivor throughout any reporting process (should a survivor choose to report an incident), and assist a survivor with academic, housing and employment concerns and accommodations. The Confidential CARE Advocate is also available to explain and discuss a survivor’s right to file a criminal complaint, the University’s relevant complaint processes, available resources (both on and off campus), and other related matters.

Office of the Ombuds: The Ombuds provide survivors with confidential information, including information about options that are available and makes referrals, as necessary and as requested.

Student Health and Counseling: Student Health and Counseling Services provides student survivors with confidential counseling services.

Faculty Staff Assistance Program (FSAP): FSAP provides faculty, staff, residents, postdocs, and clinical fellow survivors with confidential counseling and other services.

ON-CAMPUS REPORTING OPTIONS
The resources below provide assistance, including initiating formal administrative and criminal investigations. Reporting to these resources may lead to action being taken by UCSF. UCSF strongly encourages survivors to report sexual assault, dating violence, domestic violence and stalking, so the University and the police may protect the survivor and the campus community. However, non-reporting is also an option. Accommodations may still be available to individuals who do not report.

UCSF Administration: When a report is made that provides sufficient facts to allege a violation of policy, to a School, Department, Human Resources, etc., the Title IX Officer conducts an investigation as to whether a violation of policy took place. This administrative process is separate from a legal proceeding. The investigative report will be shared with only those members of the University community with a need to know. Survivors have the right to be accompanied by a support person when they report to campus administration and the Confidential CARE Advocate can support them with this process. UCSF officials will assist any individual in notifying law enforcement if she/he chooses to do so. Victims are entitled to choose not to report to law enforcement.

Title IX Officer: The Title IX Officer receives and investigates reports of sexual assault, dating violence, domestic violence, stalking and sexual harassment. The Title IX Officer is available to explain and discuss a survivor’s right to file a criminal complaint, the University’s complaint process, how confidentiality is handled, and available resources (both on and off campus). The Title IX Officer works with the UCSF Police Department on cases that are reported to both entities.

UCSF Police Department:
■ Although the University strongly encourages members of the community to report violations to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police.
■ If an individual has been the victim of an incident of sexual violence, they should report to UCSFPD at (415) 476-6911 from a cell phone or dial 9+9-1-1 from any campus phone. Call and tell the dispatcher, “I want to report a sexual assault.” The individual may also report in person to UCSFPD 654 Minnesota Street, Suite 180, San Francisco, CA 94143, Monday through Friday, 8 a.m. to 5 p.m.
■ If an individual chooses to report an incident of sexual assault, domestic violence, dating violence, or stalking to UCSFPD, the Department will coordinate referral to the Title IX Officer for investigation regardless if the complainant chooses to pursue criminal charges.
■ University police can initiate a criminal investigation and, may be able to obtain emergency protective orders on a survivor’s behalf.
■ If a survivor chooses not to report a crime immediately, the report can still be made at a later time. Survivors may contact the Confidential CARE Advocate for free and confidential assistance with this process.
UCSF officials will assist any individual in notifying law enforcement if she/he chooses to do so. Victims are entitled to choose not to report to law enforcement.

OFF-CAMPUS REPORTING OPTIONS

Reporting to Local Law Enforcement: A survivor may report an incident to the police department located within the jurisdiction where the incident occurred. If a survivor chooses not to report a crime immediately, a report can still be made at a later time. Law enforcement can initiate a criminal investigation and, depending on the circumstances, provide a survivor with assistance in obtaining emergency protective orders, which will be enforced both on and off campus.

Civil Restraining Orders: A survivor may also choose to request a civil restraining order. This is an order that protects persons who have experienced or are reasonably in fear of violence, sexual assault, stalking or threats of violence. Survivors may contact the Confidential CARE Advocate for a referral to resources which provide free and confidential assistance with this process.

ANONYMOUS REPORTING

To file an anonymous online complaint, go to EthicsPoint at http://www.ucop.edu/ethics-compliance-audit-services/ and select “File A Report.” Choose a location, select “Discrimination/ Harassment” as your subject matter, and enter the details of your complaint.

You can also file an anonymous phone complaint by calling the EthicsPoint Hotline at 1 (800) 403-4744. EthicsPoint is run by a neutral third party vendor and will be routed to the appropriate party anonymously. Please note that anonymous complaints may limit how UCSF can respond to a given situation.

UCSF is committed to operating in an ethical, honest, and lawful manner. UCSF follows the University of California Policy on Reporting and Investigating Allegations of Suspected Improper Governmental Activities (Whistleblower Policy) and the University of California Policy for Protection of Whistleblowers from Retaliation and Guidelines for Reviewing Retaliation Complaints (Whistleblower Protection Policy). In addition to the EthicsPoint Hotline, complaints may be filed to the UCSF Whistleblower Coordinator, the UC Confidential Hotline, the California State Auditor, the California Attorney General or directly to a supervisor. See https://policies.ucsf.edu/policy/150-23 for more information.

CONFIDENTIALITY

UCSF recognizes the sensitive nature of sexual assault, dating violence, domestic violence and stalking incidents. The University is committed to protecting the privacy of survivors who make reports or seek accommodations and protective measures. When a survivor reports an incident to UCSF or seeks accommodations and protective measures, his or her privacy will be respected to the full extent possible. Reports and/or requests for accommodations and protective measures will be shared with only those members of the University community with a need to know.

A report to the police/law enforcement may create a public record.

The police are required to notify a survivor that his or her name will become a matter of public record unless confidentiality is requested. (Cal. Penal Code § 293; Cal. Gov. Code § 6254(f).) If a survivor requests that his or her identity be kept confidential, their name will not become a matter of public record, and the police will not report his or her identity to anyone else at the University, including the Title IX Officer. UCSF Police, however, will report the facts of the incident to the Title IX Officer, without revealing the survivor’s identifying information.

UCSF is required by the Clery Act to report certain types of crimes, including sexual assaults, in statistical reports. Pursuant to the Clery Act, UCSF will report the type of incident that occurred in the Annual Security Report and Daily Crime Log, but no names or personally identifying information will be revealed.

MANDATORY REPORTING

You should be aware that some disclosures to UCSF faculty or employees (including student employees) will result in a report to the UCSF Office for the Prevention of Harassment and Discrimination/Title IX.

Per the UC Sexual Violence and Sexual Harassment Policy, any University employee who is not a Confidential Resource and who learns, in the course of employment, information that a student (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited conduct, must promptly notify the Title IX Officer or designee. This includes student employees, when disclosures are made to them in their capacities as employees.

If any of the following people learn, in the course of employment, that any other person affiliated with the University may have experienced prohibited conduct, they
must promptly notify the Title IX Officer or designee: Campus Police; Human Resources Administrators, Academic Personnel Administrators, and Title IX Professionals; Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units; Faculty members.

**UCSF Procedures for Responding to Reports of Sexual Violence**

- The University will provide written notification to students and employees regarding resources/services, on campus, off campus or both, to include medical services, legal assistance, victim advocacy, counseling & mental health, student financial aid, and visa and immigration assistance.
- The University will also provide written notification about options for, and available assistance in, changing academic, living, transportation, and work situations. UCSF is obliged to comply with an individual’s reasonable request for such accommodations following an alleged sex offense. These accommodations will be made if requested and reasonably available, regardless of whether the crime is reported to UCSFPD or local law enforcement.
- Written notification will also be provided regarding protective measures and the persons’ rights and options. This document may be found at the following link: http://police.ucsf.edu/system/files/ucsf_rights_options_resources_web.pdf
- Depending on the circumstances of the report, UCSF may provide a reporting party access to medical care, referrals to on and off campus mental health providers, assess the need to implement interim or long-term protective measures, provide written instructions on how to apply for a Protective Order, provide a copy of the University policy on Sexual Violence and Sexual Harassment, and give information regarding timeframes for inquiry, investigation and resolution.
- Requests for any of these services or accommodations should be made to the Title IX Officer or the Confidential CARE Advocate.
- For purposes of Clery Act reporting and disclosures, publicly available information will be made without the inclusion of identifying information about the individual, as defined in 42 U.S.C. 13925(a)(20). This includes information likely to disclose the location of a victim of sexual assault, domestic violence, dating violence, or stalking, including first and last name, address, contact information, social security number, driver’s license number, date of birth, racial or ethnic background, etc.

**Sexual Violence Prevention Programs and Resources**

UCSF conducts orientations and educational programs for faculty, students and staff promoting the awareness of consent, definitions of rape, acquaintance rape, and other forcible and non-forcible sex offenses. The University also engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault, domestic violence, dating violence, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

UCSF’s programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies sexual assault, domestic violence, dating violence and stalking as prohibited conduct.
- Uses definitions provided both by the Department of Education as well as state law as to what behavior constitutes sexual assault, domestic violence, dating violence and stalking.
- Defines what behavior and actions constitute consent to sexual activity in the State of California and under University policy.
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
New Student Orientations
For UCSF students, the University makes three points of contact on the topics of sexual and gender-based violence and misconduct no later than the sixth week of classes. One of these points of contact consists of an in person training. After the initial training, all continuing students complete one, annual mandated training. The three points of contact are:

1. An Email Message from the Chancellor or designee with a link to a mandatory online training

2. Online Mandatory Training developed for Graduate Students

3. In person presentation by the UCSF Confidential CARE Advocate at all New Student Orientations

Training topics covered include: definitions of interpersonal violence and stalking, social norms—attitudes and beliefs that normalize violence, bystander intervention (including warning signs), trauma informed response, resources, and reporting rights and options. Upon request, the Confidential CARE Advocate is available to provide additional training, education, and informational sessions on the topics of sexual assault, sexual violence, stalking and gender based violence.

New Employee/Faculty Orientations
New employees are provided with information about UCSF’s sexual violence, domestic violence, dating violence and stalking policies during their new hire orientations. Following orientation, they are encouraged to attend the University’s online Violence Against Women Act (VAWA) training, which provides valuable information about sexual violence, domestic/dating violence and stalking. Additionally, new faculty, managers, supervisors and other designated management or supervisorial-level employees are required to complete the University’s two-hour, online Sexual Harassment Prevention Training module. This module provides information about sexual harassment, sexual violence, domestic/dating violence and stalking.

Ongoing Awareness and Education Programs
Ongoing awareness and educational programs and trainings are sponsored by the University’s Confidential CARE Advocate, the Office for the Prevention of Harassment and Discrimination, and UCSFPD. These programs and trainings focus on a range of topics, including, understanding consent, social norms, information regarding survivors’ rights on campus, bystander intervention, trauma informed response and recognizing and preventing sexual harassment, sexual violence, domestic/dating violence and stalking.

All members of the University community (students and employees) are regularly encouraged to attend the University’s online Violence Against Women Act (VAWA) training. Notices concerning the availability of this training are sent out on an annual basis.

University employees (staff, managers, supervisors and faculty) are encouraged to attend interactive, in-person sexual harassment prevention training. These trainings are offered several times throughout the year. Faculty, managers, supervisors and other designated management or supervisorial-level employees are required to attend the University’s online Sexual Harassment Prevention Training every other year, as long as they remain employed at the University. In place of the two-hour online training, they may choose to attend a two-hour, interactive in-person training.

The University also sometimes requires students, employees, and faculty to attend interactive, in-person sexual harassment prevention training. This often occurs in response to allegations or complaints of sexual harassment, sexual violence, domestic dating violence and/or stalking.

The UCSF Police Department offers Rape Aggression Defense System (R.A.D.) training, which is open to both female and male identified members of the University community (employees, faculty and students). RAD is a comprehensive, 12-hour program that teaches students realistic self-defense tactics and techniques. It begins with awareness, prevention, risk reduction and avoidance, and progresses to hands-on defense training. This training is offered several times throughout the year.

Additionally, the University participates in and hosts a number of events honoring Sexual Assault Awareness Month. During these events the Confidential CARE Advocate and other University representatives provide information and resources regarding sexual harassment, sexual violence, dating/domestic violence and stalking.

Advocacy Response Services
The University’s Confidential CARE Advocate provides support and advocacy services to survivors of sexual assault, sexual harassment, domestic/dating violence, stalking and invasion of sexual privacy. The Confidential CARE Advocate is available to members of the University community 24 hours a day, 7 days a week.
Sexual Violence Resources

On Campus

Confidential CARE Advocate
500 Parnassus, Millberry Union East, Room 233
(415) 502-8802
http://careadvocate.ucsf.edu/

Student Life
500 Parnassus Avenue, MU100
550 16th Street, MH 1300
(415) 502-1484
http://studentlife.ucsf.edu/

Student Health & Counseling Services
500 Parnassus Avenue, Millberry Union, Level P8, MUH-005
1675 Owens Street, 3rd Floor, Suite 330
(415) 476-1281
http://studenthealth.ucsf.edu/

UCSF Police Department
654 Minnesota Street, Suite 180
(415) 476-1414
http://police.ucsf.edu/

Office for the Prevention of Harassment and Discrimination
3333 California Street, Suite S16
(415) 502-3400
http://ophd.ucsf.edu/

Title IX Officer
3333 California Street, Suite S16
(415) 502-3400
https://sexualviolence.ucsf.edu/

Multicultural Resource Center
500 Parnassus Avenue, MU108
(415) 502-1911
http://mrc.ucsf.edu/

Faculty Staff Assistance Program
3333 California Street, Suite 293
1855 Folsom Street, Suite 500H
(415) 476-8279
http://ucsfhr.ucsf.edu/index.php/assist/

Student Disability Services
500 Parnassus Avenue, MU100
(415) 476-6595
http://sds.ucsf.edu/

Office of Legal Affairs
745 Parnassus Ave
(415) 476-5003
http://legal.ucsf.edu/

Off Campus

San Francisco Police Department
1245 3rd Street | (415) 553-8090
http://sf-police.org/

Zuckerberg San Francisco General Sheriff’s Patrol
1001 Potrero Avenue | (415) 206-8063
http://www.sfsheriff.com/

San Francisco Counseling Center
1801 Bush Street, Suite 215 | (415) 440-0500
http://www.sfccounselingcenter.com/

San Francisco Women Against Rape Crisis Center and Counseling
3543 18th Street, #7 | 24-hour hotline: (415) 647-RAPE (7273)
http://www.sfwar.org/

San Francisco Trauma Recovery Center
2727 Mariposa Street, Suite 100 | (415) 437-3000
http://traumarecoverycenter.org/

W.O.M.A.N. Inc., Domestic Violence Services
26 Boardman Place | 24-hour hotline: (415) 864-4722
http://www.womaninc.org/

YWCA Advocacy Group
940 Powell Street | (415) 397-6886
http://www.ywcasf-marin.org/

San Francisco Superior Court/Hall of Justice
850 Bryant Street | (415) 551-0651
http://www.sfsuperiorcourt.org/

San Francisco District Attorney Victim Services
850 Bryant Street, Room 320 | (415) 553-9044
https://sfdistrictattorney.org/victim-services

San Francisco/Bay Area Legal Aid
1800 Market Street, 3rd Floor | (415) 982-1300
http://baylegal.org/locations-2/san-francisco/

Other resources available to persons experiencing sexual assault, domestic violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network
http://www.rainn.org

Department of Justice
https://www.justice.gov/ovw/sexual-assault

Department of Education, Office of Civil Rights
http://www2.ed.gov/about/offices/list/ocr/index.html
How to Prevent Domestic Violence

If you are in a relationship with someone who is threatening to harm you or is physically, emotionally or verbally abusing you, you may be experiencing domestic violence.

Whether you are concerned about yourself or someone else in the UCSF community, educational resources and support services are available for anyone who is in an abusive relationship, has experienced relationship or intimate partner violence in the past, or wants to learn more about how domestic violence affects the community. It is not necessary that you end your relationship in order to receive support.

You can contact the Confidential CARE Advocate at (415) 502-8802 or contact the National Domestic Violence Hotline at (800) 799-SAFE (799-7233) to be referred directly to help in your community, including emergency services and shelters. UCSFPD is empowered to take action based on available evidence if you would like assistance in this matter.

Remember – there is never an excuse for domestic violence.

How to Be an Active Bystander

Bystanders can play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” UCSF wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. You may not always know what to do even if you want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 9-1-1 or on UCSF property dial (415) 476-6911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

■ Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.

■ Confront people who seclude, hit on, attempt to make out with, or in any other way engage in sexual activity with people who are incapacitated.

■ Speak up when someone discusses plans to take sexual advantage of another person.

■ Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

■ Refer people to on or off campus resources listed in this publication for support in health, counseling, or with legal assistance.


5 Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse
Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

■ Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.

■ Try to avoid isolated areas. It is more difficult to get help if no one is around.

■ Walk with purpose. Even if you don’t know where you are going, act like you do.

■ Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.

■ Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

■ Make sure your cell phone is with you and charged and that you have cab money.

■ Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.

■ Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

■ When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

■ Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

■ If you need to get out of an uncomfortable or scary situation here are some things that you can try:

Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

Be true to yourself. Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.

Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

■ Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

■ If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

SEXUAL VIOLENCE & SEXUAL HARASSMENT
The University will apply appropriate disciplinary procedures to those who violate the University’s Sexual Violence and Sexual Harassment policy. Sexual harassment and sexual violence are violations of state and federal law, University policy, the Faculty Code of Conduct, staff personnel policies, collective bargaining agreements and student policies. Whether or not criminal charges are filed, the University or an individual may file a complaint under the Sexual Violence and Sexual Harassment policy alleging a violation. Individuals should report complaints regarding sexual assault, domestic violence, dating violence, stalking or any other violations of the Sexual Harassment and Sexual Violence policy to the UCSF Title IX Officer, at the Office for the Prevention of Harassment and Discrimination, (415) 502-3400, 3333 California Street, Suite S-16.

The procedures set forth below are intended to afford a prompt response to charges of sexual misconduct, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy. (See also: http://policies.ucsf.edu/policy/150-13.)

Burden of Proof
The standard of evidence used during any UCSF judicial hearing arising from such a report is Preponderance of the Evidence, which means a person will be found responsible if the administrator or deciding body decides it is more likely than not that misconduct occurred.

Protecting the Confidentiality of the Victim
Personally identifiable information about the victim will be treated as private and shared only with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (i.e., publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Different administrators on campus are able to offer varying levels of privacy protection. The University will maintain confidential any accommodations or protective measures provided to the complaint to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged respondent, the University’s ability to respond to the complaint, in the context of an initial investigation or formal investigation, may be limited.

The University does not publish the name of crime victims nor list identifiable information regarding victims in the UCSFPD Daily Crime Log. Victims may request that directory information on file be removed from UCSF controlled public sources by contacting the Title IX Officer, Information Technology Services (ITS), Human Resources or the respective dean’s office.

Initial Investigation Procedures
Upon receiving a report of alleged sexual violence and/or sexual harassment (including sexual assault, domestic violence, dating violence and stalking), the Title IX Officer will determine, consistent with the University’s policy on Sexual Violence and Sexual Harassment, whether a formal investigation should be initiated or if alternative/early resolution is an option. For complainants who do not want to participate in an investigation, or request that the University not move forward with an investigation, the University will strive to honor the stated wished of the complainant, but there may be circumstances in which the University may need to move forward against the complainant’s wishes.

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6 Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not, is not the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the University’s sexual misconduct policy was violated, then the University may assume the role of the complainant.

7 Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

8 Alternative/early resolution is intended to be flexible and encompass a full range of possible, appropriate outcomes, including, but not limited to, the following: mediating an agreement between the parties (except in cases of sexual violence); separating the parties; implementing safety measures; referring the parties to a counseling program; conducting targeted educational and training programs; and conducting a follow-up review to ensure that the resolution has been implemented effectively.
Should the Title IX Officer determine that an investigation will not be conducted, the Title IX Officer will notify the complainant in writing and explain the rationale for the determination, including a statement that should new information become available, the complainant maintains his or her right to file a new complaint with the Title IX Officer at any time.

Alternative/early resolution may be used when a report is made by a third party or anonymously; when both parties want to resolve a matter cooperatively; when a formal investigation is unlikely to lead to a satisfactory outcome; or in cases involving less serious violations. While the University encourages alternative/early resolution, the University does not require parties to participate in alternative/early resolution. Moreover, some reports of sexual violence and sexual harassment may not be appropriate for alternative/early resolution and may require a formal investigation, which is at the discretion of the Title IX Officer.

Protective Measures

The University may implement protective measures following the report of sexual assault, domestic violence, dating violence and/or stalking. The Title IX Officer (or designee) will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, University Housing relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Officer’s directives or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

Protective measures may be requested through the Title IX office, but may also be initiated through the UCSF Confidential CARE Advocate, appropriate dean or supervisor. Interim measures are available, as appropriate, regardless of whether a complainant seeks an investigation, formal resolution, or disciplinary action.

Formal Investigation Procedures in Cases of Alleged Sexual Assault, Domestic Violence, Dating Violence, and Stalking

The University’s disciplinary process requires a prompt, fair, and impartial investigation and resolution process, transparent to the complainant and the respondent. The investigation shall be completed promptly, typically within 60 business days of its initiation, unless extended by the Title IX Officer for good cause followed by written notice to the complainant and respondent of the reason for the extension and the projected new timeline.

The University policy on Sexual Violence and Sexual Harassment along with other relevant policies provides the following rights and options:

1. The complainant and the respondent are entitled to the same opportunity to have others present during a disciplinary hearing;

2. Both the complainant and the respondent will be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense, including sexual assault, domestic violence, dating violence and stalking;

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

4. The complainant and the respondent each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;

5. Hearing board members and investigators are trained annually on the issues related to sexual assault, domestic violence, dating violence, and stalking and are instructed how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability;¹⁰

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³ Applicable law requires that, when taking such steps to separate the complainant and the respondent, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the respondent to remain.

¹⁰ Investigator and hearing board member training addresses how evidence should be used during a proceeding, procedural rules, proper techniques for questioning witnesses, and avoiding actual and/or perceived conflicts of interest.
6. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;

7. UCSF will allow for timely access to the complainant, the respondent and appropriate officials, to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;

8. UCSF’s disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;

9. UCSF provides the complainant and respondent the same opportunities to have others present during a disciplinary proceeding. The complainant and the respondent each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. While the advisor may provide support, guidance and advice, they may not speak on behalf of the complainant or respondent or otherwise actively participate in, or in any manner disrupt such meetings and/or proceedings;

10. A conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused person violated the University’s policy?”;

11. The complainant and the respondent will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final. The writing will state how evidence was weighed and how the standard of evidence was applied; and

12. The rights of the complainant and respondent to appeal the outcome, if available, are listed in the Conduct Process sections below for students, faculty and staff. The complainant and respondent will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final, and of the final result after the appeal is resolved.

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**Student Conduct Process**

The University’s procedures for resolving complaints of sexual violence and sexual harassment where the respondent is a student, including the discipline of students found in violation of University policy, are described in the University of California Policies Applying to Campus Activities, Organizations, and Students, Appendix E: Sexual Violence and Sexual Harassment Student Adjudication Procedures.

When the University determines that a sexual violence and/or sexual harassment investigation will be conducted, the Title IX Officer and the Director of Student Rights and Responsibilities (or designee) will jointly send written notice of the charges to the complainant and respondent. The Title IX Officer will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. The investigator will meet separately with the complainant, respondent, and third party witnesses who may have relevant information, and will gather other available and relevant evidence and information. The investigator may follow up with the complainant or the respondent, as needed, to clarify any inconsistencies or new information gathered during the course of the investigation. The investigator may determine the relevance of any witness or other evidence to the findings and may exclude certain types of evidence or information that is irrelevant or immaterial. The investigator will prepare a written report that includes a statement of the allegations and issues, the positions of the parties, a summary of the evidence, findings of fact, and a recommendation regarding whether there are any policy violations. If the complainant or respondent offered witnesses or other evidence that was not considered by the investigator, the investigation report will include an explanation why it was not considered. The investigation report will be retained and made available to the parties on request upon conclusion of the investigation, and may be redacted as necessary to protect individual privacy rights.

Upon completion of the investigation, the Title IX Officer and Director of Student Rights and Responsibilities (or designee) will jointly send to the complainant and the respondent written notice of the investigation findings and the investigator’s recommended determinations, and a copy of the investigation report.

Following a final determination of responsibility, the Director of Student Rights and Responsibilities (or designee) may impose a sanction as described in Appendix E above. These include: warning/censure, disciplinary probation, loss of privileges and exclusion from activities, suspension,
At an appeal hearing, the complainant and respondent may present information, evidence and witnesses in a manner determined by the Appeal Body. The Appeal Body may uphold the findings and disciplinary sanctions; overturn the findings or sanctions; or modify the findings or sanctions. The Appeal Body will complete a written statement of (1) the grounds of the appeal, (2) a summary of the appeal process, (3) a summary of the information considered and (4) the decision/rationale of the Appeal Body. The appeal process will normally be completed within 60 business days with deadlines extended for good cause.

Faculty/Non-Represented Academic Appointees Conduct Process

The University’s procedures for resolving complaints of sexual violence and sexual harassment where the respondent is a faculty member, including violations of University policy, are described in the Interim Procedure: Disposition Process for Faculty and Other Non-represented Academic Appointees in Cases Involving Sexual Violence and Sexual Harassment. See: http://academicaffairs.ucsf.edu/academic-personnel/academic-employee-labor-relations/media/Interim%20Procedure%20for%20Faculty%20and%20Other%20Non-represented%20Academic%20Appointees.pdf. (http://tiny.ucsf.edu/appointees)

INVESTIGATION PHASE

At the time the Title IX Officer initiates a formal investigation of allegations that a faculty member or a non-faculty academic appointee violated the Sexual Violence and Sexual Harassment (SVSH) Policy, the Title IX Officer will notify the Office of the Vice Provost, which will place any academic action or advancement packet for that individual on hold due to the initiation of the investigation. The faculty member or non-faculty academic appointee will be notified of the hold.

DISPOSITION PHASE

The Disposition Phase begins when the Chancellor and/or Chancellor’s Designee receive(s) a Title IX investigation report relating to a faculty or a non-faculty academic respondent. The Chancellor and/or Chancellor’s Designee shall review the Title IX investigation report. The Chancellor/Chancellor’s Designee may consult with each other and/or with the Title IX Officer.

The time for the entire Disposition Phase in cases with allegations that the SVSH Policy has been violated shall not exceed 40 business days from the date the Chancellor/ Chancellor’s designee receives the Title IX investigation report, unless an extension is granted by the Chancellor.
Extension requests must be made in writing, supported by good cause and submitted as soon as the need for an extension arises. If an extension is granted, the complainant and respondent will be provided with written notification stating the reason for the extension and the projected new timeframe.

The complainant and the respondent will have an opportunity to meet with the Chancellor’s Designee and/or to comment in writing on the Title IX investigation report.

a. The complainant and the respondent must respond to the meeting opportunity notification within five (5) calendar days after the date the notification was sent. If no response is received by the deadline, the non-responding party will forfeit his/her opportunity to meet, but may still submit comments in writing.

b. The meeting shall take place no later than 10 calendar days of acceptance of the meeting opportunity unless the Chancellor’s Designee approves a later date.

c. Written comments from the complainant and respondent must be received by the Chancellor’s Designee no later than 15 calendar days from the date they are notified of the opportunity.

A Peer Review Committee (PRC), as defined below, will make a recommendation to the Chancellor/Chancellor’s Designee regarding discipline or early resolution. The Chancellor shall appoint the PRC. The names of the PRC members shall be available online.

**Charge:** The PRC is charged with providing a recommendation regarding discipline or early resolution to the Chancellor and Chancellor’s Designee when a Title IX investigation report results in a finding that a faculty member or non-faculty academic appointee violated the SVSH Policy.

**Possible Conflict of Interest:** PRC members must be unbiased and impartial. The Chancellor’s Designee shall notify the PRC of the identity of the complainant and respondent when the PRC is convened. PRC members shall immediately advise the Chancellor’s Designee if they believe they have a conflict of interest or otherwise cannot be impartial in any given case.

a. Complainants and respondents may object to a PRC member(s) on the basis of a conflict of interest. Any objection must be (1) in writing, (2) set out facts to support the objection, and (3) submitted to the Chancellor’s Designee no later than five (5) calendar days after receipt of the notification of the opportunity to meet with the Chancellor/Chancellor’s Designee and/or comment on the Title IX investigation report, as described above. Objections that are not timely submitted shall be deemed to be waived.

b. The Chancellor’s Designee shall review the information provided by any PRC member, the complainant and/or respondent, and shall determine whether a PRC member should not serve on a particular case due to a conflict of interest.

The Chancellor’s Designee may appoint PRC members to serve as “leads” with primary responsibility for reviewing the case, leading discussions and submitting the recommendation. The expectation is that the PRC members who are not recused shall participate in the discussions and recommendation to the maximum extent possible. It is possible that not all PRC members will be able to participate in a particular case, but all members shall be notified of all recommendations.

The PRC shall review the Title IX investigation report and any attachments and/or any written comments to the report submitted by the complainant and/or respondent. The PRC shall not interview any witnesses. The PRC may use any reasonable means to conduct its deliberations, including but not limited to: meeting in person, meeting via phone, WebEx or other conferencing mechanism, discussion via email, or any combination. A representative from the UCSF Office of Legal Affairs and PRC staff may attend the PRC meeting(s). PRC members shall keep all information confidential to the maximum extent permitted by policy and law.

Before submitting its recommendation to the Chancellor/Chancellor’s Designee, the Chancellor’s Designee shall meet with the PRC at least once. This meeting may be held via any reasonable means. The Chancellor’s Designee may share with the PRC any information received from his/her meetings with the complainant and/or respondent. The PRC may also consult with the Title IX Officer or investigator at its discretion.

The PRC shall deliberate and submit its written recommendation to the Chancellor/Chancellor’s Designee. The PRC recommendation in each case shall be approved by a simple majority of PRC leads plus any other PRC members who participate. The PRC may recommend appropriate discipline, early resolution, or no discipline. APM 016 authorizes imposition of more than one form of discipline. The Peer Review Committee may also provide advice on the other corrective or remedial measures as deemed appropriate.
The PRC’s recommendation shall be submitted to the Chancellor and Chancellor’s Designee in writing, shall be signed by the participating PRC members and shall provide the following information at a minimum:

- The identity of the PRC members who participated in the recommendation and any PRC members who were recused.
- The identity of any PRC members who served as “leads” for the particular case.
- A list of all information and documents reviewed and/or relied on by the PRC in forming its recommendation. These documents are not required to be attached to the recommendation.
- The PRC’s recommendation.
- The rationale for the PRC’s recommendation.

**PROPOSAL OF DISCIPLINE OR EARLY RESOLUTION**

The Chancellor/Chancellor’s Designee shall decide on appropriate discipline or early resolution, which shall be proposed to the faculty member or non-faculty academic appointee in writing. The Chancellor and/or Chancellor’s Designee will, when appropriate, either close the case or propose discipline or early resolution to the respondent.

**Response Time:** All respondents shall have 14 calendar days to respond to the Chancellor’s written proposal/Notice of Intent. The respondent may accept or decline the proposal. Non-response indicates acceptance of the proposed discipline or early resolution. If the respondent does not respond to the Chancellor’s proposal by the stated deadline, the respondent will be deemed to have accepted the proposal. The respondent’s response may include any other information s/he wishes to present.

**Acceptance of Discipline:** If the respondent accepts the proposed discipline affirmatively or through non-response, the agreed-upon discipline shall be imposed as soon as reasonably possible after the notification of acceptance is received or the response deadline passes without a response.

**a.** Respondents who are members of the Academic Senate who accept the proposed discipline shall receive a final discipline letter.

**b.** Non-senate faculty and non-faculty academic respondents who accept the proposed discipline shall receive a Notice of Action that meets the requirements of APM 150-32-e.

**c.** The Vice Provost shall be notified of the discipline imposed and shall ensure that the hold on any academic action or advancement packet of a respondent is released as soon as possible after the discipline is imposed.

**d.** The complainant shall receive the appropriate notifications per SVSH Policy and Systemwide Frameworks and/or the law.

**Early Resolution:** If the Chancellor/Chancellor’s Designee and the respondent reach agreement on early resolution before the end of the Disposition Phase, the terms of the agreement shall be documented in writing and signed by the respondent and the Chancellor or Chancellor’s Designee; the terms shall be implemented as soon as reasonably possible after agreement is reached.

**a.** The Vice Provost shall be notified of the discipline imposed and shall ensure that the hold on any academic action or advancement packet of a respondent is released as soon as possible after the discipline is imposed.

**b.** The complainant shall receive the appropriate notifications per the SVSH Policy, the Systemwide Frameworks and/or the law.

The Chancellor/Chancellor’s Designee may seek to resolve potential or actual disciplinary charges informally through negotiations or mediation when acceptable to the administration and the respondent. The complainant shall be informed of the outcome of any such agreement, including the rationale.

**Rejection of Proposed Discipline or Early Resolution:** If the respondent declines the proposed discipline and/or early resolution:

**a.** For respondents who are Members of the Academic Senate: The Chancellor or Chancellor’s Designee shall file charges with the Academic Senate Committee on Privilege and Tenure (P&T Committee) at or before the end of the Disposition Phase, regardless of whether discussions are in progress. The filing of charges ends the Disposition Phase and initiates the Adjudication Phase for these respondents.

**b.** For Non-Senate Faculty and Non-Faculty Academic Respondents: Rejection of the proposed discipline or early resolution ends the Disposition Phase, and initiates the Adjudication Phase for these respondents.

**c.** The Vice Provost shall be notified of the discipline imposed and shall ensure that the hold on any academic action or advancement packet of a respondent is released as soon as possible after the discipline is imposed.

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UNIVERSITY DISCIPLINARY PROCEDURES FOR SEXUAL VIOLENCE & SEXUAL HARASSMENT

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d. The complainant shall receive the appropriate notifications per University Policy, the Systemwide Frameworks and/or the law.

ADJUDICATION PHASE
The Adjudication Phase follows the Disposition Phase only when the respondent and the Chancellor do not reach agreement regarding discipline or early resolution.

A. Faculty Respondents who are Members of the Academic Senate
1. The process following the filing of charges with the P&T Committee is set forth in APM-015 and APM-016, and is governed by Senate Bylaw 336 and other applicable Senate bylaws, as well as UCSF divisional bylaws.
2. Following receipt of the recommendation from the P&T Committee, in accordance with APM-016 and other applicable procedures, the Chancellor will generally make a final decision regarding discipline.
   i. Exception: If the decision involves dismissal for a faculty member who has tenure or security of employment, the authority for dismissal “rests with the Regents, on recommendation of the President, following consultation with the Chancellor.” See APM-016, Section II-6.
3. The complainant and the respondent shall receive periodic updates on the status of the P&T proceedings.
4. The P&T Committee shall make a recommendation to the Chancellor, which the Chancellor shall review and consider. The Chancellor shall impose the discipline he/she finds to be appropriate.
5. The Vice Provost shall ensure that the hold on any academic action or advancement packet of a Respondent continues until the Chancellor’s final decision is imposed.
6. The complainant and the respondent shall receive the appropriate notifications per University Policy, the Systemwide Frameworks and/or the law.

B. Faculty Respondents who are not Members of the Academic Senate
1. The Adjudication Phase is governed by APM 150.
2. When a non-Senate faculty respondent rejects the proposed discipline or early resolution, the Chancellor or Chancellor’s Designee shall issue a Notice of Action that meets the requirements of APM 150-32-e.
3. The respondent may file a grievance pursuant to APM 140. The time frames and all other provisions of APM 140 shall apply.
   i. If the proposed discipline in a Notice of Intent includes dismissal that results in an early termination of a non-Senate faculty respondent’s academic appointment, the respondent may request an Academic Senate hearing on the dismissal only, pursuant to Standing Order of the Regents 103.9, APM 150 and Academic Senate Bylaw 337. A non-Senate faculty appointee is entitled to select only one grievance review mechanism.
4. The Vice Provost shall ensure that the hold on any academic action or advancement packet of a respondent continues until (1) the time to file an APM 140 grievance passes without the filing of a grievance, (2) the grievance is resolved, or (3) if an Academic Senate hearing is requested, until the Chancellor’s final decision is imposed.
5. The complainant and the respondent shall receive the appropriate notifications per University Policy, the Systemwide Frameworks and/or the law.

C. Non-Faculty Academic Respondents
1. The Adjudication Phase is governed by APM 150.
2. When a non-faculty academic respondent rejects the proposed discipline, the Chancellor or Chancellor’s Designee shall issue a Notice of Action that meets the requirements of APM 150-32-e.
3. The respondent may file a grievance pursuant to APM 140. The time frames and all other provisions of APM 140 shall apply.
4. The Vice Provost shall ensure that the hold on any academic action or advancement packet of a respondent continues until (1) the time to file an APM 140 grievance passes without the filing of a grievance, or (2) the grievance is resolved.
5. The complainant and the respondent shall receive the appropriate notifications per University Policy, the Systemwide Frameworks and/or the law.
DISCIPLINARY MEASURES
The Chancellor has sole authority to impose discipline on a faculty member for a violation of the Faculty Code of Conduct and the SVSH Policy. The available disciplinary measures are set out in APM 016, The University Policy on Faculty Conduct and the Administration of Discipline. Sanctions include written censure, reduction in salary, demotion, suspension, denial or curtailment of emeritus status, and dismissal from the employ of the University.

If it is determined that the complainant or anyone else was involved in intentionally or maliciously bringing unfounded allegations of a violation of the SVSH Policy, either by itself or in conjunction with the Nondiscrimination Policy against a faculty member or non-faculty academic appointee, the Chancellor/ Chancellor's Designee may take appropriate action.

See also: https://www.ucop.edu/academic-personnel-programs/_files/apm/apm-016.pdf

Staff Conduct Process
Upon receipt of a report of or information about alleged prohibited conduct, the Title IX Officer will make an initial assessment in accordance with the SVSH Policy, which will include making an immediate assessment concerning the health and safety of the complainant and the campus community. After the Title IX Officer conducts a preliminary inquiry into the facts, the Title IX Officer may authorize an Alternative Resolution in accordance with the SVSH Policy. In cases where Alternative Resolution is inappropriate or unsuccessful, the Title IX Officer may authorize and oversee a Formal Investigation as contemplated in the SVSH Policy.

FORMAL INVESTIGATION
When a Formal Investigation is commenced, the Title IX Officer or representative will notify the Chief Human Resources Officer (CHRO), or the CHRO’s back-up designee, the respondent’s Labor and Employee Relations (LER) Representative, and the respondent’s Department Head or Director. The Title IX Officer and/or representative will be sensitive when providing this notification and make efforts to protect the privacy of the parties and the neutrality of those being notified. Thereafter, the Title IX Officer or representative will ensure that these individuals are regularly updated regarding the status of the Formal Investigation.

When a Formal Investigation will be conducted, the Title IX Officer will send written notice of the allegations to the complainant and the respondent. The written notice will include:

- A summary of the allegations and potential violations of the SVSH Policy;
- The purpose of the investigation;
- A statement that the investigative report, when issued, will make factual findings and a determination whether there has been a violation of the SVSH Policy;
- A statement that the findings under the SVSH Policy will be based on the preponderance of the evidence standard;
- A summary of the investigation and discipline processes, including the expected timeline;
- A summary of the rights of the complainant and respondent, including the right to an advisor/representative;
- A description of the resources available to the complainant and respondent; and an admonition against intimidation or retaliation.

INVESTIGATIVE PROCESS
The Title IX Officer will designate an investigator to conduct a fair, thorough, and impartial investigation.

During the investigation, the complainant and respondent will be provided an equal opportunity to meet with the investigator, submit information, and identify witnesses who may have relevant information.

The investigator will meet and/or speak separately with the complainant, the respondent and third-party witnesses who may have relevant information, and will collect and review other available and relevant information. The investigator may follow up with the complainant or the respondent as needed.

Disclosure of facts to persons interviewed will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation may be asked to maintain confidentiality when essential to protect the integrity of the investigation.

The complainant or the respondent may have an advisor/representative present when personally interviewed and at any related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by University policy or collective bargaining agreement. The respondent’s right to an advisor/representative ensures the respondent’s Weingarten rights in the event there is a reasonable expectation the investigation findings may lead to disciplinary action.
When a law enforcement agency is conducting its own investigation into the alleged conduct, the Title IX investigator will make every effort to coordinate his or her fact-finding efforts with the law enforcement agency. At the request of a law enforcement agency, the Title IX investigation may be delayed temporarily to meet specific needs of the criminal investigation.

INVESTIGATION REPORT AND FINDING

Following 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, the positions of the parties, and a summary of the evidence. If the complainant or the respondent offered witnesses or other evidence that was not relied upon by the investigator, the investigation report will explain why it was not relied upon. The investigation report will include findings of fact and a determination whether there is a preponderance of the evidence to support a finding that the SVSH Policy was violated.

NOTICE OF INVESTIGATION OUTCOME

Upon completion of the Title IX investigation report, the Title IX Officer or representative will send to the complainant and the respondent a written notice of investigation outcome regarding whether a violation of the SVSH Policy was found. The notice of investigation outcome will generally be accompanied by a copy of the investigation report, which may be redacted as necessary to protect privacy rights.

The Title IX Officer or representative will also send the notice of investigation outcome and accompanying investigation report to the CHRO or the CHRO’s back-up designee, the respondent’s LER Representative, and the respondent’s Department Head or Director. The notice of investigation outcome will include:

a. A statement of whether a preponderance of the evidence demonstrated that respondent violated the SVSH Policy;

b. An admonition against intimidation or retaliation;

c. An explanation of any interim measures that will remain in place;

d. A statement that the complainant and respondent have an opportunity to respond in writing to the CHRO and the respondent’s Department Head or Director; and

e. A statement indicating whether it appears that further investigation by another appropriate body may be necessary to determine whether violations of other policies occurred, separate from any allegations of Prohibited Conduct that were investigated under the SVSH Policy.

In addition, if the investigation determined that respondent violated the SVSH Policy, the notice of investigation outcome will also include:

a. For matters involving PPSM-covered respondents, a description of the process for deciding whether and what discipline to impose, including a statement that the respondent’s Department Head or Director, in consultation with LER, will propose a resolution, which may include corrective action as defined by PPSM-62 or termination in accordance with PPSM-64, and that the proposal will be subject to review and approval by the CHRO or the CHRO’s back-up designee.

b. A statement that the complainant and the respondent will be informed of the final resolution of the matter, including any discipline imposed, and a statement of the anticipated timeline.

TIMEFRAME FOR COMPLETION OF INVESTIGATION; EXTENSION FOR GOOD CAUSE

The notice of investigation outcome and accompanying investigation report will be issued promptly, typically within 60 business days of initiation of the Formal Investigation, unless extended by the Title IX Officer for good cause, with written notice to the complainant and the respondent of the reason for the extension and the projected new timeline. The Title IX Officer or representative will keep the complainant and respondent regularly informed concerning the status of the investigation.

ASSESSMENT AND CONSULTATION

The respondent’s Department Head or Director in consultation with LER has the responsibility to propose and implement action in response to the findings of the Title IX investigation report. The proposed decision by the respondent’s Department Head or Director will be reviewed and approved by the CHRO or the CHRO’s back-up designee. The Department Head or Director, in consultation with LER, may determine that additional investigation is required to determine whether violations of other policies occurred, but will not reinvestigate allegations of Prohibited Conduct investigated by the Title IX Officer. The CHRO or the CHRO’s back-up designee as well as the respondent’s Department Head or Director, may consult with the Title IX Officer, LER, or any other appropriate entities at any time during the decision-making process.
OPPORTUNITY TO RESPOND

The complainant and the respondent will have an opportunity to respond to the notice of investigation outcome and accompanying investigation report through a written statement that will be submitted to the respondent’s Department Head or Director and the CHRO or the CHRO’s back-up designee.

The purpose of this response is not to challenge the factual findings in the Title IX investigation report or present new evidence, but to provide the complainant and the respondent with an opportunity to express their perspectives and address what outcome they wish to see.

This response must be submitted within 14 calendar days to the LER Office for distribution to the Department Head or Director and the CHRO or the CHRO’s back-up designee. It can be submitted via electronic mail to: ELR@ucsf.edu; via mail or personal delivery to 3360 Geary Blvd., Suite 301, San Francisco, CA 94118; or via fax to (415) 353-4029.

DECISION PROPOSAL AND SUBMISSION TO CHANCELLOR’S DESIGNEE FOR APPROVAL

In the event that the Title IX investigation finds the respondent responsible for violating the SVSH Policy, the respondent’s Department Head or Director, in consultation with LER, will propose a decision regarding how to resolve the matter. The written response(s), if any, and the proposed decision on how to resolve the matter must be submitted to the CHRO or the CHRO’s back-up designee for review and approval.

In the event the CHRO or the CHRO’s back-up designee does not approve the proposed decision, he or she will send it back to the respondent’s Department Head or Director and LER, for reconsideration and submission of a revised proposed decision. In the event the CHRO or the CHRO’s back-up designee approves the proposed decision, he or she will inform the Department Head or Director and LER, who will take steps to implement the approved decision. This proposal and approval process will occur in all cases where the Title IX investigation has found the respondent has violated the SVSH Policy. LER and other appropriate offices will be consulted throughout the process.

CORRECTIVE OR OTHER ACTIONS

Decision Approval and Implementation
Following approval by the CHRO or the CHRO’s back-up designee, the respondent’s Department Head or Director, in consultation with LER, will implement the approved decision in accordance with applicable PPSMs, including PPSM-62 and PPSM-64. Possible sanctions include oral or written warning, suspension without pay, reduction of pay within a class, demotion to a lower classification, and dismissal.

No Further Action
The respondent’s Department Head or Director, in consultation with LER, may propose to resolve the matter without taking any further action. This proposal will be reviewed by the CHRO or the CHRO’s back-up designee for approval. In the event it is approved, this decision and its rationale will be promptly communicated to both the complainant and the respondent.

Action Not Requiring Notice of Intent
The respondent’s Department Head or Director, in consultation with LER, may propose corrective or remedial actions that do not amount to corrective action as defined by PPSM 62 or termination under PPSM 64. The proposed actions will be reviewed by the CHRO or the CHRO’s back-up designee for approval. In the event it is approved, the decision will be implemented by the respondent’s Department Head or Director, in consultation with LER, and the decision and its terms and rationale will be promptly communicated to both the complainant and the respondent.

Notice of Intent
The respondent’s Department Head or Director, in consultation with LER, may propose to issue a notice of intent to institute corrective action in accordance with PPSM-62 or notice of intent to terminate in accordance with PPSM-64. The proposed terms of the notice of intent will be reviewed by the CHRO or the CHRO’s back-up designee for approval. In the event it is approved, the decision will be implemented by the respondent’s Department Head or Director and the notice of intent will be issued. Following the provision of a notice of intent, corrective action will be taken in accordance with PPSM-62 and/or actions to terminate will be taken in accordance with PPSM-64. The terms of the implemented action and its rationale will be promptly communicated to both the complainant and the respondent.

Timeframe for Implementation of Decision; Extension for Good Cause
The respondent’s Department Head or Director, in consultation with LER, should implement his or her approved decision promptly, typically within 40 business days of receipt of the notice of investigation outcome and accompanying investigation report. Unless there is an extension granted or the matter has otherwise been resolved, an action will be issued within 40 business days.
Extensions to this timeline may be granted by the CHRO or the CHRO’s back-up designee for good cause with written notice to the complainant and the respondent stating the reason for the extension and the projected new timeline.

**Complaint/Grievance Process Following Action Taken**

In the event that a PPSM-covered respondent submits a complaint under PPSM-70, the CHRO or the CHRO’s back-up designee will ensure that both the complainant and the respondent will receive regular updates regarding the status of the complaint or grievance.

Following any complaint or grievance processes, the complainant and the respondent will be promptly informed of the decision including any changes to prior outcome and decision including any changes to prior outcome and its rationale.

**Additional Support for Victims of Sexual Violence**

**Housing Services:** Incidents of sexual violence occurring in, or involving members of the University residential community shall be reported to the Director of Housing Services. At the discretion of the Director of Housing Services, the accused may be provided alternative housing assignments. UCSF will change a victim’s living situation after an alleged sex offense by contacting the Director of Housing Services, if those changes are requested by the victim and are reasonably available. Depending upon the outcome of a formal University hearing, the housing agreement of the accused may be terminated. Outcomes of the formal campus hearing process will supersede any previous arrangements made by Housing Services. Housing Services staff is also available to assist victims who live off campus in finding alternative off campus housing arrangements.

More information about Housing Services may be found on their website at [http://www.campuslifeservices.ucsf.edu/housing/](http://www.campuslifeservices.ucsf.edu/housing/) or by contacting (415) 514-4550; housing@ucsf.edu.

**Academic/Workplace Accommodation:** It may be necessary to make changes in the victim’s workplace or academic schedule. Thoughtful facilitation and accommodation are encouraged. Students should consult with their respective academic or school/program dean. At a student’s request, UCSF may change the student’s academic situation after an alleged sex offense by contacting their program dean, to the extent reasonably available and consistent with department policy. Employees should see their supervisor, director, Labor and Employee Relations or the Title IX Officer.

**Assistance for Victims: Rights and Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual violence and will provide victims with a written explanation of their rights and options. In California, a victim of sexual violence has rights.

Further, the University complies with California law in recognizing orders of protection, called “restraining orders,” and requests that any person who obtains an order of protection from the State of California or any U.S. state provide a copy to UCSFPD and the Office of the Title IX Officer.

A restraining order (also called a “protective order”) is a court order that can protect someone from being physically or sexually abused, threatened, stalked, or harassed. The person obtaining the restraining order is called the “protected person.” The person the restraining order is against is the “restrained person.” Sometimes, restraining orders include other “protected persons” like family or household members of the protected person.

**What Does a Restraining Order Do?**

In general, restraining orders can include:

**PERSONAL CONDUCT ORDERS**

These are orders to stop specific acts against everyone named in the restraining order as a “protected person.” Some of the things that the restrained person can be ordered to stop are:

- Contacting, calling, or sending any messages (including email);
- Attacking, striking, or battering;
- Stalking;
- Threatening;
- Sexually assaulting;
- Harassing;
- Destroying personal property; or
- Disturbing the peace of the protected people.
STAY-AWAY ORDERS
These are orders to keep the restrained person a certain distance away (like 50 or 100 yards) from:
- The protected person or persons;
- Where the protected person lives;
- The protected person's place of work;
- The schools or places of child care of the protected person's children;
- The protected person's vehicle;
- Other important places where the protected person frequents.

RESIDENCE EXCLUSION (“KICK-OUT” OR “MOVE-OUT”) ORDERS
These are orders telling the restrained person to move out from where the protected person lives and to take only clothing and personal belongings until the court hearing.
These orders are only available in domestic violence or elder or dependent adult abuse restraining order cases.

For the person to be restrained, having a restraining order against them can have very serious consequences:
- They will not be able to go to certain places or do certain activities.
- They might have to move out of their home.
- It may affect their ability to see their children or other family members.
- They will generally not be able to own a gun. (They will have to turn in or sell any guns they have now and will not be able to buy a gun while the restraining order is in effect.)
- It may affect their immigration status if they are trying to get a green card or visa.

If the restrained person violates (breaks) the restraining order, they may go to jail, or pay a fine, or both.

Types of Restraining Orders
There are four kinds of orders you can ask for:
- Domestic Violence Restraining Order
  http://www.courts.ca.gov/1260.htm#domestic
- Elder or Dependent Adult Abuse Restraining Order
  http://www.courts.ca.gov/1260.htm#elder
- Civil Harassment Restraining Order
  http://www.courts.ca.gov/1260.htm#civil%20harassment
- Workplace Violence Restraining Order
  http://www.courts.ca.gov/1260.htm#workplace

Find more information:
http://www.courts.ca.gov/1260.htm

DOMESTIC VIOLENCE RESTRAINING ORDER
You can ask for a domestic violence restraining order if:
- Someone has abused you, and
- You have a close relationship with that person (married or registered domestic partners, divorced, separated, dating or used to date, have a child together, or live together or used to live together – but more than roommates), or you are closely related (parent, child, brother, sister, grandmother, grandfather, in-law).

Find more information about domestic violence at

ELDER OR DEPENDENT ADULT ABUSE RESTRAINING ORDER
You can ask for an elder or dependent adult abuse restraining order if:
- You are 65 or older, OR
- You are between 18 and 64 and have certain mental or physical disabilities that keep you from being able to do normal activities or protect yourself;

AND
You are a victim of:
- Physical or financial abuse,
- Neglect or abandonment,
- Treatment that has physically or mentally hurt you, or
- Deprivation by a caregiver of basic things or services you need so you will not suffer physically, mentally, or emotionally.

Find more information about elder and dependent abuse at

CIVIL HARASSMENT RESTRAINING ORDER
You can ask for a civil harassment restraining order if you are being harassed, stalked, abused, sexually assaulted, or threatened by someone you are not as close to as is required under domestic violence cases, like a roommate, a neighbor, or more distant family members like cousins, aunts or uncles, or nieces or nephews.

Find more information about civil harassment at
WORKPLACE VIOLENCE RESTRAINING ORDER

You can ask for a workplace violence restraining order if:

■ You are an employer, and
■ You ask for a restraining order to protect an employee who has suffered stalking, serious harassment, violence, or a credible (real) threat of violence at the workplace.

An employee CANNOT ask for a workplace violence restraining order. If the employee wants to protect him or herself, he or she can ask for a civil harassment restraining order (or a domestic violence restraining order if the abuser is a partner/spouse or former partner/spouse or close family member).


After a student or employee receives a restraining order, to mitigate any risk of harm, they may contact UCSFPD to develop a plan designed to increase their safety. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom locations, and other similar protective actions.

The University cannot apply for a legal order of protection, a no contact order or a restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply for these services, directly. Information on how to obtain a restraining order, including an explanation of the judicial process and required forms, may be found at the following website: http://www.courts.ca.gov/1264.htm. For free assistance with this process contact The Cooperative Restraining Order Clinic (CROC) at (415) 255-0165.

The University may issue an institutional no contact directive if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, University offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement.
Sex Offender Notice (Megan’s Law)

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to advise their campus communities where to obtain law enforcement information concerning registered sex offenders. Registered sex offenders are already required to register with the state where the person is employed, carries on a vocation, volunteers services, or is a student; the Act also obliges them to provide notice to each institution of higher education in that respective state.

The State of California requires sex offenders to register with the police in the jurisdiction in which they reside. California makes this registration information available to law enforcement agencies and members of the community. For more information, please contact the police department where you live or visit the website of the Office of the Attorney General – State of California at: http://meganslaw.ca.gov/.

Workplace Violence & Intimidation

UCSF has a zero-tolerance policy and program directed at workplace violence (Administrative Policy #150-27). See: http://policies.ucsf.edu/policy/150-27.

When an employee or student believes their safety is threatened or that they are working in a hostile environment, any member of the Threat Management Team (TMT) can be contacted. The TMT consists of personnel from the UCSF Police Department, Faculty Staff Assistance Program, Labor & Employee Relations and Legal Affairs. When alerted, the TMT will meet to discuss a situation and take necessary action to resolve it. All criminal acts are referred to the UCSF Police Department for criminal investigation.
Notification of Missing Students
Suspected missing students should be reported immediately to UCSFPD. If members of the UCSF community believe that a student has been missing for 24 hours, it is critical they report that information to UCSFPD by calling (415) 476-6911 or 9-9-1-1 when calling from an on-campus landline. A student is determined to be missing when UCSFPD has verified that reported information is credible and circumstances warrant declaring the person missing.

UCSF Housing Notification Process
Following determination by UCSFPD that a residential student is a missing person, notification will be made to the missing person contact, if contact information has been provided, within 24 hours. If the student is under the age of 18 and is not an emancipated individual, Housing Services will notify the student’s parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UCSFPD will inform the San Francisco PD (or the local law enforcement with jurisdiction) that the student is missing within 24 hours of confirmation.

Missing Person Contact – UCSF Housing
UCSF Housing tenants, as part of the application/renewal process, have the option to identify a confidential missing person contact. The missing person contact will be notified by UCSF no later than 24 hours after the time the tenant is determined missing by UCSFPD. The confidential contact may be a person designated by the tenant in addition to the declared emergency contact. Should the tenant not formally declare a separate missing person contact, the emergency contact on record will be notified. UCSF tenants are advised that their contact information will be registered confidentially, and that this information will be accessible only to authorized campus officials and law enforcement. The information may not be disclosed outside of a missing person investigation.

Notification of this policy will be made directly to all tenants residing in campus housing annually. It is made available in conjunction with UCSF’s Annual Security Report, in compliance with the Clery Act. All students attempting to register for campus housing will also be notified of this policy at the time of online completion of housing related documents. During the online housing application and renewal process, (https://ucsf.starzhousing.com/StarRezPortal) specific campus housing emergency related contact information will be captured, and the tenant will have the opportunity to provide a separate missing person contact online. All information submitted online during the housing application and renewal process will remain on file and be considered accurate until the tenant voluntarily provides different information.

UCSF strives to maintain drug-free work sites as defined in schedules I through V of the Controlled Substances Act, 21 United States Code 812, and by regulation 21 Code of Federal Regulations 1308. Unlawful manufacture, distribution, dispensing, possession, use or sales of alcohol or controlled substances by employees and students in the workplace, on University premises, at official University functions, or during University business is prohibited. Employees and students shall not abuse legal substances in a manner that impairs work performance, scholarly activities, or student life.

**Alcohol**

Consumption of alcoholic beverages shall occur only in the public areas approved for University-sponsored functions or events. UCSFPD will enforce California underage drinking laws. For further information on the UCSF Alcohol Policy see: [http://policies.ucsf.edu/policy/200-31](http://policies.ucsf.edu/policy/200-31).

It is unlawful to sell, furnish or give away alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal.

Only under special circumstances is the consumption of alcohol permitted on campus. Further information on specific permissions and application forms can be found by viewing the University of California Policy on Substance Abuse, UCSF Policy 150-11 ([http://policies.ucsf.edu/policy/150-11](http://policies.ucsf.edu/policy/150-11)).

**Drugs**

The illegal consumption, possession, use and sale of any narcotic or unlawful drug will be grounds for disciplinary action and is prohibited at UCSF. UCSFPD will enforce federal and California drug laws. (Despite the passage of Proposition 64 in 2017, the federal Drug Free Schools and Communities Act and the Drug Free Workplace Act require that UC, which receives federal funding, have policies that prohibit marijuana use, possession and distribution on campus and in the workplace.) Employees and students found in violation of these laws are subject to corrective action, up to and including dismissal. All persons in violation of the law are subject to arrest.

For more information on health risks related to drug abuse see: [https://www.campusdrugprevention.gov/drugs](https://www.campusdrugprevention.gov/drugs).

UCSF is committed to creating an environment free of drug and alcohol abuse. Federal law requires UCSF to notify faculty, students and staff information about the institution's compliance with the Drug Free Schools and Communities Act. For more information on UCSF's policy and compliance see: [http://ucsfhr.ucsf.edu/files/150-11.pdf](http://ucsfhr.ucsf.edu/files/150-11.pdf) and [http://www.ucop.edu/marijuana-and-drug-policy/](http://www.ucop.edu/marijuana-and-drug-policy/).

For more information on alcohol, drug and tobacco consultation for students, please see: [https://studenthealth.ucsf.edu/healthcare-services/alcohol-drug-tobacco-consultation](https://studenthealth.ucsf.edu/healthcare-services/alcohol-drug-tobacco-consultation). For substance abuse counseling for faculty and staff, please see the following information about services available through the Faculty Staff Assistance Program: [https://hr.ucsf.edu/hr.php/x/files?F=1&cms_id=5304](https://hr.ucsf.edu/hr.php/x/files?F=1&cms_id=5304).

**University Alcohol and Drug Policy Violations: 2016–2018**

The following information was gathered to comply with the 2008 reauthorization of the Higher Education Act. Due to the confidential nature of the reporting, the violations listed are University-wide and not associated with any given campus location.

**2018 VIOLATIONS**

**Alcohol** – There were six alcohol policy violations which resulted in the following sanction: Three employees were placed on investigatory leave. Investigations substantiated that the employees were impaired while on duty in violation of the Substance Abuse in the Workplace policy and the
employees received disciplinary action. One employee was placed on investigatory leave. Investigation was incomplete as the employee resigned before an investigatory meeting could be held. One employee was suspected of being impaired while on duty and was sent for a substance abuse screening. After testing positive, the employee resigned. One employee underwent an investigatory meeting immediately after suspicion of being impaired while on duty in violation of the Substance Abuse in the Workplace policy. An investigation substantiated that the employee was in fact impaired while on duty and the employee received disciplinary action.

**Drugs** – There were six drug policy violations which resulted in the following sanctions: One employee was placed on investigatory leave. Investigation substantiated that the employee was impaired while on duty in violation of the Substance Abuse in the Workplace policy. The employee resigned before a formal investigatory meeting could be held and discipline could be issued. One employee was suspected of being impaired while on duty in violation of the Substance Abuse in the Workplace policy, and substance screening results confirmed the suspicion. The investigation is ongoing because the employee is currently on medical leave. One employee was suspected of being impaired while on duty in violation of the Substance Abuse in the Workplace policy and directed to complete a substance abuse screening. The employee failed to complete the screening and discipline has been issued. One employee was suspected of medication diversion in violation of policy. The investigation is ongoing because the employee is currently on medical leave. One employee was suspected of being impaired while on duty in violation of the Substance Abuse in the Workplace policy and was directed to complete a substance abuse screening. The screening lab did not have the supplies to complete the screening and therefore the investigation is incomplete. The employee has received discipline based on other grounds (behavior during the same incident which resulted in patient neglect). One employee self-disclosed the use of an illegal substance after-hours and thereafter tested positive for violation of the Substance Abuse in the Workplace policy. The employee was terminated.

**2017 VIOLATIONS**

**Alcohol** – There were four alcohol policy violations which resulted in the following sanctions: Four employees were suspected of being impaired at work and placed on investigatory leave. Investigation substantiated that the employees were impaired while on duty in violation of the Substance Abuse in the Workplace policy and the employees received disciplinary action.

**Drugs** – There were five drug policy violations which resulted in the following sanctions: One employee was suspected of being impaired at work and placed on investigatory leave. Investigation substantiated that the employee was impaired while on duty in violation of the Substance Abuse in the Workplace policy and the employee received disciplinary action. Additionally, two employees were suspected of being impaired at work and placed on investigatory leave. Investigations substantiated that medication diversion occurred in violation of policy and the employees received disciplinary action. One employee was suspected of being impaired at work and was placed on investigatory leave pending investigation. The employee resigned. Finally, one employee was suspected of being impaired at work and was released.

**2016 VIOLATIONS**

**Alcohol** – There was one alcohol policy violation which resulted in the following sanctions: an employee was placed on investigatory leave. Investigation substantiated that the employee was impaired while on duty in violation of the Substance Abuse in the Workplace Policy and disciplinary action is pending.

**Drugs** – There were four drug policy violations which resulted in the following sanctions: One employee was placed on investigatory leave. Investigation substantiated that the employee was impaired while on duty in violation of the Substance Abuse in the Workplace Policy and disciplinary action is pending. Additionally, two employees were placed on investigatory leave. Investigations substantiated that the employees were impaired while on duty in violation of the Policy and both employees received disciplinary action. Finally, an employee was placed on investigatory leave. Investigation substantiated that medication diversion occurred in violation of the Policy and the employee received disciplinary action.
Counseling Services

Faculty Staff Assistance Program
Assessment, brief counseling, and referral resources are available to UCSF employees who may have substance abuse or dependency (drug or alcohol abuse). The Faculty Staff Assistance Program (FSAP) also offers services that attend to a broad range of work-related or personal stressors including: depression; crisis situations; grief and loss; traumatic events; anxiety; domestic violence; marital/partnership/family concerns; interpersonal conflict; elder/dependent care, etc. These services are confidential and are provided by a staff of licensed clinicians. The FSAP offices are located at Laurel Heights in Suite 293 and Mission Center Building in Suite 500H, (415) 476-8279. The FSAP website for scheduling online appointments: http://ucsfhr.ucsf.edu/index.php/assist/

Student Health and Counseling Services
Students should contact Student Health & Counseling Services (SHCS) at (415) 476-1281 for evaluation, treatment, and referrals for medical conditions and injuries, mental health problems, and drug or alcohol problems.

SHCS HAS TWO LOCATIONS:

- **Parnassus** – Millberry Union, 500 Parnassus Avenue, level P8, MUH-005.
  APPOINTMENT HOURS
  Tuesday and Friday 8 a.m. to 5 p.m.;
  Monday, Wednesday and Thursday 8 a.m. to 7 p.m.;
  NURSING TRIAGE HOURS
  Monday, Tuesday, Thursday, Friday 8:30 a.m. to 4:30 p.m.;
  Wednesday 9 a.m. to 5:30 p.m.

- **Mission Bay** – William J. Rutter Center, 1675 Owens Street, 3rd Floor, Suite 330.
  APPOINTMENT HOURS (closed 12 to 1 p.m.)
  Monday and Friday 8 a.m. to 5 p.m.;
  Wednesday 9 a.m. to 6 p.m.;
  Tuesday and Thursday 9 a.m. to 5 p.m.;
  NURSING TRIAGE HOURS (closed 12 to 1 p.m.)
  Monday 8:30 a.m. to 4:30 p.m.;
  Tuesday 9 a.m. to 4:30 p.m.;
  Wednesday 9 a.m. to 5:30 p.m.;
  Thursday 1 p.m. to 4:30 p.m.;
  Friday 8 a.m. to 4:30 p.m.

Detailed information about the SHCS program and services can be viewed on the SHCS website at: http://studenthealth.ucsf.edu/

Students seeking emergency counseling during non-business hours should call the main SHCS phone at (415) 476-1281 and select the prompt that will connect them to an after-hours crisis counselor, or go to the nearest Emergency Department. Students may also contact one of the public services agency telephone numbers listed in the Important Telephone Numbers section of this report (see page 58).
UCSF Shuttle Services

The University provides daily regularly-scheduled shuttle services that inter-link San Francisco campus locations (Parnassus, Mission Bay, Mount Zion, Laurel Heights, Mission Center Building, Zuckerberg San Francisco General, etc.). Call (415) 476-GOGO (4646) for information and timetables or go to the website at: http://campuslifeservices.ucsf.edu/transportation/.

Limited morning, evening and weekend shuttle service is also available to remote parking lots, public transit stops, and within a limited service area around the Parnassus, Mission Bay and China Basin campuses after-hours. The shuttle service provides a safe means of transportation, especially during the evening hours.

Dial-A-Ride/Night Shuttle

PARNASSUS CAMPUS
- Parnassus Eastbound Shuttle Service hours are 4 p.m. to 12 a.m., Monday through Friday.
- Parnassus Westbound Shuttle Service hours are 5 p.m. to 1 a.m., every day including weekends and holidays.

Students, employees and visitors (located within the boundaries of the Eastbound/Westbound Shuttle Service) may request a shuttle pick-up to transport them to the Parnassus campus from an off-site location or from Parnassus to a location within ½ mile. This service is strictly for traveling to or from the UCSF Parnassus campus. To request this service, please call (415) 915-4283 (automated call service) or use the UCSF Mobile App – RideCell system to request a pickup.

For additional information, see the following websites: http://campuslifeservices.ucsf.edu/upload/transportation/files/Shuttles_ParnassusEastWest_Current.pdf or https://ucsf.ridecell.com/request.

MISSION BAY AND CHINA BASIN
- MB Local Shuttle Service hours are 5 p.m. to 12:45 a.m., Monday through Friday.

Students, employees, and visitors (located within the boundaries of the MB Local Shuttle Service) may request a shuttle pick-up to transport them to the Mission Bay and China Basin campuses from an off-site location or from Mission Bay or China Basin to a location within a half mile from 5 p.m. to 12:45 a.m. Service to 16th Street BART Station starts at 8 p.m. This service is established for traveling to or from the UCSF Mission Bay campus. To request this service, please call (415) 915-4283 (automated call service) or use the UCSF Mobile App – RideCell system to request a pickup.

For additional information, see the following websites: http://campuslifeservices.ucsf.edu/upload/transportation/files/Shuttles_MissionBayLocal_Current.pdf or https://ucsf.ridecell.com/request.
UCSF Medical Center (UCSF Health)

The UCSF Medical Center (UCSF Health) encompasses:

- The three UCSF Medical Centers at Parnassus, Mission Bay and Mount Zion
- The two UCSF Benioff Children’s Hospitals in San Francisco and Oakland
- The UCSF faculty practice group
- Langley Porter Psychiatric Hospital and Clinics
- UCSF Benioff Children’s Physicians (UBCP) foundation
- Joint ventures with John Muir Health and Hospice by the Bay

In conjunction with UCSFPD, a 24-hour on-site Security Services Department is responsible for the safety and security of all Medical Center services and activities in San Francisco and is dedicated to the goal of helping patients, staff and visitors, and to enhance UCSF Medical Center as a safe and secure facility.

The scope of services includes:

- Coordination of Card Access Systems for San Francisco-based Medical Center buildings and departments;
- Mandatory Medical Center ID card program;
- Medical Center’s access and parking control requirements;
- Workplace Violence and Threat Management services;
- Safety escorts for patients, visitors, staff and students to neighborhood parking lots and bus stops;
- State Department of Health Services and the Joint Commission on Accreditation of Health Care Organizations (JCAHO) safety and security compliance standards;
- Security, Fire Life Safety and Emergency Preparedness programs;
- Personal Safety training, orientations and crime prevention workshops.

Campus personnel requesting card access authorization to Medical Center areas should email Medical Center Security management at: secaccess@ucsfmedctr.org.

Requests for security and non-emergency assistance can be made by calling Security Services Communications Center at (415) 885-7890.

For additional information, please contact the Medical Center Security Director at (415) 885-7890 or call Medical Center Administration at (415) 353-2733.

Zuckerberg San Francisco General

San Francisco Sheriff Patrol

Zuckerberg San Francisco General employs a 24-hour San Francisco Sheriff Patrol Department with authority as peace officers on hospital property. In conjunction with UCSFPD, the San Francisco Sheriff Patrol responds to police calls for service at these facilities and conducts preliminary investigations. The San Francisco Sheriff’s Department makes arrests and works closely with both UCSFPD and the San Francisco Police Department. The San Francisco Sheriff Patrol offers crime prevention services including night security escorts by calling (415) 206-8063.

UCSF Fresno

UCSF Fresno was created as a regional campus in 1975 to address the severe shortage of physicians in California’s San Joaquin Valley. UCSF Fresno is the San Joaquin Valley’s largest physician training program. Annually, UCSF Fresno trains 300 medical residents, 50 subspecialty fellows and more than 300 medical students.

Security services for the main campus location at 155 N Fresno St. in Fresno are provided by the Community Regional Medical Center. To contact UCSF Fresno Security call (559) 499-6401.

UCSF Benioff Children’s Hospital Oakland

UCSF Benioff Children’s Hospital Oakland employs contract security personnel with powers of civilian arrest limited to the Director of Security or Administration personnel. Their jurisdiction encompasses all of UCSF Benioff Children’s Hospital Oakland. Security at this location conducts new employee orientations, volunteer orientations, and periodic on-demand safety and security seminars on topics of personal safety, security and workplace violence.

UCSFPD provides police services for the main hospital location. The jurisdiction of UCSFPD is limited to the main hospital campus located at 747 52nd Street in Oakland. Criminal matters outside of this location are referred to the Oakland Police Department or local jurisdiction.

Individuals are requested to report crimes at UCSF Benioff Children’s Hospital by dialing “55” on internal phone lines or (510) 428-3600 and by dialing 9-1-1 from all other locations.
UCSF has responsibility for gathering statistics, identifying reportable crimes, and reporting/publishing statistics to the Department of Education, and to the public in compliance with the Clery Act. Crime statistics are reported in different formats and categories depending upon legal requirements. The Clery Act requires statistics to be reported from a wider geographic area than just University owned property (e.g., adjacent public property and off-campus student organization properties). The Clery Act also requires reports of student disciplinary referrals in addition to arrests for drug, alcohol and weapons offenses.

Information and statistics compiled for the UCSF Annual Security Report is for the previous three calendar years, and is based upon crime reports received by UCSFPD; from crime statistics received from the San Francisco Police Department, the Oakland Police Department, the Alameda County Sheriff’s Office and other law enforcement agencies; and from incident reports received from Campus Security Authorities.¹

Unfounded Crimes: According to FBI Uniform Crime Reporting (UCR) guidelines, a reported offense can be cleared as unfounded if the investigation shows that no offense occurred nor was attempted. Beginning with the 2014 calendar year, UCSF in accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4) began disclosing the number and types of Clery Act crimes deemed to be unfounded.

Clery Geography Definitions

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

Any building or property that is within or reasonably contiguous to the area identified above, 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).

Consistent with the above definition, UCSF has five On-campus locations: Parnassus, Mission Bay, Mount Zion, UCSF Benioff Children’s Hospital Oakland and UCSF Fresno.

¹ Note that all agencies for which statistics are requested may not respond in any given year.

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.

Noncampus – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Clery Definitions of Reportable Crimes

Murder/Manslaughter – The willful killing (non-negligent) of one human being by another.

Negligent Manslaughter – The killing of another person through gross negligence.

Forcible Sex Offenses – Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. Including: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling.

Non-Forcible Sex Offense – Any unlawful, non-forcible sexual intercourse, including incest, and statutory rape.

Sexual Assault – Defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as categorized above.

Robbery – 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 – 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 – The unlawful entry of a structure to commit a felony or a theft.

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

Arson – 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.
Arrest and Referrals for Disciplinary Action – Under the Clery Act institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

Domestic Violence – A felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence – Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined by the reporting party’s statement and based on a consideration of the following factors:

■ The length of the relationship.
■ The type of relationship.
■ The frequency of interaction between the persons involved in the relationship.

For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Course of Conduct – Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with personal property.

Hate Crimes – Includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because the perpetrator’s bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes.

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

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

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

Destruction/Damage/Vandalism to Property (except Arson) – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Categories of Prejudice

Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that 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.

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

Gender Identity – A preformed negative opinion or attitude toward a group of persons because the perceived gender of those persons may be different from the gender traditionally associated with their gender at birth. This bias may be based on their actual or perceived gender-related characteristics.

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

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

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

*One reported hate crime in 2016 for all of UCSF occurring at the Parnassus campus: Single on-campus incident of threats under the bias categories of race, religion and ethnicity.*

*Three reported hate crimes in 2017 for all of UCSF occurring at the Parnassus campus: Three on-campus incidents of vandalism under the bias categories of religion.*

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## Crime Statistics – Mount Zion Campus

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### Crime Statistics – UCSF Benioff Children’s Hospital Oakland Campus

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## Crime Statistics – UCSF Fresno

### OFFENSES

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### ARRESTS

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### REFERRALS

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### HATE CRIMES

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<thead>
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<th>Offense</th>
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<th>2018</th>
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* UCSF Fresno added as a Clery campus in fall 2017. For prior years, UCSF Fresno Clery Act crimes were included as noncampus property under the Parnassus Campus. Previous Annual Security Reports dating back to 2014 have been updated accordingly.
Contact Information

UCSF Clery Act Compliance Officer and Designated Campus Security Authorities

**UCSF Clery Act Compliance Officer**
UCSFPD Chief of Police | (415) 476-5455
UCSFPD Crime Analyst & Crime Prevention Specialist | (415) 502-9396

**UCSF Designated Campus Security Authorities**
Academic Affairs – Labor Relations | (415) 502-3585
Arts and Events Manager | (415) 476-6761
Audit Services Director | (415) 502-2238
Campus Life Services
Associate Vice Chancellor | (415) 502-4457
Diversity and Outreach Vice Chancellor | (415) 476-7700
Environmental Health & Safety Executive Director | (415) 476-3635
Facilities Services Executive Director | (415) 476-6528
Faculty Staff Assistance Program Manager | (415) 476-8279
Fire Safety Inspector – Fire Marshal | (415) 514-3959
Fitness and Recreation Director | (415) 514-1611
Global Health Sciences
Education Coordinator | (415) 476-5530
Graduate Division Associate Dean | (415) 502-2927
Housing Services Director | (415) 476-0311
Human Resources
Associate Vice Chancellor | (415) 353-4028
Human Resources Executive Director | (415) 476-4538
Library Administration Director | (415) 476-8060
Medical Center
Director of Security Services | (415) 885-7890
Public Affairs Assistant Vice Chancellor | (415) 476-8432
Office of the Registrar Assistant Vice Chancellor | (415) 476-4527
Physical Therapy Chair | (415) 476-9449
Research Administration
Associate Vice Chancellor | (415) 514-2080
Risk Management and Insurance Services Director | (415) 502-4458
School of Dentistry
Associate Dean for Education and Student Affairs | (415) 476-8059
School of Medicine
Associate Dean for Students | (415) 476-1216
School of Medicine Dean’s Office ZSFG
Director of Operations | (415) 206-2653
School of Nursing
Assistant Dean, Student Affairs | (415) 476-0600
School of Pharmacy
Associate Dean, Student & Curricular Affairs | (415) 476-8025
Student Academic Affairs
Vice Chancellor/Dean Graduate Division | (415) 476-2310
Student Financial Aid Director | (415) 476-6574
Student Health & Counseling Services
Assistant Vice Chancellor/Medical Director | (415) 476-1683
Student Involvement and Programs Director | (415) 476-8788
Student Life Assistant Vice Chancellor | (415) 502-3233
Student Rights & Responsibility Director | (415) 476-7665
Title IX Officer, Assistant Vice Chancellor – OPHD | (415) 502-3400
Transportation Services Director | (415) 502-1731
UCSF Benioff Children’s Hospital Oakland
Director of Security/Police Services | (510) 428-3285
UCSF Fresno
Associate Dean MEP Administration | (559) 499-6428
Undergraduate Medical Education
Associate Dean for Curriculum | (415) 476-2346
Veteran’s Affairs Medical Center | (415) 221-4810
Important Telephone Numbers

**UCSF Police Department**
- Emergency (on-campus landline) | **9-9-1-1**
- Emergency (cell phone) | **(415) 476-6911**
- Non-emergency | **(415) 476-1414**
- Crime Prevention/Security Surveys | **(415) 502-9396**

**San Francisco Police Department**
- SF Police Department (off-campus emergency – cellphone) | **(415) 553-8090**
- SF Police Department (off-campus emergency) | **9-1-1**
- Zuckerberg SF General Sheriff’s Patrol | **(415) 206-8063**

**Sexual Assault/Rape**
- Confidential UCSF CARE Advocate | **(415) 502-8802**
- San Francisco Women Against Rape Crisis Center Counseling (24 hour) | **(415) 647-RAPE (7273)**
- San Francisco Trauma Recovery Center | **(415) 437-3000**

**Security Desks and Safety Escorts**
- Night shuttle escort | **(415) 476-1414**
- Medical Center Security Services | **(415) 885-7890**

**Parnassus**
- Medical Sciences Lobby | **(415) 476-6683**
- Regeneration Medicine Building (Dolby) | **(415) 476-9358**

**Mission Bay**
- Genentech Hall, 1st Floor Main Lobby | **(415) 514-4020**
- Rock Hall, 1st Floor Main Lobby | **(415) 514-4317**
- Sandler Neuroscience, Main Lobby | **(415) 502-7511**
- Helen Diller, Main Lobby | **(415) 514-4975**
- Smith Cardiovascular Research Building, Main Lobby | **(415) 514-1271**
- Mission Hall | **(415) 476-5190**

**Laurel Heights, 1st Floor Main Lobby |** **(415) 476-8868**
- Mission Center Building, 1st Floor Main Lobby | **(415) 476-0399**

**Other UCSF Resources**
- Faculty Staff Assistance Program | **(415) 476-8279**
- Title IX Officer | **(415) 502-3400**
- Student Health & Counseling Services | **(415) 476-1281**
- Housing Services | **(415) 514-4550**
- Student Life | **(415) 502-1484**
- Transportation Services | **(415) 476-4646 (GOGO)**

**Websites**

**UCSF**
- Student Academic Affairs
  - [Visit](https://studentaffairs.ucsf.edu/)
- Student Life
  - [Visit](https://studentlife.ucsf.edu/)
- Student Health Services
  - [Visit](https://studenthealth.ucsf.edu/)
- Faculty Staff Assistance Program
  - [Visit](http://www.ucsfhr.ucsf.edu/assist/index.html)
- Housing Services
  - [Visit](http://www.campuslifeservices.ucsf.edu/housing/)
- UCSF Police Department
  - [Visit](http://police.ucsf.edu/)
- Transportation Services
  - [Visit](http://campuslifeservices.ucsf.edu/transportation/)
- UCSF Confidential CARE Advocate
  - [Visit](http://careadvocate.ucsf.edu/)

**Outside UCSF**
- California Coalition Against Sexual Assault
  - [Visit](http://www.calcasa.org/)
- National Coalition Against Domestic Violence
  - [Visit](http://www.ncadv.org/)
- National Sexual Violence Resource Center
  - [Visit](http://www.nsvrc.org/)
- Rape, Abuse & Incest National Network (RAINN)
  - [Visit](https://www.rainn.org/)
- San Francisco Women Against Rape
  - [Visit](http://www.sfwar.org/)
- Clery Center for Security on Campus
  - [Visit](http://www.clerycenter.org/)
- U.S. Department of Justice Office on Violence Against Women
  - [Visit](http://www.usdoj.gov/ovw/)
Violence Against Women Act – State of California Definitions

The definitions of consent, sexual assault, domestic violence, dating violence and stalking under the relevant California laws are listed below. Note that under California law, dating violence is considered a form of domestic violence.

**Consent** is defined under California law as 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.

**Sexual Assault** in the state of California is defined under the following Penal Code Sections:

**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.

261.6. In prosecutions under Section 261, 262, 286, 288a, or 289, 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.

261.7. In prosecutions under Section 261, 262, 286, 288a, or 289, 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.

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).

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.

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.

**Domestic Violence** in the state of California is defined under the following Penal Code Sections:

**273ab. (a)** Any person, having the care or custody of a child who is under eight years of age, who assaulted the child by means of force that to a reasonable person would be likely to produce great bodily injury, resulting in the child’s death, shall be punished by imprisonment in the state prison for 25 years to life. Nothing in this section shall be construed as affecting the applicability of subdivision (a) of Section 187 or Section 189.

(b) Any person, having the care or custody of a child who is under eight years of age, who assaults the child by means of force that to a reasonable person would be likely to produce great bodily injury, resulting in the child becoming comatose due to brain injury or suffering paralysis of a permanent nature, shall be punished by imprisonment in the state prison for life with the possibility of parole. As used in this subdivision, “paralysis” means a major or complete loss of motor function resulting from injury to the nervous system or to a muscular mechanism.

**273d. (a)** Any person who willfully inflicts upon a child any cruel or inhuman corporal punishment or an injury resulting in a traumatic condition is guilty of a felony and shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 for two, four, or six years, or in a county jail for not more than one year, by a fine of up to six thousand dollars ($6,000), or by both that imprisonment and fine.

(b) Any person who is found guilty of violating subdivision (a) shall receive a four-year enhancement for a prior conviction of that offense provided that no additional term shall be imposed under this subdivision for any prison term or term imposed under the provisions of subdivision (h) of Section 1170 served prior to a period of 10 years in which the defendant remained free of both the commission of an offense that results in a felony conviction and prison custody or custody in a county jail under the provisions of subdivision (h) of Section 1170.

(c) If a person is convicted of violating this section and probation is granted, the court shall require the following minimum conditions of probation:

1. A mandatory minimum period of probation of 36 months.
2. A criminal court protective order protecting the victim from further acts of violence or threats, and, if appropriate, residence exclusion or stay-away conditions.
3. (A) Successful completion of no less than one year of a child abuser’s treatment counseling program. The defendant shall be ordered to begin participation in the program immediately upon the grant of probation. The counseling program shall meet the criteria specified in Section 273.1. The defendant shall produce documentation of program enrollment to the court within 30 days of enrollment, along with quarterly progress reports.

4. (B) The terms of probation for offenders shall not be lifted until all reasonable fees due to the counseling program have been paid in full, but in no case shall probation be extended beyond the term provided in subdivision (a) of Section 1203.1. If the court finds that the defendant does not have the ability to pay the fees based on the defendant’s changed circumstances, the court may reduce or waive the fees.

5. (C) If the offense was committed while the defendant was under the influence of drugs or alcohol, the defendant shall abstain from the use of drugs or alcohol during the period of probation and shall be subject to random drug testing by his or her probation officer.

5. The court may waive any of the above minimum conditions of probation upon a finding that the condition would not be in the best interests of justice. The court shall state on the record its reasons for any waiver.
273.5. (a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000) or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

(1) The offender’s spouse or former spouse.
(2) The offender’s cohabitant or former cohabitant.
(3) The offender’s fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.
(4) The mother or father of the offender’s child.

(c) Holding oneself out to be the husband or wife of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.

(d) As used in this section, “traumatic condition” means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, “strangulation” and “suffocation” include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck.

(e) For the purpose of this section, a person shall be considered the father or mother of another person’s child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.

Stalking is defined under the California Penal Code as the following:

646.9. (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person 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.

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.
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