



**2020 Annual Security Report**

NAU Statewide Campuses

NAU-Yuma

Arizona Western College

## ANNUAL SECURITY REPORT

NAU Statewide Campuses

NAU-Yuma

Arizona Western College

2020 South Avenue 8E

Yuma, AZ 85365

NAU Statewide Campuses occupy administrative space for full-time staff and rents classroom space as needed.

## OVERVIEW

NAU-Yuma share facilities on the Arizona Western College campus and have established an innovative educational partnership which allows students to either begin or complete lower-division courses while concurrently taking upper-division courses at NAU-Yuma. NAU staff is available for questions about or assistance with any of the following information. **All NAU students, as well as faculty and staff employed by the University, must follow the policies and procedures as outlined in this document.**

**Phone Number: 928-317-6450**

## PREPARING THE CLERY ANNUAL SECURITY REPORT

The Director of Clery Compliance at the **Northern Arizona University Police Department (NAU PD)**, prepares and publishes the Clery Annual Security Report in collaboration with numerous University departments. The purpose of the report is to provide information about safety and security on campus to include information on: crime statistics, policies and procedures, and personal safety. Information on security, crime prevention and awareness programs, and some of the resources that are available are also listed. The programs and resources provided at the Flagstaff Mountain Campus are available to students and employees as applicable. Reporting options for victims of crime are provided within this report along with information on victim assistance services. Members of the campus community are encouraged to use this Annual Security Report as a guide to safe practices on and off campus as well as a resource.

The campus crime, arrest and referral statistics contained in this report include those reported to campus security authorities (CSAs) to include the Office of the Dean of Students and NAU Statewide Campuses. The statistics also include those compiled from law enforcement agencies in jurisdictions where Northern Arizona University owns, leases, or controls property or those with jurisdiction on adjacent property.

Prior to October 1st of each year, notification of the availability of the Annual Security Report is sent to all students, faculty and staff along with a direct link to the report. The report can also be found on the NAU PD's website at <https://in.nau.edu/police-department/annual-security-and-fire-safety-reports/>. Printed copies of the report can be requested by contacting the NAU PD at 928-523-3611, or by visiting the NAU PD at 525 E. Pine Knoll Drive, Flagstaff, AZ.

## CAMPUS LAW ENFORCEMENT AUTHORITY

**Arizona Western College Police Department (AWC PD)** is located on the Yuma Campus, 2020 S. Ave 8E, Yuma, AZ 85365 in the District Services (Facilities Management) Building. The AWC PD is vested with the authority and responsibility to enforce all applicable local, state, and federal laws. AWC police officers have the authority and duty to conduct criminal investigations, arrest violators, and suppress campus crime. AWC police officers are duly sworn peace officers under State law A.R.S. title 13-3871, are authorized to carry firearms, and have the same authority as municipal police officers to use police powers of arrest. AWC PD has the primary jurisdiction of all AWC owned and operated properties. AWC Police Officers are certified by the Arizona Peace

Officer Standards and Training Board. AWC Police provides law enforcement services 24 hours a day, 365 days a year.

The AWC PD also employs unarmed security officers to assist with security around campus. Security Officers are part-time department employees who serve as the “eyes and ears” of AWC PD. They may take reports for minor incidents, provide basic emergency services, and assist police officers as needed. The college’s mission of education, research, and community service is supported by the law enforcement services and educational programs offered by the AWC PD.

Through mutual aid agreements, AWC Police works closely with the surrounding law enforcement agencies including Yuma County, City of Yuma, Somerton, San Luis, Wellton, Laz Paz County, Parker, Quartzsite, and Arizona DPS. These agreements enable all agencies to assist each other when and where needed. Primary law enforcement for the Yuma Entrepreneurial Center is provided by the Yuma PD and AWC Campuses in Somerton, San Luis and Wellton are provided by the Somerton PD, San Luis PD and the Town of Wellton PD respectively.

## CRIMINAL ACTIVITY OFF CAMPUS

Northern Arizona University / AWC do not have any officially recognized student organizations with off-campus locations at this site. Campus police do not provide law enforcement services to activities off-campus.

## AWC POLICE RECORDS REQUESTS

AWC PD is responsible for collecting, retaining and disseminating all police records generated by the department. Included in these records are reports on crimes, arrest, informational, accident, warrant files, and traffic contacts. The department provides service to, and cooperates with, the public and other criminal justice organizations. More information on how to obtain a copy of a police report, including associated forms and fees, can be obtained by calling 928-314-9500. If you filed a police report with another police agency, you will need to contact their records department in regards to their report request procedures.

## MISSING STUDENT NOTIFICATION

NAU-Yuma does not have a Missing Student Notification policy because it does not provide on-campus student housing facilities on the Arizona Western College campus.

## HOW TO REPORT CRIMINAL OFFENSES

Northern Arizona University encourages accurate and prompt reporting of all crimes occurring on this campus to the **Arizona Western College Police Department (AWC PD)**. If a crime occurs off campus, it should be reported to the appropriate law enforcement agency with jurisdiction. When the victim of a crime elects to, they are strongly encouraged to promptly and accurately report all criminal incidents. Knowledgeable parties are encouraged to report crimes against victims who are incapable of doing so themselves.

- **Emergencies**                      **8-911 (Goes off-campus to Yuma Police Dispatch)**
- **AWC PD**                              **928-314-9500 and 928-344-5555**

To report a crime, an emergency, non-emergency security issue, or public safety related matter on the AWC campus or other campus center, call AWC PD at extension **49500** or, from outside the College phone system, **928-314-9500**. Dispatchers are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, AWC PD will take the required action, dispatching an officer or asking the victim to report to AWC PD to file an incident report. If assistance is required from the Yuma Police Department, the Yuma County Sheriff’s Department, or Yuma Fire Department, AWC PD will contact the appropriate unit.

When calling to report a crime or incident, please be ready to give information such as: a brief description of the occurrence, when and where the incident occurred, weapons the suspect(s) carried, where and when the suspect(s) was last seen, description of the suspect(s) (including gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars), and any other relevant information. In addition to the importance of reporting, timely information assists responders in developing warnings for the campus community.

AWC PD is responsible for the investigation of all crimes occurring on the property owned or controlled by Arizona Western College. Without these reports, crime trends on campus and problem areas cannot be identified.

When a crime is reported to AWC PD, a Police Officer will respond to take a police report, provide assistance, and summon additional personnel/assistance if necessary. For some crimes, the Officer may take a telephone report, if the victim/reporting party is not able to meet with the Officer. We prefer to meet with individuals in person whenever possible.

The police report will be completed by the Officer and approved prior to being processed by the records unit. Cases will be assigned for follow-up based upon criteria determined by the Department to be most effective in case management.

## **CAMPUS SECURITY AUTHORITIES**

Northern Arizona University recognizes that although the University would like all criminal incidents to be reported to law enforcement, victims and witnesses sometimes tell someone other than the police. For instance, a victim may turn to a coach or an advisor following an incident. Individuals with significant responsibility for student and campus activities are considered to be a **Campus Security Authority (CSA)**. Under the Clery Act, crimes are considered reported when they are brought to the attention of a CSA, the university's police department, or local law enforcement personnel by a victim, witness, other third party, or even the offender. When a CSA receives information about a Clery-reportable crime, the CSA must document the incident and submit a crime statistic report form to the NAU PD. The role of the CSA is not to apprehend alleged perpetrators or conduct investigations. CSAs also are not responsible for trying to convince a victim to contact the police if the victim does not choose to do so. CSAs, however, do have a reporting responsibility in completing and submitting the crime statistic report form. The reports enable any ongoing threats to the community to be assessed and for the incidents to be included in the reported crimes for the university. CSAs may complete the CSA Form through the NAU PD website at <https://in.nau.edu/police-department/campus-security/>.

**Professional and pastoral counselors** functioning within the scope of their license or certification are exempt from CSA reporting even though they may have significant responsibility for student and campus activities. It should be noted, however, that there are a few exceptions to confidentiality when speaking to a counselor. If a victim is under the age of 18, the counselor is mandated to report certain offenses such as a sexual assault. If individuals are seen as a potential harm to themselves or another person, the counselor must also break confidentiality. These factors are considered on a case-by-case basis. NAU counselors are encouraged, when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

Campus community members are strongly encouraged to report all criminal incidents, suspicious activities and emergency situations to the campus law enforcement authority.

**AWC does have professional counselors on the Yuma Campus.**

## **CONFIDENTIAL OR ANONYMOUS REPORTING**

If you are the victim of a crime and do not want to pursue action within the college disciplinary system or the criminal justice system, you may want to consider making a confidential report. An AWC Police Officer can file a report on the incident without revealing the identity of the victim. The purpose of the report is to maintain confidentiality, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep accurate records of the number of incidents involving students, employees and visitors;

determine where there may be a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential dangers. Reports filed in this manner are disclosed in the Annual Security Report for the institution for statistical purposes. When the report involves allegations of sexual harassment (including sexual violence), it is made available to the AWC Title IX Coordinator.

## DAILY CRIME LOG

A daily police log documenting reported crimes is kept in accordance with the Higher Education Opportunity Act. The logs can be accessed electronically at <https://www.azwestern.edu/student-support/campus-police/crime-log>. Logs are available at the police station during normal business hours, located at: Yuma Main Campus, 2020 S Ave 8E, Yuma, AZ 85365 in the District Services (Facilities Management) Building.

## TIMELY WARNINGS

Upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or off campus, Arizona Western College will immediately notify the campus community using a systemized emergency communication procedure (the Arizona Western College Emergency Alert Notification System).

AWC has developed an integrated and comprehensive procedure which may include the following emergency alert systems: cell phone text messages; priority emails; Internet notifications at AWC home page, AWC emergency information web site; broadcast using AWC PD patrol cars, and local radio and television stations, including KAWC and AWC TV Services. In addition to the notification of the on-campus community, AWC will also report any significant emergency or dangerous situation to the local community.

The initial report will be executed by the AWC PD or Office of Vice President of Public Relations and Marketing, as appropriate. All follow-up reports and all communications to local and regional media will be managed by the Public Information Office. This will insure AWC sends consistent information to those off campus. AWC will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgement of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

The emergency notification process involves the receipt of information, the verification of this information, and the evaluation of the information, which then sets into motion the following actions:

- Determination if the entire campus community, or just an affected portion, will receive the emergency alert notification.
- Compilation of the content of the emergency alert message.
- Activation of the Arizona Western College Emergency Alert Notification System and the redundant communications capabilities listed above.
- Potential activation of the campus Emergency Operations Center (EOC), the following individuals at a minimum, will routinely be involved in making these determinations/decisions:
  - College President
  - College Vice Presidents
  - College Police Chief or designee
  - Dean of Communications and Marketing
  - Director of Facilities

Arizona Western College Emergency Alert Notification System equipment is tested at least once annually to ensure it is working properly. At least once per calendar year the College will conduct a full activation of the Emergency Alert Notification System which will be advertised to AWC and local communities beforehand. For more information or to register, please go to the AWC Alert System web page at <https://www.azwestern.edu/support/topics/awc-alert-system>.

## SECURITY AND ACCESS TO CAMPUS FACILITIES

The shared AWC Main campus in Yuma is open to the public. The 24th Street and Hwy 95/Avenue 8E entrances are accessible 24 hours a day and should be used in accordance with the policies established by the College District Governing Board. The campus is patrolled 24 hours per day by the AWC PD. Campus buildings are secured during the evening hours unless opened for scheduled classes. The schedules for campus buildings fluctuate and are available from the AWC PD. The Library hours fluctuates throughout the year so it is best to check the library schedule to determine the operating hours. The Academic Complex Computer Lab is located in the first floor foyer of the building. While the students have access to the lab at extended hours, the remainder of the AC Building is not accessible after the posted business hours. For information about the access for a specific building, contact AWC PD at: **928-314-9500 or 928-344-5555**.

Facilities Management is committed to enhancing environmental awareness, responsibility, and sustainability throughout the College community. The principles of environmental sustainability are central to all Facilities Management activities, and by integrating these principles into all aspects of its operations, planning, and policy, AWC enhances its role as a leader within the greater community. Facilities Management will set an example of responsible environmental stewardship through its ongoing commitment to incorporate sustainable practices into its daily decision-making processes and support resource conservation, reduction of waste and pollution, recycling, minimizing our environmental footprint, and investing in the local community.

**Regular Office Hours Monday-Thursday 7am-5pm; Friday 7am-3:30pm. Trouble calls after Regular Office Hours should be directed to Campus Police at 928-314-9500, 24 hours a day/7 days a week/365 days a year. Facilities Management provides onsite coverage from 7:00am until 3:30pm. After 3:30pm, and on weekends, call out is available for emergencies only.**

## ALCOHOL, ILLEGAL DRUGS, AND SUBSTANCE ABUSE

### DRUG FREE SCHOOLS AND CAMPUSES

Northern Arizona University is committed to providing a healthy educational environment, consistent with University policies and free from unlawful acts. In addition, NAU and AWC must certify compliance with The Drug-Free Workplace Act (41 USCA 701), The Safe and Drug-Free Schools and Communities Act (20 USCA 7101), and The Drug and Alcohol Abuse Prevention Regulations (34 CFR 86).

The health and safety of students and employees is important to Northern Arizona University. Not only can the misuse of alcohol and controlled substances seriously affect health, it can impact the ability to work and study and may also put the safety and well-being of others at risk. The prevention of substance abuse is sought in several ways at Northern Arizona University, and includes encouraging the healthy use of leisure time through recreation and other activities. Additionally, a variety of workshops on topics such as healthy eating and stress management are offered through Health Promotion. Wellness programs and workshops are regularly offered for employees through the Employee Assistance and Wellness Office and include similar topics.

Information regarding prevention/intervention programs, health risks, University policies, and University and legal sanctions associated with alcohol and other drug abuse can be found in the [Student Handbook](#) and on the [Human Resources](#) webpage. All students and employees are encouraged to review these materials in order to make educated and informed decisions related to alcohol and drugs.

## UNIVERSITY POLICIES ON ALCOHOL AND DRUGS

The NAU Student Code of Conduct states that the following conduct is not acceptable on campus: Violation of the board or university rules or applicable laws governing alcohol, including consumption, distribution, unauthorized sale, or possession of alcoholic beverages.

According to the Office of Residential Life Standards of Residence, on-campus possession or consumption of alcoholic beverages of those of legal age (the State of Arizona has established the legal age for consumption of alcohol to be 21) is allowed only in the private living quarters of certain residence halls and other campus living units as well as certain other designated areas. Consumption of alcoholic beverages in public areas other than those designated is prohibited. Some residence halls are designated as substance-free, prohibiting even those of legal age from consuming alcohol in their living quarters.

With regard to drugs, the NAU Student Code of Conduct states that the following conduct is not acceptable on campus: Unauthorized use, sale, possession, or distribution of any controlled substance or illegal drug or possession of drug paraphernalia that would violate the law. The Standards of Residence state “the possession, use, sale, manufacture/ cultivation, or provision of any type of illegal drugs (barbiturates, opiates, marijuana, amphetamines, hallucinogens, etc.) or aiding in the use of such are not permitted in residence halls and are violations of the statutes of the State of Arizona.”

NAU employee policies require that university employees report to work in a condition to perform their duties safely and efficiently in the interest of their co-workers and students, as well as themselves. It is also the expectation of the university that students attend class and other educational activities in a condition in which they can perform their educational tasks and participate effectively with other members of the university community. The use of alcohol and illegal drugs is prohibited during work hours at the university workplace, while occupying university vehicles, while on university business, during class time, on field trips and during other educational activities, except where permitted by the Arizona Board of Regents (ABOR) and/or the President or designee.

## **LEGAL SANCTIONS AND UNIVERSITY DISCIPLINARY ACTION ASSOCIATED WITH ALCOHOL AND DRUG USE**

Violations of University policies regarding alcohol and other drug use will be subject to legal sanctions and/or University disciplinary action. The Northern Arizona University Student Code of Conduct details the sanctions that may be imposed by the institution for violations of these policies. Sanctions include expulsion from the University, suspension from the University, University probation, warnings, restricted access to University properties and other educational sanctions. Further, the University may refer a student to appropriate authorities for prosecution for alcohol and other drug abuse violations. Sanctions also may be imposed under the Standards of Residence for those students living in University residence halls. In addition to sanctions, federal law (specifically the Family Educational Rights and Privacy Act) permits the University to notify parents of any alcohol and other drug violation occurring on-campus for students under the age of (21). NAU views parents as important partners in the education of students, thus the University may notify parents when their student has been involved in a serious or repeated alcohol or other drug violation.

University employees must abide by the applicable policies and laws pertaining to alcohol and drug use while at work. University employees who violate University policies regarding alcohol and other drug use will be subject to legal sanctions and/or University disciplinary action, up to and including termination.

## **CRIMINAL OFFENSES AND ASSOCIATED PENALTIES INVOLVING ILLEGAL DRUGS**

### **ARIZONA OFFENSES AND PENALTIES**

Criminal offenses and associated penalties involving illegal drugs can be found in Chapters 34 and 34.1 of Title 13 of the Arizona Revised Statutes (ARS): <https://www.azleg.gov/arsDetail/?title=13>

The definitions associated with these drug statutes can be found at [ARS 13-3401](#) and [ARS 13-3451](#). Each specific

statute will list the corresponding penalty for that offense.

## **FEDERAL PENALTIES**

Information regarding federal offenses and penalties can be found on the Drug Enforcement Administration's web page: <https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

## **MEDICAL MARIJUANA POLICY**

NAU and AWC prohibit the possession and use of marijuana on all of its campuses, including university housing.

Growing and using marijuana remains a crime under federal law, and federal legislation prohibits any institution of higher education that receives federal funding from allowing the possession and use of marijuana. The University continues to enforce its current policies regarding controlled substances and any students or employees who violate University policy prohibiting the use or possession of illegal drugs on campus will be subject to disciplinary and criminal action.

## **DRUG AND ALCOHOL ABUSE AND PREVENTION PROGRAMS**

- Alcohol and Drug Abuse Prevention/Intervention Programs – For students <https://in.nau.edu/dean-of-students/intervention-programs/>
- Alcohol and Drug Abuse Prevention/Intervention Programs – For employees <https://in.nau.edu/wp-content/uploads/sites/5/2018/07/Prevention-and-intervention-programs-ek.pdf>
- Legal Sanctions/Disciplinary Action Associated with Alcohol and Drug Use <https://in.nau.edu/dean-of-students/alcohol-drug-legal-sanctions/>
- Health Risks Associated with Alcohol and Drugs <https://in.nau.edu/dean-of-students/alcohol-drug-health-risks/>

## **EMERGENCY NOTIFICATION, RESPONSE, AND EVACUATION PROCEDURES**

### **AWC EMERGENCY ALERTS**

To learn more about the College's emergency notification and advisory service, please go to the AWC Emergency Alerts website at <https://www.azwestern.edu/support/topics/awc-alert-system>.

It is the policy of the College to notify, without delay, the campus community of any confirmed significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees. The content of the notification will be determined and the notification system will be initiated by the Chief of Police of his designee, unless, in the professional judgement of responsible authorities, the release of such notification at that time would compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

AWC PD has the authority to issue emergency messages as they deem necessary to maximize public safety. A determination regarding what segment of the campus community will receive the notification shall be based on the nature, severity and location of the emergency. The same procedures will be used to notify the larger community.

### **NON-EMERGENCY PROCEDURES**

For non-emergency assistance on the Yuma Main Campus, please call the AWC PD at **928-314-9500** or **928-344-5555**. Our communications center is centralized and handles both emergency and non-emergency calls for services on the Main Campus.

### **NOTE**

AWC PD will assist in coordinating public safety response for all AWC facilities/locations. For non-emergency assistance at other AWC campuses and facilities the local police agency should be contacted. Students, faculty, staff, and visitors are encouraged AWC will, without delay, taking into account the safety of the community,



determine the content of the notification and initiate the notification system, unless issuing the notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the nature of the emergency, methods that may be deployed include: door-to-door notifications; AWC PD patrol vehicle public address system; crime alerts; text messages; AWC Police media notification system; AWC home page messages; media alert (TV, print, radio, Internet); Facebook postings; Twitter messages; and AWC Web page alerts.

Because each situation will present individual challenges, some or all of these communication methods will be used in an emergency. Follow-up messages to the College and to broader audiences such as parents and alumni will be sent as needed. Depending on the severity of the incident, the AWC PD has the authority to send emergency notification without prior approval. If the incident is determined, by the incident commander, to be a large-scale emergency, (typically the top fire or police official at the scene), the incident commander will be responsible for making these decisions.

For messages other than those sent by the AWC PD, it is the responsibility of the Office of Vice President of Public Relations and Marketing to determine the content of the notification. Public Relations and Marketing will coordinate with the AWC Emergency Policy executive, AWC Web masters, college communicators, Student Services personnel, and other responsible parties to ensure proper implementation of the methods determined to be appropriate for the incident at hand. The communication method and message are approved by the AWC policy executive or designee in consultation with the Office of Vice President of Public Relations and Marketing or designee. The notification system's purpose is to provide brief and immediate instructions to the campus community and identify other resources where additional information can be obtained.

During an emergency, detailed information about an incident would be provided in other forms of communication, such as: text messages, email, notification on the official AWC website, electronic media, voice mail, hotline and emergency bulletins issued through the media. AWC Police work closely with surrounding law enforcement agencies to help facilitate the sharing of incidents reported to them which might constitute the issuance of an emergency notification. A test of the procedures shall be conducted at least once each calendar year.

An actual incident in which the emergency notification system was activated shall not qualify as a test under this policy. Each test/incident shall be documented, to include: a description of the exercise/emergency, date, time and whether announced or unannounced. Residence halls will have evacuation procedures tests/drills at least semi-annually.

## **SHELTER IN PLACE/DENY ENTRY**

If an incident occurs and the buildings or areas around you become unstable or the air outdoors becomes dangerous due to smoke or toxic or irritating substances, it may be safer to stay indoors rather than be exposed to the danger by attempting to leave. The term "shelter in place" means to stay in the building you are in until you are advised it is safe to come out. If your building is damaged, seek shelter in the nearest University building. When sheltering in place, shut and close all exterior doors and close and lock windows; try to find an interior room without windows, preferably above ground; turn off all air conditions, heaters, and fans; close vents to ventilations systems; make yourself comfortable. When approached by responding emergency personnel, follow their directions. In the event of a hostile event on campus (e.g. an active shooter), community members may be advised to shelter in place or "deny entry". Should the need ever arise, unless instructed otherwise; hide from view, lock and barricade doors, cover windows, turn off lights, silence cell phones, if with others spread out throughout the room, make an action plan, and call 911. Believe you will survive. When approached by emergency personnel, keep hands raised and fingers spread and follow all directions. For information and training on active shooter, emergency procedures, and strategies to enhance safety and security, contact the AWC Police Department or the NAU Police Department at 928-523-3611 or email [ASKNAUPD@nau.edu](mailto:ASKNAUPD@nau.edu).

## **NAU SAFE**

On July 31, 2020 NAU launched its new Safety Application and Alert System – NAU SAFE. Anyone with an NAU affiliated email address will automatically be enrolled in the system to receive SMS text messages during an

emergency via their registered mobile phone number listed in their LOUIE account. The NAU SAFE application has additional features for receiving messages and other enhanced features. The application is available for download for Apple iPhones and Android devices via their application services websites. The new vendor system will also provide NAU the ability to deliver direct messages to smaller notification groups such as to an individual satellite campus. NAU has been providing additional information to non-NAU affiliations such as parents and visitors on how they can download the application to receive emergency notifications. The NAU SAFE application will only send emergency or other urgent text messages to those registered, and the system is not used to distribute advertising or other unsolicited content. Additional information can be found at <https://in.nau.edu/its/nausafe/>.

## CAMPUS SECURITY AND CRIME PREVENTION PROGRAMS

Northern Arizona University believes that it is better to act early to prevent crime rather than react to it after it has been committed. Ultimately, we are all responsible for our own safety/security and the safety/security of those around us. Members of the statewide campuses are encouraged to participate in and be aware of the crime prevention programs that are available to them at their host sites. Additionally, the following program is available on-line for all students and employees:

**360° Stay Safe™**: Strategies to Enhance Safety and Security: Provides a series of video lessons for students and employees offering safety strategies that relate to a University environment. Topics include: Protecting your Possessions and Identity; Sexual Assault; Controlling Behavior; Stalking; Every Day Safety; Common-Sense Defense; and Safe Travel. The videos can be viewed by individuals and accessed at any time with a valid NAU computer network login through the [NAU Police Department website](#). These videos are also used in conjunction with guided discussion sessions or as a supplement to community presentations on enhancing personal safety and security.

Throughout the year, AWC PD presents a number of crime prevention programs to a wide variety of groups, both on and off campus. Topics range from personal safety, sexual assault prevention (including rape awareness, acquaintance rape, and other forcible and non-forcible sex offenses), to safety and security when spending time in Mexico.

- **Utilize the AWC PD Escort Service**, at night on campus, if you feel apprehensive. To request a police escort call 928-314-9500.
- **Walk facing traffic**, whenever possible. This increases awareness of potential traffic hazards and also reduces the possibility of being followed by someone in a vehicle. Avoid walking by the curb or near buildings or shrubbery. Walk in the middle of the sidewalk with confidence.
- **If you feel threatened** or suspect that you are being followed, walk toward lighted areas where there are people. Look over your shoulder frequently – this lets the follower know that you are aware of both his/her presence and your surroundings.
- **Emergency Light Phones** give you direct access to AWC PD and sets off a blue emergency blinking light. There are 19 of these emergency phones throughout the AWC Yuma Campus and they are placed in well-lit and accessible locations. If in an emergency you are unable to talk to the dispatcher, push the 'talk' button. This will activate the voice access and motion alarm; a police officer will respond to that location.
- **If anything makes you look twice or feel uncomfortable, call the police. Report any unusual or suspicious activity immediately.**
- **The College's insurance** does not cover belongings or possessions of students that might be lost or stolen, it covers the institution's property only. The College is not responsible for theft or damage of student's belongings or possessions.
- **Do not pick up hitchhikers** and do not hitchhike.
- **Lock your car** and take the keys with you. Many car burglaries and car thefts occur because the owner did not take time to secure the car. Don't make your car a target of opportunity by leaving it unlocked.
- **Do not park** in isolated, dark places if these areas can be avoided. Park where there are people about and where the car will be lighted.
- **Do not leave valuable** items unattended in your car. Place expensive items such as cameras, packages and even textbooks in the locked trunk.
- **Do not leave personal property unattended.** In public areas, such as the Library, College Community Center (Schoening Conference Center), and classrooms, do not leave your personal effects unattended even for just a minute. Textbook theft is a major problem on many college campuses.
- **Lock it if you care.** Never leave your bicycle or moped unlocked and unattended. **AWC PD** recommends that bicycles and mopeds be secured with an oversized "U" shaped bicycle lock, or with a lock-and-chain/cable combination that has at least 5/8- inch diameter chain or steel cable and that is secured by a padlock.
- **Engrave** your bicycle/moped with your name or driver's license number and keep a record of it with a description of the bike and serial number. AWC PD is committed to meeting the needs of the campus community by presenting these programs around the clock.

To schedule a crime prevention program, contact the AWC PD at 928-314-9500. The AWC PD website contains additional information about Campus Safety: <https://www.azwestern.edu/student-support/campus-police/campus-safety>

## GENDER BASED VIOLENCE POLICIES

Northern Arizona University is committed to creating and maintaining a University environment free from gender discrimination and violence. Throughout this document the term gender violence is defined to include sexual assault, domestic violence, dating violence and stalking. NAU prohibits these offenses and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community. As a result, NAU issues this statement of policy to inform the community of our comprehensive efforts to educate, inform and respond to gender violence. Please utilize the below links to review NAU's policies governing gender-based discrimination and violence:

- NAU policy regarding Sexual Misconduct:
- <https://nau.edu/university-policy-library/sexual-misconduct/>

## EDUCATION AND PREVENTION PROGRAMS

The University has a variety of educational programs to promote the awareness of domestic violence, dating violence, sexual assault, and stalking, with a number of departments and groups teaching community members about sexual assault and relationship violence, encouraging healthy relationships and advocating safe dating and social behaviors. The University engages in programming and awareness campaigns intended to prevent dating violence, domestic violence, sexual assault and stalking. Primary prevention and awareness programs are offered for all incoming students and new employees, and ongoing prevention and awareness campaigns are also offered to the entire University community. Educational programs and campaigns are responsive to community needs, and assessed for value, effectiveness, or outcome.

The University's programs and campaigns:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited offenses by the University;
- Define domestic violence, dating violence, sexual assault, and stalking under Arizona Revised Statutes;
- Define "without consent" in reference to sexual activity in the State of Arizona;
- Provide safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual;
- Provide information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and
- Provide an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Programs to prevent domestic violence, dating violence, sexual assault, and stalking are a result of the collaborative work of many departments throughout the University. An overview of the University's primary and on-going prevention and awareness programs and campaigns are shown below.

**The following programs are available on-line and thus accessible to all NAU students and employees regardless of their campus location:**

**EVERFI:** EVERFI's Sexual Assault Prevention program is required for all new students. The online module addresses healthy relationships, consent, sexual violence, bystander strategies, reporting resources and more.

**360° Stay Safe™:** Strategies to Enhance Safety and Security: Provides a series of video lessons for students and employees offering safety strategies that relate to a University environment. Topics include: Protecting your Possessions and Identity; Sexual Assault; Controlling Behavior; Stalking; Every Day Safety; Common-Sense Defense; and Safe Travel. The videos can be viewed by individuals and accessed at any time with a valid NAU

computer network login through the [NAU Police Department website](#). These videos are also used in conjunction with guided discussion sessions or as a supplement to community presentations on enhancing personal safety and security.

**Employee Education:** All new employees are required to complete an online training program on discrimination and harassment matters, including specific training on Title IX within the first 30 days of employment. In addition, all employees receive regular education on these topics. In 2019, updated education – covering discrimination and harassment education (including gender and gender violence topics), retaliation, and reporting obligations was required of all individuals with an employment relationship to the university.

**Written and Web Information:** Employees are reminded of their reporting options and obligations via various electronic and web based resources. The Title IX webpage contains a variety of resources including a page entitled “Faculty and Staff Resources,” and an annual letter reminds them of appropriate offices to address conflict on campus. Campus resources, such as the Faculty Handbook, have also been updated to include information regarding the Title IX Coordinator. In addition to online resources, the University has a Title IX brochure which describes resources and related processes which can be distributed to impacted individuals. Resource letters are distributed electronically by the Office of the Dean of Students when a report is received. Information on dating and domestic violence is also available on the Health Promotion webpage.

**The following programs are available on the Flagstaff Mountain Campus. All students and employees regardless of campus location are welcome to come and participate. Students and employees on our statewide campuses are encouraged to contact their host site for similar or additional programming that may be offered at their specific location.**

**Take a Stand! Bystander Training:** Two-hour bystander training offered by Health Promotion provides students with information about effective bystander strategies to prevent sexual violence.

**Relationship Workshops:** Healthy relationship workshops are offered through the Health Promotion Office. Workshops explore the key components of healthy relationships, boundary setting, signs of an unhealthy relationship, consent and local resources.

**Orientation:** During new student orientation students participate in a theatrical presentation (True Life: I’m a Lumberjack) of sexual assault scenarios. Both parents and students also participate in a processing session following these educational presentations that include local resources, reporting options and University policies. Information cards about the legal definition of consent are distributed to all new students during orientation.

**Safe Zone Training:** Safe Zone training is offered throughout the year through the Office of Inclusion: Multicultural and LGBTQIA Student Services (IMQ). Safe Zone 101 offers a foundational approach to LGBTQIA+ allyship and Safe Zone 102 focuses on becoming a well-informed and active ally to members of the LGBTQIA+ community. This training was incorporated into training for Resident Assistants and is also available upon request for other interested groups.

**Media Campaigns:** A variety of media campaigns addressed sexual violence, domestic violence, stalking awareness, and rape myths throughout the year.

**Sexual Assault Awareness Activities:** National Stalking Awareness, Sexual Assault Awareness, and Domestic Violence Awareness months are all recognized across campus and include a variety of educational strategies.

## **BYSTANDER INTERVENTION OPTIONS**

**Bystander intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking against a person other than such individual. Active bystander intervention plays a critical role in the prevention of sexual assault and harassment and is therefore an important component of University educational efforts. The following information summarizes the content of bystander intervention training:

A bystander is, **“an individual who observes violence or witnesses the conditions that perpetuate violence. They are not directly involved, but have the choice to intervene, speak up, or do something about it.”** We want to create a culture in our community of accountability where bystanders are actively engaged in the

prevention of violence, without causing further harm.

In order to achieve this, we have to know how to intervene. Sometimes we witness or hear situations where we want to intervene, but are not sure how to do so. The following is a list of direct and indirect methods of active bystander intervention.

#### Direct:

- Say something directly to the person:
  - “Are you okay?”
  - “Can I call you a cab?”
  - “Who did you come here with? Let’s find your friends.”
- Say something to the perpetrator. Let them know you recognize what is happening, and you won’t stand for it.
  - “Is everything okay here?”
  - “He/she is pretty drunk; you should probably just get their number and call them tomorrow.”
  - “I don’t like what you just did/said.”
  - “What you just said is not cool.”
- Remove the person from the situation
- If you suspect you or a friend has been drugged, call law enforcement immediately inform someone in charge, like a bouncer, bartender, manager, etc.
- Always make sure you are safe before intervening
- Talk to a campus official in a non-emergency situation

#### Indirect:

- **If you ever feel uncomfortable or unsafe intervening, then don’t.** However you can enlist others to help you – the bouncer, bartender, other friends or bystanders, etc. **Don’t be afraid to call the police if you feel like anyone is in immediate danger.**
- Distract the perpetrator:
  - “Hey man I think your car is being towed!”
  - “Someone called the cops we need to get out of here!”
- Distract the person:
  - “Hey will you come to the bathroom with me?”
  - “Can you help me find (enter mutual friend’s name).”
  - “I think your friend is looking for you.”
- Have a code word/text with your friends or family if you feel uncomfortable saying something directly

## RISK REDUCTION INFORMATION

**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.

Risk reduction is always a good practice; unfortunately it is not always effective. On average, most assaults are committed by someone the person knows. These assaults are typically happening in closed areas like dorm rooms, apartment buildings, etc. where risk reduction methods may not always be applicable. When discussing risk reduction, it is important to remember that **rapists cause rape**. Risk reduction methods are meant to reduce risk, but cannot prevent the risk altogether. A victim is never at fault for an assault, and should never be blamed for how the assault happened. For this reason, active bystander interventions are the most effective methods for preventing sexual assault and harassment.

The following tips may reduce risk for many different types of crimes, including sexual violence (taken from Rape, Abuse, & Incest National Network, <https://www.rainn.org/>).

- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Make a plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Trust your instincts.** If you feel like a situation, location, or person is unsafe, it probably is. Don't be afraid to speak up. Chances are others are feeling the same way.
- **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time to earn your trust before relying on them.
- **Protect your drink.** Don't leave your drink unattended, and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.
- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure.

### Additional Resources:

Health Promotion webpage: <https://in.nau.edu/campus-health-services/sexual-assault/>

NAU Police Safety webpage: <https://in.nau.edu/police-department/safety/>

Sexual Assault Information from RAINN: <https://www.rainn.org/>

NAU Information and reporting: <https://in.nau.edu/title-ix/reportingoptions/>

Circle of 6 Free App: <http://www.circleof6app.com/>

One Love myPlan App: <https://www.joinonelove.org/get-help/#myplan>

## PROCEDURES TO FOLLOW IF AN INCIDENT OCCURS

### First and Foremost: Get to Safety and Seek Medical Attention

- If you are in Yuma and have serious physical injury, go immediately to the [Yuma Regional Medical Center](#) at 2400 S. Avenue A, Yuma, AZ 85364 to be examined. You may seek crisis services from Amberly's Place Family Advocacy Center (928-373-0849). Medical care is important for both physical and psychological reasons. It is also important from the standpoint of evidence to help substantiate your situation. You will be assisted in arranging for any hospital treatment and other medical needs. The cost of the rape examination is paid for by the criminal justice system. Nurses and doctors are required to notify police of a material injury

resulting from an illegal act; however, you are not required to talk with the police unless you choose to. You may request that the responding officer contact a victim advocate to respond and talk to you about options and what to expect. Unless there is a reason for you to remain at the hospital, the victim advocate may escort you to the local advocacy center for a forensic examination which are conducted by Sexual Assault Nurse Examiners (SANEs). The SANE will ask you questions about the incident and conduct a thorough a head to toe examination, during which all physical injuries will be documented and biological evidence collected that later may be sent to the crime lab. If someone has been a victim of sexual assault, he/she is not required to make a report to law enforcement in order to get the above described forensic exam.

- If there is no serious physical injury you may contact a center in your area directly for their services without going through a medical provider or law enforcement.
  - [Amberly's Place Family Advocacy Center](#): 928-373-0849
  - [Yuma County Victim Services](#): 928-817-4300
- For additional resources throughout the state, please visit <https://www.azag.gov/criminal/victim-services/victim-referral-and-resources>

## EVIDENCE PRESERVATION CONSIDERATIONS

If you or someone you know has been hurt by gender violence, it is important to preserve evidence. Preserving evidence may be useful in obtaining a protection order or in proceeding with a criminal investigation should you choose to do so. Victims of gender violence are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents they may have that would be useful to university hearing boards/investigators or police. After a sexual assault, the victim should try to avoid activities that could potentially damage evidence such as bathing, douching, smoking, changing clothing, or cleaning the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

## CONFIDENTIAL REPORTING, RESOURCES, AND SUPPORT

Victims of domestic violence, dating violence, sexual assault, or stalking who wish to report the incident to the University have options regarding law enforcement and campus authorities. Those who wish to seek guidance in a confidential setting are encouraged to contact either Amberly's Place Family Advocacy Center or Counseling Services. Amberly's Place Family Advocacy Center has a 24-hour help line (928-373-0849) and 24-hour contact with on-call counselors is available through Counseling Services (928-523-2261).

The University has procedures in place that serve to be sensitive to those who report (students or employees), including providing written notice about their right to file criminal charges, the university processes that are available to them, as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus. Additional assistance including no-contact orders; interim action and housing; academic, transportation, and workplace accommodations will be provided if requested and reasonably available. The University will make such accommodations regardless of whether the victim chooses to report the crime to the Police Department or local law enforcement and regardless of whether the offense is alleged to have occurred on or off campus.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to notify proper law enforcement authorities, including on-campus and local police and victims have the right to decline involvement with the police. The University will assist any victim with notifying law enforcement authorities if the victim so desires. Victims do not have to make an official report to obtain access to services/resources.

Individuals who wish to report to the University have the following options:

## OTHER REPORTING OPTIONS – NON-CONFIDENTIAL

- **Criminal Complaint:** Victims may pursue criminal charges by calling the AWC PD at 928-314-9500. If the incident occurred in another jurisdiction, the University will assist in contacting the correct law enforcement agency. In Arizona, victims of crime have the opportunity to participate in the criminal justice system and are extended certain protections of the law during their involvement in the process as a result of the Victim's Rights Amendment to the Arizona Constitution. For more information on Victim's Rights in Arizona call the Office of the Victims Services at 602-542-1853 or visit the Victim Services website at <https://corrections.az.gov/public-resources/victim-services/victim-rights>.
- **Student Code of Conduct:** Victims may pursue administrative complaints alone or in conjunction with a criminal complaint through the Student Code of Conduct by contacting the Office of the Dean of Students at 928-523-5181 or by visiting their office at University Union, Building 30, Room 104, PO 6015, Flagstaff, AZ.
- **Title IX Coordinator:** Sexual harassment, sexual assault, relationship violence and stalking are forms of sex-based discrimination covered by Title IX and other discrimination laws/policies. Contact the Title IX Office for more information about filing a complaint under the University's Sexual Misconduct Policy. The Title IX Coordinator, Elyce Morris may be contacted at 928-523-5315, [Elyce.Morris@nau.edu](mailto:Elyce.Morris@nau.edu), or PO Box 4116, Flagstaff, AZ.
- **Bias Education and Support:** Campus Inclusion Team: At NAU, we are committed to creating and maintaining an environment free of discrimination based on race, color, ethnicity, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, and genetic information. The Campus Inclusion Team (CIT) is committed to fostering a campus community that honors diversity, freedom of expression, and inclusiveness through individual support, campus trainings, and resource referrals. CIT does not investigate or adjudicate specific incidents of conduct or advise on disciplinary matters. CIT welcomes open, courageous, and challenging discussions across the full spectrum of human issues and intersections in our campus communities. CIT encourages the exchange of ideas through academic inquiry, civil discourse, and respect for individuals. CIT recognizes the value of free speech and also that some speech may be hurtful and even disparaging. CIT can provide support for students, faculty, and staff impacted by such speech by listening, discussing, and connecting individuals with resources. University community members may report concerns related to diversity and inclusion to CIT; if a reported concern appears to involve a legal or policy violation, the CIT will refer the impacted individuals or communities to the appropriate resource. We encourage anyone who has experienced or witnessed an act of bias to report it and to access available resources. Together, we can work to make NAU a more welcoming community for all. For more information and online reporting options, please visit: <https://in.nau.edu/campus-inclusion-team/> or email the team at [campusinclusionteam@nau.edu](mailto:campusinclusionteam@nau.edu).
- **Title IX/Sexual Misconduct Report Form:** If a student does not wish to pursue any of the options listed above, they may fill out this form to give anonymous information about what happened. In addition, students can make a non-anonymous official report via this form. The form can be found at [https://cm.maxient.com/reportingform.php?NorthernAZUniv&layout\\_id=52](https://cm.maxient.com/reportingform.php?NorthernAZUniv&layout_id=52).

## COURT ORDERS, NO CONTACT ORDERS AND ACCESS RESTRICTIONS

Northern Arizona University complies with Arizona law in recognizing a valid protection order that is related to sexual assault, dating violence, stalking, domestic or family violence and that is issued by a court in another state, a court of a United States territory, or a tribal court for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to another person for as long as the order is effective in the issuing jurisdiction. Victims who have obtained an Order of Protection are encouraged to provide a copy to AWC PD and the Title IX Office or the Office of the Dean of Students as appropriate.

In most instances, the University cannot apply for an order of protection or injunction prohibiting harassment on behalf of a victim. The victim is required to file a petition for an Order of Protection or Injunction against Harassment with a Justice of the Peace, Municipal or Superior Court Judge. In the event a victim is either temporarily or permanently unable to request the order or injunction, a third party may request the order or injunction on behalf of the victim. The victim may also seek assistance from Yuma County Victim Services at <https://www.yumacountyaz.gov/government/county-attorney/divisions-a-quick-look/victim-services>. For direction on applying for Orders of Protection and Injunctions against Harassment, please contact the AWC PD or the below listed courts.

### Yuma:

- [Yuma Municipal Court](#), 1515 S. 2nd Avenue, Yuma, AZ, 928-373-4800
- [Yuma County Superior Court](#), 250 W. 2nd Street, Yuma, AZ, 928-817-4083



- [Yuma County Justice Court](#), 250 W. 2nd Street, Yuma, AZ 928-817-4100

**Flagstaff:**

- [Flagstaff Municipal Court](#), 101 W. Cherry Avenue, Flagstaff, AZ, 928-213-3000
- [Coconino County Superior Court](#), 200 N. San Francisco Street, Flagstaff, AZ, 928-679-7600
- [Flagstaff Justice Court](#), 200 N. San Francisco Street, Flagstaff, AZ, 928-679-7650

In addition, the Arizona Protective Order Initiation and Notification Tool (AZPOINT) at <https://azpoint.azcourts.gov/> allows the victim (or eligible third party) to fill out their forms online for an Order of Protection before going to the courthouse. AZPOINT is made available to the public by the Arizona Judicial Branch, in partnership with the Arizona Criminal Justice Commission.

In the case of Injunctions Against Workplace Harassment, which are used to help prevent violence in the workplace, an employer, or authorized agent of an employer, may file a petition for the injunction.

**A Mutual No Contact Order or Denial of Access** may be requested from the Title IX Office. Students may also work with the Title IX Office to receive supportive measures and/or permanent remedies including; assistance with changing academic, living arrangements, transportation, and working situations, if requested and reasonably available. Anyone wishing to request assistance with supportive measures involving an employee or other member of the university community should contact the Title IX Coordinator.

Further, the institution will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Students may edit their FERPA/Directory Restrictions in their LOUIE Student Service. Instructions are provided in the following link: <https://in.nau.edu/ferpa/ferpa-faq/>

## OTHER CONSIDERATIONS IN REPORTING

A victim who does not wish to file an administrative complaint through one of the University processes or pursue action within the criminal justice system may still file an Anonymous Police Report with the AWC PD describing the details of the incident at <https://www.azwestern.edu/student-support/campus-police/anonymous-crime-report-form>. Without these reports, crime trends and other issues of concern may not be identified. As such, prompt and accurate reporting of all criminal incidents to the AWC PD is strongly encouraged. It should be noted that Arizona Revised Statutes allow for victimless prosecution in certain instances. All information available to the University may be used to comply with our obligations to take steps to maximize the safety of campus for all individuals and comply with other laws and regulations.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. With such information, the college can keep an accurate record of the number of incidents involving students, and possibly determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the college community to potential danger. Because police reports are public record under state law reports of crime cannot be held in confidence. There is also CSA Crime Report Form for Campus Security Authorities through the NAU Police Department website: <https://in.nau.edu/police-department/campus-security/>

NAU does have an anonymous reporting process for victims of dating violence, domestic violence, sexual assault, or stalking. If a victim does not wish to file a police report or report the incident through the Office of the Dean of Students or the Title IX Office, they may fill out this Title IX/Sexual Misconduct Report Form to give information about what happened: [https://cm.maxient.com/reportingform.php?NorthernAZUniv&layout\\_id=52](https://cm.maxient.com/reportingform.php?NorthernAZUniv&layout_id=52). The purpose of the anonymous sexual assault report is to assess the danger the incident may present to the community at large as well document it for inclusion in the annual crime statistics. No names are used, nor is any information included that might identify the victim. If a victim chooses to go this route, it is the victim's choice how much information is shared and all efforts are made to maintain the victim's anonymity. Support options and resources are listed <https://in.nau.edu/title-ix/>. For more information visit <https://in.nau.edu/title-ix/resources/>.

If you are a victim of sexual assault, it is important for you have access to services such as medical attention and counseling regardless of your decision to report the incident. When you talk to a counselor, the information you provide will remain confidential and the counseling relationship provides a safe space for you to talk about the incident and how it has affected your life. There are, however, a few exceptions to confidentiality. If you are under the age of 18, the counselor is mandated to report certain offenses such as a sexual assault. If you are seen as a potential harm to yourself or another person, the counselor must also break confidentiality. These factors are considered on a case-by-case basis. NAU counselors are encouraged, when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

## RESOURCES FOR VICTIMS

A variety of resources are available both on campus and in the community for students and employees who have been victims. As an NAU student or employee, you have access to the same resources as students and employees on the Flagstaff Mountain Campus. These resources will assist you directly or coordinate support with resources on your local campus.

### Local area resources:

- [Amberly's Place Family Advocacy Center](#)  
Yuma, AZ  
928-373-0849  
Resource listing for: on-site medical attention/emergency housing/mental health referrals/on-scene crisis intervention
- [Yuma County Victim Services](#)  
Yuma, AZ  
928-817-4300  
Resource listing for: court accompaniment/referrals to outside agencies/courtroom orientation/assistance with completing Orders of Protection/crisis intervention
- [Catholic Community Services of Southern Arizona, Inc.](#)  
Tucson, AZ  
520-670-0819  
Resource listing for: immigrant legal assistance

### On-Campus/Flagstaff Mountain Campus:

- [Campus Health Medical Services](#) provides a wide array of medical services and resources to the University community. 928-523-2131
- [Counseling Services](#) provides counseling to students of the University community whose lives have been disrupted by criminal activities or other incidents that affect their progress at this University. 24-hour contact with on-call counselors is available at 928-523-2261.
- [Employee Assistance and Wellness Office \(EAW\)](#) assists employees and their adult family members with personal and professional issues in a comfortable, accessible office. 928-523-1552
- [The Office of the Dean of Students](#) is responsible for ensuring that the conduct of each student attending the University contributes to an environment conducive to the University's academic objectives. The Office of the Dean of Students may take disciplinary action ranging from a warning to expulsion. The Office of the Dean of Students may also collaborate with the Title IX Office to provide supportive measures to students. 928-523-5181
- [The Equity and Access Office \(EAO\)](#) is responsible for overseeing the Nondiscrimination and Anti-Harassment Policy (formerly the Safe Working and Learning Environment Policy) which prohibits illegal discrimination and harassment. 928-523-3312
- The [Title IX Office](#) is responsible for NAU's institutional compliance efforts for Title IX, which includes sexual harassment, sexual assault, relationship violence and stalking. The Title IX Office also is responsible for offering supportive measures and overseeing their effective implementation. Title IX Coordinator, Elyce C. Morris, is a campus official invested with independent authority to address and correct discrimination, harassment, and behaviors that constitute sexual misconduct. 928-523-5315

- [Human Resources](#) plays an important role on campus and is involved in many ways in the health and management of our employees. 928-523-2223
- [Student Legal Counsel Office](#) assists NAU students with issues of a legal nature and can provide advice and referrals to outside attorneys. 928-522-4866
- [Disability Resources Office](#) leads collaborations with students, faculty, staff, and the campus community to cultivate a universally designed environment, and facilitates the removal of existing barriers for the full inclusion of people with disabilities. 928-523-8773
- [Center for International Education](#) (Visa and Immigration issues) 928-523-2409
- [Collegiate Recovery Program](#) 928-523-2131

**Flagstaff area resources:**

- [\(NACASA\) Northern Arizona Care and Services After Assault](#) is a safe place for victims (age 13 and older) of sexual assault to go for help and to explore their options after an assault. Specially trained doctors and nurses are available to provide medical/forensic care immediately following an assault. NACASA is available 24 hours a day through their non-reporting crisis hotline at 928-527-1900. Their services may also be coordinated through local law enforcement.
- [Victim/Witness Services of Coconino County](#) is a nonprofit organization of staff and volunteer advocates who work as a team with agencies, individuals, and law enforcement personnel to provide immediate community intervention, social services, and referral resources. They continue to support victims and their families who are involved in the criminal justice process by offering victim compensation, victim advocacy, and community education. Victim/Witness Services provides information and referrals. M-TH, 8-5 and F, 8-4, 928-856-7676.

**State and Federal:**

- [Native Americans for Community Action \(NACA\)](#); Website has links to statewide resources.
- [AZ Department of Health Services](#) - Behavioral Health Services; Links to Regional Behavioral Health Authorities in Arizona and links to Tribal Regional Behavioral Health Authorities in Arizona
- [Arizona Child & Family Advocacy Network](#)
- [Rape, Abuse and Incest National Network \(RAINN\)](#); 1-800-656-HOPE
- [U.S. Department of Justice, Office on Violence Against Women](#)
- [Southwest Behavioral Health](#)

## ADMINISTRATIVE COMPLAINTS AND UNIVERSITY DISCIPLINARY PROCEDURES

A complaint may be made under the Sexual Misconduct Policy whether or not criminal charges are filed. If there is concurrent jurisdiction over a particular incident the University may determine, in consultation with the victim, the most appropriate option for addressing the complaint.

The University disciplinary processes will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. The resolution of complaints of sexual misconduct are completed in a timely manner, usually within 60 days of the report. Investigators and hearing board members will be trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Investigators and hearing board members also receive training on institutional policy and procedures, due process principles, and investigatory best practices.

**Procedures for Allegations Filed under the Sexual Misconduct Policy:**

**Notice of Allegations**

Upon receipt of a formal complaint from a student or employee or upon the initiation of a formal complaint by the

Title IX Coordinator on behalf of the University, the University must provide the following written notice to the parties who are known: notice of the University's grievance procedures, including any information resolution process, notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

The University's written notice must also include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney and may inspect and review evidence. In accordance with Item 6 of the University's Student Code of Conduct, the University prohibits the parties from initiating, causing, or contributing to any false report. In addition, the Faculty Handbook Code of Ethics and Conduct Section 3.1 prohibits the intentional misrepresentation of personal opinions. Such conduct is subject to disciplinary sanctions.

If, in the course of investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the notice requirements above, then the University will provide notice of the additional allegations to the parties whose identities are known.

### **Investigations of a Formal Complaint**

The University must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the University's education program or activity, or did not occur against a person in the United States, then the University must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under title IX. However, such a dismissal does not preclude action under another provision of the University's code of conduct.

As soon after the initiation of the investigation as possible, the Title IX Coordinator or the designated investigator shall notify all University employees or students who are believed to have documentary, electronic, or tangible evidence to preserve such evidence for the investigation. The University must also notify the complainant of: (a) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order, (b) the agencies to whom the alleged offense should be reported, (c) options regarding law enforcement and campus authorities, including notification of the complainant's option to (i) notify proper law enforcement authorities, including on-campus and local police, (ii) be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses, and (iii) decline to notify such authorities.

When investigating a formal complaint, the University must ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the University and not on the parties, provided that the University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do.

The University must provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The University must also provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. In addition, the University may not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

The University must provide the parties with the same opportunities to have others present during any grievance

proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University may not limit the choice of advisor or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding. Advisors are not required to be attorneys. Additionally, the University may not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. However, the University may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

The University must also provide to the party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interview, or other meetings with a party, with sufficient time for the party to prepare to participate.

### **Investigative Report**

The University is required to create an investigative report that fairly summarizes relevant evidence. Prior to completion of an investigative report, the University must send each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format, or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The University must also provide a copy of the investigative report at least 10 days prior to a hearing or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

### **Live Hearing**

The University is required under Title IX to have a live hearing as part of the University's grievance procedures.

During a live hearing, the University and the University's decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the parties' advisor of choice and never by a party personally, notwithstanding the discretion of the University to otherwise restrict the extent to which advisors may participate in the proceedings. If a party does not have an advisor present at the live hearing, the University will provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross examination on behalf of that party.

The University must also make all evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examinations.

Only relevant cross cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Live hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Universitys must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and

review. At the request of either party, the University must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

### **Determination Regarding Responsibility**

For the purpose of making a determination regarding responsibility, the University must appoint decision-maker(s) who cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s) for the University's grievance procedures. When making a determination regarding responsibility, the University must apply the preponderance of the evidence standard.

The University's decision-maker(s) must issue a written determination regarding responsibility. The University must provide the written determination to the parties simultaneously. The University's written determination must include:

- (a) identification of the allegations potentially constituting sexual harassment;
- (b) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (c) findings of fact supporting the determination;
- (d) conclusions regarding the application of the University's code of conduct to the facts;
- (e) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, and disciplinary sanctions the University imposes on the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and
- (f) the University's procedures and permissible bases for the complainant and respondent to appeal.

The following sets forth a non-exhaustive list of potential remedies for complainants, which the University may impose. Possible sanctions include suspension, termination, and expulsion.

The University may provide immediate steps and interim measures to ensure the safety and well-being of the complainant, such as counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

In cases of alleged violence, sexual harassment, dating violence, sexual assault, or stalking, both the complainant and the respondent shall be simultaneously informed in writing of the outcome of any institutional disciplinary proceeding, the institution's procedures for the accused and the complainant to appeal the results of the institutional disciplinary proceeding, any change to the results that occurs prior to the time that such results become final, and when such results become final.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible for effective implementation of any remedies.

### **Appeals**

The University must offer both parties an appeal from a determination regarding responsibility, and from a University's dismissal of a formal complaint or any allegations therein, on the following bases: (a) procedural irregularity that affected the outcome of the matter; (b) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or (c) the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or

against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

As to all appeals, the University must (a) notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties; (b) ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator; (c) ensure that the decision-maker(s) for the appeal complies with the standards set forth in this policy and Title IX; (d) give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome; (e) issue a written decision describing the result of the appeal and the rationale for the result; and (f) provide the written decision simultaneously to both parties.

### **Informal Resolution Process**

A University must not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, a University may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the University may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the University (a) provides to the parties a written notice disclosing: (i) the allegations, (ii) the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and (iii) any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; (b) obtains the parties' voluntary, written consent to the informal resolution process; and (c) does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **Record Keeping**

A University must maintain for a period of seven years records of each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the University's education program or activity; any appeal and the result therefrom; any informal resolution and the result therefrom; and all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. Materials used to train Title IX Coordinators, investigators, decision-makers, and any persons who facilitates an informal resolution process will be publicly available on the University's website.

The University shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the University shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity. If the University does not provide a complainant with supportive measures, then the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the University in the future from providing additional explanations or detailing additional measures taken.

## **STATEMENT REGARDING CONFIDENTIALITY**

University Campus Security Authorities can meet their Clery obligation to report the crime statistic while maintaining the confidentiality of the victim by utilizing the CSA Crime Report Form located on the NAU Police

Department's web page. This form is submitted to the NAU Police Department for inclusion in the year's Clery statistics; however it does not include any personally identifiable information. A victim's personally identifying information is not included in any Clery Act reporting and public disclosures such as the Daily Crime Log, Annual Security Report or Timely Warnings.

Additionally, some university employees may have a duty to report as outlined in A.R.S. 13-3620 relating to minors.

Because police reports are public record under state law, the AWC / NAU PDs cannot hold reports of crime in confidence.

## SEX OFFENDER REGISTRATION

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, with or without compensation, volunteer services or is a student.

The Arizona Department of Public Safety maintains the official website for sex offender information for the state of Arizona. The purpose of the Arizona sex offender information website is to provide information to the public concerning the location of sex offenders within Arizona and can be accessed at <https://www.azdps.gov/services/public/offender>.

## WEAPONS POLICY

Northern Arizona University prohibits the use, possession, display, or storage of any weapon on all property and facilities owned, leased, or otherwise under the university's control, and at all university activities or events except as provided for in ARS 12-781.

All University students and employees are required to immediately report violations or suspected violations of this policy to a University official or the NAU PD by calling 928-523-3611. In the event of an immediate threat to life or property, call 911.

In addition to sanctions that may be imposed under applicable law, violations of this policy by NAU students are subject to disciplinary action under the Student Code of Conduct up to and including suspension and expulsion. Violations by employees are subject to disciplinary action under applicable ABOR and NAU employee conduct policies up to and including termination of employment. Violations of this policy by visitors, guests, or members of the general public may result in ejection from University property, arrest, and/or confiscation of a prohibited weapon or other dangerous item. The complete policy and its limited exceptions can be found at <https://nau.edu/university-policy-library/weapons/>.

## CRIME STATISTICS

Crime statistics are gathered in accordance with the guidelines established under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. In addition to publishing this Annual Security Report, the NAU PD submits the annual crime statistics published in this report to the U.S. Department of Education.

Under limited circumstances, NAU may remove a reported crime from its crime statistics. This may only be done when a sworn or commissioned law enforcement personnel has fully investigated the reported crime and, based on the results of this full investigation and evidence, had made a formal determination that the crime report is false or baseless and has been determined "Unfounded." The crime statistics are provided on the following pages after the Clery Act crime definitions.

**The campus crime, arrest, and referral statistics contained in this report include reports made to the NAU / AWC PDs, reports made to campus security authorities (CSAs), and reports made to local law enforcement agencies. It should be noted that not all local law enforcement agencies queried either responded to the request for statistics and/or were able to provide statistics for NAU's Clery reportable geography.**



**The following are Arizona definitions (Violence Against Women Act - VAWA) crimes- include dating violence, domestic violence, sexual assault and stalking:**

**Domestic Violence (Ariz. Rev. Stat. § 13.3601):** means any act that is a dangerous crime against children or one of the following offenses as prescribed in state law: negligent homicide, manslaughter, second degree murder, first degree murder, endangerment, threatening or intimidation, assault, aggravated assault, custodial interference, unlawful imprisonment, kidnapping, sexual assault, unlawful distribution of pictures depicting nudity or specific sexual acts, criminal trespass in the third degree, criminal trespass in the second degree, criminal trespass in the first degree, criminal damage, interference with judicial proceeding, disorderly conduct, intentional cruelty to animals, intentional interference or prevention of person making an emergency phone call, or use of electronic communication to terrify, intimidate, threaten or harass, harassment, aggravated harassment, stalking, surreptitious photographing, aggravated domestic violence, or child or vulnerable adult abuse, if any of the following applies:

- The relationship between the victim and the defendant is one of marriage or former or of persons residing or having resided in the same household.
- The victim and the defendant have a child in common.
- The victim or the defendant is pregnant by the other party.
- The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister, or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law, or sister-in-law.
- The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse or the defendant or to a person who resides or who has resided in the same household as the defendant.
- The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship; (b) The length of the relationship; (c) The frequency of the interaction between the victim and the defendant; (d) If the relationship has terminated, the length of time since the termination.

**Dating Violence:** Arizona law does not define the term dating violence.

**Stalking (Ariz. Rev. Stat. § 13-2923):** A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

- Suffer emotional distress or reasonably fear that either: (a) The victim's property will be damaged or destroyed; or (b) Any of the following will be physically injured: (i) The victim; (ii) The victim's family member, domestic animal or livestock; (iii) A person with whom the victim has or has previously had a romantic or sexual relationship; (iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.
- Reasonably fear death or the death of any of the following: (a) The victim's family member, domestic animal or livestock; (b) A person with whom the victim has or has previously had a romantic or sexual relationship; (c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

**Sexual assault (Ariz. Rev. Stat. § 13-1406):** A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

**Violent sexual assault (Ariz. Rev. Stat. § 13-1423):** A person is guilty of violent sexual assault if the offense involved the discharge, use, or threatening exhibition of a deadly weapon or dangerous instrument or involved the intentional or knowing infliction of serious physical injury and the person has a historical prior felony conviction for a sexual offense under this chapter or any offense committed outside this state that if committed in this state would

constitute a sexual offense under this chapter.

For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Arizona law are as follows:

**Rape:** Arizona law does not define the term rape.

**Fondling:** Arizona law does not define the term fondling.

**Incest (Ariz. Rev. Stat. § 13-3608):** Persons who are 18 or more years of age and are within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who knowingly intermarry with each other, or who knowingly commit fornication or adultery with each other are guilty of a class 4 felony.

**Statutory Rape:** Arizona law does not define the term statutory rape.

Other crimes under Arizona law that may be classified as a “sexual assault” include the following:

**Sexual abuse (Ariz. Rev. Stat. § 13-1404):** A person commits sexual abuse by intentionally or knowingly engaging in sexual contact with any person who is 15 or more years of age without consent of that person or with any person who is under 15 years of age if the sexual contact involves only the female breast. It is not a defense to a prosecution for a violation of this section that the other person consented if the other person was 15, 16, or 17 years of age and the defendant was in a position of trust.

**Sexual conduct with a minor (Ariz. Rev. Stat. § 13-1405):** A person commits sexual conduct with a minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years of age.

**Molestation of a child (Ariz. Rev. Stat. § 13-1410):** A person commits molestation of a child by intentionally or knowingly engaging in or causing a person to engage in sexual contact, except sexual contact with the female breast, with a child who is under 15 years of age.

**Consent (as it relates to sexual activity) (Ariz. Rev. Stat. § 13-1401(7)):** “Without consent” includes any of the following: (a) The victim is coerced by the immediate use or threatened use of force against a person or property; (b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another; (c) The victim is intentionally deceived as to the nature of the act; (d) The victim is intentionally deceived to erroneously believe that the person is the victim’s spouse.

## CLERY CRIME DEFINITIONS

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

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

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

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

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

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

**Robbery:** The 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:** The theft or attempted theft of a motor vehicle.

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

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

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

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

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

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

For the purposes of this definition:

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

### **Arrests and Disciplinary Referrals for Violations of Weapons, Drugs and Liquor Laws**

An **arrest** for Clery Act definition, is when a person is processed by arrest, citation, or summons.

**Referred for disciplinary action** is the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

**Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or

other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## CLERY GEOGRAPHIC CATEGORIES

**On-Campus:** Any building or property owned or controlled by the 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, 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).

**Note: Statistics for university housing facilities are recorded and included in both the On-Campus category and the On-Campus Student Housing Facility category.**

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

**Non-Campus:** 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.

**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.

## HATE CRIMES

Northern Arizona University is also required to disclose statistics for Hate Crimes. A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is an expressed negative opinion or attitude toward a group of persons based on actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability. Before an incident can be classified as a Hate Crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

For Clery purposes, Hate Crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson (previously defined under "Clery Crime Definitions") and Larceny-Theft, Destruction/Damage/Vandalism of Property, Intimidation, and Simple Assault (defined below).

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, motor vehicle theft, and attempted motor vehicle theft are excluded.

**Destruction/Damage/Vandalism of Property:** 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.

**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.

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

**Reported Hate Crimes:**

**2017: No Reported Hate Crimes**

**2018: No Reported Hate Crimes**

**2019: No Reported Hate Crimes**

## NAU – Yuma: Arizona Western College

**\*This campus does not have any on-campus student housing facilities or any noncampus buildings or property.**

	<b>On-Campus</b>	<b>Public Property</b>	<b>Unfounded Crimes</b>
<b>Murder and Non-Negligent Manslaughter</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Manslaughter by Negligence</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Rape</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Fondling</b>			
2017	0	0	0
2018	1	0	0
2019	0	0	0
<b>Incest</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Statutory Rape</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Robbery</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Aggravated Assault</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Burglary</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0

	<b>On-Campus</b>	<b>Public Property</b>	<b>Unfounded Crimes</b>
<b>Motor Vehicle Theft</b>			
2017	0	0	0
2018	1	0	0
2019	0	0	0
<b>Arson</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Arrests: Weapons Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Disciplinary Referrals: Weapons Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Arrests: Drug Law Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Disciplinary Referrals: Drug Law Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Arrests: Liquor Law Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0

<b>VAWA</b> Violence Against Women Act	<b>On-Campus</b>	<b>Public Property</b>	<b>Unfounded Crimes</b>
<b>Dating Violence</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Domestic Violence</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0
<b>Stalking</b>			
2017	0	0	0
2018	0	0	0
2019	0	0	0

<b>Total Unfounded Crimes</b>	
2017	0
2018	0
2019	0