Annual Security Report for 2017

COMMUNITY COLLEGE OF RHODE ISLAND

October 2018
<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement, Security Responses, and Relationship with Local Law</td>
<td></td>
</tr>
<tr>
<td>Enforcement</td>
<td>1.</td>
</tr>
<tr>
<td>Authority of Campus Police</td>
<td>1.</td>
</tr>
<tr>
<td>Reporting a Crime/Emergency</td>
<td>2.</td>
</tr>
<tr>
<td>How We Prepare the Annual Crime Report/Statistics</td>
<td>3.</td>
</tr>
<tr>
<td>Timely Warning Policy</td>
<td>4.</td>
</tr>
<tr>
<td>Emergency Response and Evacuation</td>
<td>5.</td>
</tr>
<tr>
<td>Dangerous/Deadly Weapons Policy</td>
<td>7.</td>
</tr>
<tr>
<td>Policy on Alcohol, Drug Use and Amnesty</td>
<td>7.</td>
</tr>
<tr>
<td>Confidential Reporting</td>
<td>8.</td>
</tr>
<tr>
<td>Mandated Reporters/Campus Security Authorities/Exemptions from</td>
<td></td>
</tr>
<tr>
<td>Reporting</td>
<td>9.</td>
</tr>
<tr>
<td>Definitions of Reportable Crimes/Local Statutes for Sex Offenses</td>
<td>10.</td>
</tr>
<tr>
<td>Education and Prevention Programs for Sexual Assault,Domestic Violence</td>
<td>15.</td>
</tr>
<tr>
<td>Campus Sexual Assault Information</td>
<td>17.</td>
</tr>
<tr>
<td>Sex Offender Information</td>
<td>20.</td>
</tr>
<tr>
<td>Title IX and Title IX Coordinators/Investigators</td>
<td>21.</td>
</tr>
<tr>
<td>Postsecondary Education Sexual Harassment and Sexual Violence Policy</td>
<td>21.</td>
</tr>
<tr>
<td>Procedures the College will follow when receiving a complaint of Domestic violence, dating violence, sexual assault and stalking</td>
<td>23.</td>
</tr>
</tbody>
</table>
Resources 24.

What to do if you are sexually assaulted/Information for complainants involved with sexual violence 26.

Reporting by Responsible Employees 27.

Non-Retaliation Policy 28.

Confidentiality 30.

Disciplinary Action 33.

Student Sanctions 38.

Crime Statistics by Campus 41.

Hate Crime Statistics by Campus 48.

Security Awareness Programs/Personal Safety on Campus 54.

Lost and Found 56.
LAW ENFORCEMENT, SECURITY RESPONSES, AND RELATIONSHIPS WITH LOCAL LAW ENFORCEMENT

At the Community College of Rhode Island, we are committed to a safe school environment on all of our campuses. The charge of the Community College of Rhode Island Police Department (CCRPD) is to serve and protect the campus community and to enhance the quality of life on each of our four campuses. This is achieved in conjunction with the campus community through the enforcement of laws, crime prevention activities, and education and community awareness. The foundation of our department is community service. All people within our jurisdiction are served with respect and fairness.

The Community College of Rhode Island Police Department is committed to the prevention of crime, the investigation of problems and incidents, the preservation of security, and the enforcement of all laws and college rules. Services of the CCRPD are oriented to produce an environment that enables the college to implement its mission of education and public service.

The CCRPD patrolls on foot and motor vehicles at campuses in Warwick, Lincoln, Providence and Newport. The Warwick and Lincoln Campuses are patrolled 24 hours per day, 7 days a week. The Providence and Newport CCRPD operate 7am to 11pm with some fluctuation of hours based on functions specific to the respective campus. The Newport Campus is closed on Sundays. The department is led by Interim Chief Sean T. Collins, who has more than 35 years’ experience in municipal, federal, and college law enforcement. Our department consists of two captains, four lieutenants, twenty-three sworn police officers and one college patrol person. We are a sworn police department trained by the Rhode Island Municipal Police Training Academy or its equivalent in other jurisdictions. Our officers have full arrest powers to enforce the laws of the State of Rhode Island. While officers do not carry firearms, they are equipped with non-lethal tools. Our jurisdiction is primarily within the geographical boundaries of each campus and the surrounding public streets and sidewalks adjacent the campuses.

The authority for campus police officers is granted by the RI Board of Education under Rhode Island General Law (RIGL 16-52-2). Campus police officers have the same authority conferred upon municipal police in the State of Rhode Island. Their authority includes the right to make arrests and issue Rhode Island Traffic Tribunal summonses. The department maintains a close working relationship with the local police departments where each of our campuses is located, the College’s Office of Student Affairs, the College’s Judiciary Committee, Student Government, Physical Plant, and other campus and non-campus organizations. The police department has many responsibilities including patrolling, both on foot and in vehicles, preventing, detecting and investigating criminal activities, assisting the disabled, fire safety services, crime prevention services, general building security and special event security. The department is also responsible for issuing parking permits, parking control, and motor vehicle control on campus.

The CCRPD maintains a Memorandum of Understanding with the Providence, Warwick, Newport, and Lincoln Police Departments. This allows rapid and robust mutual aid to assist our police department in any emergency. CCRPD can contact our neighboring agencies immediately by radio to request this assistance.
THE CRIME AWARENESS AND CAMPUS SECURITY ACT

The Student Right to Know and Campus Crime Awareness Act of 1990 mandates that all universities and colleges report certain information relating to campus crime statistics and campus police policies of that institution. In addition, the law requires the college to prepare, publish, and make available to all current students and employees, and to any applicant for enrollment or employment upon request, an annual police/security report. The report must include information about campus police/security policies and crime statistics of that institution.

Dedicated enforcement of college regulations, coupled with crime prevention and safety programs, help to meet these responsibilities. The Department strives to provide the high quality of safety and crime prevention services required to meet the needs of a progressive academic institution.

REPORTING A CRIME/EMERGENCY

The police department makes every effort to prevent crime by providing highly visible patrols with police personnel that respond quickly to the needs of the college community. To report a crime or emergency:

Emergencies at any campus: 825-2000 or 911. For routine/non-emergency business:

- Warwick 401-825-2109.
- Providence 401-455-6050.
- Newport 401-851-1620.
- Lincoln 401-333-7035.
- Westerly Contact Westerly Police at 401-596-2022 or dial 911.

Crimes can also be reported via the Blue Light phones on the various campuses, which are connected directly to campus police. While crimes should be reported to the campus police immediately, crimes may also be reported to any Campus Security Authority (CSAs). CSAs are instructed to report crimes immediately to the police.

When a complaint is received, an officer is dispatched to investigate and take appropriate action. All crimes are investigated and if prosecution through the court is required, we defer to the municipality where the incident occurred. When a student is involved, he/she is referred to the Dean of Students Office for appropriate action.
CCRI Police offers the ability to report anonymously:

https://www.ccri.edu/campuspolice/forms/anonymous-crime-report.html

To meet the training goals of the department, new officers attend and are certified by the Rhode Island Municipal Police Training Academy (Police Officers Commission on Standards and Training). Upon completion of the academy officers return to the department working under the direct supervision of the shift lieutenant and receive instructions on basic police procedures, report writing, and patrol procedures of the department. On a regular basis, officers receive instruction on C.P.R. /A.E.D. from certified instructors.

All new officers receive field training under a peer system. New members are assigned to a senior police officer and are provided instruction on all facets of the police departments operation. Police officers are also required to take part in external professional education, workshops and in-service trainings on the latest law enforcement techniques.

**HOW WE PREPARE THE ANNUAL DISCLOSURE AND CRIME STATISTICS**

The Campus Police prepare this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in coordination with local law enforcement agencies surrounding each of our campuses (Providence Police; Lincoln Police; Warwick Police; Newport Police; Westerly Police and the State Police), Divisions of Academic Affairs, Business Affairs, and Student Affairs. Each entity provides updated information of their educational efforts and programs to comply with the Act. Campus crime arrest and referral statistics include those reported to the CCRI Campus Police and designated campus officials called **Campus Security Authorities** (CSA’s). CSA’s at CCRI are identified as, but not limited to:

- Vice President of Student Affairs and Dean of Students
- Chief of Campus Police and all members of the Police Department
- Associate Dean of Students
- Director and Assistant Director of Student Services
- Director and Assistant Director of Athletics and Staff
- Directors and Deans
- Student Judicial Affairs
- Advisors to Students/Student Organizations
- Title IX Coordinator(s) and Investigators

Each year an email is sent providing all faculty, staff and students with the website to access this report. Copies of the report may also be obtained at any of the CCRI Campus Police Offices or by calling 401-825-2109. All prospective employees may obtain a copy from Human Resources by calling 401-825-2311 or visiting the website page http://www.ccri.edu/hr

Campus Police maintains a computerized database utilizing IMC software from Tritech, Inc. IMC is a police records management and dispatching system that captures all calls for service and criminal complaints. IMC provides analysis of statistical information for the Clery Report.
**Medical Emergency Response Services**

In a medical emergency, members of the CCRI community should dial 911 and/or call the Campus Police emergency telephone line (825-2000). All CCRI police officers are trained in first aid, Narcan and AED and will respond immediately. For routine care, students should contact the college nurse.

**Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Campus Police regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to maintenance for correction. All members of the College community can easily report equipment/safety problems by calling Campus Police dispatch at any time day or night (x2109).

**TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS**

The Clery Act requires the College to issue a “timely warning” to the campus community regarding any Clery Act crime reported to campus security authorities; occurs within the College’s geography; and is deemed to represent a serious or continuing threat to the College community. Emergency notifications may involve serious weather or crime issues that are not Clery crimes. In the event that a situation arises either on or off campus, which in the judgment of the CCRI Police in consultation with the Director of Administration, constitutes a serious or continuing threat to students and employees, a campus-wide “alert-emergency notification” or “timely warning” will be issued through the college email system to students, faculty, and staff. Depending on the particular circumstances of the crime or event, and all situations that could pose an immediate threat to the campus community, the College may use its emergency alert system* which provides the college community with more immediate notification. Examples of an emergency notification requirement would be an immediate threat to the health and safety of the community such as a building fire, earthquake, gas leak, or an armed intruder. Anyone with information warranting an emergency notification or timely warning should report the circumstances to the CCRI Police immediately at 825-2000.

The College has multiple systems for notifying the community in the event of emergencies. The College contracts with Rave Alert* for emergency notification services. This allows authorized users to send an immediate notification to all or selected members of the CCRI community who have provided emergency notification contact information. Messages about immediate or potential threats to the community can be sent via text, home phones, and multiple e-mail addresses. All members of the College community are requested regularly to provide updated emergency contact information so that they can receive messages from the emergency notification system.

The emergency notification system will be activated upon confirmation of an emergency situation that poses an immediate threat to the health or safety of students, faculty, and staff on campus, or when there is an event that requires closing the campus or limiting access (e.g. severe weather). Major incidents of arson, criminal homicide, and robbery are typical crimes requiring an alert. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of
the case and the information known by Campus Police, as well as when and where the incident occurred, when it was reported, and the amount of information known by Campus Police. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other College community members, and an alert would not be distributed. In addition, cases reported long after the incident occurred may not require a “timely” warning notice to the community. The emergency notification system will NOT be used to send messages about criminal activity in the area unless the crime presents an immediate threat to safety on campus. The confirmation of an emergency or dangerous situation and the decision to issue an emergency notification system message is typically made by the Chief of Police/Director of Safety and Security and/or the Director of Administration. The Director may also confer with local first responders and/or the National Weather Service when confirming an emergency.

Executive leadership of the College are included in the decision to send a message if time permits. Depending on the type of emergency, Campus Police and/or members of the administration will confirm the emergency with the assistance of local/state first responders and/or the National Weather Service and will determine the appropriate segment(s) of the campus community to receive the notification. Campus Police can contact State/local police via radio and telephone directly. A decision will then be made by the Chief/Director and/or the Director of Administration as to the content of the notification and the notification will be initiated. For example, a threat to the Warwick Campus would not necessarily affect the Lincoln Campus and such a threat would likely only result in a warning to the Warwick Campus community. Similarly, a gas leak at the Newport Campus would likely only result in notification of evacuation to the Newport County Campus community.

The College will, without delay, and taking into account the safety of the community, determine the content of the emergency message and initiate the emergency messaging system, unless issuing a message will, in the judgment of the Police Department or other responsible authorities, jeopardize or compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency situation. Campus Police and administration maintain a set of pre-recorded messages in the emergency notification system to support rapid communication in the event of an immediate threat to the campus community. As an event unfolds, the College may update the community via emails that are more detailed and/or through its website or other social media. The larger community surrounding the affected campus (es) may be updated by marketing through the website, various social media and/or media liaison.

CCRI students, faculty, and staff are automatically enrolled in our Rave Emergency Alert system if a phone number was supplied during enrollment/to MyCCRI Portal. To update an individual’s phone numbers go to:

https://www.ccri.edu/emergency/rave.html

EMERGENCY RESPONSE AND EVACUATION PROCEDURES
The College’s Emergency Management Plan includes information about incident teams; College operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. Campus departments are responsible for developing contingency plans and continuity-of-operations plans for their staff and areas of responsibility.

Campus Police Officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Police, local police from the respective campus jurisdiction, and/or the RI State Police, local emergency services, fire, rescue, etc., and those who typically respond and work together to manage the incident. Depending on the nature of the incident, other CCRI departments and other local or federal agencies could also be involved in responding to the incident.

Although each campus is different, all alarms and instructions must be followed. Once a fire alarm is activated or a public address message states that an evacuation is ordered, all occupants of the building must immediately evacuate. Occupants are advised to move away from the building to a safe area and not interfere with emergency responders. Depending on the scenario/campus/incident in question, evacuees may be directed to holding areas. All faculty, students, and staff must follow the direction of emergency responders.

Each year, the College will conduct a test of its emergency response and evacuation procedures and document the results. The date/time and description of the exercise will be recorded as well as whether the test/exercise was announced or unannounced.

The College conducted a tabletop exercise on ‘Active Threat’ on June 29th, 2017, which involved senior administration members, campus police, facilities, and local police.

SCREENING AND DISCIPLINE

The Community College of Rhode Island complies with all federal, state and local regulations relating to the prohibition of criminal conduct, including those that regulate the possession, use, and sale of alcoholic beverages, controlled substances, and firearms. Regulations governing student conduct are contained within the Student Handbook http://www.ccri.edu/Advising/Student_Services/handbook.html.

Employees are notified by the Office of Human Resources of all pertinent regulations.

http://www.ccri.edu/hr/handbook/

Policy on Off-Campus Conduct

The College shall have jurisdiction over student conduct that occurs on campus property or in correlation with College functions and affairs. The College shall also have discretion to exercise jurisdiction over conduct which occurs off-campus and that violates student conduct and discipline policies or regulations if the conduct occurred on campus when (1) the alleged misconduct indicates the
student may be a threat to the safety or security of members of the College community, or College property, functions or facilities, or (2) the alleged misconduct involves academic work or any records, documents, or identifications of the College.

Specifically, Student Judicial Affairs may choose to exercise jurisdiction over off-campus incidents under section (1) above where the alleged misconduct involves:

A. Sexual misconduct (see Page 36)
b. Sexual harassment
c. Possession or use of weapons, explosives or destructive devices
d. Manufacture, sale or distribution of controlled substances
e. Hate crimes
f. Hazing
g. Conduct that would constitute felony burglary, robbery, theft, etc.
h. Retaliation

Students involved in any of these offenses are subject to suspension or expulsion from the college.

DANGEROUS OR DEADLY WEAPONS OR DEVICES

The Community College of Rhode Island has maintained a long-standing policy prohibiting weapons on any of its campuses. The introduction of guns, knives, or other devices on campus is potentially dangerous to the entire college community and inconsistent with a safe learning environment. Faculty staff and students are advised that the introduction of any weapon is a direct violation of policy and a serious breach of security that will require immediate discipline, up to and including dismissal. This policy does not apply to law enforcement/other persons exempted by federal/state law.

Anyone aware of a potential violation of the No Weapons Policy should contact Campus Police.

ACCESS TO BUILDINGS

The CCRI Police Department is responsible for securing and unlocking all campus buildings according to scheduled activities. Police officers will assist any faculty or staff member that needs access to the buildings or their office after normal business hours. Most buildings allow electronic access via your employee identification card. Students have access during open hours when doors are opened automatically. The only campus without electronic locks is the Newport County Campus. For areas still controlled by key, the department maintains a strict key control system, and works closely with the vendor hired as the college locksmith. All requests for building and office keys/keycards must be submitted and approved by the police department before any keys are issued. Whenever police personnel find broken locks or doors, a report is sent to the college locksmith requesting immediate repairs. Although police are on duty 24 hours in Warwick and Lincoln, the department directs that all persons leave the building by 11:00 pm except for special events.

POLICY ON ALCOHOL AND DRUGS
The Community College of Rhode Island seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of its community. In keeping with these objectives, the college has established a policy governing the possession, sale and consumption of alcoholic beverages on the campus and in conformance with the laws of Rhode Island. Possession and/or consumption of alcohol are strictly controlled by the College. Rhode Island law states that no alcoholic beverages can be sold, delivered or in any way be given to a person under 21 years of age. Anyone under the age of 21 who knowingly makes false statements as to his/her age in order to purchase or in any way procure alcoholic beverages shall be subject to appropriate prosecution under state law. Consistent with its educational mission, the College sponsors programs that promote awareness of the physical, psychological, social and behavioral effects of alcohol consumption. Assistance is available in finding community resources for those who are experiencing alcohol related difficulties.

The use of narcotics or dangerous drugs on the campus violates College policy and Rhode Island State Law. The law prohibits the manufacture, distribution, dispensation, sale, possession or use of any illegal drug. Educational programs and seminars are developed which provide significant information and literature regarding the implications and consequences of drug use.

Any student who violates institutional policy or law as it relates to the use of alcohol and drugs may be subject to disciplinary action taken by the College including suspension or expulsion.

CCRI does consider all factors when a community member is involved in a crime of violence and in violation of the alcohol/drug policies. CCRI recognizes that students who have been drinking and/or using drugs (whether voluntarily or involuntarily) at the time of an incident of violence (such as Domestic Violence, Dating Violence, Stalking or Sexual Assault) may be hesitant to report such incidents due to fear of potential consequences. CCRI strongly encourages students/employees to report such incidents to officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of violence to CCRI official has or law enforcement may not be subject to disciplinary action for violations of the drug/alcohol policies. (Manufacturing and delivery of drugs/alcohol may still be prosecuted). This policy may apply to respondents as well. In certain circumstances, CCRI may grant additional amnesty for violations.

**Crime Reports and Crime Log**

Crime reports are available upon request and can be furnished by the Campus Police in two business days or within reason. The Federal Education Rights and Privacy Act may restrict certain information from being disclosed. The daily crime log contains information on reports made to the Campus Police for the last 60 days. The crime logs can be viewed at all campuses upon request.

**Confidential Reporting Procedures**

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director/Chief or a designee of Campus Police can file a report on the details of the
incident without revealing your identity.*The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine if there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and reported in the annual crime statistics for the institution.

*In cases of sexual assault/harassment, your identity may be revealed to the Title IX coordinator.

Some individuals request the College keep their name confidential or anonymous and/or not investigate an alleged incident. The College will honor this request to the extent permitted by law and provided it does not interfere with the College’s ability to address behavior. There are certain instances in which CCRI has a broader obligation to the college community and may need to override an individual’s request for privacy or that the college not investigate a matter. Because confidentiality and privacy requests can affect the college’s ability to appropriately address and resolve the behavior in question, we will weigh these requests very carefully, and will act discreetly with regard to individual privacy and sensitivity to any situation that could violate the Code of Conduct or Sexual Harassment and Sexual Violence Policy. Absent special circumstances, the Title IX Coordinator or Dean of Students will share information with college personnel who assist in implementing these policies and procedures. For more information, please see the College policy on sexual violence and confidential options:

https://www.ccri.edu/hr/handbook/pdfs/SexHarassPolicy.pdf

MANDATED REPORTERS AND EXEMPTIONS

The Clery Act requires institutions of higher learning to identify persons on their campuses who are mandated to report crime. These employees are known as Campus Security Authorities (CSAs). Specifically, the Act requires that the school designate persons who have significant responsibility for student and campus activities but do not have significant counseling responsibilities to report crimes that come to their attention:

- Vice President of Student Affairs and Dean of Students
- Chief of Campus Police and all members of the Police Department
- Associate Dean of Students
- Director and Assistant Director of Student Services
- Director and Assistant Director of Athletics and Staff
- Directors and Deans
- Student Judicial Affairs
- Advisors to Students/Student Organizations
- Title IX Coordinator(s) and Investigators

The list above does not imply that others should not or cannot report crime on our campus or that they do not have an ethical or moral responsibility to do so.

Persons Exempt from Mandated Reporting
Pastoral and professional counselors working in Counseling Services; Health Services; or Campus Ministry.

Because of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be Campus Security Authorities (CSAs). Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

**Pastoral Counselor**

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

The Community College of Rhode Island encourages all counselors to advise clients that confidential reporting of crimes is desired for inclusion in the annual disclosure of crimes statistics.

**DEFINITIONS OF REPORTABLE CRIMES**

- **Murder/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 (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  
  Rape: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Both males and females can be raped.
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: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

The State of Rhode Island definitions of Sexual Assault:

First-degree sexual assault. A person is guilty of first-degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:

(1) Any forced, coerced penetration of the vagina, anus, or mouth by any part of another’s body or an object
(2) Lack of consent. This does not require physical resistance or verbal refusal. Someone who is asleep, drunk/intoxicated, or otherwise unable to give consent can be raped.

Second-degree sexual assault. A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:

(1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
(2) The accused uses force, element of surprise, or coercion.
(3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

Third degree sexual assault. A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

• Robbery: The taking, or attempt to take, anything of value under confrontational circumstances from the control, custody, or care of another person or persons by force, or threat of force, violence or by putting the victim in fear of immediate harm.

• 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 (Breaking and Entering): The unlawful entry into a building or structure with the intent to commit a felony or theft. Forced entry is not a required element of the offense, so long as the entry is
unlawful (a trespass). The entry may be made through an unlocked door or window. Burglary includes unsuccessful attempts at entry using force or where an offender is frightened off while entering an unlocked door or open window.

- **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, aircraft, or personal property of another, etc.

- **Hate Crime**: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Categories of bias include race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

- **Liquor Law Violation**: Any violation of any law or ordinance prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages. Driving under the Influence of an intoxicating substance comes under a different statute as does “drunkenness”.

- **Drug Abuse Violation**: 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.

- **Weapons Possession**: Any violation of any laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, edged instruments, explosives, incendiary devices, or other deadly weapons.

- **Domestic Violence. The Violence Against Women Act (VAWA) defines Domestic Violence, Dating Violence, and Stalking:**

  **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** - defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration to 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 - defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

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.

The State of RI defines Dating Violence, Domestic Violence and Stalking:

DATING VIOLENCE

(R.I.G.L. 16-22-24)
“Dating violence” means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.
The following words and phrases, when used in the above definition, have the following meanings:
"Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long term.

DOMESTIC VIOLENCE

(R.I.G.L. 12-29-2)
"Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:
(1) Simple assault (§ 11-5-3);
(2) Felony assaults (§§ 11-5-1, 11-5-2, and 11-5-4);
(3) Vandalism (§ 11-44-1);
(4) Disorderly conduct (§ 11-45-1);
(4) Trespass (§ 11-44-26);
(5) Kidnapping (§ 11-26-1);
(6) Child-snatching (§ 11-26-1.1);
(7) Sexual assault (§§ 11-37-2, 11-37-4)
(8) Homicide (§§ 11-23-1 and 11-23-3);
(9) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation or a violation of a no contact order issued pursuant to § 12-29-4;
(10) Stalking (§§ 11-59-1 et seq.);
(11) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
(12) Burglary and Unlawful Entry (§ 11-8-1 et seq.);
(13) Arson (§ 11-4-2 et seq.);
(14) Cyber stalking and cyber harassment (§ 11-52-4.2); and
(15) Domestic assault by strangulation § 11-5-2.3.
The following words and phrases, when used in the above definition, have the following meanings:
"Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or if persons who are or have been in a substantive dating or engagement relationship within the past one(1) year which shall be determined by the court's consideration of the following factors:
(1) the length of time of the relationship;
(2) the type of the relationship;
(3) the frequency of the interaction between the parties.
"Victim" means a family or household member who has been subjected to domestic violence.

STALKING

(R.I.G.L. §§ 11-59-1 through 11-59-2)
“Stalking” means when a person: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury.
The following words and phrases, when used in the above definition, have the following meanings:
(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."
"Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

Consent:

Consent means conduct that signifies through words or behaviors that the parties have indicated agreement to engage in sexual activity. Consent is an informed agreement to participate in specific sexual acts.

- Past consent does not imply future consent.
- Silence or absence of resistance, by itself, does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time, including during sexual activity.
- Coercion, force or threat of force invalidates consent.

The State of Rhode Island defines coercion or force as when the accused:
• Uses, or threatens to use, a weapon or any article used or fashioned in a manner to lead the Victim to reasonably believe it to be a weapon.
• Overcomes the victim through the application of physical force or physical violence.
• Coerces the victim to submit by threatening to use force or violence on the victim and the victim reasonably believes that the accused has the present ability to execute these threats.
• Coerces the victim to submit by threatening to at some time in the future murder, inflict serious bodily injury upon or kidnap the victim or any other person and the victim reasonably believes that the accused has the ability to execute this threat.

ESCORT POLICY

It is the policy of the Campus Police to escort any individual that has concern for their personal wellbeing. After making contact with an officer, explain what your concerns are. We do not provide vehicle escorts but will walk you to your on-campus destination. Please be patient if an officer cannot accompany you immediately.

You may call the Campus Police at one of the following numbers for assistance.

• Warwick 401-825-2109
• Providence 401-455-6050
• Lincoln 401-333-7035
• Newport 401-851-1620

EDUCATION AND PREVENTION PROGRAMS

The programs to prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking mean comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end Domestic Violence, Dating Violence, Sexual Assault, and Stalking that:

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

Programs to prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking include both primary prevention and awareness programs directed at incoming students and new employees, ongoing prevention and awareness campaigns directed at students and employees, and risk reduction strategies.

The College continues to develop an annual educational campaign consisting of presentations and distribution of educational materials to all new students; presentations and distribution of materials to all new employees during new employee orientation; and ongoing presentation of materials and educational sessions to employees and students through the academic year.

The College offered the following programs in 2017:
For Sexual Assault, Dating/Domestic Violence, and Stalking, the College Haven* and Haven for employee’s programs. These VAWA topics are also discussed at student orientation. SafeZone Training, Trans101 Workshop, and Bystander training is also offered by the College upon request.

Awareness events in 2017 included a Clothesline Project, a Luminaria Vigil and a poster campaign as part of our ‘It’s On Us’ initiative.

All new employees are required to complete Workplace Harassment Training from United Educators, a comprehensive program designed to identify harassment and provide guidance in situations involving prohibited behavior. Student employees and athletes must participate in sexual assault prevention training.

*Haven is a program addressing the critical issues of Sexual Assault, Relationship Violence, Stalking, and Sexual Harassment – for students, faculty and staff. Created in collaboration with leading campus practitioners, researchers and national thought leaders including renowned expert Dr. Alan Berkowitz, Haven reaches 700,000 individuals at over 650 institutions across the country.

Bystander Intervention Training

Bystander intervention offers safe and positive options that can be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Domestic Violence, Dating Violence, Sexual Assault, or Stalking. Bystander intervention includes recognizing situations of potential harm, understanding cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Such action should be prudent and with regard for one’s own safety. Contact law enforcement, and seek assistance from faculty, staff or other persons in authority to end the abuse.

How to Be an Active Bystander

Bystanders play a critical role in the prevention of Sexual and Relationship Violence. They are “individuals” who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive toward another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.
**Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce risk of sexual assault or harassment for yourself or others:

- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Walk with purpose. Even if you do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
- Keep your hands free while walking in unfamiliar areas.
- Make sure your cell phone is with you, charged, and that you have cab money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Know where you are and who is around you and others.
- If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911).
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
- Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems disoriented, is overly intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately. If a friend is engaging in inappropriate behavior, intervene.
- If you suspect you or a friend has been drugged, seek medical care immediately. Be explicit with emergency/medical personnel so they can give you or your friend the correct tests (you may need a urine test and possibly others).

*Remember that being in this situation is not your fault.* You did not do anything wrong; it is the person who is making you uncomfortable that is to blame. Be true to yourself. Do not feel obligated to do anything you do not want to do. “I don’t want to” is always a good enough reason.

**CAMPUS SEXUAL ASSAULT INFORMATION**

The Community College of Rhode Island prohibits discrimination/harassment of any kind. Sexual Assault and Sexual Violence are examples of discrimination/harassment. All forms of Rape, Domestic Violence, Dating Violence, and Stalking are prohibited. The College provides a “Rights and Options for all Parties” brochure to those affected by incidents and complaints. This brochure is located here:


**What to do in the Event of a Sexual Assault**
In the event you are a victim of sexual assault, your first priority it to get to a place of safety and seek medical care. Seeking help from a hospital or trauma center ensures that individuals receive the necessary medical treatment and tests at no expense. It also provides the opportunity for collection of evidence that could aid in prosecution (if chosen), that cannot be obtained later (Ideally, individuals should not wash, douche, use the toilet or change clothing prior to a medical/legal exam.)

**Local, State or Campus Police**

Once you have received appropriate medical care, you will want to seek advice on what to do next. You have multiple options available to you and you will be the person who makes the decisions. Local, State or Campus Police You can consult with a police officer trained in sexual trauma to access medical care or counseling and learn about your legal rights WITHOUT having to file a police report. If you choose to consult with Campus Police, we will notify local law enforcement should you choose to file a criminal complaint.

**Community Resources**

Community support services give victims access to free confidential counseling from counselors trained in the area of sexual assault crisis intervention. Off-campus services that are available 24 hours a day and seven days a week include:

- Women’s Center (401-861-2760)        Day One (401-421-4100)

**College Resources**

The college strongly encourages individuals who have been assaulted to report the incident in a timely manner. Individuals reporting to the director of Institutional Equity/Title IX coordinator, dean of students or Campus Police shall be informed of the available options and will be provided information on interim protective measures if appropriate to the situation. For matters taking place on campus, involving other members of the college community or taking place at college events, the individual may choose to have the investigation pursued through the criminal justice system, the college disciplinary system, or both. College action is limited and the college’s disciplinary system is no substitution for legal action, criminal or civil. The community college strongly encourages individuals to file a criminal complaint, but it is the individual’s decision, and a report to the local police is not required in order to report the matter to the college or to receive accommodations or interim measures. Those affected by sexual violence (rape, fondling, dating/domestic violence, stalking, etc.) will receive a written notice of their rights and options for academic, working and related accommodations, as well as information on resources on and off campus for advocacy, legal support, medical and psychological care, and visa and immigration assistance.

CONFIDENTIAL COLLEGE REPORTING: Individuals may choose to file a confidential complaint where their identity will remain undisclosed at [www.ccri.edu/campuspolice/forms/silentwitness.html](http://www.ccri.edu/campuspolice/forms/silentwitness.html). This will allow for the incident to be counted in campus crime statistics, but this severely limits the ability to investigate or pursue charges against the respondent.
Various on-campus support and counseling services are available:

<table>
<thead>
<tr>
<th>ON-CAMPUS CONFIDENTIAL COUNSELING SUPPORT</th>
<th>ON-CAMPUS REPORTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advising and Counseling (for confidential, emotional support)</td>
<td>Title IX Coordinator: E. Canning</td>
</tr>
<tr>
<td>• Warwick: 401-825-2301</td>
<td>Knight Campus, RM 3318</td>
</tr>
<tr>
<td>• Lincoln: 401-333-7160</td>
<td><a href="mailto:ecanning@ccri.edu">ecanning@ccri.edu</a></td>
</tr>
<tr>
<td>• Providence: 401-455-6063</td>
<td>Dean of Students: M. Cunningham</td>
</tr>
<tr>
<td>• Newport: 401-851-1625</td>
<td><a href="mailto:deanofstudents@ccri.edu">deanofstudents@ccri.edu</a></td>
</tr>
</tbody>
</table>

Hours of operation vary and should not be considered an emergency contact. Check the website for current hours of operation.

ON- AND OFF-CAMPUS REPORTING
Campus Police: x2000 from any campus phone, all campuses. (24hr resources and criminal complaints).

www.ccri.edu/Advising/Student_Services/handbook.html

Court Orders of Protection

The College, local and state police, as well as members of CCRI’s professional staff can assist you in obtaining a restraining order against someone who has assaulted you. Depending upon the situation, you may obtain a Temporary Restraining Order (TRO), a District Court or Family Court Restraining order, a No Contact Order (NCO) (for the duration of the criminal case) and a no contact order issued from the College administration. Restraining orders issued from a court or justice of the peace are legally enforceable and a person violating the order can be arrested immediately. Violation of the College’s NCO are punishable under the range of sanction’s available to the College administration, which usually includes expulsion. Police advocates are available in most of the College’s jurisdictions. In addition to the Campus Police/police advocates helping you through the process, you can contact the courts directly:

Garrahy Judicial Complex (Providence County) 401-458-3372
Noel Judicial Complex (Kent County) 401-822-6680
McGrath Judicial Complex (Washington County) 401-782-4174
Murray Judicial Complex (Newport County) 401-619-2555/401-619-2865

What to Do If You Have Been Accused of Sexual Misconduct

Allegations of sexual assault or harassment are extremely serious and the college will address concerns raised to college officials. The college will not presume that you have violated the Student Conduct Code or any state or federal law. However, the college may put interim measures in place or take other
action, such as no-contact directives or interim suspensions, if the college reasonably deems it necessary, including for the safety of the parties or the community. Please see Article V, Section B of this handbook for how the college will handle interim measures.

If you are accused of sexual misconduct, a Title IX investigation will be conducted by a trained member of the Title IX compliance group. You will be notified about the accusation and you will be given an opportunity to respond to the accusation.

Please see the Rights and Options brochure, [http://www.ccri.edu/equity/titleix/2017_CCRI-Title_IX-FINAL-rev.pdf](http://www.ccri.edu/equity/titleix/2017_CCRI-Title_IX-FINAL-rev.pdf) for further information on your rights and resources available to you, including the ability to seek support from a free college counselor and accommodations for work and/or academic obligations. The brochure also provides information about off-campus resources such as immigration, visa, and legal assistance.

If you are charged with sexual misconduct through local law enforcement action that is unrelated to the community college, the college reserves the right to act preventively for the well-being of the broader community, up to and including interim suspension. However, no formal disciplinary action will be taken until the legal process has been concluded in accordance with the college’s policy on off-campus affairs.

### SEX OFFENDER REGISTRY

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information is provided by the State concerning registered sex offenders and where it may be obtained. It also requires sex offenders to register with the State and to provide notice, as required under State law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

In the State of Rhode Island, convicted sex offenders must register with the local police department in their municipality. Every person convicted on or after July 1, 1997, including juveniles sentenced as adults of an offense for which registration is required as part of their sentence imposed upon conviction, is to register and re-register with their local police agencies.

In addition, all persons convicted of violations under the laws of the United States or any other state substantially similar to an offense for which registration is required, shall provide to the local agency all necessary information within ten days of establishing a residence and reregistering within ten days of any change.

### INFORMATION ON SEX OFFENDERS

Any person wanting information on registered sex offenders or related information should contact the local municipal police agency with jurisdiction for the location of our campuses. The State of Rhode Island Parole Board maintains the following web site [http://www.paroleboard.ri.gov/sexoffender/agree.php](http://www.paroleboard.ri.gov/sexoffender/agree.php)
TITLE IX AND THE TITLE IX COORDINATORS

The Title IX Coordinator and Assistant Coordinators/investigators for CCRI are:

Elizabeth Canning, JD
Director,
Institutional Equity/Title IX Coordinator
Knight Campus/All campuses
400 East Ave, Warwick, RI 02886
401-825-1230
ecanning@ccri.edu

Bev Wiley
Deputy Title IX Coordinator-Athletics
Knight Campus
400 East Ave, Warwick, RI 0288
401-825-2102
bwiley@ccri.edu

Robyn Greene
Deputy Title IX Coordinator-Investigator
Newport Campus
401-851-1660
rogreene@ccri.edu

Michael Cunningham
Deputy Title IX Coordinator-Investigator
Lincoln/Warwick Campuses
401-333-7121
Mjcunningham2@ccri.edu

Tracy Karasinski
Deputy Title IX Coordinator-Investigator
Providence/Warwick Campus
401-455-6030/401-825-2305
tkarasinski@ccri.edu

COUNCIL ON POSTSECONDARY EDUCATION SEXUAL HARASSMENT AND SEXUAL VIOLENCE POLICY

POLICY STATEMENT

It is the policy of the Council on Postsecondary Education ("CPE"), its constituent institutions of higher education (specifically, the University of Rhode Island, Rhode Island College, and the Community College of Rhode Island) and the Office of Postsecondary Commissioner (collectively referred to as the "Covered Entities") to prohibit all forms of unlawful sexual harassment and sexual violence, as those terms are defined herein.

PURPOSE AND GOALS OF POLICY

- Defines the types of conduct that will be considered to be prohibited sexual harassment, sexual assault and sexual violence at the Covered Entities;
- Provides examples of such prohibited conduct;
- Sets forth the mandatory and discretionary reporting obligations and procedures pertaining to such conduct that is witnessed, experienced or learned about, by, or reported to, employees of the Covered Entities.
- Provides a list of contacts, and internal and external resources, available to individuals who experience or witness acts of sexual harassment, sexual assault and sexual violence or who have questions relating to those subjects.
BACKGROUND
Sexual harassment, as defined herein, is prohibited in employment by Title VII of the 1964 Civil Rights Act, the Rhode Island Fair Employment Practices Act, and in education programs, activities and benefits by Title IX of the Educational Amendments of 1972 and Title VI of the 1964 Civil Rights Act. Sexual violence (as defined herein) is prohibited in both the employment context, as well as in the educational programs, activities and benefits context, under Title IX of the Educational Amendments of 1972 ("Title IX") and the Violence Against Women Reauthorization Act of 2013 ("VAWA").

APPLICABILITY

All faculty, staff, and students at all Covered Entities must comply with this policy in an effort to foster an inclusive and safe academic and work environment. This policy applies to the perpetration of sexual harassment, sexual assault or sexual violence by one member of the Covered Entity's community (faculty, staff, student, or volunteer) against another. Depending on the context, the policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity. The policy applies to all such behavior occurring on campus, and to behavior occurring off campus when the behavior arises in the context of a Covered Entity event or otherwise has a significant relation to, or could have a significant impact on, the Covered Entity's living, learning or employment environments.

RETALIATION
Retaliation against any complainant or witness is prohibited and shall be treated as a separate violation under this policy as well as any of the Covered Entity's community standards and Non-Discrimination Policy.

Furthermore, no officer, employee, student or agent of any of the Covered Entities shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of law, or any of the Covered Entity's policies or procedures, relating to campus security or campus crime reporting, including any laws and policies relating to the reporting of, and required responses to, allegations of sexual violence.

The full document and Title IX policies for the Community College of Rhode Island can be found at: http://www.ccri.edu/titleix/index.html

Any person who feels that they may have been the target of or witness to sexual harassment, including sexual violence or sexual assault is encouraged to seek redress through the following:

(1) Student-to student complaint- Dean of Students, Title IX Coordinator or Campus Police
(2) Student-to-faculty complaint- Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Dean of Students or Campus Police
(3) Student-to-staff complaint- Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Dean of Students or Campus Police
(4) Staff-to-staff or faculty-to-faculty or faculty-to-staff complaint or faculty/staff to student complaint-Title IX Coordinator, Office of Human Resources, Director of Affirmative Action or Campus Police
(5) Non-credit/CWCE student complaint- Title IX Coordinator, Office of Human Resources, Director of Affirmative Action, Director of Community Services or Campus Police
(6) Vendors, Sub-Contractors, Visitors or Members of the public whose complaints are based on actions that happened within the College's jurisdiction- Title IX Coordinator, Office of Human Resources or Campus Police

CAMPUS POLICE

• Warwick  401-825-2109  • Lincoln  401-333-7035
• Providence  401-455-6050  • Newport  401-851-1620

The following individuals shall be considered "responsible employees" at CCRI for purposes of reporting complaints and incidents of Sexual Harassment and Sexual Violence under the CPE's Sexual Harassment and Sexual Violence Policy: College Officials and Administrators; full Time and Part Time Faculty; Academic Deans, Associate and Assistant Deans, and Department Chairs; Student Services Deans, Associate and Assistant Deans, Directors, Associate and Assistant Directors; Student Services Advisors, Coordinators and other professional staff; employees who are responsible supervisors for one or more employees; Athletic Coaches and Trainers; Student Organization Advisors; and other individuals designated as "Campus Security Authorities," as listed in the college's Annual Crime Statistics and Fire Safety Report ("Clery Report"). All such "responsible employees" are obligated to report all actual, suspected or alleged incidents of sexual harassment and Sexual Violence which are reported to them, or of which they become aware to the Office of Human Resources at 401-825-2311. The list above does not imply that others should not or cannot report Sexual Harassment and Sexual Violence or that they do not have an ethical or moral responsibility to do so. Notwithstanding the foregoing, pastoral and professional counselors providing counseling services as part of their duties are exempt from mandated reporting. A pastoral counselor is defined as an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Procedures College Will Follow When Receiving a Complaint of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

• College will assess the immediate safety needs of Complainant.
• College will assist Complainant with contacting local police if Complainant requests AND Complainant will be provided with contact information for the local police department.
• College will provide written instructions on how to apply for a Protective Order.
• College will provide written information to Complainant on how to preserve evidence.
• College will assess the need to implement interim or long-term protective measures to protect Complainant, if appropriate.
• College will provide Complainant with a written explanation of Complainant’s rights and options.
• College will provide a “No Trespass” directive to the accused party if deemed appropriate.
In cases of Sexual Assault, in addition to the above, the College will: provide written instructions on how to apply for a Protective Order, provide a copy of the policy applicable to Sexual Assault to Complainant, and inform Complainant regarding timeframes for inquiry, investigation, and resolution.

The College will provide written notification to the Complainant about options for and available assistance in changing academic, transportation, and working situations (if complainant is an employee or student worker), regardless of whether or not the Complainant chooses to report the crime to Campus Police or local law enforcement. The College will also provide information on existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services.

Examples of a change in an academic situation include changing the physical location of the class; doing work outside the classroom; dropping a course(s) without financial penalty; rescheduling exams; arranging for a temporary withdrawal from a program; and identifying alternative course completion options. Examples of a change in transportation include changing parking locations; assistance with alternative transportation options; and escort to/from his/her vehicle. Examples of a change in work situation could include a change in supervision; a change in office location; working from home; arranging for temporary leave; suspending the Respondent while the investigation is ongoing; and adjusting work schedule and/or responsibilities.

The College does not publish the name of crime victims or include personally identifiable information regarding victims in the Public Safety Department’s Daily Crime Log, in campus timely warnings issued, or online. Complainants may request that directory information on file be removed from public sources by contacting Elizabeth Canning, Title IX Coordinator and/or Michael Cunningham, Beverly Wiley, Robyn Greene, Tracy Karasinski, Deputy Title IX Coordinators (Contact information listed previously).

The College will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the same.

RESOURCES

Other resources available to persons who report being the victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking include:

Rape, Abuse and Incest National Network
www.rainn.org

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

Department of Education, Office for Civil Rights
http://www2.ed.gov/about/offices/list/ocr/index.html
Day One  1.800.494.8100
http://www.dayoneri.org/
A forensic nurse can be made available, usually through a local hospital.

THE INVESTIGATIVE PROCESS

INTRODUCTION: GENERAL COMPLAINT PROCEDURES

PERTAINING TO EMPLOYEES

These complaint procedures apply to complaints by or regarding employees of the Council on Postsecondary Education (the “Council”), the University of Rhode Island, Rhode Island College, The Community College of Rhode Island (the “Institutions”) and the Office of the Postsecondary Commissioner (“OPC”), alleging unlawful discrimination, harassment, or retaliation as well as all types of Sexual Harassment and Sexual Violence that are prohibited by Title IX (including Sexual Assault, Sexual Battery, Rape and Sexual Coercion) and all types of sexual or relationship assault or violence that are prohibited by the Violence Against Women Reauthorization Act (“VAWA”) of 2013, (which are Sexual Assault, Domestic Violence, Dating Violence, and Stalking). All sexual and relationship offenses are prohibited under Title IX and VAWA, which are also all prohibited by the Council’s Sexual Harassment and Sexual Violence Policy, will hereinafter be collectively referred to by the general term “sexual violence.”

The Council prohibits discrimination, including harassment and retaliation, on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The Council also prohibits all forms of Sexual Harassment and Sexual Violence.

These procedures are also applicable to complaints and cases that may arise under, and are intended to be consistent and compliant with the procedural and substantive provisions of, applicable state and federal law and regulations including but not limited to Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Educational Amendments to the Higher Education Act; the Age Discrimination in Employment Act of 1967; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990; ADA Amendment Act of 2008; the Higher Education Act of 1965, as amended; the Violence Against Women Reauthorization Act of 2013; the Genetic Information Nondiscrimination Act, Executive Order 11246, as amended; Executive Order 91-39; Executive Order 92-2; and Rhode Island General Law §28-5.1, as amended.

These procedures also describe the process for individual members of the relevant campus communities (e.g., faculty, staff or students), and employees of the Office of Postsecondary Commissioner (“OPC”), to follow in the event they believe themselves or others, to have been victim of unlawful discrimination, harassment, retaliation, Sexual Harassment, or Sexual Violence. (These procedures also describe the
required process for the investigation and resolution of allegations of such wrongful conduct by the institutions and OPC).

Complaints regarding the institutions' President or the Commissioner of Postsecondary Education should be filed with the Office of General Counsel for the Council on Postsecondary Education.

A complaint may also be filed against institutional service providers, vendors, and other contractors. In these instances, the Affirmative Action Office shall determine, within its discretion, appropriate response and action.

The provisions of the collective bargaining agreements governing unionized employees may provide additional mechanisms for addressing allegations of discrimination.

OFFICES FOR COMPLAINANTS TO CONTACT

If any member of the relevant campus communities (e.g. faculty, staff or students) or employees of the OPC believe that their rights (and/or the rights of others) have been violated and wish further information, advice or assistance in filing a complaint, they should, as a first step contact:

Director, Institutional Equity/Title IX Coordinator
Elizabeth Canning, JD
400 East Avenue Warwick, Rhode Island 02886
(401) 825-1230
ecanning@ccri.edu

INFORMATION FOR COMPLAINANTS ALLEGING SEXUAL VIOLENCE

In cases involving allegations of Sexual Violence, Complainants shall be provided an explanation of his/her rights and options, which shall include a description of available options for, and assistance in, changing academic, living, transportation, and working situations, as well as information about:

- The importance of seeking immediate medical attention for Sexual Violence
- Other available health care and counseling services.
- The importance of preserving evidence for proof in the investigation or subsequent proceedings, or for obtaining a protective order.
- To whom the alleged Sexual Violence should be reported.
- Options regarding notifying law enforcement and/or campus authorities, including notification of the Complainant regarding the Complainant’s right to:
  - notify either police (local or campus) or campus authorities
  - be assisted by campus authorities in notifying law enforcement if the Complainant so chooses
  - decline to notify such authorities
- The rights of Complainants and the institutions in notifying law enforcement if the protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
If the Complainant is a student, the student shall also be referred to the appropriate Student Affairs Office responsible for advising student victims of alleged Sexual Violence, providing further relevant information and assisting the student, as required by Title IX, VAWA, local law and institution/OPC policies. If the Complaint alleges Sexual Violence, the complainant investigation and proceedings shall provide a prompt, fair and impartial process (which includes providing the parties with timely and equal access to any information that will be used during the formal resolution process), be conducted by an official (or officials) who does not have a conflict or bias for or against the Complainant or Respondent, and who have received annual training on methods and processes for conducting complaint investigations and proceedings in a manner that protects the safety of victims and promotes accountability, and any other training required by law or University policy.

COMPLAINTS AGAINST STUDENTS

In the event that an employee files a complaint against a student, the Affirmative Action Officer/Title IX Coordinator and the Division/Office of Student Affairs will determine which office will proceed with the processing of the complaint. Proceedings involving student-to-student complaints will be adjudicated through the Division/Office of Student Affairs and must comply with the procedural guidelines contained in the institution’s student handbook.

REPORTING BY RESPONSIBLE EMPLOYEES

The required general procedures pertaining to the reporting of instances or complaints of Sexual Harassment and Sexual Violence are set forth in the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy. The more specific reporting procedures established by each Institution and the OPC are set forth in Attachments B, C, D and E of that Policy. Those specific reporting procedures list the “responsible employees” at each of the Institutions and the OPC who are required to report complaints and incidents of Sexual Harassment and Sexual Violence reported to them or of which they become aware.

Those same “responsible employees” shall also be required under these Procedures to report all other instances and allegations of other types of discrimination (i.e. discrimination other than Sexual Harassment and Sexual Violence), including but not limited to racial or gender discrimination, or retaliation, to their institution’s/OPC’s Affirmative Action Office.

FILING DEADLINES

To provide adequate opportunity for a prompt investigation, that enables access to the most current evidence, parties are encouraged to file complaints as soon as possible. All complaints under this procedure must be filed within 365 days of when the last alleged discriminatory act occurred. The College’s/Office’s ability to respond to complaints filed beyond this time is limited. However, complaints or cases involving allegations of continuing unlawful discrimination, harassment, sexual harassment, sexual violence, or retaliation may be fully investigated, including occurrences beyond the 365-day time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline (365 days).
ADVISORS AND SUPPORTERS

All parties meeting with an Affirmative Action Officer/Title IX Coordinator may be accompanied by an individual of their choice (who may be an attorney) for support and/or advice. This individual: may not address or question the investigator or any other parties or witnesses; may not present evidence or make arguments; and shall not have any role other than to accompany and communicate with the party requesting support.

DISCRIMINATION AGAINST GROUPS

Cases involving unlawful discrimination, including harassment or retaliation, against a group or class of individuals, reflecting an apparent pattern and practice of discrimination, must be appropriately acted upon by the Affirmative Action Officer/Title IX Coordinator regardless of whether there is an identified complainant.

CRIMINAL VIOLATIONS

If a complaint or case reported to the Title IX Coordinator or Affirmative Action Office involves potential criminal violations, that Coordinator or Office shall forward a report of the complaint or case to the Campus Police and to the appropriate President or the Commissioner of Postsecondary Education where applicable.

In cases involving allegations of sexual violence or other crimes, Complainants shall also be informed of their right to file a complaint with Campus Police or local law enforcement authorities. However, regardless of whether a Complainant files a complaint with local law enforcement authorities, and regardless of any investigations or other actions taken by local law enforcement, the College/OPC will continue to have an obligation to undertake and duly complete its own internal complaint and investigation procedure.

NON-RETALIATION

Retaliation against any Complainant or witness is prohibited and shall be treated as a separate violation of the College’s or OPC’s community standards and Non-Discrimination Policy. Specifically, no officer, employee, or agent of the institutions or OPC under the Council’s jurisdiction shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this policy.

There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of discrimination, harassment, retaliation, Sexual Harassment, or Sexual Violence.

MODIFICATION OF PROCEDURES
These procedures constitute the general complaint process to be followed by the Institutions and OPC in addressing and resolving complaints and cases of unlawful discrimination, harassment, retaliation, Sexual Harassment and Sexual Violence. The Institutions and OPC shall have the right to reasonably alter and/or deviate from the procedural guidelines contained herein when it is warranted by either the circumstances of a case or required by applicable state and federal law and regulations. The Institutions and OPC shall also have the right to authorize and appoint a designee to serve in the Affirmative Action Officer's capacity in the execution of these procedures.

The parties are to be provided timely written notice of any such designation and of any substantive deviation from the procedural guidelines.

**SPECIFIC PROCEDURES**

**INITIAL CONSULTATION**

The Affirmative Action Officer/Title IX Coordinator shall meet with the Complainant to discuss the Complainant's concerns, and review the complaint procedure, determine the appropriate jurisdiction, and explain the different methods available to resolve the complaint under these procedures. (See: formal resolution and informal resolution, where applicable).

The purpose of this initial step is to assist individuals to identify the source of the concern and provide the Complainant with information concerning institutional/OPC resources, policies and procedures; so that the Complainant might best assess the most appropriate course of action, given their circumstances.

**PROCEDURAL OPTIONS**

If it is determined that the Affirmative Action Office shall retain responsibility for the case, the Affirmative Action Officer/Title IX Coordinator will ascertain from the Complainant which of the following procedural resolution options he/she prefers to utilize.

**Informal Resolution** *(Not an Option for Sexual Violence Cases)*

**Formal Resolution**

The selected option will be verified by the Complainant's signature. Selection of an option at this time will not preclude the Complainant from electing another option later, where appropriate, as determined in consultation with the Affirmative Action Officer/Title IX Coordinator. Informal Resolution may only be utilized when both the Complainant and Respondent agree to it.

If it is determined that the case should not be addressed by the Affirmative Action Office, the Affirmative Action Officer or Title IX Coordinator will refer the Complainant to the appropriate office or department.

**INTERIM PROTECTIVE MEASURES**

If, during the initial consultation, the Affirmative Action Officer/Title IX Coordinator determines that immediate action may be necessary to protect the rights, interests, or safety of the Complainant, Respondent or the campus community, the Affirmative Action Officer/Title IX Coordinator will advise the College's/OPC's human resources office and Division/Office of Student Affairs (if applicable) of the
situation. Upon consultation with appropriate College/OPC officials, immediate action may be taken which may include temporary changes in duties and responsibilities, directives to Complainant and Respondent regarding personal contact, warnings to the Respondent and, in severe cases, the immediate suspension of the Respondent pending the completion of a formal investigation. These remedial and protective actions may be coordinated with any similar actions independently provided by the institution upon the request of the Complainant.

WITNESSES

The Affirmative Action Officer/Title IX Coordinator may contact any other pertinent individuals who may have knowledge of or information relating to the matter.

CONFIDENTIALITY

At the time at which a procedural option is selected, the Complainant will also be asked to make a decision regarding confidentiality. The Institution/OPC will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, it must be understood that while some concerns or complaints can be resolved without disclosing one's identity, often successful resolution cannot be achieved under such circumstances. Further, individuals who are directly accused of unlawful and/or discriminatory behavior and who, as a result, may be subject to disciplinary action, are entitled to a copy of the formal complaint and/or a summary of the charges against them so that they may prepare a proper defense.

The identity of, and identifying information about, Complainants and victims will not be disclosed in any public safety notices, final determination reports, or statistical reports that may be issued or made publicly available as required or permitted by law. If the College or Office is compelled by law, such as through a subpoena or court order issued in a legal proceeding, or through a public records request, to provide such information to third parties, the College or Office will make a reasonable effort, prior to complying with the request, to notify the complainant, so the individual may seek a protective order or take other actions deemed appropriate.

INFORMAL RESOLUTION

This informal procedure is intended to affect the resolution of a complaint by reconciling the parties' differences and/or rectifying the alleged discriminatory action(s). Complaints that the Affirmative Action Officer/Title IX Coordinator determines as involving discrimination against a group or class of individuals, or involves likely criminal violations may not be resolved through use of the informal resolution process. Informal resolution also will not be used in cases involving allegations of sexual violence.

If, after preliminary review of the matter, it is the judgment of the Affirmative Action Officer/Title IX Coordinator that the case should not be addressed by the Affirmative Action Office/Title IX Coordinator, the informal procedure shall be terminated and the case shall, if applicable, be referred to the appropriate office.

Steps in the Informal Resolution Process
The following steps shall be taken in an effort to resolve complaints in an informal manner:

- **Step 1: Notifying the Parties**
  
  Upon receipt of a complaint, the Office of Affirmative Action/Title IX Coordinator shall notify and meet with the Complainant and the Respondent.

- **Step 2: Information Gathering**
  
  In an effort to fully understand the facts and positions of the Complainant and the Respondent, the Investigator shall take steps that he/she deems necessary to gather additional information from the parties or from others perceived to have knowledge of the allegations.

- **Step 3: Resolution or Next Steps**
  
  If all parties agree to the informal resolution process, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution.
  
  If the informal resolution process fails to resolve the matter to the satisfaction of either parties, or the terms of the informal resolution as subsequently broken, either party may request a Formal Resolution/Investigation of the charge within 10 calendar days of concluding the Informal Resolution Process.

**FORMAL RESOLUTION**

Any person(s) who believes they have been the victim of discrimination, harassment, retaliation, Sexual Harassment or Sexual Violence, or who witnesses acts of discrimination, harassment, retaliation, Sexual Harassment or Sexual Violence against others, may file a formal complaint with the Affirmative Action Office/Title IX Coordinator. Utilizing the informal process is not a prerequisite. A formal review consists of conducting an investigation, fact-finding, determining whether sufficient credible evidence exists to support the allegation(s), and issuing written findings. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations.

- **Step 1: Complainant’s Written Statement**
  
  Normally, a signed incident complaint form containing a written statement of allegations initiates the formal process. In order to enable the Investigator to most effectively investigate the complaint, the written statement of allegations should contain a detailed description of the events that took place, the name(s) of the alleged offender(s), the name(s) of the alleged victim(s), the names of any alleged witnesses, and the name of the person filing the complaint. The Affirmative Action Officer/Title IX Coordinator will provide assistance to anyone for whom completion of the complaint form is difficult or impractical. The person or persons filing the complaint and/or the alleged victim of discrimination shall be referred to hereinafter as the “Complainant.” Anonymous complaints, and complaints filed by individuals who request
confidentiality, will be investigated by the Institution/OPC to the extent possible pursuant to the procedures set forth herein.

- **Step 2: Notifying the Respondent**

The person or persons identified as the alleged offender shall be referred to hereinafter as the “Respondent.” Once the complaint has been filed, the Affirmative Action Officer/Title IX Coordinator will notify the Respondent(s) by written letter of its existence and provide him/her/them with a copy of the signed complaint.

- **Step 3: Respondent’s Written Response**

The Respondent(s) will be provided an opportunity to file a formal response. The formal response shall be filed with the Affirmative Action Office/Title IX Coordinator by the Respondent(s) within twenty (20) days from the date the Respondent(s) received the signed complaint.

If the Respondent fails to timely file a formal response and/or elect(s) not to participate in the formal resolution process, the case will proceed and be investigated with or without the involvement of the Respondent. If, during the investigation, the Complainant indicates a desire to withdraw his/her complaint, the Complainant shall sign a written statement of withdrawal containing the reasons for this action and the case may be closed in the discretion of the Affirmative Action Officer/Title IX Coordinator. However, the Affirmative Action Officer/Title IX Coordinator may continue to conduct the investigation and take action to address the issues raised by the Complainant regardless of the Complainant’s wishes.

- **Step 4: Investigation Process**

The Affirmative Action Officer/Title IX Coordinator or designee will act as Investigator. The Investigator is neutral, objective, and does not act as an advocate for either party. The Investigator is authorized to contact all persons who may have information relevant to the complaint and shall have access to all relevant College/University/OPC records. The Investigator shall also collect and evaluate other available records and information relevant to the complaint and investigation (e.g. email communications, medical test results, photographs), as appropriate. The Investigator shall maintain a record of the investigation, including any interviews, which shall be retained as an official Affirmative Action Office record.

- **Step 5: Final Investigative Report**

A final investigative report shall be prepared which sets forth the findings of the Affirmative Action Officer/Title IX Coordinator and the basis and rationale for his/her conclusion(s). Unless otherwise indicated in the report, the date of the report shall be considered the date upon which the results of the investigation become final. In making his/her findings, the Affirmative Action Officer/Title IX Coordinator shall utilize the evidentiary standard of “preponderance of the evidence.” The final investigative report shall normally be issued within sixty (60) days after the complaint is filed. When more than sixty (60) days is needed to complete the investigation, the Affirmative Action Officer/Title IX Coordinator shall notify the parties and proceed as expeditiously as possible. Allegations or evidence of violations of policies and procedures that
are discovered during the investigation but which are outside the jurisdiction of the Affirmative Action Officer/Title IX Coordinator shall be referred to the appropriate office for resolution. The Affirmative Action Officer/Title IX Coordinator will simultaneously provide copies of the report to the Complainant and the Respondent, and will send a copy to the appropriate Vice President/Provost or Associate Commissioner. The Complainant and Respondent will also be advised of the appeal process at that time. If for any reason the findings in the report are later changed by the Investigator, both parties will be simultaneously advised of the change (and of any new appeal period) as well.

POST-INVESTIGATION PROCEDURES

APPEAL PROCEDURES

Either party (Complainant or Respondent) may appeal the Affirmative Action Officer’s/Title IX Coordinator’s findings. Such appeals shall be filed with the Institution’s President or the Commissioner of Postsecondary Education as appropriate. The Appeal may be conducted by the President, the Commissioner, or their designee. Parties wishing to file an appeal must do so within ten (10) days after receiving the Affirmative Action Officer’s/Title IX Coordinator’s final letter. The appeal process will not involve reinvestigation of the complaint. Appeals must raise specific issues related to the Affirmative Action Officer’s findings. Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the Appeals Officer. Copies of the appeal decision shall be simultaneously provided to the parties, with a copy also to be sent to the appropriate Vice President/Provost or Associate Commissioner.

DISCIPLINARY ACTION

When the investigative findings of the Affirmative Action Officer/Title IX Coordinator (together with the appeal decision in cases in which there is an appeal) are received by the appropriate Vice President, Provost, or Associate Commissioner, the appropriate Vice President, Provost, or Associate Commissioner in consultation with the College’s/OPC’s Office of Human Resources, shall render a written determination (which includes a statement of the rationale for the determination) regarding the appropriate disciplinary and/or corrective action, if any, and provide a copy of the written determination to the Respondent. In cases involving allegations of Sexual Violence, a copy of the written determination will also be provided to the Complainant. Such disciplinary and/or corrective action may include but is not limited to: reprimand, required counseling, suspension, demotion, or termination.

Disciplinary action will follow the procedural requirements of applicable collective bargaining agreements and any applicable statutory and judicial mandates. The Vice President/Provost/Associate Commissioner will be responsible for the implementation of all such disciplinary/corrective action measures. A record of the outcome of each case will remain a part of the permanent file of the case maintained by the Affirmative Action Office/Title IX Coordinator. Potential sanctions for employees include, but are not limited to: education, written warning, and termination of employment. “The college will, upon written request, disclose to the complainant of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the college against a student who is a respondent. If the complainant/alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.”
POST-PROCEEDING PROTECTIVE MEASURES

In appropriate cases, the Vice President/Provost or Associate Commissioner, in consultation with the College’s/OPC’s Office of Human Resources and/or Director/Office of Student Affairs, may direct that certain measures be instituted or provided, to protect or safeguard the Complainant or victim of the misconduct, and/or to prevent or minimize the possibility of a further harmful incident or offense. Such protective measures may include: no trespass orders, no contact directives, counseling, reassignment of work duties, workplace relocation, referral to institutional offices capable of providing support, advice or other resources (e.g. EAP, Women’s Center), or any such other action(s) that may be described in the Institution’s/OPC’s policies and that are deemed appropriate under the circumstances. Complaints of sexual harassment, including rape, fondling, stalking, dating violence and domestic violence, will be processed according to the Council on Postsecondary Education Complaint Procedures.

OUTSIDE AGENCIES

All individuals shall be informed regarding their right to seek redress through the following outside agencies:

Phone: 1-800-669-4000 Fax: 617-565-3196
http://www.eeoc.gov/field/boston/index.cfm

Rhode Island Commission for Human Rights 180 Westminster Street, 3rd Floor Providence, Rhode Island 02903
Tel: 401-222-2661
TTY: 401-222-2664 Fax: 401-222-2616
http://www.richr.ri.gov

Office of Civil Rights, Region I US Department of Education 5 Post Office Square, 8th Floor Boston, MA 02109-3921
Tel.: (617) 289-0111 Fax: (617) 289-0150
http://www.richr.ri.gov

CONFIDENTIALITY

The College will protect the identity of persons who report having been victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking to the fullest extent of the law and as previously stated in this document.

CCRI Campus Disciplinary Procedures FOR STUDENTS:

Section A. Charges and Hearings
1. Any member of the college community may file a complaint against any student for misconduct. Complaints shall be prepared in writing and directed to the Dean of Students Office. Any charge should
be submitted as soon as possible after the event has taken place, preferably within 10 academic days. Complaints of sexual misconduct should be made, and shall proceed, pursuant to that process (see Page 36).

2. The Dean of Students Office will hold a preliminary interview to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the college. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the matter will be referred to a student conduct hearing board.

3. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, not less than three (3) or more than 10 business days after the respondent’s initial interview or, in the case of an allegation of sexual misconduct, after the date the findings were delivered to the parties. Maximum time limits for scheduling of hearings may be extended at the discretion of the dean of students with required notification of the parties involved.

4. The student conduct hearing board shall hold hearings. During breaks or at other times when a conduct hearing board cannot be convened, hearings may be conducted by an administrative hearing officer acting as chairperson and board.

   a. Hearings normally shall be conducted in private.
   b. Admission of any person to the hearing shall be at the discretion of the student conduct hearing board chair and/or a conduct-hearing officer.
   c. In hearings involving more than one respondent, the chairperson of the student conduct hearing board, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
   d. The complainant and the respondent have the right to be assisted by any adviser they choose. The complainant and/or the respondent is responsible for presenting his or her case and, therefore, advisers are not permitted to speak or to participate directly in any hearing before a student conduct hearing board.
   e. In cases involving rape, fondling, sexual harassment, domestic violence, dating violence, stalking, hate crimes or bullying, the complainant may request that steps be taken to provide testimony in a manner that does not require being in the presence of the respondent as long as such steps do not deny the respondent access to the information presented by the complainant.
   f. The complainant and the respondent shall have the privilege of presenting witnesses with relevant information regarding the charge(s), subject to the right of questioning only by a student conduct hearing board. Neither the complainant nor the respondent may question witnesses or each other. Questions may be directed to the chair of the student conduct hearing board by the complainant or respondent.
   g. The student conduct hearing board, at the discretion of the chairperson, may accept pertinent records, exhibits and written statements as evidence for consideration.
   h. All procedural questions are subject to the final decision of the chairperson of the student conduct hearing board.
   i. After the hearing, a student conduct hearing board shall determine and notify the dean of students within two (2) academic days of the hearing (by majority vote) whether the student has violated each section of the Student Conduct Code that the student is charged with violating.
j. A student conduct hearing board’s determination shall be made based on the preponderance of evidence standard, i.e. the greater weight of the evidence demonstrates that the respondent violated the Student Conduct Code.

k. Except in the case of a student charged with failing to obey the summons of a student conduct hearing board or college official, no student may be found to have violated the Student Conduct Code solely because the student failed to appear before a hearing board. In all cases, the evidence in support of the charges shall be presented and considered.

l. Only the respondent is notified of the outcome and the sanction of a conduct hearing board. The complainant will be informed of the decision of the board, but not the details of any sanction except in cases involving allegations of sexual assault, domestic violence, dating violence, stalking or otherwise provided for by law. In these cases, both complainant and the accused will be notified of the decision in full and concurrently.

5. In such circumstances where a student is served with a no-trespass order by Campus Police as a matter of public safety, Campus Police shall file a complaint with the Dean of Students Office (in the format required by that office) within one business day in order to process the complaint through the established student conduct process.

Section B. Interim Measures

1. Interim suspension – In certain circumstances, the associate vice president for Student Services or designee may impose a college suspension prior to the hearing before a student conduct hearing board. It may be imposed:
   i) To ensure the safety and well-being of members of the college community or preservation of college property;
   ii) To ensure the student’s own physical or emotional safety and well-being; or
   iii) If the student poses a definite threat of disruption of or interference with normal operations of the college. During the interim suspension, students shall be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible, as the associate vice president for Student Services or his/her designee may determine to be appropriate. In some circumstances, the college may request a psychiatric evaluation from a licensed mental health professional as a condition of return. Notification of the student’s faculty and limited notification of key college departments will be made.

2. No-contact directive – In certain circumstances, the dean of students may impose a no-contact directive prior to the hearing before a student conduct hearing board when the charge is harassment or sexual misconduct, or there is reason to believe that negative contact could occur and affect the student conduct hearing. The college-issued and binding directive is to have no contact with a specified person or persons. This includes physical contact, in-person communication, written communication, electronic forms of communication, the enlisting of third parties to communicate on your behalf, and public postings and declarations intended to send implicit messages to the specified person or persons. All efforts will be made to avoid directing a student to stop attending a classes or classes prior to a hearing board’s decision, and, if necessary, assistance will be given to the student to continue in his or her coursework to the extent possible.

3. Removal from course section or activity – in certain circumstance, the dean of students may temporarily remove a student from a section of a course if his or her continued presence in the section will create a situation in which the expected teaching and learning process will be disrupted. This may
include, but is not limited to, personal behaviors in the classroom, allegations of sexual misconduct, interpersonal disputes with the instructor or fellow classmates that cannot be avoided.

Section C. Appeals

1. A decision reached or a sanction imposed by a student conduct hearing board may be appealed by the respondents(s) or complainant(s) to the associate vice president for Student Services within five (5) business days of receiving the decision. Such appeals shall be in writing and shall be delivered to the associate vice president for Student Services.

2. An appeal shall be limited to review of the initial hearing and the supporting documents for one or more of the following purposes:
   a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Conduct Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
   b. To determine whether the decision reached regarding the accused student was based on a preponderance of evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Conduct Code occurred.
   c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code that the student was found to have committed.
   d. To consider new evidence or other relevant facts 1) not brought out in the original hearing, and 2) sufficient to alter a decision, because such evidence and/or facts were not known to the person appealing at the time of the original hearing or investigation (in the case of an investigation of sexual misconduct).

3. Appeals are accepted if there is sufficient evidence to meet any of the above criteria and it can be demonstrated by the party requesting the appeal that the factor being appealed made a material difference in the determination of responsibility or the sanction imposed. If the associate vice president for Student Services upholds an appeal, he or she may rule directly on the matter or the case may be remanded back to the original student conduct hearing board or administrative hearing officer with specific instructions for reconsideration of the original determination and/or sanction(s).

4. In cases involving appeals by students accused of violating the Student Conduct Code, review of the sanction by the associate vice president for Student Services may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the associate vice president for Student Services, upon review of the case, may reduce but not increase the sanctions imposed by the student conduct hearing board or remand the case to the original hearing officer or hearing board.

5. In cases involving appeals by complainants, the associate vice president for Student Services upon review of the case may reduce or increase the sanctions imposed by the student conduct hearing board or remand the case to the original hearing officer or hearing board.

6. Alternatively, once a student has exhausted the internal complaint or grievance processes, he or she may choose to utilize the complaint process overseen by the Council on Postsecondary Education and the Office of the Postsecondary Commissioner or “equivalent governing board” in compliance with the Federal Program Integrity Rule. The specific types of complaints covered by these regulations are:
a. Allegations of state consumer protection violations, including, but not limited to fraud and false advertising;
b. Allegations that state laws or rules addressing the licensure of postsecondary institutions have been violated; and
c. Allegations regarding the quality of education or other accreditation requirements. For more information and details on how to file a program integrity complaint, visit the Council on Postsecondary Education and the Office of the Postsecondary Commissioner “or equivalent governing board” website at https://www.riopc.edu.

Section C. Sanctions

1. The following, as well as other appropriate sanctions, may be imposed upon any student found to have violated the Student Conduct Code:

a. Administrative holds – An administrative hold may be applied to a student’s account at the discretion of the Dean of Students Office prior to adjudication of charges if a student refuses to or fails to respond to charges brought against him or her. Holds are to be lifted upon meeting with designated staff and are not an indication of actual responsibility for said charges.
b. Warning – A notice in writing to the student that the student is violating or has violated institutional regulations.
c. Probation – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
d. Loss of privileges – Denial of specified privileges for a designated period of time. This may include limitations on a student’s right to access parts or all of a facility in cases where the student conduct hearing board believes contact between two parties would be detrimental to one or both of the students or that it is in the college’s best interests.
e. Fines – Previously established and published fines may be imposed. Fines are also posted online.
f. Restitution – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
g. Discretionary sanctions – Work assignments, service to the college, educational assignments or other related discretionary assignments (Such assignments must have the approval of the dean of students.)
h. No-contact directive – A college-issued and binding directive to have no contact with a specified person or persons. This includes physical contact, in-person communication, written communication, electronic forms of communication, the enlisting of third parties to communicate on your behalf, and public postings and declarations intended to send implicit messages to the specified person or persons.
i. Removal from course – when a student repeatedly disrupts a classroom learning environment and does not respond to faculty efforts to address the behavior, a faculty member may request a student be permanently removed from the classroom without grade or refund. This sanction may only be imposed permanently by a conduct hearing board. A student may remain in the classroom pending the decision of the hearing board, unless determined to be a continuing disruption by the dean of students.
j. College suspension – Separation of the student from the college for a defined period of time, after which the student is eligible to return. Conditions for readmission, including a reinstatement review by the associate vice president, may be specified. In some circumstances, the college may request a psychiatric evaluation from a licensed mental health professional as a condition of return. Notification of the student’s faculty and limited notification of key college departments will be made.
k. College expulsion – Permanent separation of the student from the college. This sanction only may be imposed by a student conduct hearing board.
2. More than one of the sanctions listed above may be imposed for any single violation.

3. Other than college expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s disciplinary record. Upon graduation, the student’s disciplinary record may be expunged of disciplinary actions other than college suspension or college expulsion upon application to the Dean of Students Office. Disciplinary records shall be destroyed six years after the date of the incident that led to the initiation of disciplinary action.

4. The following, as well as other sanctions, may be imposed upon groups or organizations: a. Those sanctions listed above in Section C 1, except suspension or expulsion. b. Deactivation – Loss of all privileges, including college recognition, for a specified period of time.

5. In each case in which the student conduct hearing board determines that a student has violated the Student Conduct Code, the sanction(s) shall be determined by that board and imposed by the Dean of Students Office.

Section D. Schedule of Fines

The following fines may be imposed only after an admission of responsibility from the respondent or a finding of responsibility by a disciplinary committee or hearing officer.

Violation of the Smoking Policy $50 (first offense); $75 (subsequent offenses)
Failure to evacuate during an alarm $150 (each offense)
Failure to comply $75 (each offense)
Obstruction $100 (each offense)
Violation of the Sign Policy $25 (per item)

Article VI: Off-campus incidents

The college shall have jurisdiction over student conduct that occurs on campus property or in connection with college functions and affairs. The college also shall have discretion to exercise jurisdiction over conduct that occurs off campus and that would violate student conduct and discipline policies or regulations if the conduct occurred on campus when (1) the alleged misconduct indicates the student may be a threat to the safety or security of members of the college community or college property, functions or facilities; or

(2) the alleged misconduct involves academic work or any records, documents or identifications of the college. Specifically, the college may choose to exercise jurisdiction over off-campus incidents under Section One (1) above where the alleged misconduct involves:
   a. Sexual misconduct (see Page 36)
   b. Sexual harassment
   c. Possession or use of weapons, explosives or destructive devices
   d. Manufacture, sale or distribution of controlled substances
   e. Hate crimes
   f. Hazing
   g. Conduct that would constitute felony burglary, robbery, theft, etc.
   h. Retaliation Students involved in any of these offenses are subject to suspension or expulsion from the college.
Article VII: Compliance with Federal Law

In compliance with the Clery Act, the community college reports all complaints that fall under the purview of the laws in its annual Clery Report. As such, reporting to confidential reporters (see Page 24) can be allowed, but all reported incidents are included in the college Clery statistics, even if a complainant does not seek action by the college. The inclusion of the information in the annual Clery Report will be for statistical purposes only and will not include the names of the parties. Those affected by sexual violence (rape, fondling, dating/domestic violence, stalking) will receive a written notice of their rights and options for academic, working and related accommodation, as well as information on resources on and off campus for advocacy, legal support, medical and psychological care, and visa and immigration assistance.

Article IX: Interpretation and Revision

A. Any question of interpretation regarding the Student Conduct Code shall be referred to the associate vice president for Student Services. B. The Student Conduct Code shall be reviewed every three years under the direction of the dean of students. Updates to remain compliant with state and federal regulations and laws shall occur annually. All changes will be reviewed by the Student Advisory Council before final approval by general counsel and the President’s Council. 18 How complaints against students are handled

1. Complaint is received through Campus Police or through the Dean of Students Office “Report It” online reporting tool. After an initial interview with the complainant, a staff member will determine if there is a potential violation of the Student Conduct Code. If so, the responding student is notified that a complaint has been filed and that he or she must schedule an initial interview with a Dean of Students Office staff member within three academic days. An administrative hold is placed on the student’s account until he or she has complied with the request. Allegations of sexual misconduct as listed on Page 36 or bias-related incidents are referred to the Director of Institutional Equity for investigation. If the findings recommend disciplinary action, the case moves back to this process as set forth in No. 4 below.

2. At the respondent’s initial interview, the complaint is shared in detail with the student and the student has an opportunity to respond. In this meeting, the student can accept responsibility, deny responsibility or say nothing at all. At the conclusion of the initial interview, one of the following actions may be taken by the interviewer: • Dismiss the case if insufficient evidence that the Student Conduct Code was violated is presented. • Refer the case to a student conduct hearing board if the student denies responsibility or the precedent sanction is suspension or expulsion. • Issue a sanction (except suspension or expulsion) based on past precedent, the student’s disciplinary record and the specific factors of the incident if the student accepts responsibility for the incident. If the student denies responsibility or if he or she is facing possible suspension or expulsion, a student conduct hearing board must be convened at a time not less than three nor more than five business days after the respondent’s initial interview to hear the complaint.

3. The student conduct hearing board shall be composed of up to two student delegates and up to two faculty delegates. A Dean of Students Office staff member will preside as a nonvoting chair, except in case of a tie. The number of student delegates and faculty delegates must be the same. Students and faculty members are selected by the Dean of Students Office in consultation with Student Government and Academic Affairs. The respondent and the complainant may be accompanied by an adviser of their
choosing who may serve as a nonspeaking support for either student. Both the complainant and the respondent may bring witnesses in person or signed and dated witness statements. Witnesses must have firsthand knowledge of the incident or complaint. Once scheduled, the hearing will occur as planned whether the complainant and/or the respondent chooses to attend or not. The student conduct hearing board shall make a determination based solely on the facts presented at the hearing regarding the incident in question. No other factors may be considered. The burden of proof is on the complainant to demonstrate that the respondent is responsible for violating the Student Conduct Code. **A preponderance of the evidence shall be the standard of proof.** Mitigating factors regarding why the Student Conduct Code was violated are only pertinent in the sanctioning phase.

4. Once a student conduct hearing board has made a determination of whether the respondent is responsible or not responsible, the hearing board will determine an appropriate sanction. The respondent will be notified of the disposition of the complaint and, if appropriate, the designated sanction within two academic days. The complainant will be informed of the decision of the board, but not the details of any sanction except in cases where otherwise provided for by law. Upon receipt of the notification, the accused student or the complainant may appeal the decision as detailed in section B.

Crime Statistics by Campus
## CRIME STATISTICS  Knight Campus (WARWICK)

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**NOTES:**

OC=On Campus; NON-C = Non campus property; Public Prop= Public Property
### CRIME STATISTICS  Flanagan Campus (Lincoln)

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**NOTES:**

OC=On Campus; NON-C = Non campus property; Public Prop= Public Property
## CRIME STATISTICS Providence Campus (Liston)

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**NOTES:**

OC=On Campus; NON-C = Non campus property; Public Prop= Public Property
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*Race (R); Religion (RL); Sexual Orientation (SO); Gender (G); Gender Identity (GI); Ethnicity (E); National Origin (NO); Disability (D).*

NOTES:

OC=ON CAMPUS; NON-C = NON CAMPUS PROPERTY; PUBLIC PROP= PUBLIC PROPERTY
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*Race (R); Religion (RL); Sexual Orientation (SO); Gender(G); Gender Identity (GI); Ethnicity (E); National Origin (NO); Disability (D).

NOTES:

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## HATE CRIME STATISTICS  Providence Campus (Shepard)

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# HATE CRIME STATISTICS  Newport Campus

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### HATE CRIME STATISTICS  Lincoln Campus (Flanagan)

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### HATE CRIME STATISTICS  Westerly Campus

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**UNFOUNDED CRIMES**

2017: There was one reclassified crime in 2017. The Warwick Police found a sexual assault to be simple assault.
SECURITY AWARENESS PROGRAMS

During orientation, students are informed of services offered by the Community College Police Department through a brochure and presentations that outline ways to maintain personal safety. Students are advised to visit the College Police website to learn about crime on-campus and in surrounding neighborhoods. The website also displays informational videos such as ‘Run, Hide, Fight’, designed by Homeland Security in response to Active Shooter situations. Similar information is presented to new employees and annually during professional development trainings. Crime Prevention notices are posted periodically and when necessary we provide information to the College community regarding the protection of personal property and how to maintain personal safety on campus.

Periodically during the academic year, the CCRI Police, in cooperation with other College organizations and departments, present notices or awareness on the community’s safety.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to information being disseminated to students and employees through crime notices, we provide security alert posters, displays, and articles and advertisements in college and student publications. When an alert need to be posted promptly, information is released to the College community through security alerts throughout the campus and disseminated through the College's electronic mail system or instant messaging system.

PERSONAL SAFETY ON CAMPUS

Throughout the year, the police department prepares and distributes through the appropriate media crime prevention and personal safety hints. These publications are available to all members of the college community. To assist police in keeping the campus crime-free we recommend the following to all members of the college community.

- Look alert, assertive, self-confident, and in control. Those who look lost, confused, passive, or in a fog are more vulnerable.
- Stay aware of your surroundings.
- Stick to well-lit and well-traveled areas.
- Walk or jog with a companion at night.
- Have your keys in your hand as you approach your car or building.
- Request an escort if you feel uneasy or concerned for your safety.
- If approached by a would-be attacker don’t panic. If you panic, you won’t be able to out think or out maneuver the attacker.
- If threatened, the first order of business is getting away. Drop anything that might slow you down.
- Don’t accept a drink from anyone you don’t know and trust.
- Don’t get into an elevator with someone who looks out of place or behaves in a strange or threatening way.
- Be careful when using bathrooms that are isolated.
• Report all harassing phone calls, emails, etc. to the College Police.
• Report all suspicious persons or activity to the College Police.

PERSONAL PROPERTY PROTECTION

• Lock personal items in your vehicle’s trunk. A thief only needs seconds to take items from a vehicle when left in plain sight.
• Never leave your wallet, handbag, briefcase, laptop, cell phone etc. in a common area or out in the open.
• Lock personal valuables and cash in your desk and out of sight.
• Never carry large sums of money. If you must, do not advertise.
• Don’t attach your identification card to your key ring. This practice could help a thief find your home or vehicle easily.
• Engrave an identifying number and take down all serial numbers in case your property is stolen.
• Report a lost college key immediately to the College Police.
• Do not hide extra sets of keys in your office or vehicle.
• Always carry your purse tightly clutched in your hand or under your arm.
• Use a lock down device for your laptop.
• Never leave your vehicle or office unsecured.
• Report all suspicious persons or activity to the College Police.

For additional crime prevention issues please contact your local Campus Police Office.

CCRI DOES NOT assume liability for vehicles or their contents parked on its premises.

SMOKING

IT IS EVERYONE’S RESPONSIBILITY TO INFORM VIOLATORS OF THE SMOKING POLICY.

It is the policy of the Board of Governors and the Community College to maintain a healthy environment for all students and employees. Therefore, smoking is prohibited from any entrance to the building or in any building on the campus. The Smoking Policy states that smoking must be at least 50 feet from any state building. If you do smoke on campus, please use one of the designated areas.

Students are subject to the process and procedures as outlined by the Office of the Dean of Students through the Student Handbook.

This prohibition does not apply to the use of tobacco products as part of a preapproved, limited classroom demonstration or research project.

MOTORIST ASSISTS

The police department does not provide emergency road service. In the event you are unable to start your vehicle because of battery trouble or other mechanical problems, we will allow you to use a telephone to call for assistance.
LOST AND FOUND PROPERTY

The department of police handles all lost and found property. If students find textbooks, handbags, clothing, or eyeglasses, or any items they should bring the items to the police department so we can attempt to locate the owner. We also encourage students to come to the police department to check for their lost items and file a report. Whenever claiming property students must provide proper identification. For health reasons, perishable and personally worn items will not be stored.

TEXTBOOKS

In order to assist security in returning lost textbooks, please record your identification or driver’s license number in the book. Please note: Be sure that you have purchased the correct textbooks before recording any information in the book.