



# University of Colorado Anschutz Medical Campus



## **2019 ANNUAL SECURITY & FIRE SAFETY REPORT**

In compliance with the Jeanne Clery Disclosure of Campus  
Security Policy and Campus Crime Statistic Act

*\*\*THIS REPORT CONTAINS INFORMATION FOR CALENDAR YEAR 2018*

## LETTER FROM THE CHIEF

CU Anschutz is committed to ensuring a safer environment for students, faculty and staff. This publication is prepared in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the “Clery Act,” 10 U.S.C. §1092(f) et. seq. The report is designed to inform students, faculty, staff and other interested campus community members about policies, procedures, practices and programs that CU Anschutz uses to keep the campus safe and our facilities secure.

This report also contains statistics for certain crimes occurring on campus, public property located on campus or adjacent to the campus as well as certain non-campus properties for the calendar years 2016, 2017 and 2018.

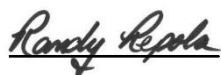
The Clery Act requires all colleges and universities that participate in federal financial aid programs to maintain and disclose information about crime on and near their respective campuses for the last three years. This information must be published and distributed by October 1 each year to current students and employees. A copy must also be provided to prospective students and employees upon request. The United States Department of Education monitors compliance.

CU Anschutz does not have on campus student housing, therefore, the requirements for a Fire Safety Report and fire safety disclosures are not applicable to CU Anschutz. Missing student notification policies and procedures are also not applicable to CU Anschutz.

The information contained in this report is intended to be specific to the CU Anschutz Medical Campus in Aurora, Colorado. For information specific to the CU Denver Campus (downtown), visit <https://www.cuanschutz.edu/police/police/annual-security-report> .

This report was prepared and distributed to all current students, faculty and staff by Wendy Grover, Communication/Clery Director for the University Police Department. The information contained in this report is provided to you as part of the University’s commitment to safety and security on campus. To request a hardcopy of this report, please contact Ms. Grover at 303.724.0737 or [wendy.grover@cuanschutz.edu](mailto:wendy.grover@cuanschutz.edu).

Sincerely,



Randy Repola  
Chief of Police  
12454 E. 19<sup>th</sup> Place, Building 407  
Mail Stop F409  
Aurora, CO 80045



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## CAMPUS RESOURCES AT A GLANCE

### Police

#### Emergency

Telephone.....	9-1-1
Cellphone on Campus .....	303.724.4444
Campus Phone.....	4.4444

#### Non-Emergency

Telephone.....	303.724.4444
Cellphone on Campus .....	303.724.4444
Campus Phone.....	4.4444
or .....	4.2000
E-Mail .....	<a href="mailto:University.Police@ucdenver.edu">University.Police@ucdenver.edu</a>

### Office of Equity

Office of Equity.....	303.315.2567
Director of Title IX & Title IX Coordinator .....	303.724.0387
Director of Equity .....	303.724.9694
ADA/Affirmative Action Coordinator.....	303.724.8145
Coordinator of Interim Measures & Remedies .....	303.315.0219
Civil Rights Investigator .....	303.315.0512
Deputy Title IX Prevention, Training, & Outreach Coordinator .....	303.315.0380
E-mail.....	<a href="mailto:Equity@ucdenver.edu">Equity@ucdenver.edu</a>
Office for Civil Rights (Colorado).....	800.894.2997

### Campus Resources

CU Anschutz Campus Student Services .....	303.724.2866
The Phoenix Center at Anschutz .....	303.724.9120
24/7 Helpline.....	303.556.2255
Office of Case Management & CARE Team.....	303.724.8488
CU Anschutz Office of Inclusion and Outreach .....	303.724.8003
CU Anschutz Student Mental Health Services .....	303.724.4716
After Hours* .....	303.370.9127
*Identify yourself as a CU Anschutz student and ask for on-call psychiatrist	
CU Anschutz Campus Health Center .....	303.724.6242
CU Anschutz Ombuds Office .....	303.724.2950

### Employee Resources

The Real Help Hotline.....	833.533.2428
Colorado State Employees Assistance Program.....	303.866.4314
Faculty and Staff Threat Assessment and Response Team .....	303.315.0182
Sexual Harassment and other Discriminatory Complaints.....	303.315.2567
CU Anschutz Campus Health Center .....	303.724.6242
CU Anschutz Ombuds Office .....	303.724.2950
The Phoenix Center at Anschutz .....	303.724.9120
24/7 Helpline.....	303.556.2255

## COMMUNITY RESOURCES

- The Blue Bench (24/7)**..... 303.322.7273  
*The Blue Bench is metropolitan Denver's only comprehensive sexual assault prevention and support center.*
- Gateway Domestic Violence Services**..... 303.343.1851  
*The overall mission of Gateway Domestic Violence Services is to prevent and eliminate intimate partner violence through counseling, residential care, and empowering people for social change.*
- Project Safeguard** ..... 303.219.7049  
*Project Safeguard provides advocacy and civil legal help with domestic violence, sex assault or stalking in Adams, Arapahoe, Broomfield and Denver Counties.*
- Survivors Organizing for Liberations (SOL) (24/7)** ..... 888.557.4441  
*Survivors Organizing for Liberations is dedicated to eliminating violence within and against the LGBTQ communities in Colorado.*
- National Domestic Violence Hotline (24/7)** ..... 800.799.7233  
*Confidential and free of cost, the National Domestic Violence Hotline provides lifesaving tools and immediate support to enable victims to find safety and live lives free of abuse.*
- Loveisrespect** ..... 866.331.9474  
*Loveisrespect's mission is to engage, educate and empower young people to prevent and end abusive relationships.*
- Aurora Victims Services**..... 303.739.6087  
*Provides emotional support and assistance to victims of felony crimes in Aurora. Offers counseling, information and referral to community resources, and awareness and education of victim's rights.*
- Stalking Resource Center** ..... 855.484.2846  
*The National Center for Victims of Crime is a nonprofit organization that advocates for victims' rights, trains professionals who work with victims, and serves as a trusted source of information on victims' issues.*
- Rape, Abuse & Incest National Network Hotline**..... 800.656-4673  
*The nation's largest anti-sexual violence organization.*
- Substance Abuse and Mental Health Services Administration**
- Suicide Prevention Lifeline** ..... 800.273.8255  
*The Substance Abuse and Mental Health Services Administration (SAMHSA) is the agency within the U.S. Department of Health and Human Services that leads public health efforts to advance the behavioral health of the nation. SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.*
- Colorado Crisis Services**..... 844.493.8255  
*If you are in crisis or need help in dealing with a crisis contact Colorado Crisis Services. Common calls include: parenting concerns, family crisis, anxiety, disability, domestic violence, substance abuse, depression, bullying, stress, PTSD, drugs and alcohol, relationship problems, homelessness, self-harm, etc.*
- Walk-In Location**  
2206 Victor Street  
Aurora, CO 80045
- VictimConnect** ..... 855-484.2846
- Online chat**..... Chat.VictimConnect.org
- Web-based information & service referrals** .....VictimConnect.org  
*Referral helpline where crime victims can learn about their rights and options confidentially and compassionately.*

## THE CLERY ACT

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), including the Campus Sexual Violence Elimination Act (SaVE Act), more commonly known as the “Clery Act”, is a federal law that requires colleges and universities, both public and private, participating in federal student aid programs to disclose campus safety information, and imposes certain basic requirements for handling incidents of sexual violence and emergency situations. Disclosures about crime statistics and summaries of security policies are made once a year in an Annual Security Report (ASR), and information about specific crimes and emergencies is made publicly available on an ongoing basis throughout the year.



The Clery Act is named in memory of Jeanne Clery who was raped and murdered in her residence hall room by a fellow student she did not know on April 5, 1986. Her parents [advocated](#) for laws requiring the disclosure of campus crime information, and the federal law that now bears their daughter's name was first enacted in 1990. It has been amended regularly over the last two decades to keep up with changes in campus safety with the most recent update in 2013 to expand the law's requirements concerning the handling of sexual violence.

### Compliance

To comply with the Clery Act, CU Anschutz must meet certain obligations required by federal law. They include:

- ✓ Collecting, classifying, and counting crime reports and crime statistics;
- ✓ Issuing campus alerts;
- ✓ Issuing emergency notifications;
- ✓ Publishing an Annual Security Report;
- ✓ Submitting crime statistics to the US Department of Education via a web-based data collection to disclose crime statistics by type, location, and year;
- ✓ Maintaining a daily crime log;
- ✓ Missing student notification procedures\*; and
- ✓ Fire safety information, including a fire log and an annual fire safety report\*;
- ✓ The tracking and submission of fire statistics for submittal to the US Department of Education\*.

\*Because CU Anschutz does not have on-campus student housing, the following requirements do not apply:

- Missing student notification procedures;
- Fire safety information, including a fire log and an annual fire safety report; and
- The tracking and submission of fire statistics for submittal to the US Department of Education.

CU Anschutz does not have non-campus student organization locations (fraternities nor sororities) or non-campus housing facilities; thus, the obligation to report of such is non-applicable.

# UNIVERSITY POLICE DEPARTMENT

## Overview

The University Police Department maintains a full-service Police Department, staffed by 31 full-time law enforcement officers, to respond to reports of criminal acts and emergencies on the CU Anschutz Medical Campus. These officers are Colorado P.O.S.T. certified and hold police commissions with the State of Colorado. The Police Department also employs 5 security officers, and 14 full-time Emergency Communications Center personnel in addition to administrative staff. Police services are provided 24 hours a day, 7 days a week.



Police Department

UNIVERSITY OF COLORADO  
DENVER | ANSCHUTZ  
MEDICAL CAMPUS

When a student, faculty or staff becomes aware of criminal actions or other emergencies affecting or involving the Campus Community, it is essential the incident is reported to University Police immediately. University Police can be reached at 303.724.4444.

## Enforcement Authority

In accordance with Colorado Revised Statute (C.R.S.) § 24-7.5-101, state institutions of higher education are authorized to employ Police Officers to provide law enforcement and property protection for the institution employing the officers and to perform other police, emergency planning, community safety, and administrative functions as may be deemed necessary. The Board of Regents has delegated authority to the University Police Department to enforce University rules and regulations, as well as state laws. University Police Officers have full police authority on all properties owned or controlled by the University, and may exercise their police authority while off campus, pursuant to C.R.S. § 16-3-110, and by Intergovernmental agreement with the City of Aurora Police Department. The city of Aurora has authorized University Police to issue summons and complaints for any violation of the Aurora Municipal Code.

## Arrest Authority

In accordance with C.R.S. § 16-2.5-102, peace officers, to include Police Officers employed by a state institution of higher education shall meet all of the standards imposed by law on a peace officer and shall be certified by the peace officers' standards and training board (P.O.S.T).

Pursuant to C.R.S. § 16-3-102, University Police are granted all the powers conferred by law upon peace officers to carry weapons and make arrests. The arrest authority within the jurisdiction of the CU Anschutz Medical Campus includes:

- In compliance with an arrest warrant;
- When any crime is being, or has been, committed in a Peace Officer's presence; and
- When there is probable cause to believe that an offense was committed by the person to be arrested.

Security Officers employed by the University of Colorado | Anschutz Campus Police Department do not carry weapons and may only make an arrest as a private citizen under the provisions of CRS § 16-3-201.

## **Police Jurisdiction**

All University Police Department sworn law enforcement officers act in accordance with the authority granted by the Colorado Constitution, Colorado Revised Statutes, and the Board of Regents of the University of Colorado. Officers are charged with the primary responsibility to provide police and security services to property owned or controlled by the University of Colorado and specifically the CU Anschutz Medical Campus.

The primary patrol boundaries of the CU Anschutz Medical Campus are:

- South of the south curb line of 21<sup>st</sup> Avenue on the north
- North of the north curb line of Colfax Avenue on the south
- East of the west curb line of Quentin Street on the west
- West of the east curb line of Wheeling Street on the east (excluding property owned by the City of Aurora at 13328 Montview Blvd.)

In accordance with the current Intergovernmental Agreement with the City of Aurora and the Aurora Police Department, the Department's expanded patrol boundaries are the far curb lines of:

- Fitzsimmons Parkway
- Colfax Avenue
- Peoria Street

Non-sworn Security Officers normally provide limited services and assistance within the primary patrol boundaries listed above.

## **Inter-Agency Relationship**

The University Police Department recognizes the importance of maintaining a close and cooperative working relationship with the City of Aurora Police Department, the Adams County Sheriff's Department, and the Arapahoe County Sheriff's Department, the City of Denver Police Department, the Auraria Higher Education Center Police Department, Federal Bureau of Investigations Denver Division, Department of Defense, Homeland Security and other municipal, state, and federal law enforcement agencies. The University Police Department meets with representatives from these agencies on a formal and informal basis and cooperates in law enforcement matters of mutual investigation, concern, and interest to monitor and record criminal activity by university affiliates at non-campus locations.

Crimes occurring on the CU Anschutz campus are typically investigated by University Police. Crimes occurring inside of University of Colorado Hospital and Children's Hospital Colorado are typically responded to, and investigated by, the Aurora Police Department. Law enforcement services for the Veterans Hospital (Corner of Colfax and Fitzsimons) are provided by the Department of Veterans Affairs.

## **Intergovernmental Agreements**

Alleged criminal offenses occurring within the University Police Department's jurisdiction are investigated by sworn University Police Officers.

CU Anschutz does not have owned or controlled non-campus student organization facilities. If any law enforcement agency in the Aurora area is contacted about criminal activity occurring off-campus involving CU Anschutz students, that agency is encouraged to notify the University Police Department.



# REPORTING CRIMES, EMERGENCIES AND SAFETY CONCERNS

## Duty to Report Criminal Behavior

Under Colorado Law, “It is the duty of every person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.” (C.R.S. § 18-8-115) Students, faculty and staff are encouraged to accurately and promptly report all crimes to University Police and appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

University Police take all reports seriously. Reports will be accepted in any manner, including in person, in writing and at the University Police Department located on the CU Anschutz Campus in Building 407 (12454 E. 19<sup>th</sup> Place).

Criminal actions or other emergencies occurring on campus should be reported to the University Police Department 24-hours a day, 365 days a year. For immediate, direct access, call 9-1-1 from any campus phone for emergencies or call x4-2000 for other police assistance. For cellphones and off-campus calls dial 303.724.4444. University Police have access to campus emergency protocol and departmental emergency contact numbers.

The Emergency Communication Center shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed.

Officers may request emergency assistance when they reasonably believe that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

Criminal offenses reported to the sources that follow will assist the University in keeping accurate records regarding the number of reported incidents on campus, and on property owned or controlled by the University, and determine where there is a pattern of crime and evaluate if an alert (e.g., Timely Warning) to the Campus Community is warranted. Reports filed in this manner are counted and disclosed in the University’s annual crime statistics without identifying information.

## Reporting Crimes and Emergencies on Campus

*The University Police Department Emergency Communications Center is open 24/7.*

Campus Telephone .....	9-1-1
Cellphone on Campus.....	303.724.4444
Campus Phones (desk phones, red phones, yellow phones, etc.).....	4.4444

## Reporting Non-Life-Threatening Incidents and Safety Issues

University Police Department (Non-Emergencies).....	303.724.2000
.....	or 303.724.4444
Campus Phone (Desk phones, red phones, yellow phones, etc.).....	4.2000
University Police Comment Line.....	303.724.0800

Voice messages left at the University Police Comment Line are checked several times a week by the Chief of Police or their designee. Concerns are then routed to the responsible parties.

Comments can also be e-mailed to:..... [University.Police@ucdenver.edu](mailto:University.Police@ucdenver.edu)

## Voluntary Confidential Reporting

CU Ethics Line Link.....[https://secure.ethicspoint.com/domain/en/default\\_reporter.asp](https://secure.ethicspoint.com/domain/en/default_reporter.asp)

*This site does not require your name or other identifying information. It does not track the identity of the computer you use. Use "CU" as the organization name. You may also call 800.677.5590. For more information regarding CU Ethics Line, please visit: <http://www.cu.edu/internalaudit%20/frequently-asked-questions>. This reporting method's goal is to ensure that you can communicate issues and concerns associated with unethical or illegal activities safely and honestly with University leadership while maintaining your anonymity and confidentiality.*

*University personnel are not involved in handling phone calls initiated through the toll-free number or in initially processing the on-line reports. When you phone CU Ethics Line, your message is managed by an independent company (EthicsPoint). They have trained professionals who will assist you through the process. On-line reports are interactive and maintained by EthicsPoint.*

*The University's Internal Audit Department or other designated contact receives notifications of reports filed via the toll-free number or the web-based system within one business day. The contact accesses the information and has the knowledge to investigate your concern, or may assign the report to someone qualified to investigate the concern.*

## Blue Light Poles

There are emergency "Blue Light" call stations located in or near parking areas and on pedestrian pathways. These emergency call stations may be used to report crimes in progress, suspicious persons, medical emergencies, or to request personal safety assistance. Pressing the call button on the emergency call station initiates a direct call to the University Police Emergency Communications Center.

Activation of the "Blue Light" alert also activates the blue light strobe to help police locate you more quickly. These phones may be used in emergencies or to request other assistance. Many of these "Blue Light Poles" are also Wi-Fi hot spots. Students, faculty, and staff are asked to take a moment when navigating the campus, to note the location of the "Blue Light" call stations.



## Response-

When contacting University Police by telephone, campus phone, cellphone, or blue light pole, you will be connected to the Emergency Communication Center ("dispatch"). The Emergency Communication Center will obtain as much information as available by caller and will typically send a police response, as appropriate, to the location of the incident being reported. Officers may request additional assistance when it is reasonably believed that there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen.

## Reporting Concerning Behavior

The Campus Assessment, Response & Evaluation (CARE) Team and the Faculty and Staff Threat Assessment and Response Team (FaST) address the health and safety needs of students, faculty and/or staff. Disruptive and concerning behaviors should be reported immediately. CARE and FaST intervene, when necessary, and more generally, to identify and provide assistance to those in need. The teams take a preventative approach to risk assessment by offering resources, referrals and support to both the concerning individual and those impacted by their behavior.



If you encounter a student who appears to be exhibiting concerning behavior, contact:  
CARE Team: [shareaconcern@ucdenver.edu](mailto:shareaconcern@ucdenver.edu) or 303.724.8488

To report a concern regarding faculty or staff, contact:  
FaST: [FacultyStaff.Assessment@ucdenver.edu](mailto:FacultyStaff.Assessment@ucdenver.edu) or 303.315.0182

## Report Suspicious Activity

### *Examples*

- Specific threats to inflict harm (e.g., a threat to shoot a named individual)
- Use of any object to attack or intimidate another
- You witness someone committing a crime
- You need to report an old crime
- You see fire or smell smoke
- You think you observe a drunken driver
- You have knowledge of a chemical spill
- Someone is injured or ill
- You see anyone or anything suspicious



## Campus Security Authorities

It is important for the Campus Community to report criminal incidents directly to University Police. However, some victims of crimes may be more inclined to report a crime to someone other than the University Police. Under Clery, a crime is “reported” when it is brought to the attention of a Campus Security Authority (CSA). If a CSA receives the crime information and believes it was provided in good faith, he/she shall document it as a crime report and report it to University Police for the purpose of making Timely Warning reports and for inclusion in the annual statistical disclosure and inclusion in the crime log..

Campus Security Authorities encompass four groups of individuals and organizations associated with an institution, as follows:

- Police department employees;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property);
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline and campus judicial proceedings; and,
- Individuals may be designated as CSAs based on whether they perform the following functions:
  - 1) Their official job responsibilities involve significant interaction with students and/or campus activities;
  - 2) They serve as informal or unofficial mentors to students;
  - 3) They serve as a member in an office or of a committee to whom students are instructed and informed to report or discuss crimes, allegations of crime, and other troubling situations, and/or;
  - 4) They have oversight for disciplinary procedures.

### Examples of Campus Security Authorities

- |   |   |
|---|---|
| <ul style="list-style-type: none"><li>▪ Law enforcement officers</li><li>▪ Security officers</li><li>▪ Emergency communication staff</li><li>▪ Deans of students</li><li>▪ Faculty advisor to a student group</li><li>▪ Program directors</li></ul> | <ul style="list-style-type: none"><li>▪ International studies staff</li><li>▪ Disability Resources and services staff</li><li>▪ Department Chairs</li><li>▪ Financial aid advisors</li><li>▪ Multicultural/Diversity staff</li><li>▪ Office of Inclusion and outreach staff</li><li>▪ Title IX Coordinators</li></ul> |
|---|---|



## Advocates

**Advocates** can help you figure out what steps to take and what choices you may need to make when you have been impacted by a crime. Victim advocates include paid and unpaid service providers working in a variety of settings to respond to crime victims' mental, physical, financial, social, emotional, and spiritual needs. Advocates can offer advice on how to stay safe and give you information on medical, mental health, and victim services in your community.



### CU Anschutz Advocates:

The Phoenix Center at Anschutz ..... 303.724.9120  
 24/7 Helpline..... 303.556.2255



## Confidential Reporting Exemption for Pastoral and Professional Counselors

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not Campus Security Authorities under the Clery Act who can provide confidential assistance:

**Pastoral counselor:** A person who is associated with a religious order or denomination is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

**Professional counselor:** A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

CU Anschutz does not currently have any pastoral counselors available on campus. Confidential professional counselor resources are as follows:

CU Anschutz Student Mental Health Services .....303.724.4716  
 After Hours\* .....303.370.9127  
*\*Identify yourself as a CU Anschutz student and ask for the on-call psychiatrist*

A professional counselor is an employee of the University of Colorado whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her counseling license or certification. Professional Counselors, who work with Student Mental Health Services, or Campus Health Center, when acting as such, are not considered Campus Security Authority. As a matter of policy, they are encouraged, if and 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.

## Reporting Crimes Occurring at Non-Campus Properties

Crimes that occur at non - campus properties should be reported to the local law enforcement for that jurisdiction.

**Aurora Police Department**

Emergency ..... 9-1-1  
Non-Emergency ..... 303.627.3100

**Adams County Sheriff**

Emergency ..... 9-1-1  
Non-Emergency ..... 303.288.1535

**Arapahoe County Sheriff**

Emergency ..... 9-1-1  
Non-Emergency ..... 303.795.4711

**Denver Police Department**

Emergency ..... 9-1-1  
Non-Emergency ..... 720.913.2000

**Denver County Sheriff**

Emergency ..... 9-1-1  
Non-Emergency ..... 720.913.2000

**City of Lone Tree Police**

Emergency ..... 9-1-1  
Non-Emergency ..... 303.799.0533



## EMERGENCY COMMUNICATION PLAN

Communication plays a critical role before, during, and after any emergency or disaster. CU Anschutz will immediately notify the Campus Community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students, faculty, staff, or visitors. This notification can be disseminated through a variety of communications methods as dictated by the incident.

The University of Colorado Denver | Anschutz Medical Campus Emergency Notification System, is commonly referred to as *CU Anschutz Alerts!*.

University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the CU Anschutz Alerts! emergency notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or contain and respond to, or otherwise mitigate the emergency.

Emergency messaging (Timely Warning and Emergency Notifications) content may be developed and disseminated by the Chief of Police, Deputy Chief of Police, Patrol Operations Commander, Support Operations Commander, Emergency Management Director, Communication/Clery Director, or their designees. Emergency Communications Technicians, or their designees, may also develop and disseminate notifications. The determination of the appropriate segment or segments of the Campus Community to receive the notification is considered and determined in conjunction with the messaging content.

CU Anschutz may utilize one or more of the following methods to disseminate emergency messaging to the Campus Community:

- CU Anschutz Alerts! notification system, which includes:
  - Text
  - Email
  - University-owned computer desktop pop-up notification
  - Social media
- CU Anschutz web page ([www.ucdenver.edu/alerts](http://www.ucdenver.edu/alerts))
- CU Denver | Anschutz Campus Information Line 877-INFO-070 (877.463.60)
- In-building public address systems
- Posted notices in key locations throughout the campus



The CU Anschutz Chancellor has mandated all student, faculty, and staff university-issued email be registered to receive emergency alerts and campus closure notifications via the CU Anschutz Alerts! system. This method cannot be opted out of.

In order to receive text alerts from CU Anschutz Alerts!, students, faculty, and staff should text “CUAnschutzAlerts” to 226787.

In an effort to keep information current during an evolving situation, e-mail and text emergency notifications will be brief and may direct the reader to the CU Anschutz toll-free emergency information line, 1.877.463.6070 or [cuanschutz.edu/alerts](http://cuanschutz.edu/alerts). Follow up information will be disseminated by the aforementioned methods for emergency messaging, as necessary.

The larger community (e.g., non-affiliated persons with CU Anschutz, e.g., hospital employees, vendors, neighbors, parents, etc.) who would like to receive emergency notification to their cellphone as a text message may opt-in to receive CU Anschutz Alerts! by texting the keyword “CUAnschutzAlerts” to 226787. Local media, CU Anschutz web alerts, the information line, in-building public address system announcements, scrolling message boards, posted notices and social media may also be sources of emergency information for the larger community.

## Emergency Notifications

CU Anschutz will immediately notify the Campus Community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students, faculty, staff, or visitors. The following are examples of significant emergencies and dangerous situations that may occur on campus:

- Armed/hostile intruder
- Bomb/explosives (threat)
- Communicable disease outbreak
- Severe weather
- Terrorist incident
- Civil unrest
- National disaster
- Hazardous materials incident
- Structure fire



Prior to emergency notifications, the significant emergency must be confirmed. Confirmation may come from a number of sources, including University Police Department staff, campus constituents and/or partner agencies depending on the type of emergency. To evaluate the significance of the threat, the University may consult with subject matter experts, for example: Aurora Police Department, Aurora Fire Department, Federal Bureau of Investigations, World Health Organization, Colorado Department of Public Health and Environment, University Health and Safety, National Weather Service, etc. Due to the time sensitivity of emergency alerts, the decision to initiate the CU Anschutz Alerts! system will be determined as quickly and thoroughly as possible.

Once a significant emergency is confirmed, the University may utilize the CU Anschutz Alerts! to communicate to the Campus Community.

Follow-up incident information and end of the threat declaration will be disseminated to the Campus Community, as appropriate. Follow-up information may be made by any of the emergency messaging methods as listed above (e.g., e-mail, text, information line, etc.)



## Timely Warning

Timely Warnings notify the Campus Community to potentially dangerous criminal situations so that students, faculty and staff have the time and information necessary to take appropriate personal protection measures. Timely Warnings are issued as soon as possible after pertinent information is available to aid in the prevention of similar occurrences.



The University will consider all of the facts surrounding Clery Act Crimes that occur on the University's Clery Geography to determine whether to issue a Timely Warning to the Campus Community. The determination to issue a Timely Warning is evaluated on a case-by-case basis in light of all the facts surrounding a crime, including:

- The nature of the crime;
- The continuing danger to the Campus Community, and;
- The possible risk of compromising law enforcement efforts.

A Timely Warning may be issued for non-Clery Act crimes if it is believed the crime poses a serious or continuing threat to the Campus Community. Timely Warnings may be issued to the Campus Community by any of the emergency messaging methods, but most commonly are disseminated by e-mail. The University withholds the names of victims as confidential. Crimes reported to a pastoral or professional counselor are exempt from reporting requirements.

The intent of a Timely Warning is to enable members of the Campus Community to protect themselves. Typically, a Timely Warning will include the following information:

- Reported offense;
- Date/time of crime (if known);
- Suspect information (if known);
- Solicitation of witness or suspect information; and,
- Information that would promote safety and that would aid in the prevention of similar crimes.

Typically, a Timely Warning message is not regularly issued for incidents reported more than two weeks (fourteen days) after the date of occurrence as such a delay may not provide an opportunity to react or respond in a timely manner.

#### **The Family Educational Rights and Privacy Act (FERPA) and the Timely Warning Requirement**

An institution may, in appropriate circumstances, include personally identifiable information in a Timely Warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. The Department's FERPA regulations, at 34 CFR 99.36, describe the rule relating to the disclosure of information in health and safety emergencies.

## **Public Safety Information**

Informational notification that may be sent to the Campus Community for general safety purposes is called Public Safety Information. These alerts are not generally time sensitive or considered to be an on-going threat, but the information is important and informs the campus of events occurring on, around, or even off campus that do not meet the requirements or specifications for distribution of an Emergency Notification or Timely Warning.

# EMERGENCY RESPONSE AND EVACUATION PROCEDURES

## Campus Emergency Response

Emergency communication and law enforcement services are available 24-hours a day to respond to calls for service, both emergent and non-emergent. Department policies require an immediate response to emergency calls that occur on the Anschutz Medical Campus. Typically, University Police are not primary responders to emergencies occurring inside Children's Hospital of Colorado or University of Colorado Hospital. Emergency Communication staff have the ability to notify City of Aurora Police, Adams County Sheriff, and other campus emergency officials (Fire and Life Safety, Facilities, etc.) as needed based on the incident.

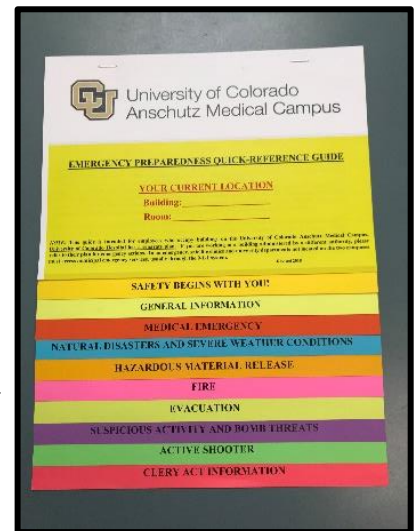
CU Anschutz maintains an all-hazards, comprehensive emergency management plan for the campus. The University of Colorado Anschutz Medical Campus Comprehensive Emergency Management Plan (CEMP) establishes the basis for providing emergency response resources and assistance to the Campus Community if impacted by emergencies or disasters. The CEMP and its supporting annexes may be activated by the on-scene incident commander or University of Colorado Leadership Team (UCLT) or directed designees.

The CEMP covers all five phases of emergency management: Prevention, Protection, Response, Recovery, and Mitigation.

In support of the campus CEMP, University affiliates and stakeholders develop and implement internal response standard operating procedures for their departments, schools, colleges, etc. The procedures define and express how tasks, functions and activities are accomplished as they relate to the CEMP. The procedures may be administrative, routine, or tactical in nature.

Copies of the plan are available on the University of Colorado Denver | Anschutz Medical Campus Emergency Management Division office and Emergency Management Website (base plan only).

More than 1500 emergency preparedness quick-reference guides (right) have been posted near exits in classrooms, conference rooms and other high traffic areas.



## Evacuation



The Chief of Police will ensure that the University Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic devices and testing of these procedures in coordination with the Campus Fire and Life Safety Officer (20 USC § 1092 (f)(1)(J)(i) and (iii)).

During campus emergencies, it may become necessary to evacuate and or close one or more buildings or facilities on campus. In order to ensure the safety of the Campus Community and University facilities, the University Police Department has developed an emergency evacuation plan to address these

emergencies. Therefore, it is the policy of the University Police Department to control key ingress and egress routes out of University buildings and facilities during emergency situations in order to safeguard the Campus Community and ensure continuity of operations for areas that are not affected by the emergency.

The initial decision to close all or a part of the campus emergently will be made by the on-scene Incident Commander or University Chancellor/designee after receiving and confirming information regarding the seriousness of the emergency or incident.

The decision should be based on one or more of the following factors:

- The need to take immediate action to protect life or property;
- The amount of time elapsed between the occurrence and the notification;
- The threat to the Campus Community; and,
- The danger posed to the public if non-emergency services personnel are allowed to enter a facility or building.

In the event that a campus or building evacuation is required on the University of Colorado Anschutz Medical Campus, occupants will be required to move quickly, but in an orderly fashion to the nearest exit. **DO NOT USE ELEVATORS.** When available, use of the overhead public address system will announce the need to evacuate. Information may be made by any of the emergency messaging methods.

It is University policy that all persons shall be allowed to evacuate the building when a fire alarm sounds.

Once outside of the building:

- Continue to a safe distance (a minimum of 100 feet or more as directed by emergency personnel);
- Keep clear of emergency vehicles;
- Gather at your pre-determined safe location and try to account for all persons who were in your area; If you know of persons who are injured, trapped, or unaccounted for, report that information to emergency responders; and,
- Do not leave the campus without notifying your supervisor.

The Emergency Management Division will conduct an annual review of the Campus Emergency Management Plan and responses, incorporating a full or partial exercise, tabletop or command staff discussion.

The University Police Department's Emergency Management Division will test emergency response and evacuation procedures on at least an annual basis during drills and other exercises. These are normally announced and publicized in advance of the drill or exercise. The Emergency Management Division maintains records of all tests, drills and exercises that include a description of the exercise, the date, time, and whether it was announced or unannounced.

## SEXUAL MISCONDUCT PROCEDURES FOR CU DENVER | ANSCHUTZ



### UNIVERSITY OF COLORADO DENVER | ANSCHUTZ MEDICAL CAMPUS SEXUAL MISCONDUCT, INTIMATE PARTNER ABUSE, AND STALKING PROCEDURES Effective October 4, 2018

#### I. OVERVIEW AND MISSION STATEMENT OF THE OFFICE OF EQUITY

The University of Colorado Denver |Anschutz Medical Campus (the “University”) is committed to providing a safe and non-discriminatory environment for all members of the University community. The University prohibits Sexual Assault, Sexual Exploitation, Intimate Partner Abuse, Stalking, Sexual Harassment. (together, “Prohibited Conduct”). The Policy also defines other Related Violations, which includes; 1) Failure to Report, 2) Retaliation, 3) Providing False or Misleading Information, 4) Interference with Reporting and 5) Failure to comply with Orders and Sanctions. These forms of Prohibited Conduct and Related Violations are defined in the University of Colorado’s Sexual Misconduct Administrative Policy Statement (the “Policy”). This document identifies the procedures (the “Procedures”) the University follows when it receives a report alleging Prohibited Conduct. The University uses these Procedures to investigate and resolve any such allegations and to impose disciplinary sanctions against individuals found responsible for violating the Policy.

The University of Colorado Denver | Anschutz Medical Campus Office of Equity (OE) strives to stop, prevent, and remedy discrimination, harassment, sexual misconduct, and any related retaliation; assist employees with obtaining reasonable ADA accommodations; provide education on these topics; design policy to make our campus safer and more inclusive; and ensure all people are treated with dignity, compassion, and respect.

The OE’s administration of the Policy is conducted in accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and other applicable federal and state laws.

These Procedures describe the University’s procedures for the investigation and remediation of potential sexual misconduct and Prohibited Conduct. It does not constitute a contract, whether express or implied, between the University and any person who is subject to requirements. The University reserves the right to modify these Procedures at its discretion and without notice.

#### II. JURISDICTION

- A. The Procedures govern all students, faculty, staff, contractors, patients, volunteers, affiliated entities, and other third parties. For specific jurisdiction provisions, please see the Applicable Policy.

- B. The University has an obligation and jurisdiction to conduct at least a preliminary inquiry to determine whether the alleged conduct occurred in the context of, or has continuing effects on, a University program, activity or employment.
- C. Actions taken under the Procedures are separate and apart from any law enforcement or other court process or proceeding, such as a civil lawsuit or criminal prosecution, that may relate to the same underlying factual incident. OE's jurisdiction does not depend on whether criminal charges are filed. Formal Investigations or other case resolutions conducted by the OE are not postponed while criminal or civil proceedings are pending unless there are extenuating circumstances, as determined by the OE. Dismissal of criminal or civil charges or acquittal in a criminal or civil case does not prevent the OE from resolving an incident. There is no time limitation for reporting a concern to the OE or for the OE to address matters described within this document. If the alleged conduct is reported to have occurred prior to the effective date of the current Policy, the OE will apply the Policy that was in effect at the time the alleged conduct reportedly occurred, to the extent that the policies differ in defining prohibited conduct. However, regardless of the policy in force at the time the conduct is alleged to have occurred, the OE's procedural response to the report will be governed by the current Procedures.
- D. The failure of an individual to appear and/or respond to the OE does not prevent the OE from proceeding with or completing the applicable process.
- E. For employees, any matters falling outside the scope of the Policy shall be addressed by the appointing/disciplinary authority. For students on the CU Denver campus, the Office of Student Conduct and Community Standards (SCCS) has jurisdiction for all other student conduct matters. For students on the CU Anschutz Campus, the Respondent's school, college, or program has jurisdiction for all other student conduct matters. In the event that there are multiple potential charges involving the Policy and the Student Code of Conduct or school, college, or program policies, the OE and related conduct authority shall have the discretion to jointly determine the most appropriate way to proceed. Options include but is not limited to, concurrent investigations, joint investigations, deferring the findings of one office or using the investigation or findings of one office as the basis of further investigation by the other.
- F. When an alleged violation involves more than one University of Colorado campus, the complaint shall be resolved by the campus with the disciplinary authority over the Respondent. The campus responsible for the resolution process may request the involvement or cooperation of any other affected campus and should advise appropriate officials of the affected campus(es) of the progress and results of the resolution process.
- G. University employees and students may work or study at the worksite or program of another organization affiliated with the University. When a violation is alleged by or against University employees or students in those circumstances, the complaint shall be addressed as provided in the affiliation agreement between the University and the other entity. In the absence of an affiliation agreement or a provision addressing this issue, the University may, at its discretion choose to 1) conduct its own resolution process; 2) conduct a joint resolution process with the affiliated entity; 3) defer to the findings of the affiliated entity where the University has reviewed the resolution process and is satisfied

that it was fairly conducted; 4) use the resolution process and findings of the affiliated entity as a basis for further investigation or adjudication; or 5) take other action as determined appropriate by the Title IX Coordinator.

H. Conduct alleged to have occurred before an individual became a student, faculty, staff, contractor, patient, volunteer, or affiliated entity with the University of Colorado Denver | Anschutz Medical Campus may be addressed through applicable remedial, protective, and/or educational measures, if the alleged conduct interferes with or impedes upon equal access to employment or education for any current University of Colorado Denver | Anschutz Medical Campus community members, as determined by the OE Director(s).

### III. REPORTING OPTIONS & REQUIREMENTS

#### A. Reporting Options

**Will Dewese, Title IX Coordinator & Director of Title IX**  
Office of Equity Lawrence Street Center Campus Box #187  
1380 Lawrence Street, 12th Floor Denver, CO 80217  
Phone: 303-315-2567  
Email: [equity@ucdenver.edu](mailto:equity@ucdenver.edu)

A Complainant may choose to make a report to the University to pursue resolution under these procedures and may also choose to make a report to law enforcement. A Complainant may pursue either or both options at the same time. The OE can assist a Complainant in notifying law enforcement authorities, if the Complainant so chooses. A Complainant who wishes to pursue criminal action in addition to, or instead of, making a report under these Procedures can also contact law enforcement directly.

- 911 (for emergencies)
- Auraria Police (for non-emergencies) 303-556-5000
- Anschutz Medical Campus Police (for non-emergencies) 303-724-4444
- Denver Police (for non-emergencies) 720-913-2000
- Aurora Police (for non-emergencies) 303-627-3100

**Please note that it is important to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order.** Regardless of whether or not a Complainant wants to report an incident(s), it is important to preserve any evidence of the sexual assault (or other misconduct), so that if a Complainant decides at any point in time to report the incident, that evidence is still available. Examples of evidence to preserve include, but are not limited to: the clothing the individual was wearing, bedding, text message correspondence discussing the assault (either with the accused or with friends or family), photographs, screenshots, emails, social media correspondence/posts (Facebook, Tinder, Snapchat, Instagram, Grindr, etc.), correspondence via other messaging applications (Whatsapp, Kik, GroupMe, WeChat etc.).

Regardless of whether an individual wants to report the assault to the police, a medical exam can be done to preserve evidence. Sex Assault Nurse Examiner (SANE) programs at the Emergency Department at Denver Health Medical Center, University of Colorado Hospital, Children's Hospital, Porter Hospital, Medical Center of Aurora- South Campus, Saint Anthony North Hospital, Littleton Adventist Hospital, and Saint Anthony Central Hospital are available to conduct a SANE exam, ideally

within five days of the sexual assault. It is best if an individual does not bathe, shower, eat, drink, douche or change clothes. However, evidence can be collected if you have done any or all of these things. More information about the SANE can be located on their website. Contact information and addresses for these locations can be found on the OE website under the tab “What Can I do Now”

**Please note that if some or all of this evidence is unavailable or does not exist, you are still encouraged to report a sexual assault. The lack of evidence does not preclude an investigation from taking place.**

Reporting to the University Police will constitute notice to the University/OE and may result in an OE resolution process subject to applicable state law. In some instances, the OE is obligated to report the alleged conduct to the appropriate law enforcement agency. In those instances, OE will make reasonable effort to notify potential complainants prior to the reporting to law enforcement.

The University offers access to confidential resources for individuals who are unsure about whether to report Prohibited Conduct or are seeking counseling or other emotional support in addition to (or without) making a report to the University. Section VII. sub-sections 1, 2, & 3 identify confidential and other resources, both at the University and in the surrounding community.

- Section VIII (1) – CU Denver Resources
- Section VIII (2) – CU Anschutz Resources
- Section VIII (3) – Off-campus Resources

## B. Reporting Requirements

Responsible Employees Must Report Sexual Misconduct - Many members of the University community, generally including faculty and members of the administration with supervisory responsibilities, are Responsible Employees, who must promptly report sexual misconduct to the Title IX Coordinator or designee. A full definition of Responsible Employees is provided in Section IV.

1. Any Responsible Employee who witnesses or receives a written or oral report alleging that a member of the University community has been subjected to or has committed an act of sexual misconduct must promptly report the allegations to the Title IX Coordinator or designee. Members of the University community include students, faculty, staff, contractors, patients, visitors to campus, volunteers, and employees of affiliated entities. Because the University may have the ability to address or prevent future sexual misconduct, the obligation to report exists independently of whether the individual who was subjected to or committed an act of sexual misconduct is currently enrolled or employed at the University.
2. The Responsible Employee is required to promptly report to the Title IX Coordinator or designee all known details about the alleged sexual misconduct, including:
  - a. Name of the alleged victim;
  - b. Name of alleged perpetrator;
  - c. Name of any alleged witnesses; and
  - d. Any other relevant facts, including the date, time, and specific location of the alleged incident.

If the *Responsible Employee* is unable to provide this information at the time of making an initial report, but later becomes aware of additional information, the Responsible Employee must supplement the prior report.

Responsible Employees employed by University law enforcement are required to report pursuant to this section unless the information is otherwise excluded by state or federal law (for example, identifying information for the victim and/or information related to juveniles).

3. In many instances, it may not be immediately apparent whether a person is a member of the University community, whether the sexual misconduct occurred on University property, or whether the alleged sexual misconduct occurred in the course of an educational program or activity of the University. Rather than conduct their own inquiries to determine whether these conditions exist, Responsible Employees should report potential sexual misconduct to the Title IX Coordinator or designee to allow a preliminary inquiry to occur.
4. *Responsible Employees* are not required to report information disclosed during an individual's participation as a subject in an Institutional Review Board-approved human subjects research protocol. Institutional Review Boards may, in appropriate cases, require researchers to provide reporting information to all subjects of IRB Research.
5. *Responsible Employees* who receive information related to sexual misconduct in the course of serving in the capacity as Ombuds, as designated by the University, are not required to report to the Title IX Coordinator or designee. These Responsible Employees must report sexual misconduct disclosed to them when they are not serving in the capacity as Ombuds.
6. *Responsible Employees* who receive information related to sexual misconduct in the course of providing professional services within a privileged relationship, such as health care providers or counselors, are not required to report to the Title IX Coordinator or designee. These Responsible Employees must report sexual misconduct disclosed to them when they are not providing professional services within a privileged relationship. These Responsible Employees may also have independent professional obligations to report some forms of criminal conduct to law enforcement officials. Any Responsible Employee may consult with campus legal counsel to determine whether an independent reporting obligation exists.
7. A *Responsible Employee* does not satisfy the reporting obligation by reporting sexual misconduct to supervisor or University personnel other than the Title IX Coordinator or designee.
8. Responsible Employees are not required to report sexual misconduct to which they have been personally subjected to the Title IX Coordinator or designee, but are nonetheless encouraged to report.



In the event that the individual wishes to maintain privacy and requests that no resolution process be pursued, that no disciplinary action be taken, or that the allegation not be reported to law enforcement, the Responsible Employee remains obligated to report the known information to the Title IX Coordinator. OE staff will also explain that the University prohibits retaliation, and will also take strong responsive action if it occurs.

All other individuals who become aware of an incident of Prohibited Conduct are highly encouraged to report all known details about the Prohibited Conduct to the University Title IX Coordinator by telephone, email, in person, or through the University's online Sexual Misconduct & Discrimination [Report Form](#).

The University may have an obligation to report to the relevant law enforcement agency, keeping the name of the Complainant confidential, in circumstances where the incident includes an allegation that a crime has been committed.

#### IV. PRIVACY, CONFIDENTIALITY, AND THE UNIVERSITY'S OBLIGATION TO PROVIDE A "SAFE AND NON-DISCRIMINATORY ENVIRONMENT"

Privacy and confidentiality have distinct meanings.

**Privacy:** Generally, means that information related to a report of Prohibited Conduct will be shared with a limited number of individuals on a "need to know" basis in order to assist in the active review, investigation, resolution of the report, and related issues. All University employees who are involved in a potential response to a report receive specific training and guidance about safeguarding private information in accordance with applicable laws.

The privacy of student education records will be protected in accordance with the University's policy for compliance with the Family Educational Rights and Privacy Act (FERPA) and state law protections. Access to personnel records is restricted in accordance with University policy and state law.

**Confidentiality:** Means that information shared by an individual with designated campus or community professionals cannot be revealed to any other person without express permission of the individual, or as otherwise permitted or required by law. Those campus and community professionals who have the ability to maintain confidential relationships include health care providers, mental health professionals, the sexual assault or domestic violence Complainant advocate, attorneys, and ordained clergy, all of who normally have privileged confidentiality that is recognized by Colorado state law. The Title IX Coordinator has also designated the Ombuds Staff serving in their capacity as a confidential resource for CU Denver | CU Anschutz campus. These individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required or permitted by law or court order.

The University supports the use of confidential resources as listed in Section VIII so that Complainants can provide information confidentially and still receive remedial and/or protective measures as necessary through the Title IX Coordinator or designee. Communications with these confidential resources acting in their official capacity are not considered "Responsible Employees" for mandatory reporting purposes.

**Findings of Sexual Misconduct:** The University recognizes that third parties may have a legitimate interest in knowing whether a University employee has been found responsible for engaging in sexual misconduct. In the event that, after an investigation and any rights of appeal have been completed, an employee has been found responsible for engaging in sexual misconduct, the University may confirm upon inquiry from a potential employer or licensing or credentialing agency that the employee has been found responsible for violating a policy related to sexual misconduct. The University may also confirm that an investigation of potential sexual misconduct is pending against an employee or that an employee resigned employment while an investigation of potential sexual misconduct was pending. As required by the Colorado Open Records Act, the University shall not release any records related to the investigation of sexual misconduct or finding of sexual misconduct unless otherwise permitted by law.

### **Determinations Regarding Obligation to Provide a Safe and Non-Discriminatory Environment and Consideration of Override Factors**

If a Complainant has disclosed an incident of misconduct, but wishes to maintain privacy or requests that no investigation be conducted or disciplinary action taken, the Title IX Coordinator or a designee will explain that the University prohibits retaliation and will explain the actions the University will take to prevent retaliation if the individual participates in a resolution process, and will take responsive action if it occurs.

If, having been informed of the University's prohibition of retaliation and its obligations to prevent and respond to retaliation, the individual would still like to maintain privacy or requests that no resolution process be pursued or disciplinary action be taken, the Title IX Coordinator or a designee will weigh that request against the University's obligation to provide a safe, non-discriminatory environment in its programs, activities, and employment. In making that determination, the Title IX Coordinator or designee will consider a range of potentially overriding factors that would cause the campus to address the alleged conduct in some manner or take disciplinary action after an investigation if misconduct occurred, including the following:

1. The risk that the alleged perpetrator will commit additional acts of misconduct or other violence;
2. The seriousness of the alleged misconduct, including whether the alleged perpetrator threatened further misconduct or other violence against the alleged Complainant or others, whether the alleged misconduct was facilitated by the incapacitation of the alleged Complainant, or whether the alleged perpetrator has been found responsible in legal or other disciplinary proceedings for acts of misconduct or other violence;
3. Whether the alleged misconduct was perpetrated with a weapon;
4. Whether the alleged Complainant is a minor;
5. Whether the University possesses a means other than the alleged Complainant's testimony to obtain relevant evidence of the alleged misconduct (e.g., security cameras or personnel, physical evidence); or

6. Whether the alleged misconduct reveals a pattern of perpetration at a given location or by a particular group.

The decision to proceed with a resolution process or other action despite the individual's request that no resolution process or action proceed will be conducted on a case-by- case basis after an individualized review.

Nothing in this section limits the Title IX Coordinator or designees from responding to the alleged conduct in a manner other than investigation or adjudication, that the Title IX Coordinator or designee may determine is appropriate under the circumstances, for example with informal resolution, referral to other offices, or consulting with University officials as appropriate, including but not limited to, the University of Colorado Police Department, CU Denver or CU Anschutz CARE Team, CU Denver | Anschutz Medical Campus FAST Team, Office of Student Conduct and Community Standards, or CU Denver Housing and Dining. Additionally, nothing in the override analysis limits the authority of a disciplinary authority to initiate or impose disciplinary action as necessary.

If the University honors the individual's request for privacy, the University's ability to meaningfully investigate the incident may be limited and disciplinary action may not be possible.

The Title IX Coordinator or designee may also determine that a report to the relevant law enforcement agency is warranted given the factors above, despite an individual's request for privacy. The OE will consider the range of factors listed above in making the determination to report to law enforcement. In those instances, the OE will make a reasonable effort to notify potential Complainants prior to reporting to law enforcement.

## V. PROHIBITED CONDUCT

The misconduct applicable to these Procedures can be found in the Policy<sup>3</sup>, which prohibits sexual assault – nonconsensual sexual intercourse, sexual assault – nonconsensual sexual contact, sexual exploitation, intimate partner abuse (domestic and dating violence), stalking, and sexual harassment.

Under the Policy, the OE may also address allegations of the following related Prohibited Conduct<sup>4</sup>:

- A. Failure to Report – The University will administer the Policy in a manner that promotes the reporting of misconduct and avoids disciplinary actions when Responsible Employees conscientiously discharge their reporting obligations. A failure to report an allegation of misconduct shall result in a violation of the Policy only if the Responsible Employee received information that a member of the University community was subjected or committed an act of misconduct and intentionally, knowingly, or recklessly disregarded the obligation to report, thus resulting in harm to a member of the University community.
- B. Retaliation – The University of Colorado Denver | Anschutz Medical Campus will not permit retaliation against a member of the University community who has indicated an intent to file or who has filed, supported, or provided information in connection with a complaint of misconduct. Retaliation means adverse educational or employment actions, including direct or indirect intimidation, threats, and harassment taken against a member of the University community because of their protected activities. An adverse educational

or employment action is any conduct that would dissuade a reasonable person from reporting an allegation of misconduct or participating in a resolution process.

- C. Providing False or Misleading Information – Providing false or misleading information related to misconduct is contrary to the purposes of the Policy. Members of the University community must provide reports of misconduct in good faith. A person who knowingly or recklessly alleges a false complaint of misconduct or knowingly or recklessly provides false information during the course of an investigation violates the Policy. Making a report or providing information in good faith, even if the facts alleged in the report are not later substantiated, will not constitute providing false or misleading information.
- D. Interference with Reporting – No member of the University community may prohibit or interfere with a Responsible Employee or any other person’s reporting misconduct to the Title IX Coordinator or designee.
- E. Failure to Comply with Orders and Sanctions – Subject to any rights of appeal, members of the University community must comply with orders of the Title IX Coordinator of the OE or other appropriate University officials related to the Sexual Misconduct, Intimate Partner Abuse and Stalking Policy, including but not limited to, no-contact orders, exclusion orders, and orders for interim suspension. Subject to any rights of appeal, members of the University community must abide by and complete sanctions related to the applicable misconduct.

The OE may initiate an investigation into allegations of related Prohibited Conduct on behalf of the University when there is no individual Complainant who reports the allegation, but nevertheless becomes aware of the potential related misconduct.

## VI. RESOLUTION PROCEDURES

The University does not tolerate and will be responsive to any report or complaint of “Prohibited Conduct” as listed in Section V. and is committed to providing prompt, fair, impartial, and equitable resolutions of any complaint that the University knows, or in the exercise of reasonable care should have known about. The primary concern is the safety of all University community members. The University, through the OE, will take steps to prevent recurrence of any Prohibited Conduct and remedy discriminatory effects on the Complainant and others if appropriate. The following procedures will apply to resolution of all reports of complaints of Prohibited Conduct:

### A. Overview of Resolution Procedures and Options

The University has an obligation and jurisdiction to conduct at least a preliminary inquiry upon receiving a report or complaint alleging Prohibited Conduct. A preliminary inquiry may include, but is not limited to, evaluating whether the complaint implicates a policy enforced by the OE, whether the complaint and parties are within the jurisdiction of the OE, and whether the complaint presents a safety threat such that the OE must report the concern to law enforcement. The OE shall then determine the most appropriate means for addressing the report or complaint. Options include, but are not limited to:

#### 1. Formal Investigation (See Section 5.)

2. Informal Resolution (See Section 6.)
3. Preliminary Inquiry: Determining that the facts of the complaint or report, even if true, would not constitute a violation of the Policy and closing the matter following a preliminary inquiry.
4. No limitation on existing authority: Referring the matter to an employee's disciplinary authority or supervisor. The Procedures do not limit the authority of a disciplinary authority to initiate or impose disciplinary action as necessary.
5. Other referral: Determining a complaint does not fall within the jurisdiction of the Policy and referring the complaint to appropriate office(s) on campus best suited to address the reported concerns.

#### B. Remedial and Protective Measures

The University will implement reasonably available measures to protect parties and facilitate the parties' continued access to University employment or educational programs and activities at any stage of the process as applicable and determined by the appropriate University official.

Such measures may be both **Remedial** (designed to address well-being and continued access to educational opportunities or employment) or **Protective** (taken to ensure safety of the parties and/or community).

Whether remedial and/or protective measures are appropriate is determined after an individualized assessment, making every effort to avoid depriving any student of educational access.

Parties involved in allegations of Prohibited Conduct are entitled to receive written information, assistance, and a broad range of protective and remedial measures regardless of the resolution option pursued or level of participation by the parties. Protective measures, which involve restricting the rights of a party, may require a formal resolution, unless interim action is determined appropriate, and as outlined below.

Participants in the OE resolution process may request remedial and/or protective measures from the Title IX Coordinator/Director of Title IX or designee. The Title IX Coordinator/Director of Title IX or designee will maintain oversight of these requests and the provision of any such measures. The Title IX Coordinator/Director of Title IX or designee has the discretion to ensure the appropriateness of any remedial and/or protective measures based on all available information, including whether such measures are reasonably available, and will meet with a Complainant or Respondent to address any concerns about the provision of remedial or protective measures.

Remedial and protective measures which may be available include but are not limited to:

1. Academic support measures (arranging for a party to retake a course, excuse related absences, request extensions on assignments or exams, change sections when available or withdraw from a class without penalty)
2. Accessing medical services
3. Accessing counseling services
4. Employment modifications

5. Transportation changes
6. No-contact orders enforced by the University
7. Discussing options for obtaining criminal or civil protection or restraining orders
8. Residential relocations in CU Denver Housing and Dining and/or offering resources for housing off- campus
9. Changes to, or interim exclusion from, classes
10. Interim exclusion orders (for parts of or entire campus)
11. Interim student suspension (See Section VI, subsection 3)
12. Administrative leave for employees in consultation with Associate Vice Chancellor of Human Resources or designee and appointing/disciplinary authority.
13. Temporary suspension of supervisory or evaluative authority for employees in consultation with Associate Vice Chancellor of Human Resources or designee and appointing/disciplinary authority.

The University will maintain the parties' respective privacy regarding any remedial and protective measures provided to the extent practicable and will promptly address any violation of the protective measures. These measures may be kept in place until the end of a resolution, may be lifted or modified as additional information is presented, or may be extended permanently as appropriate.

Participants in the OE resolution process may request remedial and/or protective measures from the Title IX Coordinator or designee. The Title IX Coordinator or designee will maintain oversight of these requests and the provision of any such measures. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any remedial and/or protective measures based on all available information, including whether such measures are reasonably available, and will meet with a Complainant or Respondent to address any concerns about the provision of remedial or protective measures.

### C. Interim Student Suspension

The Title IX Coordinator/Director of Title IX or designee has the authority to interim suspend (including suspension from online and/or in-person classes) any student whose presence may impose a continuing danger to persons or property or an ongoing threat of disrupting academic progress. The factors considered in an interim suspension decision include:

1. Seriousness of the alleged conduct;
2. Location of alleged incidents;
3. Educational and housing impact on parties;
4. The risk that the alleged perpetrator will commit additional acts of sexual or other violence;
5. Whether the alleged perpetrator threatened further sexual or other violence against the alleged Complainant or others;
6. Whether there have been other misconduct complaints about the same alleged perpetrator or whether the perpetrator has a known history of sexual or other violence;
7. The existence of multiple alleged Complainants and/or perpetrators;
8. Whether the conduct was facilitated by the incapacitation of the Complainant (through alcohol, drugs, disability, unconsciousness, or other means);
9. Whether the alleged conduct was perpetrated with force, violence, or weapons;
10. Whether the allege Complainant is a minor;

11. Whether the alleged conduct reveals a pattern of perpetration (by the alleged perpetrator, by a particular group or organization, around a particular recurring event or activity, and/or a particular location); and/or
12. Whether any other aggravating circumstances or signs of predatory behavior are present.

In the case of an interim suspension, the student will be provided oral and/or written notice of the alleged Prohibited Conduct and the opportunity to meet, if the student chooses, with the Title IX Coordinator/Director of Title IX or designee. The Title IX Coordinator/Director of Title IX or designee will ensure that the student is afforded the opportunity to meet within ten days of the notice of interim suspension. This does not preclude additional meetings after the ten days has passed to review the interim suspension.

**It is the responsibility of the Respondent to schedule the meeting if requested.** After providing the Respondent with notice of the allegations and an opportunity to be heard, the Title IX Coordinator or designee may decide to lift or continue the interim suspension, potentially until the completion of a Formal Resolution. The Title IX Coordinator or designee may also determine whether any exceptions may be appropriate based on factors which include, but are not limited to, nature/severity of the behavior, prior misconduct, extent of academic progress to date, and availability of faculty and/or online classes. The interim protective measures may be re-evaluated during the course of a resolution process if new information is presented that mitigates the threat to campus safety.

#### D. Investigators

Resolutions will be conducted by staff who are appropriately trained and have qualifications and experience that will facilitate a prompt, fair, equitable and impartial resolution. The Title IX Coordinator or designee shall ensure that OE Investigators and Standing Review Committee members receive annual training on issues related to sexual assault, intimate partner abuse, stalking, sexual harassment, and retaliation. The Title IX Coordinator or designee shall determine if one or more Investigators shall be assigned to each case depending on the specific circumstances and as warranted.

Outside Investigators. The OE Title IX Coordinator or designee may also designate other individuals (either from within the University, including an administrator, or from outside the University) to conduct or assist with an investigation or to manage an alternative resolution process. Circumstances which may warrant such outside resolutions include, but are not limited to, conflict of interest, allegations of bias, or workload. The Title IX Coordinator or designee retains the discretion to determine whether the use of outside investigator(s) is warranted and reasonable given the circumstances and information and known at the time. Outside investigator(s) shall have adequate training, qualifications and experience that will, in the judgment of the OE Title IX Coordinator or designee, facilitate a prompt, fair, and impartial resolution. Any outside investigator(s) designated to address an allegation must adhere to the requirements of the Procedures and confer with the OE Title IX Coordinator or designee on a regular basis about the progress of the investigation or alternative resolution process.

#### 1. Formal Investigation

The OE may resolve a report of alleged misconduct under the Policy through the Formal Investigation process when the alleged misconduct, if true, would be prohibited under the Policy. The OE may decline to pursue a Formal Investigation if 1) a Complainant has requested that a Formal Investigation

not be pursued, and 2) the OE has determined that the Complainant's request can be honored consistent with the University's obligation to provide a safe and non-discriminatory environment.

The OE is committed to providing a prompt, fair, and impartial resolution of all complaints referred for formal investigation. A formal investigation can include three stages: investigation, sanction and appeal, as applicable and described below. Investigators interview the Complainant(s) and the Respondent(s) separately and provide each party the opportunity to be heard and to respond. Investigators also review additional evidence as available including, but not limited to, conducting witness interviews, gathering documentation, and reviewing video surveillance footage.

The Complainant(s) and Respondent(s) shall each have equitable opportunity to:

- An investigation conducted by trained officials who do not have a conflict of interest or bias for or against the Complainant(s) or Respondent(s). An official shall recuse from participating in an investigation in those instances where the official believes that their impartiality might reasonably be questioned by an independent, neutral observer due to the official's bias or prejudice against the Complainant(s) or Respondent(s) or where the official has a personal or professional relationship with one of the parties that would adversely affect the official's ability to serve as an impartial finder of fact as determined by the Title IX Coordinator;
- Interim measures to be provided before an investigation or while an investigation is pending. Interim measures, when determined to be appropriate and reasonably available by the Title IX Coordinator or designee, are intended to maintain the educational or employment environment if possible and may include counseling, extensions of time or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties, changes in work or CU Denver Housing and Dining locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Interim measures should be individualized and appropriate based on the information gathered by the Title IX Coordinator or designee;
- Receive notice before they participate in an interview with sufficient time to prepare for meaningful participation;
- A process with reasonably prompt timeframes, with extensions for good cause, as outlined below;
- Present relevant information to the Investigator(s), including providing evidence and identifying witnesses;
- Have an advisor of their choosing, including an attorney, advocate, or other person who is not a potential witness in the investigation, or a party to the investigation, or who could otherwise compromise the investigation, provide support and advice throughout the Formal Investigation process, including but not limited to, being present for any meetings with OE personnel. The advisor is not authorized to participate instead of the Complainant or Respondent. The advisor may not engage in any conduct that is disruptive to the meeting or interview, or would constitute harassment or retaliation



against any person who has participated in an investigation and may be denied further participation for harassing or retaliatory conduct;

- Timely and equal access to relevant investigative information via a review of the Written Evidence Summary and, upon request, an in-person review of the investigative file, unless the University is legally prohibited from disclosing information to a party.
- Review and respond to the Written Evidence Summary (WES) of the relevant and material facts gathered during the Investigative Stage prior to any investigative findings or conclusions and submit questions to the Investigator to be asked of the other party or witnesses, following the dissemination of the Written Evidence Summary. The Investigator may decline to ask a question that is not reasonably calculated to lead to the discovery of probative evidence or when the probative value of the information is outweighed by the danger or unfair prejudice or confusion of the issues or by considerations of undue delay or needless presentation of cumulative evidence. Questions about any party's prior sexual history are normally not probative and will be asked only when directly relevant to the incident where the alleged sexual misconduct occurred. The investigator will address all relevant questions and provide an explanation as to any decision to exclude questions as not relevant.
- An internal review by the Standing Review Committee (SRC) before the investigative findings are issued;
- Receive written, concurrent notice of the investigation outcome at the conclusion of the Formal Investigation stage. A copy of the final, redacted investigative report, as approved by the SRC, shall be made available for in-person review by the Complainant(s) and Respondent(s).
- Provide information about aggravating or mitigating factors prior to any sanction being imposed, if applicable;
- Receive notice of any sanction, if applicable, in writing, including a statement of the basis upon which any sanction was imposed;
- Appeal the investigative findings or sanction imposed as described in Section 5(g) or Section 5(h), as applicable.

#### **a. Major Stages and Timelines**

##### **i. Notice of Investigation**

If a Formal Investigation is commenced, the OE shall send the Complainant(s) and the Respondent(s) a Notice of Investigation which will:

- Include a copy of the Procedures;

- Identify the Complainant(s) and Respondent(s);
- Identify the Investigator(s) who will conduct the investigation;
- Identify the conduct allegedly constituting the potential violation, including the date and location of the alleged incident to the extent known and available;
- Identify the specific section of the Policy alleged to have been violated;
- Include a statement that no determinations have been made or will be made until the conclusion of the investigation;
- Identify any interim protective measures, which typically include, but are not limited to, a no-contact order or location or campus exclusion; and
- Instruct the Respondent(s) contact the OE *within five business days* to schedule a meeting.

The Notice of Investigation may be sent to the Complainant(s) and Respondent(s) via:

- CU Denver | CU Anschutz email;
- USPS Certified Mail to the permanent addresses appearing in the University's information system or the address appearing in a police report; or
- Hand delivery.

Notice will be considered furnished on the date of hand-delivery, when the notice was emailed, or date of postmark when sent by USPS Certified Mail.

For employee Respondents, the employee's appointing/disciplinary authority, may also be notified.

If the Respondent chooses not to participate in the investigative process, the OE may complete the investigation based on the totality of the information obtained during the Investigation Stage, which may include police investigation reports and other relevant documents or information. The OE may also complete the Sanctioning and Appeal stages without the Respondent's participation, as applicable and appropriate.

## II) Disclosure of the Written Evidence Summary (WES)

Following the initial fact gathering, the Investigator(s) shall send a Written Evidence Summary of the relevant and material facts to the Complainant(s) and Respondent(s) who each have *seven business days* to review and respond. At this time, the parties will also have access to witness identities and opportunity to inspect the full investigative file. Both the Complainant(s) and Respondent(s) will also have an opportunity to submit questions for the Investigator(s) to ask of the other party and of witnesses. The Investigator(s) may decline to ask a question when the question is not reasonably calculated to lead to the discovery of probative evidence, when the probative value is outweighed by the danger of unfair prejudice, or in consideration of undue delay or needless presentation of cumulative evidence. Questions about any party's prior sexual history are normally not probative and will be asked only when directly relevant to the incident where the alleged sexual misconduct occurred. (See Section 5(d)(i).

Where the Investigator(s) receive information that warrants further investigation or review, the investigator(s) may extend the investigation in order to collect additional information. If an investigation is extended for this purpose, the parties will be notified in writing. Following such an extension and investigation, the Investigator(s) will issue an amended Written Evidence Summary, which shall again be made available to the Complainant and Respondent. Each party will have seven

business days to review and respond. The decision to extend the investigation shall be at the discretion of the Investigator(s), in consultation with the Title IX Coordinator.

### iii) Investigative Report

At the conclusion of the fact gathering, including, as appropriate, any relevant information or questions submitted in response to the Written Evidence Summary and subsequent follow-up investigation, the Investigator(s) shall prepare a written investigation report that will include a statement of factual findings and a determination as to whether or not there was a violation of policy.

For investigations involving student Respondents, the investigation report will include a determination of whether the Respondent(s) is found responsible for violating the applicable policy or not.

For investigations involving employee Respondent(s), the investigation report will include a determination of whether the Respondent(s) is found responsible for violating the policy or not. If an employee Respondent(s) is found not to be responsible for violating the policy, the investigation report may, if applicable, include a determination that the employee Respondent(s) engaged in conduct related to the Policy that is inappropriate or unprofessional. In such cases, the OE will refer such matters to the disciplinary authority who will make the final determination on appropriate action or response.

The OE may also submit the investigation report to the Office of University Counsel to review for legal sufficiency.

### iv) Report to the Standing Review Committee (SRC)

The investigation report shall be presented for review to the SRC. The SRC shall consist of employees who are not affiliated with the OE and have received appropriate training regarding implementation and application of the Policy and OE Procedures. The Standing Review Committee reviews the investigation report to review for Investigator bias and impartiality, thoroughness of the investigation, and sufficiency to support the finding. The Standing Review Committee may review any information contained in the investigative file, may consult with the Investigator(s), or may recommend that further investigation or a new investigation be done by the same or other Investigator(s). The Standing Review Committee may not conduct its own investigation.

### v) Notice of Finding (NOF)

The OE shall advise the Complainant(s) and Respondent(s) simultaneously in writing of the result or outcome of any investigation conducted under the Procedures. A copy of the final, redacted investigative report, as approved by the SRC, shall be made available for in-person review by the Complainant and Respondent. In limited circumstances, the OE may make available redacted copies of the investigative report to be shared with those individuals with a need to know, including but not limited to, the

Complainant(s), Respondent(s), Respondent's supervisory upline, and Respondent's appointing/disciplinary authority as applicable for employee Respondents, or the Director of Student Conduct and Community Standards for CU Denver students, or the student's disciplinary authority for CU Anschutz students. Such requests must be made to the Title IX Coordinator or designee.

For investigations involving employee Respondent(s), the investigation report will include a determination of whether the Respondent(s) is found responsible for violating the policy or not. If an

employee Respondent(s) is found not to be responsible for violating the policy, the investigation report may, if applicable, include a determination that the employee Respondent(s) engaged in conduct that is inappropriate or unprofessional under the Policy.

The Notice of Finding will also notify the parties as to the next step in the process, as applicable.

vi) Timeframes

The University will use its best efforts to complete its investigation and impose sanctions *within an average of ninety days* of the issuance of a Notice of Investigation, although this time frame may be extended for good cause.

Good cause may exist for a variety of reasons, including the complexity of the circumstances of each allegation, the integrity and completeness of the investigation, compliance with a request by law enforcement, the availability of witnesses, the necessity to provide translation services, University breaks or vacations, the necessity to access relevant and probative documentation that is not immediately available, or other legitimate reasons.

In the event that the 90-day time frame is extended, both the Complainant(s) and Respondent(s) will be notified in writing of the reason for the extension.

**b. Deadlines & Extensions of Time**

The Complainant(s) and Respondent(s) each have an obligation to meet deadlines as requested by the OE during the investigation and as specified above. Investigators, in consultation with the Title IX Coordinator, have the discretion to determine where good cause exists and extend deadlines as appropriate. The parties shall be provided with written notice of extensions as applicable.

**c. Standard of Review/Burden of Proof**

The OE applies the “preponderance of evidence” standard when making findings of fact and conclusions as to whether violations of policy occurred. A preponderance of the evidence exists when the totality of the evidence demonstrates that an allegation of misconduct is more probably true than not. If the evidence weighs so evenly that the Investigator(s) is unable to say that there is a preponderance on either side, the Investigator(s) must determine that there is insufficient evidence to conclude a violation of the Policy occurred.

In applying the standard, the Investigator(s) may consider both direct and circumstantial evidence. The Investigator(s) may determine the credibility of parties and witnesses and the weight to be given their statements, taking into consideration their means of knowledge, strength of memory and opportunities for observation, the reasonableness or unreasonableness of their statements, the consistency or lack of consistency of their statements, their motives, whether their statements are contradicted or supported by other evidence, any evidence of bias, prejudice or interest, and the person’s manner and demeanor when providing statements.

It is the responsibility of the OE, not the parties, to make a determination based on the totality of the available information to determine whether or not the preponderance of the evidence standard has been met. The burden of proof does not rest with either party.

**d. Evidentiary Standards**

i) Sexual history in sexual misconduct cases

The OE will not seek or consider irrelevant information regarding the Complainant's or Respondent's sexual history. Relevant information may include the shared sexual history between the Complainant and Respondent, particularly if there are questions about physical injury or trauma or history that may be relevant to the manner or method of affirmative consent as raised by a Respondent.

ii) Respondent's prior acts/or patterns

The OE will review, if available, any prior complaints of misconduct committed by the Respondent if they are relevant and probative to the alleged conduct at issue, or if they demonstrate a pattern of behavior. Such prior complaints, if relevant and probative, may be used in the imposition of interim protective measures, the investigative finding, and/or sanctioning.

### e. Sanctioning Process for Student Respondents

In cases where the investigation results in a policy violation, the matter will be referred to the Title IX Coordinator or designee. In the event that no violation of applicable policies was found, there is no preclusion of discipline for other student misconduct under either the Student Code of Conduct, or other behavioral or ethical standards policies and procedures.

The Title IX Coordinator or designee is authorized to impose sanctions for student Respondents and to remedy the sexual misconduct, intimate partner abuse, stalking and/or any other related prohibited behavior. The Title IX Coordinator shall simultaneously notify Complainant(s) and the Respondent(s) of any sanctions.

**Within seven business days** of the date of the Notice of Finding, the Respondent(s) and Complainant(s) will each have the opportunity to present separately to the Title IX Coordinator or designee any aggravating or mitigating circumstances related to the conduct that may impact sanctioning. Parties may meet separately in person with the Title IX Coordinator or designee or submit such information to the Title IX Coordinator or designee in writing. It is the responsibility of the parties to set the appointment and meet within the timeframe prescribed. Information submitted to the Title IX Coordinator or designee must be limited to describing mitigating or aggravating circumstances that may affect sanctioning. Any statement outside of these guidelines will not be considered.

The Title IX Coordinator or designee shall review the final investigative report and may review the entire file and/or consult as necessary with OE staff, the Office of Student Conduct and Community Standards, disciplinary authority, or any other University staff as needed in making a sanctioning determination. Repeated violations are likely to result in progressively severe sanctions.

Factors pertinent to a sanctioning determination may include, as applicable:

1. Severity and/or pervasiveness of conduct and whether it escalated during the incident;
2. Whether the Complainant(s) was incapacitated at the time of the incident(s);
3. Relationship between the parties, including, degree of control of one party over another;
4. Whether there was force/violence, weapons, or threats of force/violence;
5. Any prior history of related criminal, conduct, or policy violations;
6. Impact of incident on Complainant(s);

7. Acceptance of responsibility by Respondent(s);
8. Ongoing safety risk to Complainant(s) and/or community; and/or;
9. Educational impact on parties.

The Title IX Coordinator will provide a written statement to the parties (Notice of Sanction to Respondent(s) and Letter of Information to Complainant(s) informing them of the sanction and the basis upon which any sanction was imposed. Sanctions may include one or more of the following:

1. **Warning/Written Reprimand:** A warning/written reprimand is a written statement from the Title IX Coordinator or designee that the behavior was inappropriate and that more serious action will be taken should subsequent infractions occur.
2. **Educational Sanctions:** The student may be required to attend a class, evaluation, and/or program (e.g., alcohol or anger management classes or training on sexual misconduct, intimate partner abuse, and stalking). This is not an exhaustive list but should serve as a reference for the types of educational sanctions that may be imposed.
3. **Meeting with the Title IX Coordinator or designee:** The student Respondent(s) may be required to meet with a University official to review the terms of the sanction and ensure compliance prior to eligibility to apply for readmission, as applicable.
4. **Residence Hall Reassignment/Relocation:** A student who resides at CU Denver Housing and Dining at Campus Village may be assigned a different space.
5. **Residence Hall Termination:** In consultation with CU Denver Housing and Dining Staff a student's residence hall agreement may be terminated through OE process and the student may be prohibited from residing at CU Denver Housing and Dining at Campus Village on either a temporary or permanent basis. Specific exclusion from CU Denver Housing and Dining at Campus Village may also be imposed.
6. **Probation:** A student is placed on probation. Probation lasts for a specific period of time, and is implemented by semesters. Any violation of University policies or the conditions of probation committed during the probationary period will result in further disciplinary action.
7. **Restriction or Denial of University Services:** The student is restricted from using or is denied specific University services, including participation in University activities.
8. **Delayed Conferral of Degree:** The issuance of a student's diploma is delayed for a specified period of time.
9. **Suspension:** The student is required to leave the University for a specified period of time. A suspension notation appears on the student's transcript. After the period of suspension has expired and all other sanctions are complete, the transcript notation

will be removed. The student is required to apply for readmission to the University after their suspension period. Suspension from the University includes and exclusion from University property during the period of suspension. A suspension decision results in the student being suspended from all of the campuses of the University of Colorado system. Upon completion of the suspension, if the student wishes to return to the University, they must complete the re-admission process through the Office of Admissions.

10. Exclusion: The student is denied access to all or a portion of University property. When a student is excluded from University property, that student may be permitted onto University property for limited periods of time and specific activities with the permission of the Title IX Coordinator. Should the student enter the University of Colorado Property without permission, action may be taken by the police for trespass.
11. Expulsion: The student is required to permanently leave the University. A notation of expulsion remains permanently on the student's transcript. Expulsion from the University includes an automatic exclusion from University of Colorado Property. An expulsion decision results in the student being expelled from all campuses in the University of Colorado system.
12. Additional Sanctions: The Title IX Coordinator or designee has the discretion to impose any additional sanctions that may be warranted and appropriate given the circumstances of the case.

#### f. Sanctioning Process for Employee Respondents

The Title Coordinator or designee will notify the disciplinary authority if an employee Respondent was found to have violated the policy or acted inappropriately or unprofessionally.

**Within seven business days** of the Notice of Finding, the Respondent(s) and Complainant(s) will each have an opportunity to meet separately with the Title IX Coordinator to discuss any mitigating or aggravating circumstances related to the conduct that may impact sanctioning. It is the responsibility of the parties to set the appointment and meet within the timeframe prescribed. Alternatively, the Complainant(s) and Respondent(s) may submit a written statement to the Title IX Coordinator in lieu of a meeting. Written statements must be submitted **within seven business days** of the Notice of Finding. Information provided must be limited to describing mitigating or aggravating circumstances that may affect sanctioning. Any statement outside of these guidelines will not be considered.

Any applicable sanctioning meeting pursuant to these Procedures does not replace any additional meetings that may be required under other applicable personnel processes (e.g., State Personnel Board Rules for classified employees; Professional Rights and Duties procedure and Privilege and Tenure process for faculty).

Factors pertinent to a sanctioning recommendation may include, as applicable:

1. Severity and/or pervasiveness of conduct and whether it escalated during the incident;
2. Whether the Complainant(s) was incapacitated at the time of the incident(s);
3. Relationship between the parties, including, degree of control of one party over another;
4. Whether there was force/violence, weapons, or threats of force/violence;
5. Any prior history of related criminal, conduct, or policy violations;
  
6. Impact of incident on Complainant(s);
7. Acceptance of responsibility by Respondent(s);
8. Ongoing safety risk to Complainant(s) and/or community; and/or;
9. Educational impact on parties.

The Title IX Coordinator or designee will provide a formal recommendation as to the applicable sanctions consistent with the factors set forth above.

The disciplinary authority will impose sanctions as warranted in consultation with the Associate Vice Chancellor for Human Resources or designee, the Title IX Coordinator, and any other administrative staff as needed<sup>9</sup>. The appointing/disciplinary authority may have access to the redacted versions of investigative records and may consult with the Investigator(s) in order to take appropriate action.

The Title IX Coordinator or designee will ensure to the extent possible that both parties simultaneously receive notice of any sanctions imposed and any other steps taken by the campus to remedy the sexual misconduct or related violation(s) to the extent permitted by law. Regardless of the OE findings, there is no preclusion of discipline by the appointing authority for other misconduct or for inappropriate or unprofessional conduct (for employees).

Sanctions may include one or more of the following:

1. Letter of Direction/Reprimand: A warning/written letter of direction or reprimand is a statement from the disciplinary authority that the behavior was inappropriate and that more serious disciplinary action will be taken should subsequent infractions occur.
2. Mandatory Training: The employee may be required to attend a training, class, or program as relevant to the misconduct.
3. Demotion: The employee may be demoted from their current position, resulting in a reduction of grade, rank, or status.
4. Job Duty Modifications: The disciplinary authority may modify the employment responsibilities of the employee.
5. Reduction in Salary/Ineligibility for Merit Increases: The employee's salary is reduced either permanently or temporarily or the employee is not eligible for merit increases either permanently or temporarily.



6. Exclusion: In consultation with the disciplinary authority, the Title IX Coordinator or designee denies access for the employee to all or a portion of University property. When an employee is excluded from University property that employee may be permitted onto University Property for limited periods of time and specific activities with the permission of the Title IX Coordinator or designee. Should the employee enter University property without permission, action may be taken by the police for trespass.
7. Termination of Employment Contract and/or Termination of Employment: Pursuant to applicable laws and policies specific to the employee's status, the disciplinary authority recommends or terminates employment.
8. Ineligibility for Rehire: The employee is no longer eligible for employment at the University.
9. Additional Sanctions: The disciplinary authority has the discretion to impose any additional sanctions that may be warranted and appropriate given the circumstances of the case.

**g. Appeals for Investigations Involving Student Respondents**

Upon the completion of the investigation or the sanctioning, whichever is applicable, either the Complainant(s) or Respondent(s) may file a written appeal. All appeals must be made in accordance with the procedures outlined in this section.

i. How to File an Appeal and Timeframe

Appeals must be submitted in writing to the Title IX Coordinator or designee ***within five business days*** of the delivery of the Notice of Sanction (or Notice of Finding if no sanction) is issued. The appeal should indicate the specific grounds for the appeal (see below), supporting arguments and documentation, and any other relevant information the appealing party wishes to include. The appealing party should be aware that all appeals are documentary reviews in which no oral testimony is taken. Generally, appeals are determined solely on the merits of the documents submitted. Appeal documents therefore should be as complete and succinct as possible. Unless any applicable Notice of Sanction specifies otherwise based on safety considerations, all sanctions imposed in the case will not go into effect until either the deadline for filing an appeal passes and no appeal is filed or, if a timely appeal is filed, the appeal is decided, whichever comes first.

ii. Basis for Appeal

Appeals must state one or more of the following criteria as the reason for the appeal:

- a) procedural errors by which any party was prevented from receiving a fair adjudication and that would have materially affected the outcome; or
- b) a sanction was disproportionate to the violation of the Policy.

The appealing party may not present any new evidence unless the party can demonstrate that it could not, with reasonable diligence, have been discovered or produced during the course of the investigation.

### III) Appeal Process and Appeal Advisory Board

In the event that the Title IX Coordinator or designee determines that one or more of the appeal criteria have been met, the Title IX Coordinator or designee will notify the parties. Upon determination that the criteria for an appeal has been met, the Title IX Coordinator or designee will notify the other party to the original complaint (Complainant(s) or Respondent(s)) in writing, and that party will be provided **five business days** to respond in writing to the appeal. The response should be sent to the Title IX Coordinator or designee. Neither party is required to respond to an appeal. Not responding to an appeal does not imply agreement with the appeal. After the submission of all documentation or the five-day deadline for response has passed, the Title IX Coordinator or designee will appoint two additional University employees (who may include staff from the Boulder and Colorado Springs campuses) who are not otherwise affiliated with the OE at the University of Colorado Denver | Anschutz Medical Campus to serve on the three-person Appeal Advisory Board. The Appeal Advisory Board appointees will have received appropriate training on the applicable policies and appeal procedures.

#### iv) Appeal Decisions

Upon review of the appeal, the Appeal Advisory Board may:

1. Uphold the initial decision in its entirety;
2. Send the case back for reconsideration and potentially re- investigation (by the same or different officials) based on procedural error and/or material evidence not previously available; or
3. Reduce or increase a disproportionate sanction.

The Board members shall not make new findings of fact. The Board shall review all documentation submitted, make the final decision upon appeal, and concurrently provide the parties with a written Notice of Appeal Decision within 15 business days of its receipt of all final documentation.

#### h. Appeals for Employee Respondents

Upon the conclusion of the Investigation, either the Complainant(s) or the Respondent(s) may file a written appeal of the Investigation outcome. All appeals must be made in accordance with the procedures outlined in this section. Any rights of appeal of a sanction shall be conducted in accordance with the procedure for appeal, available to the employee, such as the State Personnel Board Rules or rules governing proceedings before the Faculty Senate Committee on Privilege and Tenure. Nothing in this section shall be read to create a right of appeal of sanctions for employees that is not otherwise provided for by law or University policy.

##### i) How to File an Appeal and Timeframe

Appeals must be submitted in writing, to the Title IX Coordinator or designee within **five business days** after the Notice of Finding or sanctioning decision is issued, as applicable.<sup>12</sup> The appeal should indicate the specific grounds for the appeal (see below), supporting arguments and documentation, and any other relevant information the appealing party wishes to include. The appealing party should be aware that all appeals are documentary reviews in which no oral testimony is taken. Generally, appeals are determined solely on the merits of the documents submitted. Appeal documents therefore should be as complete and succinct as possible. Unless any applicable discipline decision notice specifies otherwise based on safety considerations, all discipline imposed in the case will not go into effect until either the deadline for filing an appeal passes and no appeal is filed, or, if a timely appeal is filed, the appeal is decided, whichever comes first.

ii) Basis for Appeal

The only basis for appeal is:

- a) procedural errors by which any party was prevented from receiving a fair investigation.

In the appeal, the party may not present any new evidence unless the party can demonstrate that it could not, with reasonable diligence, have discovered and produced evidence during the course of the investigation.

iii) Appeal Process and Appeal Advisory Board

In the event that the Title IX Coordinator or designee determines that the appeal criteria has been met, the Title IX Coordinator or designee will notify the parties. Upon determination that the criteria for an appeal has been met, the Title IX Coordinator or designee will notify the other party to the original complaint (Complainant(s) or Respondent(s)) in writing and provide **five business days** to respond in writing to the appeal. The response should be sent to the Title IX Coordinator or designee. Neither party is required to respond to an appeal. Not responding to an appeal does not imply agreement with the appeal. After the submission of all documentation, or the five-day deadline for response has passed, the Title IX Coordinator or designee will appoint two additional University employees (who can include staff from Boulder and Colorado Springs campuses) who are not otherwise affiliated with the OE at the University of Colorado Denver | Anschutz Medical Campus to serve on the three-person Appeal Advisory Board. Title IX Coordinator or designee is the Chair of the Appeal Advisory Board.

i) Appeal Decisions

Upon review of the appeal, the Appeal Advisory Board may:

1. Uphold the initial decision in its entirety; or
2. Send the case back for reconsideration and potentially re- investigation (by the same or different officials) based on procedural error and/or material evidence not previously available.

The Board members shall not make new findings of fact. The Board shall review all documentation submitted, make the final decision upon appeal, and concurrently provide the parties with a written Notice of Appeal Decision within 15 business days of its receipt of all final documentation.

#### IV. INFORMAL RESOLUTIONS

The OE may determine that the most prompt and effective way to address a concern is through the informal resolution process. The primary focus during an informal resolution remains the welfare of the Complainant and the safety of the campus community, but it does not involve a written report or a determination as to whether a policy was violated. This type of approach provides the University with a remedies-based resolution option that allows the University to tailor responses to the unique facts and circumstances of an incident, particularly in cases where there is not a broader threat to individual or campus safety. In these cases, the OE may do one or more of the following:

- Provide interim or long-term remedial measures to the Complainant(s) that do not require notification to the Respondent(s);
- Provide a referral to other campus-based resolution processes as appropriate for the specific facts of the case; Provide targeted or broad-based educational programming or training; and/or
- Meet with the Respondent(s) to (1) discuss the behavior as alleged and provide an opportunity to respond; (2) review Prohibited Conduct under the applicable policies; (3) identify and discuss appropriate future conduct and behavior as well as how to avoid behavior that could be interpreted as retaliatory; (4) inform Complainant(s) of the Respondent's responses if appropriate; and (5) notify the Office of Student Conduct and Community Standards, or other disciplinary authority, or the Respondent's supervisor of the allegations and responses if necessary, who will determine whether any other disciplinary action is appropriate.

Participation in an informal resolution is voluntary by Complainants and Respondents; however, for allegations that, if proven true, would violate the Policy, failure to participate could result in the OE deciding to proceed with a formal investigation.

For allegations that would warrant a formal investigation, but the OE proceeded with an informal resolution or did not proceed with a formal resolution process (as requested by the Complainant(s)) and consistent with the factors and obligations of the OE as set forth in Section IV, the OE will notify the Complainant(s) of their right end the informal resolution process at any time and commence a formal investigation.

#### VII. OE RELEASE OF RECORDS AND INFORMATION CONCERNING STUDENTS

Provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended by the Higher Education Amendments of 1998, govern access to a student's academic transcript or conduct file. Records concerning sexual harassment are protected in accordance with the Colorado Open Records Act.

The student and/or those University officials who demonstrate a legitimate educational need for disciplinary information may have access to the student's conduct file.

Students who would like to request review of educational records in OE that pertain to them must submit a request to inspect records form. The OE will comply with a request for access within a reasonable time, not to exceed 45 days.

Parent(s) who provide proof that a student is a dependent as defined in Section 152 of the Internal Revenue Code of 1954 may have access to the student's conduct file. A copy of the last federal income tax return listing the student as a dependent will serve as proof of dependency and allow the parent(s) access to the student's conduct file without written consent of the student. In this case, parents may also have access to a conduct file even if the student has requested otherwise. In addition, parent(s) may be notified if a student under 21 years of age is found responsible through Student Conduct and Community Standards for a violation involving use or possession of alcohol or other drugs.

All other inquiries, including, but not limited to, inquiries from employers, government agencies, news media, family, friends, or police agencies, require a written release from the student before access to University conduct files or any information from within those files is granted. An exception to the foregoing is that information may be released pursuant to a lawfully issued subpoena or court order and as otherwise provided by FERPA and state law.

## VII. TITLE IX COORDINATOR

At the University of Colorado Denver | Anschutz Medical Campus, the Director of Title IX is also the Title IX Coordinator. The responsibilities of the Title IX Coordinator pursuant to the University of Colorado Sexual Misconduct, Intimate Partner Abuse and Stalking Policy, which the Title IX Coordinator has the discretion to delegate include:

- 1 Ensuring that complaints are being handled appropriately and in a timely manner.
- 2 Overseeing adequate, reliable, and impartial investigations of complaints of sexual misconduct;
- 3 Evaluating any Complainant request for privacy;
- 4 Referring matters for further action or discipline for inappropriate or unprofessional conduct under other applicable policies or procedures even if a policy violation was not found. No provision of the Policy shall be construed as a limitation upon the authority of the disciplinary authority to initiate disciplinary action for inappropriate or unprofessional conduct;
- 5 Facilitating reasonable interim protective remedies and accommodations as applicable for all parties;
- 6 Ensuring broad publication of the campus complaint process and procedures including posting the process and procedures on appropriate campus website and maintaining a current procedure;
- 7 Providing an annual report to the President and the appropriate campus Chancellor documenting: (a) the number of reports or complaints of alleged violations of applicable policies; (b) the categories (i.e., student, employee, or other) of the parties involved; (c) the number of policy violations found; (d) the number of appeals taken and the outcomes of those appeals; and (e) examples of sanctions imposed for policy violations.

- 8 Reviewing and confirming the relevant policy statements of the campus Annual Security Report pursuant to the Clery Act are consistent with the Policy and campus complaint process and procedures;
- 9 Monitoring campus compliance with the Policy;
- 10 Ensuring there is ongoing training and education regarding reporting and preventing sexual and other discriminatory misconduct, for all students, faculty, and staff;
- 11 Maintaining records and related documentation of compliance with the Policy, including but not limited to, retaining copies of any training documentation, tracking student and employee training participation, documenting each step of the campus complaint process and procedures, including interim measures, accommodations, for persons experiencing sexual misconduct, investigation, and sanctioning; and
- 12 Ensuring broad dissemination of the statement that the University shall not discriminate in employment or in its education programs and activities.

## VIII. RESOURCES

### *University of Colorado Denver, On-Campus Confidential Resources*

**The Phoenix Center at Auraria** Tivoli Student Union, Suite 259

Phone: .....(303) 315-7250

24/7 Helpline: .....303-556-CALL (2255)

Website: [www.thepca.org](http://www.thepca.org)

The Phoenix Center at Auraria provides free and confidential resources and assistance to survivors of interpersonal violence (relationship violence, sexual violence, and stalking) as well as their friends, family and concerned others.

**CU Denver Student and Community Counseling Center** the Tivoli Student Union, Suite 454 (4th floor)

Phone: .....(303) 315-7270

Emergencies/After Hours: .....(303) 615-9911

Website: [www.ucdenver.edu/counselingcenter](http://www.ucdenver.edu/counselingcenter)

The CU Denver Student and Community Counseling Center offers counseling programs and activities for students and community members. All contacts are confidential.

#### **Ombuds Office\***

CU Denver: Lawrence Street Center, Suite 1003

Phone: .....303-315-0046

Website:

<http://www.ucdenver.edu/about/departments/OmbudsOffice/Pages/OmbudsOffice.aspx> The

Ombuds Office provides an alternative forum for prompt, impartial, and confidential discussion for individuals to review options for the informal resolution of differences.

### *University of Colorado Denver, On-Campus Non-Confidential Resources*

**Auraria Police Department** Administrative Building, Suite 110

Phone: .....303-556-5000

Website: [www.ahec.edu/police](http://www.ahec.edu/police)

**CARE (Campus Assessment, Response and Evaluation) Team** Tivoli 309

Phone: .....303-315-7306

Website: <http://www.ucdenver.edu/life/services/CARE/Pages/default.aspx>

Takes a preventative approach to risk assessment by offering resources, referrals, and support to both concerning individuals and those impacted by their behavior.

**Dean of Students Office** Tivoli 309

Phone: .....303-315-7310

Website: [www.ucdenver.edu/life/services/DeanofStudents/pages/About.aspx](http://www.ucdenver.edu/life/services/DeanofStudents/pages/About.aspx)

Assists students in advocating for their needs and resolving potential problems.

**Student Conduct and Community Standards** Tivoli 309

Phone: .....303-315-7311

Website: [www.ucdenver.edu/conduct](http://www.ucdenver.edu/conduct)

Support community members with conflict management and resolution, and respond to inappropriate behavior, oversee the implementation of the Student Code of Conduct.

**LGBTQ Student Resource Center** Tivoli 213

Phone: .....303-615-0515

Website: [www.ucdenver.edu/life/services/glbts/services/Pages/default.aspx](http://www.ucdenver.edu/life/services/glbts/services/Pages/default.aspx)

Offers a variety of support, education and advocacy services for the entire campus community. Advocacy for students experiencing discrimination or harassment based on real or perceived gay, lesbian, bisexual, or transgender identity.

**Veteran and Military Student Services** Tivoli 124

Phone: .....303-315-7300

Website: [www.ucdenver.edu/life/services/Veteran/Pages/home.aspx](http://www.ucdenver.edu/life/services/Veteran/Pages/home.aspx)

Provide service members and their families with high-quality education, catered to their distinct needs. The VMSS represent veteran, active duty, reservist, national guard, and dependent students.

**International Student & Scholar Services** Lawrence Street Center, Suite 932

Phone: .....303-315-2230

Website: [www.ucdenver.edu/academics/internationalprograms/oia/iss/Pages/default.aspx](http://www.ucdenver.edu/academics/internationalprograms/oia/iss/Pages/default.aspx)

From pre-departure to orientation, ISSS provides immigration and advising services for F-1 or J-1 student visas, J-1 exchange scholar visas, H-1B temporary worker visas, lawful permanent resident visas and LPR-employment based visas.

**Women and Gender Center** Tivoli 260

Phone: .....303-315-7262

Website: [www.ucdenver.edu/life/services/studentlife/WGC/Pages/WGC.aspx](http://www.ucdenver.edu/life/services/studentlife/WGC/Pages/WGC.aspx)

Committed to advancing issues of gender equality and supporting the gender-focused needs of students, faculty, and staff on the Auraria Campus.

**CU Anschutz, On-Campus Confidential Resources**

**The Phoenix Center at Anschutz** Education 2 North, Room 5232

Phone: .....(303)724-9120

24/7 Helpline: .....303-556-CALL (2255)

Website: [www.thepca.org](http://www.thepca.org)

The Phoenix Center at Anschutz free and confidential resources and assistance to survivors of interpersonal violence (relationship violence, sexual violence, and stalking) as well as their friends, family and concerned others.

**CU Anschutz Student Mental Health Service** Fitzsimons Building, Level 2

Phone: .....(303) 724 4716

Website:

<http://www.ucdenver.edu/academics/colleges/medicalschoo/departments/psychiatry/PatientCare/StudentMentalHealth/Pages/Student-Mental-Health-Service.aspx>

Provides comprehensive and confidential mental health services for all student enrolled in the schools located at the CU Anschutz Campus (Medical, Dental, Nursing, Pharmacy, Public Health, Physician Assistant, Physical Therapy, Graduate School, etc.).

**CU Anschutz Campus Health Center**

12348 East Montview Boulevard, Aurora, CO 80045

Phone: .....303-724-9221

Website:[http://www.ucdenver.edu/academics/colleges/nursing/clinical-practice-community/Patient Services/CHC/Pages/default.aspx](http://www.ucdenver.edu/academics/colleges/nursing/clinical-practice-community/Patient%20Services/CHC/Pages/default.aspx)



Provides behavioral and counseling services to anyone who works or studies on the CU Anschutz Campus. All contacts are confidential.

**Ombuds Office\***

CU Anschutz: Fitzsimons Building, Room 7005c

Phone: .....303-724-2950

Website:

<http://www.ucdenver.edu/about/departments/OmbudsOffice/Pages/OmbudsOffice.aspx>

Provides an alternative forum for prompt, impartial, and confidential discussion for individuals to review options for the informal resolution of differences.

**CU Anschutz, On-Campus Non-Confidential Resources**

**University Police**, CU Anschutz Building 407 – 12454 E. 19th Place

Phone: .....303-724-4444

Website: [www.ucdenver.edu/police](http://www.ucdenver.edu/police)

**Office of Campus Student Services** Education 2 North, 3rd floor, #3200

Phone: .....303-724-2866

Website: [www.ucdenver.edu/anschutz/studentresources/student-assistance/Pages/default.aspx](http://www.ucdenver.edu/anschutz/studentresources/student-assistance/Pages/default.aspx)

Provides specific non-academic and academic student services for the CU Anschutz Campus.

**CARE (Campus Assessment, Evaluation, and Response) Team** Education 2 North, 3rd Floor #3200

Phone: .....303-724-8488

Website: <http://www.ucdenver.edu/life/services/CARE/Pages/default.aspx>

Takes a preventative approach to risk assessment by offering resources, referrals, and support to both concerning individuals and those impacted by their behavior.

**Office of Professional Excellence** Building 500 (Fitzsimons), E4312

Phone: .....303-724-4776 (4PRO)

Website: [www.ucdenver.edu/about/departments/Professionalism/Pages/default.aspx](http://www.ucdenver.edu/about/departments/Professionalism/Pages/default.aspx) Provides a resource to obtain a fair and equitable process and resolution for all matters pertaining to professionalism concerns regarding students, residents, fellows, staff members, and faculty in any school or college on the Anschutz Medical Campus.

**CU Anschutz, Off-Campus Resources**

**The Blue Bench**

Phone: .....303-332-7273

Website: <http://www.thebluebench.org/>

Offers counseling and support regarding sexual assault.

**Survivors Organizing for Liberation (SOL):**

Phone: .....888-557-4441

Website: [www.solcolorado.org](http://www.solcolorado.org)

Building safety and justice for Lesbian, Gay, Bisexual, Transgender, and Queer communities.

**SafeHouse Denver (Denver)**

Phone: .....303-318-7273

Website: <https://safehouse-denver.org>

Offers shelter and advocacy for people who have experienced domestic violence.

**Gateway Battered Shelter (Aurora)**

Phone: .....303-343-1851

Website: [www.gatewayshelter.org](http://www.gatewayshelter.org)

Provides shelter and advocacy for people who have experienced domestic violence.

**The Center for Trauma and Resilience**

Phone: .....303-894-8000 (English)

Phone: .....303-718-8289 (Spanish)

**711 for Relay Colorado Access for deaf or hard of hearing**

Website: [www.traumahealth.org](http://www.traumahealth.org)

Provides culturally and linguistically responsive programs, health promotion, and crime prevention education. Translation services available.

**Colorado Crisis Services**

Phone: .....1-800-TALK (8255)

Website: [www.coloradocrisiservices.org](http://www.coloradocrisiservices.org)

Text: Text "TALK" to 38255 to text with a trained professional

Offers mental health, substance use or emotional help for yourself or someone you know. Provide confidential and immediate support, 24/7/365.

**U.S. Department of Education**

Office for Civil Rights, Denver Regional Office

Phone: .....303-844-5695

Website: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

**Colorado Legal Services**

Phone: .....303-866-1019

Website: [www.coloradolegalservices.org](http://www.coloradolegalservices.org)

Provide meaningful access to high quality, civil legal services in the pursuit of justice for as many low-income persons and members of vulnerable populations throughout Colorado as possible.

*\*The Ombuds offices are confidential and not "Responsible Employees" for mandatory reporting purposes pursuant to University of Colorado applicable policies but do not currently have statutory privilege in Colorado.*

## IX. DEFINITIONS

**Advisor:** An individual designated by the complainant or Respondent to be present at interviews or meetings with OE. Advisors can include attorneys.

**Aggravating Factor:** Relevant circumstances accompanying the commission of misconduct or occurring prior to the misconduct as specified in Prohibited Conduct that add to its seriousness. Examples may include the use of violence or force, violation of a trust or duty, premeditation or an incident, and the existence of a previous conduct violation.

**Appointing/Disciplinary Authority:** An appointing authority is the individual with the authority or designated authority to make ultimate personnel decisions concerning a particular employee. A disciplinary authority is the individual or office that has the authority or delegated authority to impose discipline upon a particular employee or student.

**Complainant:** A person who is subjected to the alleged Prohibited Conduct under these policies.

**Day:** For purposes of these policies and procedures, a day is a business day.

**Employee:** anyone under the University's control (excluding independent contractors) who receives payment from the University for work performed, including but not limited to regular faculty, research faculty, clinical faculty, residents, post-docs, professional research assistants, research assistants, teaching assistants, University staff, classified staff, undergraduate and graduate student employees, or temporary employees.

**Interim Suspension:** Immediate and temporary suspension from classes and any other University activity or program.

**Mitigating Factor:** Relevant circumstances accompanying the commission of misconduct or other extenuating circumstances that may be considered to reduce a sanction. These factors do not constitute a justification or excuse for the behavior in question.

**Participant:** Complainant, Respondent, and any witnesses or other third parties participating in an OE resolution process.

**Party:** Complainant or Respondent and collectively referred to as "parties."

**Respondent:** Means a person who is accused of alleged prohibited conduct.

**Responsible Employee:** Means any employee who: (1) has the authority to hire, promote, discipline, evaluate, grade, formally advise or direct faculty, staff, or students;

(2) has the authority to take action to redress sexual misconduct; and/or (3) has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator. A Title IX Coordinator may designate in campus procedures that certain individuals who might otherwise not be considered Responsible Employees are subject to mandatory reporting requirements.

**Sanction:** Refers to either a sanction imposed by the Title IX Coordinator or designee for students or discipline as imposed by the appointing/disciplinary authority for employees.

**Students:** The term student includes all persons taking courses at the University, either full time or part time, active in a program, pursuing undergraduate, graduate, or professional studies, as well as non-degree Students and concurrently enrolled high school Students. This also includes individuals admitted or in the process of being admitted, those attending orientation sessions, and those that were enrolled at the date of an alleged incident. Persons who withdraw after having been alleged to have violated the Sexual Misconduct, Intimate Partner Abuse and Stalking policies are considered “students.”

**University:** The University of Colorado Denver | Anschutz Medical Campus, South Denver Location.

**University Official:** A University employee working in the performance of their duly authorized duties.

**University Property:** University owned or controlled property.

**Witness:** Any individual who may have information relating to a matter being investigated by OE.

**“Responsible Employee”?** According to Office of Civil Rights’ 2001 Guidance, a **responsible employee** includes any employee:



- Who has the authority to take action to redress sexual violence;
- Who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or
- Whom a student could reasonably believe has this authority or duty.

## Appendix 1: Selected Colorado Criminal Definitions

In Colorado, the criminal definitions of sexual assault, domestic violence (which also includes dating violence) and stalking are distinctly different from some of the definitions outlined in university policy. Below are the relevant sections of the Colorado Criminal Code that demonstrate these differences.

### Definition of Consent – Colorado Revised Statute § 18-3-401

(1.5) “**Consent**” for sexual activity means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

### Definition of Sexual Assault – Colorado Revised Statute § 18-3-402

- (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits **sexual assault** if:
- (a) The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim’s will; or
  - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - (c) The actor knows that the victim submits erroneously, believing the actor to be the victim’s spouse; or
  - (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
  - (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
  - (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless incident to a lawful search, or
  - (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
  - (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

### Definition of Unlawful Sexual Contact – Colorado Revised Statute § 18-3-404

- (1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
- (a) The actor knows that the victim does not consent; or
  - (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or
  - (d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or

- (e) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or
  - (f) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices.
- (1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

**Definition of Domestic Violence – Colorado Revised Statute § 18-6-800.3 (1)-(2)**

*Domestic violence* means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Intimate relationship means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

*Domestic violence* also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

(Note that "dating violence" in Colorado is included with the broader definition of domestic violence)

**Definition of Stalking – Colorado Revised Statute § 18-3-602 (1)(a)-(c)**

A person commits **stalking** if directly, or indirectly through another person, the person knowingly:

- (a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
- (b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
- (c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

## PRIMARY PREVENTION AND AWARENESS

### Office of Equity Training Index

Title	Length	Intended Audience	Topics Covered
Equity 101: What We Do	1-1.5 hours	All	<ul style="list-style-type: none"> <li>• Discrimination, harassment, sexual misconduct policies</li> <li>• Intro to consent</li> <li>• Intro to IPV</li> <li>• Intro to gender construction</li> <li>• Intro to bystander intervention</li> <li>• Responsible employees</li> <li>• Case studies</li> <li>• Contact info</li> </ul>
Equity 201: Supporting Survivors	1-1.5 hours	Faculty, staff, student employees, student leaders	<ul style="list-style-type: none"> <li>• Review: Discrimination, harassment, sexual Misconduct</li> <li>• Victim blaming</li> <li>• Trauma response</li> <li>• What to say/not say</li> <li>• Responsible employees</li> <li>• Case studies</li> <li>• Contact info</li> </ul>
Equity 301: Ally Training	2 hours	All	<ul style="list-style-type: none"> <li>• Review: Discrimination, harassment, sexual misconduct</li> <li>• Dynamics of interpersonal violence</li> <li>• Gender construction</li> <li>• Unconscious biases</li> <li>• Case studies</li> <li>• Contact info</li> </ul>
Office of Equity Overview Plus	30 min	All	<ul style="list-style-type: none"> <li>• Discrimination, harassment, sexual misconduct policies</li> <li>• Bystander intervention</li> <li>• Responsible employees</li> <li>• 1 case study</li> <li>• Contact info</li> </ul>
Faculty Role in Supporting Survivors Overview	15 min	Faculty/staff	<ul style="list-style-type: none"> <li>• Discrimination, harassment, sexual misconduct policies</li> <li>• Trauma</li> <li>• Responsible employee's requirements</li> <li>• Contact info</li> </ul>
Discrimination & Sexual Misconduct Employee Training	120 min	Faculty/staff	<ul style="list-style-type: none"> <li>• Discrimination, harassment, sexual misconduct policies</li> <li>• Disc &amp; harassment case studies</li> <li>• Interpersonal violence</li> <li>• Consent</li> <li>• Gender construction</li> <li>• Pregnancy</li> <li>• More case studies</li> <li>• Responsible employee requirements</li> <li>• Trauma</li> <li>• More case studies</li> <li>• Contact info</li> </ul>

## The Phoenix Center at Anschutz



### Ending Interpersonal Violence (IPV) through Prevention, Awareness, and Support Services

The Phoenix Center at Anschutz' mission is to implement campus response services, provide education, and facilitate dialogue related to IPV in the Auraria community.

24/7 Helpline: 303.556.CALL

### Trainings, Outreach, and Education

The PCA is committed to preventing instances of relationship or intimate partner violence, sexual violence (including sexual harassment), and stalking through comprehensive education and awareness programming. The available curricula offerings for the 2018 calendar year were as follows:

#### Interpersonal Violence 101

This session provides a general overview of all aspects of interpersonal violence and includes interactive activities to help folks think about the dynamics of violence and issues such as consent, healthy relationships, and how to help a friend.

#### Healthy Relationships: What's healthy? What's hurting?

An interactive discussion in which facilitators and participants work to create a shared definition of healthy relationships (intimate or otherwise) by placing emphasis on the importance of our personal values, boundaries, and needs. The group also explores healthy ways love is expressed, harbingers of relationships in trouble, and power and control dynamics. In this way, the course works to empower participants with the knowledge and ability to differentiate among healthy, unhealthy, and abusive relationships.

#### Bystander Intervention

This workshop discusses bystander intervention and works to develop strategies to intervene safely in difficult situations. The focus of this workshop is on incidents of stalking, sexual violence (including sexual harassment), and relationship violence, but principles can be applied to almost any situation requiring active bystanding.

#### Media Literacy

This workshop provokes discussion about what interpersonal violence is and how media and pop culture messages contribute to the normalization of it in our culture. Through activities, images, and video clips the concepts of sexual objectification and gender construction in the social media age are illustrated. The discussion also looks at intersections of race, class, and power as they relate to interpersonal violence. This workshop is intended to help participants think critically about a media heavy society and how it can affect views on interpersonal violence and what individuals and groups can do to create social change.

#### Gender Construction

This workshop is designed to highlight how language and societally constructed gender roles can contribute to sexism and interpersonal violence. Facilitators lead an exploration of how and why a binary gender system contributes to interpersonal violence and how we can help disarm and shift harmful gender stereotypes. This workshop aims to deconstruct the social construction of gender and help attendees critically think about gender privilege, inequality, and interpersonal violence.



### Supporting Survivors

This skill building session breaks down myths about survivorship, discusses the origins of victim blaming and addresses how to respond when receiving a disclosure. This workshop can also be continued with the Office of Equity's Responsible Employment training.

### Interpersonal Violence 301

IPV 301 is a graduate-level curriculum addressing interpersonal violence in our society through collaborative discussions regarding identity and privileges and the intersections with interpersonal violence, effective bystander intervention, media literacy, and developing professional and empowering responses to survivor disclosures.

## Phoenix Center at Anschutz Outreach Index

Title	Length	Intended Audience	Description
FOIA Review	15 – 30 minutes	All	The FOIA Review presentation reviews the services available to students, faculty, staff, and residents of CU Denver, CU Anschutz, MU Denver, and CUCC.
Spotlighting Survivors	1.5-2 hours	All	This skill building session breaks down survivor myths, discusses victim blaming and addresses how to respond when someone needs help.
Interpersonal Violence 101	1-1.5 hours	Students	Interpersonal Violence (IPV) 101 is a general overview of all aspects of interpersonal violence and will include interactive activities to help folks think about the dynamics of violence and issues such as consent, healthy relationships, and how to help a friend.
Interpersonal Violence 301	2 hours	Graduate students, faculty, staff	IPV 301 is a graduate-level curriculum addressing interpersonal violence in our society through collaborative discussions regarding identity and privileges and the intersections with interpersonal violence, effective bystander intervention, media literacy, and developing professional and empowering responses to survivor disclosures.
Healthy Relationships: What's healthy? What's hurting?	1-1.5 hours	Students	An interactive discussion in which Violence Prevention Educators and participants work to create a shared definition of healthy relationships (intimate or otherwise) by placing emphasis on the importance of our personal values, boundaries, and needs. The group will also explore healthy ways love is expressed, harbingers of relationships in trouble, and power and control dynamics. In this way the course works to empower participants with the knowledge and ability to differentiate among healthy, unhealthy, and abusive relationships.
Bystander Intervention	1 – 1.5 hours	All	This workshop discusses bystander intervention and works to develop strategies to intervene in difficult situations. The focus is on incidents of stalking, sexual violence, and relationship violence but principles can be applied to much more.
Media Literacy	1 – 1.5 hours	All	This workshop provokes discussion about what interpersonal violence is and how media and pop culture messages contribute to the normalization of it in our culture. Through activities, images and video clips the concepts of sexual objectification and gender construction in the social media age will be illustrated. The discussion will also look at intersections of race, class, and power as they relate to interpersonal violence. This workshop is intended to help participants think critically about a media heavy society and how it can affect views on interpersonal violence and what individuals and groups can do to create social change.

Gender Construction	1 – 1.5 hours	All	This workshop is designed to highlight how language and societally constructed gender roles can contribute to sexism and interpersonal violence. We will explore how and why a binary gender system contributes to interpersonal violence and how we can help disarm and shift harmful gender stereotypes. This workshop aims to deconstruct the social construction of gender and help attendees critically think about gender privilege, inequality, and interpersonal violence.
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## STEPS TO TAKE TO PREVENT SEXUAL VIOLENCE IN OUR COMMUNITY

Prevention of sexual violence is often framed as an issue of risk reduction rather than true prevention. Risk reduction generally refers to the idea that it is the survivor or potential survivor’s responsibly to prevent or mitigate the behavior of a person who would perpetrate violence against them. We, as a community, actively reject this idea. As such, we provide these tips primarily focused on community prevention through active bystanding.

*Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, sexual harassment, and stalking. Bystander intervention includes:*

- *recognizing situations of potential harm;*
- *understanding institutional structures and cultural conditions that facilitate violence (this might include any relationship which inherently includes power dynamics. E.g.: mentor/mentee, professor/student, etc.)*
- *overcoming barriers to intervention;*
- *taking action to intervene.*

Everyone in a community has a role to play in preventing sexual violence (including sexual harassment). There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual violence is referred to as “bystander intervention.” The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk. ([www.rainn.org](http://www.rainn.org)).

**C**reate a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.

- Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.”
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws other people in, like a game, a debate, or a dance party.

**A**sk directly. Talk directly to the person who might be in trouble.

- Ask questions like “Who did you come here with?” or “Would you like me to stay with you?”

**R**efer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like an RA or security guard.

- Talk to a security guard, bartender, or another employee about your concerns. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in.
- Don’t hesitate to call 911 if you are concerned for someone else’s safety.

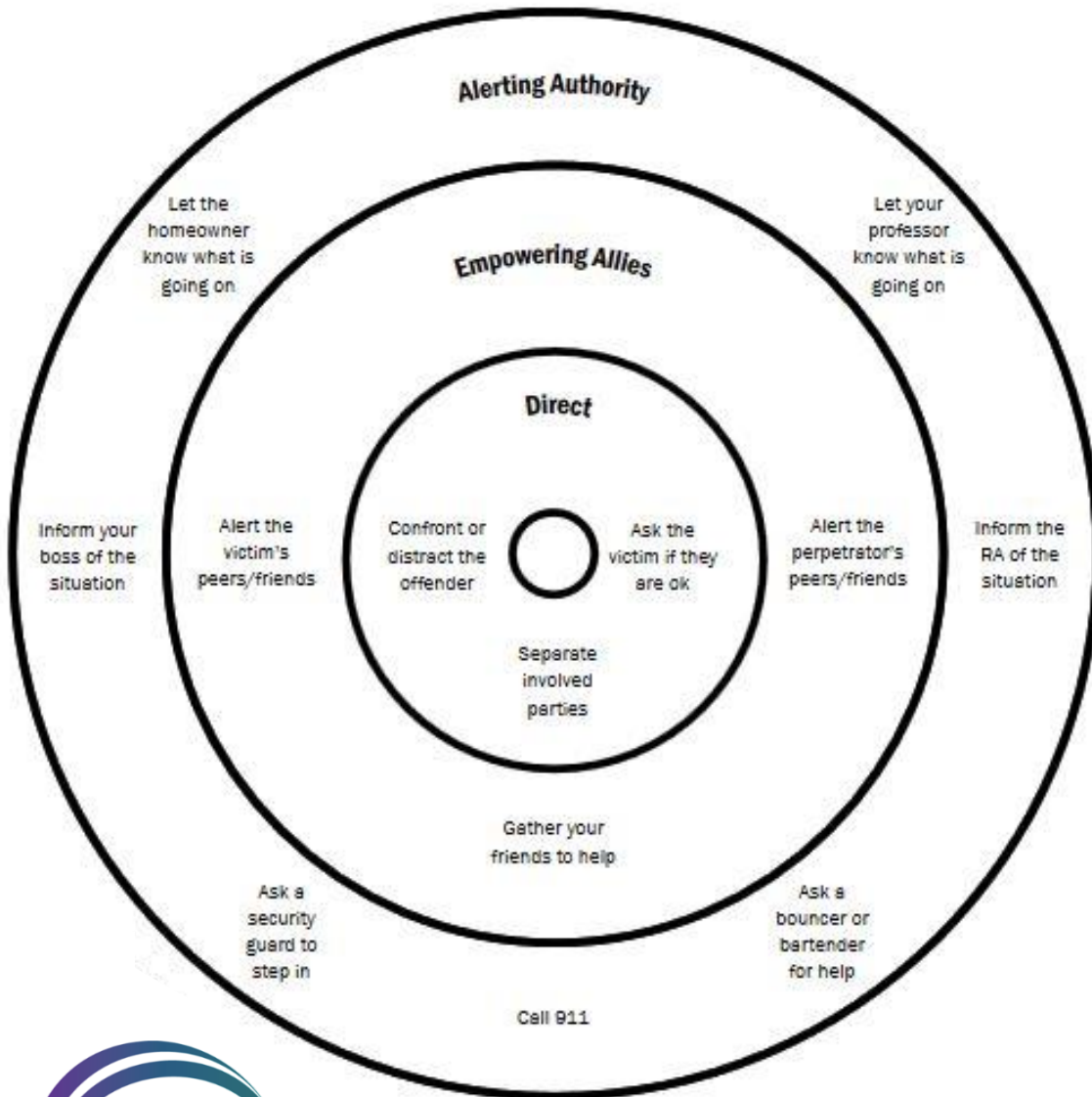
**E**nlist others. It can be intimidating to approach a situation alone. Enlist another person to support you.

- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.
- Enlist the friend of the person you’re concerned about. “Your friend looks like they’ve had a lot to drink. Can you check on them?”



# Bystander Intervention

## Circles of Safety in Bystander Intervention



The  
Phoenix  
Center  
at Anschutz  
303.724.9120

This framework has been shown to help bystanders come up with safe ways to intervene in most situations. This is a guideline to help us brainstorm effective and safe ways to handle difficult situations. The three general strategies are:

**Direct** – Talking to the person who is being offensive / abusive or the person who is being accosted.

**Empower Allies** – Empower other bystanders to act.

**Alert a Local Authority** – Find someone who is empowered by their position to act, people who have an obligation, and hopefully training, to handle difficult situations. Once found, notify them of the situation.

## **PROCEDURES FOR SURVIVORS AFTER EXPERIENCING VIOLENCE:**

### **Sexual Assault**

Students on the CU Anschutz campus who have experienced sexual assault or harassment can attain services, guidance, and intervention through an appointment with the Phoenix Center at Anschutz (PCA). The PCA can be reached at **303.724.9120** during business hours, after hours on their 24/7 Crisis Line **303.556.2255**, or in Ed 2 North, Room 3101.

After an incident of sexual assault, the survivor may consider seeking medical attention as soon as they are able at **University of Colorado Hospital (720.848.8451)**. In Colorado, physical evidence can be collected through a forensic exam even if you choose not to make a report to law enforcement. A survivor can choose one of three reporting options: law enforcement report, medical report, or anonymous report. Mandatory reporting laws prevent minors under 18 and adults over 70 from anonymously reporting a sexual assault.

It is recommended that a survivor of sexual assault avoid bathing, showering, using the restroom, combing their hair, douching or otherwise cleaning the vaginal or anal cavity, smoking, washing clothing or clean the bed/linen/area where the assault occurred so that evidence may be preserved to substantiate their report. **If a survivor has done any of the above things, they can still obtain a forensic exam.** Evidence collection may be possible up to 120 hours after the assault. If a forensic exam is not elected, a health care provider can still treat any injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. No survivor of sexual assault is responsible for the costs associated with obtaining a forensic exam or medical treatment related to experiencing violence. If you need help navigating costs, please contact the PCA.

It is normal for a survivor of violence to be hesitant about engaging law enforcement for a number of reasons. That being said, it is important to know that, as time passes, evidence may dissipate, become lost or unavailable, and make any investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a complaint is not the right avenue at the time, a survivor may still consider speaking with University Police or other law enforcement to preserve evidence in the event that a formal report and investigation of the incident by law enforcement or the University at a later date is possible.

Students, faculty, or staff who have experienced sexual violence can access free and confidential services, guidance, and intervention through the CU Anschutz Health Center or the Phoenix Center at Anschutz during normal business hours. If, after meeting with either of these agencies, a student would like to obtain a forensic exam, transportation to University of Colorado Hospital will be arranged at no cost to the individual.

### **Medical Assistance**

A victim of a sexual offense shall not bear the cost of a forensic medical examination. A forensic exam is a voluntary procedure and includes the collection of evidence even if the victim does not want to participate in the criminal justice system or otherwise cooperate with the law enforcement agency, prosecuting officer, or other government official. The division of criminal justice in the department of public safety shall pay the cost of the examination [C.R.S. § 18-3-407.5(3)(b)]

The [CU Anschutz Campus Health Center](#), located in the Anschutz Health and Wellness Center (corner of Racine and Montview) provides physical and behavioral health care, but does not provide forensic exams. The Campus Health Center can be reached at 303-724-6242. Students can drop in or set an appointment. To accommodate students' varied and tight academic and clinical schedules, Physical Health hours are 8 AM – 1 PM and 2 PM – 5 PM. Same-day appointments available. Behavioral Health Providers 8 AM – 1 PM

and 2 PM – 5 PM. Walk in hours are 3 PM – 4 PM. Members of the CU Anschutz Medical Campus (e.g. faculty and staff) and the surrounding Anschutz community (e.g. CU Medicine, Fitzsimons Redevelopment Authority) can access physical health services.

**What is a SANE exam?** Also, sometimes referred to as a “rape kit” or “forensic exam”, this exam may be performed at a hospital or other healthcare facility by a Sexual Assault Nurse Examiner (S.A.N.E.), Sexual Assault Forensic Examiner (SAFE) or another medical professional. *See below for a list of S.A.N.E. facilities in the metro Denver area.* The exam will take about 3-4 hours and will involve collecting medical history, conducting a detailed medical examination, and speaking to you about treatment options for things such as sexually transmitted infections (STIs), prophylaxis and about follow-ups, counseling, community resources and other resources. Remember that you have the right to accept or decline any or all parts of the exam.

Denver Health Medical Center .....	303.602.8100
Littleton Adventists .....	303.778.2407
Medical Center of Aurora.....	303.671.4945
Porter Adventist Hospital.....	303.778.2407
St. Anthony (Lakewood) .....	720.321.4103
St. Anthony North .....	303.426.2121
St. Anthony 84th Avenue.....	303.426.2121
UC Health Aurora.....	720.848.8451

Additional Colorado SANE locations can be found [here](#).

### **How do I prepare for the exam?**

*If you can*, it’s best to avoid using the restroom, changing clothes, combing your hair, cleaning up the place where the assault happened or even showering or bathing before arrival. Preserving DNA evidence can be key to identifying the perpetrator in a sexual assault case. If you have anything by way of evidence you want to show the police or your health care provider, place it in a paper, not plastic, bag. If you are able, bring a change of clothes with you to the health facility or hospital.

### **If I go to the hospital do, I have to report to the police?**

No, unless you are under the age of 18. If you are 18 or older, in the state of Colorado, you have the option to receive the exam without making a police report. A victim may elect to obtain a medical forensic exam, but at that time of the exam choose to not participate with law enforcement. Any evidence collected is given to law enforcement without the victim’s contact information. With this option, victims cannot choose to have their evidence tested. Instead, law enforcement will store the evidence kit for at least two years. Victims can call the law enforcement agency at a later date should they decide to pursue criminal justice options.

### **How long after the assault can I get the exam?**

Evidence collection as well as pregnancy and STI prevention are most effective soonest. Getting your exam within 48 hours of the assault is the ideal time frame. *However*, evidence can be collected over a week later in some cases. What is most important is you getting the medical care that you need, so even if it has been longer than a week you can still get an exam.

### How much will the exam cost?

Nothing! Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, victims of sexual assault have access to an exam free of charge or with a full reimbursement, even if the victim decides not to report to the police. (If you do report to the police, they will cover the cost of your exam).

### What else should I know about the exam?

Included in your exam will be medications to prevent sexually transmitted infections (STIs). If you know that the person assaulted you has an STI, be sure to tell your medical provider. If you aren't sure, you will be offered treatment against a variety of infections. If you are capable of becoming pregnant, most **but not all** hospitals with SANE programs can offer you Plan B included in the exam. (Some religious hospitals do not carry Plan B, but you can still request a prescription).

## Reporting to the Office of Equity

Whether or not the person who assaulted you is part of the CU Denver | Anschutz community, the Office of Equity here to help you.

If the person who assaulted you is a CU student, faculty, or staff member, the Office of Equity can launch an investigation to formally resolve your incident. This means that if after an investigation it is determined that the individual has engaged in behavior which violates the University's *Sexual Misconduct Policy*, the Office of Equity can issue disciplinary sanctions up to and including expulsion from school (for students) or termination of employment (for staff, faculty). The Office of Equity will work with you to determine any interim measures, and to address any safety concerns, with the hope that you will be able to continue your academic pursuits, or employment (if you choose to) with as little interruption as possible. The Office of Equity can offer a number of interim remedies and will work with you to determine which ones you wish to utilize. Some examples of interim remedies that may be offered are:

- no-contact orders;
- alternative arrangements for classes, extensions on assignments (with faculty approval);
- access to classes online;
- offering incomplete (with faculty approval) or withdrawal (with faculty approval); and,
- and/or safety escorts around campus.

The Office of Equity will consider any requests and make the determination as to whether or not the request is reasonable, and whether or not the University is able to accommodate the request considering the individual circumstances. In cases where serious or imminent threat to you or the Campus Community exists, the Office of Equity may consider taking actions such as building, location or campus exclusions.

If the person who assaulted you is **not** a CU student, faculty, or staff member (or you aren't sure), the Office of Equity can still help you. If you need support around missed classes, late assignments, time off from work, or other campus related needs to help you feel safe moving forward, the Office of Equity wants to help. *You do not need to initiate an investigation to access our support resources or interim measures.* However, if the information you share with the Office of Equity leads to a belief that others may be in immediate danger, the Office of Equity may be obligated by law to move forward with an investigation whether or not you want to, with or without your participation. In these rare cases, the Office of Equity will work with you and notify you when there is an obligation to move forward, and will continue to inform you of the steps moving forward. the Office of Equity can also work with you to address any potential safety concerns or interim measures.

## Reporting to the Police

At any time, you can call 9-1-1 and tell the operator that you need to report a sexual assault. If you are not in immediate danger, you can also call the non-emergency line for the police in the jurisdiction where the assault occurred. For instance, if you live in Aurora but you were assaulted in Denver, you should call the Denver Police Department. On the non-emergency line, you can set up a time to talk to a detective to give your statement. The statute of limitations in Colorado for reporting sexual assault is 20 years after the assault occurred, unless the person who was assaulted was under 18 at the time. In those cases, there is no statute of limitations.

**Can I report to both the University and the police?** Absolutely! Please let the Office of Equity know that you'd like to also report to the police, and the Office of Equity can reach out to the appropriate law enforcement unit on your behalf. The Office of Equity may be able to set up a shared meeting to coordinate your reporting to both the University and law enforcement. The Office of Equity knows it can be hard to talk about what happened, so often the Office of Equity will work together with the police in an attempt to make things easier on you.

You can file a report with the Office of Equity  
303.315.2567, [equity@ucdenver.edu](mailto:equity@ucdenver.edu) or by submitting  
an online report at [www.equity.ucdenver.edu/report](http://www.equity.ucdenver.edu/report)

## Domestic Violence & Dating Violence

Victims of domestic violence and/or dating violence should go to a safe place, seek medical attention, and contact law enforcement. Tell someone. It is NOT your fault. No one deserves to be battered or abused. Seek the support of caring family or friends. Too often victims become accustomed to denying the danger they live with. It is hard to accept that their abuser will never change often focusing on what is good in the relationship. After time, "normal" is completely skewed in the mind of a victim of domestic violence or dating violence. Contact the **National Domestic Violence Hotline** at 800.799.7233. You may wish to seek a protection order.

If you have or currently are experiencing dating or domestic violence, here are some options for what you can do next:

**If you aren't ready to leave the relationship:** The University understands and respects that there are a lot of reasons why you may not be able to leave your relationship; your safety remains our top priority. You are encouraged you to speak with the Office of Equity or Phoenix Center at Anschutz to create a safety plan 303-724-9120.

### What is a protection order?

Also known as a "restraining order," a civil protection order protects one individual from

another individual's actions or threats. A protection order is often used in domestic abuse cases and typically restricts the actions of the restrained individual from harming or approaching another. [Colorado Court FAQ](#)



You may also have a friend or family member who can stay with— that’s great! Keep in mind that if your perpetrator knows where your friends and family live you may still want to be extra careful while staying with them. Make sure you take important documents (birth certificates, social security cards, etc.), medications, and sentimental belongings with you when you leave.

**If you aren’t ready to leave the relationship:** The University understands that there are a lot of reasons why you may not be able to leave your relationship. However, your safety is the top priority. You are encouraged to speak with the Office of Equity or Phoenix Center at Anschutz to create a safety plan 303-724-9120.

Reporting to the Office of Equity: Whether or not the person who hurt you is part of the CU Denver | Anschutz community, the Office of Equity are here to help you.

If the person who hurt you is a CU student, faculty, or staff member, the Office of Equity can launch an investigation to formally resolve your incident. This means that if after an investigation it is determined that the individual has engaged in behavior which violates the University’s [Sexual Misconduct Policy](#), the Office of Equity can issue disciplinary sanctions up to and including expulsion from school (for students) or termination of employment (for staff, faculty). The Office of Equity will work with you to determine any interim measures, and to address any safety concerns, with the hope that you will be able to continue your academic pursuits, or employment (if you choose to) with as little interruption as possible. The Office of Equity can offer a number of interim remedies and will work with you to determine which ones you wish to utilize. Some examples of interim remedies that may be offered are:

- no-contact orders;
- alternative arrangements for classes, extensions on assignments (with faculty approval);
- access to classes online;
- offering incomplete (with faculty approval) or withdrawal (with faculty approval); and
- and/or safety escorts around campus.

The Office of Equity will consider all requests and make the determination as to whether or not the request is reasonable, and whether or not the University is able to accommodate the request considering the individual circumstances. In cases where serious or imminent threat to you or the Campus Community exists, the Office of Equity may consider taking actions such as building, location or campus exclusions.

If the person who hurt you is **not** a CU student, faculty, or staff member (or you aren’t sure), the Office of Equity can still help you. If you need support around missed classes, late assignments, time off from work, or other campus related needs to help you feel safe moving forward, the Office of Equity wants to help. *You do not need to initiate an investigation to access our support resources or interim measures.* However, if the information you share with the Office of Equity leads to the belief that others may be in immediate danger, there may be an obligation by law to move forward with an investigation whether or not you want to, with or without your participation. In these rare cases, the Office of Equity will work with you and notify you when there is an obligation to move forward, and will continue to inform you of the steps moving forward. The Office of Equity can also work with you to address any potential safety concerns or interim measures.

**Can I report to both the University and the police?** Absolutely! Please let the Office of Equity know that you’d like to also report to the police, and the Office of Equity can reach out to the appropriate law enforcement unit on your behalf. The Office of Equity may be able to set up a shared meeting to coordinate your reporting to both the University and law enforcement. The Office of Equity knows it can be hard to talk about what happened, so often the Office of Equity will work together with the police in an attempt to make things easier on you.

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303.315.2567, [equity@ucdenver.edu](mailto:equity@ucdenver.edu) or by submitting  
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**Reporting to the police:** At any time, you can call 9-1-1 and tell the operator that you need to report a domestic violence. If you are not in immediate danger, you can also call the non-emergency line for the police in the jurisdiction where the violence occurred. For instance, if you live in Aurora but you were assaulted in Denver, you should call the Denver Police Department. On the non-emergency line, you can set up a time to talk to a detective to give your statement.

## **Restraining Order? Protection Order?**

A protection order is only one part of a safety plan. Having a protection order does not ensure safety. A protection order is only as good as the abuser's willingness to obey it. A protection order should not be used to give a victim a false sense of safety; it is not a bullet-proof shield. If you want more information about the process for your specific area on a protection order please call the Phoenix Center Anschutz 303-724-9120

**To seek a protection order:** To seek a protection order: (staff at the Phoenix Center at Auraria or Anschutz can assist you with accessing and filling out the required paperwork and may attend court with you)

- Contact the county or district court in your area about procedures for obtaining protection orders (many jurisdictions have specific court rooms or times when protection order petitions are heard).
- Appear at the appropriate time without the person to be restrained (ex-parte) and explain to the judge why you want a protection order. You must show that there was a threatened, attempted or completed assault, or bodily harm against you, your employee(s), or your client(s)/customer(s). It is required that you tell the court, at least, about the most recent incident. You can also tell the court about other incidents. You must also state that you, your employees, and/or your clients/customers are fearful that future assaults or bodily harm will take place. If the judge finds that *imminent danger* exists to you, your employees, or your clients/customers, the judge will issue a *temporary protection order*. You will receive a copy for yourself and one to have *served* on the restrained person.
- Once a temporary protection order is issued, you must have it *personally served* on the restrained party. The Sheriff's office will serve the protection order (usually for a fee). (Once the restrained party is served, they must follow the protection order and stay away from your business and follow any other condition the judge ordered.)
- The temporary protection order will be effective until the *permanent protection order hearing*. The hearing will usually take place within 14 days. If after hearing evidence (mostly presented by witnesses) from both parties, the judge believes that the restrained party threatened, attempted, or completed assault, or bodily harm, and if not restrained will continue to do so, the judge will issue a *permanent protection order*. (In Colorado, the protection order is effective forever unless the court vacates -- cancels -- the protection order.)
- If the restrained person does not appear for the permanent protection order hearing, the judge will issue a permanent protection order if you wish them to do so. If you fail to appear for a permanent protection order hearing, the temporary protection order will be dismissed and you will have to start over. (The judge can grant continuances of the hearing if you show up and explain why you need a continuance, e.g., a witness is sick or the restrained party could not be served.)
- If the restrained person ever wants to vacate or modify the conditions of the protection order, they must notify you (if they can find you) and come back to court for another hearing. They would claim that the protection order is no longer needed. It would be up to you to say otherwise.

## Stalking

Victims of stalking often fear the unknown. Impact to victims may include, anxiety, insomnia, social dysfunction, and severe depression. A stalker could be someone you know well or not at all. Victims should contact law enforcement immediately if they are in danger. Trust your instincts and take threats seriously.

Develop a safety plan, including things like changing your routine and having a friend with you when you go places. Do not communicate with the stalker. Keep all evidence. Maintain a log recording date/time of calls, keep e-mails, texts, and letters, and photograph any damage and/or injuries. Ask witnesses to document what they saw. It is NOT your fault. You deserve to be safe and free from fear. Visit [www.victimsofcrime.org](http://www.victimsofcrime.org) for tips and information. You may wish to seek a protection order.

*If you have or currently are being stalked, here are some options for what you can do next:*

**Keep documentation:** Even if you are unsure you want to report to the school or police, it can be very helpful to keep documentation of the stalking taking place. Save text messages, voicemails, emails, and other contact from the stalker. You can also keep a log of in-person contact— include the date, time, location, and type of contact.

It may be very stressful to have to keep track of all of this. Be creative in coming up with the most productive way of making a log but still taking care of yourself. For instance, rather than tracking all of the messages in real time, you may choose to add to your log only once per day, and then do a self-care activity afterward.

**File for a protection order:** A protection order is issued by a court to restrict a person from certain behaviors. In this case, you could request a protection order telling your stalker to no longer contact you. Often a protection order can include certain locations that the person is not allowed to go to, such as your home, work, or school. If you are interested in learning more about protection orders and/or getting help to file one, please contact the Office of Equity, the Phoenix Center at Auraria or Anschutz or one of the resources listed in this report.

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If the person who is stalking you is a CU student, faculty, or staff member, the Office of Equity can launch an investigation to formally resolve your incident. This means that if after an investigation it is determined that the individual has engaged in behavior which violates the University's [Sexual Misconduct Policy](#), the Office of Equity can issue disciplinary sanctions up to and including expulsion from school (for students) or termination of employment (for staff, faculty). The Office of Equity will work with you to determine any interim measures, and to address any safety concerns, with the hope that you will be able to continue your academic pursuits, or employment (if you choose to) with as little interruption as possible. Some examples of interim remedies the Office of Equity may offer are:

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303.315.2567, [equity@ucdenver.edu](mailto:equity@ucdenver.edu) or by submitting  
an online report at [www.equity.ucdenver.edu/report](http://www.equity.ucdenver.edu/report)**

**After Hours Options:** For after-hours intervention contact one of the 24/7 Crisis/Help Lines:

CU Anschutz Student Mental Health Services After Hours\*..... **303.370.9127**

*\*Identify yourself as a or CU Denver student as applicable and ask for on-call psychiatrist*

Call 1-844-493-8255 or text "Talk" to 38255. In-person mental health crisis services are available through the Colorado Crisis Services, Denver Walk-In Center 24/7/365, visit Colorado Crisis Services to find the walk-in location nearest you.

### **Involvement of Law Enforcement and Campus Authorities**

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Title IX Coordinator will assist any victim with notifying law enforcement if the victim so desires. Aurora Police Department may also be reached directly by calling 303.627.3100 or in person at 13347 East Montview Boulevard, Aurora. Additional information about the Aurora Police department may be found online at: [https://www.auroragov.org/residents/public\\_safety/police](https://www.auroragov.org/residents/public_safety/police)

### **Reporting Incidents of Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

If you have been the victim of sexual assault, domestic violence, dating violence or stalking, you should promptly contact University Police at 303.724.4444 or report in person at 12454 East 19<sup>th</sup> Place, Aurora. Reports of all sexual assault, domestic violence, dating violence, or stalking made to University Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the victim chooses to pursue criminal charges. You may also elect to report the incident directly to the Title IX Coordinator by calling 844.CU.TITLE, e-mail [equity@ucdenver.edu](mailto:equity@ucdenver.edu) or you may file an online complaint using the University Title IX Incident Report located at <https://equity.ucdenver.edu/report>

## Colorado Victim Rights Act

The purpose of the Colorado Victim Rights Act (C.R.S. § 24-4.1-302.5) is to preserve and protect a victim's rights to justice and due process and to ensure that the justice system pursues the rights of victims with equal diligence as rights guaranteed to criminal victims.

## Reporting Victim Costs

The law enforcement agency with jurisdiction over a sexual assault must pay for any direct cost associated with the collection of forensic evidence from a victim who reports the assault to the law enforcement agency [C.R.S 18-3-407.5(1)]



## I just want to talk to someone ...

There are many confidential options available to you for support:

- The **Blue Bench** is the Metro Denver resource for people who experienced sexual assault. You can reach them 24/7 at 303-322.7273
- **Gateway Domestic Violence Services** operates a 24/7 CRISIS line at 303-343-1851.
- **Loveisrespect's** mission is to engage, educate and empower young people to prevent and end abusive relationships. To speak to an advocate, call 866-331-9474 or text loveis to 22522.
- Stalking can be unpredictable and dangerous. **Victims Connect Helpline** provides information and referrals for victims of all crimes at 855-484-2846.

The **Phoenix Center at Anschutz** serves students, faculty and staff associated with CU Anschutz by providing free and confidential resources and assistance to survivors of interpersonal violence (relationship violence, sexual violence, and stalking). Their confidential **Crisis Helpline** is 303-556-2255.

## National Hotlines



National Domestic Violence Hotline

800.799.7233  
800.787.3224 (TTY)



National Sexual Assault Hotline

800.656.4673



National Teen Dating Abuse Helpline

866.331.9474  
866.331.8453 (TTY)



National Victims of Crime Hotline

855.4-VICTIM

Source: <https://www.justice.gov/ovw/areas-focus#hotlines>

## Victim Assistance Program

Many times, a victim's healing process is helped with the intervention of a professional. If you would like to talk to someone about your victimization, contact the City of Aurora Victim Services Unit at **303.739.6087**.

After Hours: A victim's advocate is available 24 hours a day, 7 days a week. To contact the on-call advocate, contact the Aurora Police Department non-emergency dispatch center at **303.627.3100**.

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The Phoenix Center at Anschutz is a campus resource providing support to students, faculty, and staff who've experienced sexual assault or interpersonal violence at home or on campus in an education/clinical environment or a community/public setting. **303.724.9120** or after hours, contact the 24/7 Crisis Line **303.556.2255**



## Victim/Survivor Rights, Options and Assistance

When a student, faculty, or staff member reports that they have experienced sexual misconduct [dating violence, domestic violence, sexual assault, and stalking], whether it occurred on or off-campus, the University shall provide them with written notification of the following:

- (1) Reporting rights and options, including to whom and how they should report an alleged offense, including law enforcement authorities (any on-campus and local police) and to be assisted by campus authorities in doing so, but also of their option to decline to notify such authorities;
- (2) The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;

- (3) Responsibilities for orders of protection, no-contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court, or by the campus;
- (4) Counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, availability of forensic nurses to administer forensic sexual assault nurse exams (“SANE”) and other services available for victims within the campus and in the community; and
- (5) Options for, and available assistance in, changing transportation and working situations, in addition to any available academic and residential accommodations. This notification shall be made and accommodations afforded if they are reasonably available, regardless of whether the person who experienced sexual misconduct chooses to participate in any campus investigation or disciplinary proceeding or report the crime to law enforcement.

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement. Students and employees should contact the Title IX Coordinator/designee or the Police Department’s Community Resource Officer.

The Title IX Coordinator/designee and/or a University Police Department staff member will liaison for victims in obtaining reasonable accommodations within the University and community.

Suspects/Respondents who wish to seek reasonable accommodations should contact the Title IX Coordinator/designee or the Police Department’s Community Resource Officer.

## DEFINITIONS

### Clery Act Definitions

#### *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.



#### *Dating Violence*

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

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

- Dating violence does not include acts covered under the definition of domestic violence.

**According to Section 16 of title 18 of the United State Code, the term “*crime of violence*” means:**

- a) An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- b) Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

### ***Stalking***

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

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

For the purposes of this definition—

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

The above definitions for Domestic Violence, Dating Violence, and Stalking, are provided by the Violence Against Women Act of 1994.

### ***Sexual Assault (Sex Offenses)***

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

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

The definition of Rape is from the Summary Reporting System (SRS) User Manual from the FBI’s UCR Program.

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

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

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

The definitions of Fondling, Incest and Statutory Rape are from the FBI’s National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR.



- 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.

## Colorado Legal Definitions

### “Victim” vs. “Survivor”

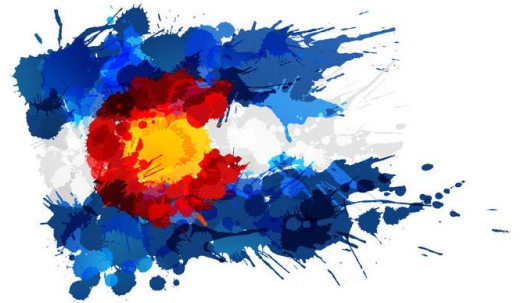
This report uses the terms “victim” and “survivor.” Both terms are important and have different implications when used in the context of victim advocacy and service provision. For example, the term “victim” has legal implications within the criminal justice process and refers to an individual who suffered harm as a result of criminal conduct. The laws that give individuals particular rights and legal standing within the criminal justice system use the term “victim.” Federal law enforcement uses the term “victim” in its professional capacity. “Survivor” is a term used widely in service providing organizations to recognize the strength and courage it takes to overcome victimization. In this report, both terms are used in the context of victim identification, outreach, and service strategies.

*Credit: [www.ojp.gov](http://www.ojp.gov)*

### *Sexual Assault (Sex Offenses)*

C.R.S. § 18-3-402

- (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
  - a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or
  - b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
  - c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
  - d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
  - e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
  - f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
  - g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
  - h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.



### *Consent*

C.R.S. § 18-3-401

"Consent" means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of this part 4. Submission under the influence of fear shall not constitute consent.

(4) "Sexual contact" means the knowing touching of the victim's intimate parts by the actor, or of the actor's intimate parts by the victim, or the knowing touching of the clothing covering the immediate area of the victim's or actor's intimate parts if that sexual contact is for the purposes of sexual arousal, gratification, or abuse.

### ***Dating Violence***

-Colorado does not define the term "dating violence."

### ***Domestic Violence***

C.R.S. § 18-6-800.3

(1) "Domestic violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

(2) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

### ***Stalking***

C.R.S. § 18-3-602. Stalking "Vonnie's law"

- (1) A person commits stalking if directly, or indirectly through another person, the person knowingly:
- (a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
  - (b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
  - (c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

## **University of Colorado Definitions**

### ***Affirmative Consent***

In accordance with the University of Colorado Administrative Policy Statement 5014 – Sexual Misconduct, **affirmative consent** means the, unambiguous and voluntary agreement to engage in a specific sexual activity. Consent is clear, knowing, and voluntary words or actions which create mutually understandable clear permission regarding willingness to engage in, and the conditions of, sexual activity. Consent must be active; silence by itself cannot be interpreted as consent.



Consent is not effectively given if it results from the use of *force*, including *threats*, *intimidation*, or *coercion*, or if it is from someone who is incapacitated:

- **Force** is the use of physical violence or imposing on someone physically to gain sexual access.
- **Threats** exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual contact they would not otherwise have given. For example, threats to kill someone, themselves or to harm someone one cares for constitute threats.
- **Intimidation** occurs when someone uses physical presence to menace another, although no physical contact occurs, or where knowledge of prior violent behavior by an assailant, coupled with menacing behavior, places someone in fear as an implied threat.
- **Coercion** is unreasonable pressure for sexual activity. Coercion differs from seduction by the repetition of the coercive activity beyond what is reasonable, the degree of pressure applied and other factors such as isolation. When someone makes it clear that they do not want sex, do not want to go past a certain point or want it to stop, continued pressure beyond that point can be coercive. It also includes “grooming” meaning an attempt to control victims through a systematic process which takes advantage of an individual’s vulnerabilities using a combination of strategies to gain the individual’s trust, lower inhibitions, and gain cooperation and “consent.”

Consent will be determined using both objective and subjective standards. The objective standard is met when a reasonable person would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. The subjective standard is met when a party believes in good faith that the words or actions of the parties manifested an agreement between them to do the same thing, in the same way, at the same time, with one another.

- A person who does not want to consent to sex is not required to resist.
- Consent to some forms of sexual activity does not automatically imply consent to other forms of sexual activity.
- Silence, previous sexual relationships, or the existence of a current relationship do not imply consent.
- Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money, or other items.
- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly.
- Withdrawal of consent can be done in numerous ways and need not be a verbal withdrawal of consent.
- A *respondent’s* intoxication resulting from intentional use of alcohol/drugs will not function as a defense to engaging in sexual activity without an individual’s consent.
- In order to give effective consent, the person giving consent must be of legal age under Colorado law for the purposes of determining whether there was a sexual assault.

## **ANNUAL DISCLOSURE OF CAMPUS CRIME STATISTICS**

### **Preparation and Disclosure of Campus Crime Statistics and Security Report**

CU Anschutz, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. 1092(f)), publishes and distributes, to all current students and employees, and to any applicant for enrollment or employment, information on how to obtain the Annual Security Report. This report provides information regarding campus crime statistics and campus security policies for the CU Anschutz Medical Campus in Aurora.

The Annual Security Report is prepared in cooperation with the local law enforcement agencies surrounding the CU Anschutz main campus and non-campus locations. CRS 18-8-115, "Duty to Report a Crime", requires all persons who believe a crime has been committed to promptly report the suspected crime to law enforcement authorities. This report is prepared by the Department's Communication/Clery Director.

Campus crime, arrest and referral statistics include those reported to the University Police, by designated campus officials (including but not limited to directors, deans, department heads, designated employees, judicial affairs, and advisors to students/student organizations), and local law enforcement agencies. A procedure is in place to anonymously capture crime statistics disclosed at CU Ethics Line phone and web based anonymous reporting systems 800.677.5590 or [www.ethicspoint.com](http://www.ethicspoint.com)

Each year, an e-mail notification is made to all enrolled students, faculty and employees, which provides a director link to and the website address for the Annual Security Report. Copies of the Annual Security Report may also be obtained at the University Police Department located at 12454 E. 19th Place, Aurora, CO 80045 or by calling 303.724.0737. All prospective employees may obtain a copy from Human Resources by calling 303.315.2700. The link to the [Annual Security Report](#) is provided at the University of Colorado careers website.

It is the responsibility of the University Police Department's Communication/Clery Director to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with the institution's procedures. This report is prepared by the University Police Department's Communication/Clery Director.

### **Reports**

CU Anschutz believes that a well-informed community remains a safety conscious one. Numerous efforts are made to keep members of the Campus Community informed about campus crime and crime-related problems. Written reports are made of all crimes reported to the University Police Department. Copies of police reports may be obtained through the University Police Department Emergency Communications Center, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Police reports are maintained by the University Police Department's Records Manager and are used to compile year-end statistics for the FBI's Uniform Crime Report. In addition, the Police Department prepares annual and daily reports of campus crime related information. Copies of these reports are available by contacting the University Police Department at 303.724.0261.

## Crime Statistics

Crime statistics are available, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The Clery Act requires institutions to disclose three general categories of crime statistics.

### 1. Criminal Offenses

Criminal homicide  
Sex offenses  
-Rape  
-Fondling  
-Incest  
-Statutory rape  
Domestic violence  
Dating violence  
Stalking  
Robbery  
Aggravated assault  
Burglary  
Motor vehicle theft  
Arson

### 2. Hate Crime Biases

Race  
Religion  
Sexual orientation  
Gender  
Gender Identity  
Ethnicity  
National origin  
Disability

#### Additional Hate Crimes

Larceny-theft  
Simple assault  
Intimidation  
Destruction/damage/vandalism of property

### 3. Arrests and Referrals for Violation of:

Weapons law violations  
Drug law violations  
Liquor law violations

Institutions must disclose *reported* offenses, not the finding of a court, coroner or jury or the decision of a prosecutor.

On an annual basis, the Communication/Clery Director or their designee will contact appropriate law enforcement agencies having jurisdiction over non-campus properties owned or controlled by the University for crime statistics for inclusion in the Annual Security Report.

### Clery Geography:

**On Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of the definition, that is owned by an institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Public Property:** Property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

**Non-Campus:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

## CU Anschutz Medical Campus Crime Statistics

Criminal Offenses	On-Campus			Public Property			Non-Campus Locations		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder and Non - Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	1	1	0	0	0	0	0	0
Fondling	2	8	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	2	2	1	0	0	0
Aggravated Assault	1	4	1	1	1	0	0	0	0
Burglary	0	0	1	0	0	0	1	0	2
Motor Vehicle Theft	10	9	15	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	22	14	16	4	4	1	0	0	0
Dating Violence	2	0	0	1	0	0	0	0	0
Stalking	9	18	14	1	2	0	0	0	1
Illegal Weapons Possession	2	1	4	2	0	1	0	0	0
Drug Law Arrests	13	17	6	8	2	6	1	0	0
Liquor Law Arrests	4	0	2	5	3	2	0	0	0
Illegal Weapons Possessions Referrals	0	0	1	0	0	0	0	0	0
Drug Law Referrals	0	0	1	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0

\*On-campus geographical category encompasses all areas of the campus that are open to the general public (including Children's Hospital Colorado and University of Colorado Hospital).

There were no hate crimes reported in 2016, 2017 or 2018.

## **Unfounded**

Reported crimes that are investigated by sworn or commissioned law enforcement personnel and found to be false or baseless.

2016: One unfounded.

2017: Two unfounded crimes.

2018: Two unfounded crimes.

## **On-Campus**

The University of Colorado Anschutz Medical Campus is defined as those properties, private streets, retail operations and facility owned or controlled by the University of Colorado and used by students, faculty, staff, and visitors. On-campus is roughly bounded by Colfax Avenue, Wheeling Street, 21<sup>st</sup> Avenue Boulevard, and Quentin Street. Statistical information for on-campus includes University of Colorado Hospital and Children's Hospital Colorado. The hospitals are not owned or controlled by the University, however, they are located on and surrounded by the CU Anschutz campus. Private security companies provide security to the hospitals.

## **On-Campus Residential**

CU Anschutz does not have on-campus residential housing.

## **Public Property**

Property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

## **Non-Campus**

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

### **Aurora**

5001 S Parker Road  
13701 E. Mississippi Avenue

### **Boulder**

1900 Wardenburg Drive

### **Lone Tree**

10035 South Peoria Street

### **Denver**

2925 E. Colfax Avenue  
3525 W. Oxford Avenue  
3610 W. Princeton Circle  
3620-3630 W. Princeton Circle  
3660-3670 W. Princeton Circle  
3762 W. Princeton Circle  
3680-3690 W. Princeton Circle  
3702-3712 W. Princeton Circle  
3804-3808 W. Princeton Circle  
3844-3854 W. Princeton Circle

3814-3818 W. Princeton Circle  
3722-3726 W. Princeton Circle  
3732-3738 W. Princeton Circle  
3864-3874 W. Princeton Circle  
3884-3894 W. Princeton Circle  
1620 Gaylord Street  
1648 Gaylord Street  
1800 Grant Street

## **Hate Crimes**

The University of Colorado does not discriminate on the basis of race, color, national origin, sex, pregnancy, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy in admission and access to, and treatment and employment in, its educational programs and activities. The university takes action to increase ethnic, cultural, and gender

diversity, to employ qualified disabled individuals, and to provide equal opportunity to all students and employees.

Qualification for the position and institutional need shall be the sole basis for hiring employees, and the criteria for retaining employees shall be related to performance evaluation, assessment of institutional need, fiscal constraints, and/or, in the case of university staff, the rational exercise of administrative prerogative.

All students shall have the same fundamental rights to equal respect, due process, and judgment of them based solely on factors demonstrably related to performance and expectations as students. All students share equally the obligations to perform their duties and exercise judgments of others in accordance with the basic standards of fairness, equity, and inquiry that should always guide education.

In accordance with the Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the University. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the University or be subjected to discrimination by the University. (Regent Law, Article 10)

## **Fire Safety and Missing Student Notification**

CU Anschutz does not have on campus student housing. The requirements for a Fire Safety Report and fire safety disclosures are not applicable to CU Anschutz. Missing student notification policies and procedures are also not applicable to CU Anschutz.

## **SELF-SECURITY AND CRIME PREVENTION**

### **Lighting, Vines, Trees, and Shrubs**

Exterior campus lighting is essential to creating a safe campus environment. Parking lots and parking structures are lighted after dark. Walkways and most campus building exteriors are lighted during the hours of darkness. Maintenance, custodial, police and parking personnel advise the Facilities Management office of any lighting outages that occur. University Facilities Management replaces lamps as required. You are encouraged to report exterior or interior lighting problems for the CU Anschutz by calling the Facilities Management at 303.724.1777.

Campus groundskeeper's trim trees, vines, shrubs, and other vegetation on a regular basis to enhance campus security. Obstructing vegetation is trimmed away from pedestrian walkways, building entrances, windows, and lighting fixtures. You are encouraged to report any specific concerns regarding vegetation on either campus to the Facilities Management at 303.724.1777 from an off-campus phone or x4-1777 from a campus telephone.



## Access to Campus Facilities

University Police Officers and Security Officers regularly patrol the exterior and interior of campus buildings during the day, night, weekends, and holidays. Building patrols are conducted during normal business hours, as well. University Police Officers and Security Officers regularly report lock and security hardware failures to University Facilities Management and/or the Electronic Security Division for repair.



Security Risk Assessments are completed by the Director of Electronic Security or designee to evaluate risks, threats, vulnerabilities, processes, alarm systems, security measures for key and cash control, and physical modifications to enhance the security of particular areas or buildings. University departments wishing to request a facility security survey should contact Electronic Security at 303-724-0014. This service is available to all CU Anschutz Medical Campus buildings.

## Security Awareness

Members of the Campus Community, as well as University guests and visitors, have access to most campus buildings and facilities during regular business hours (generally 6 a.m. to 6 p.m.), Monday through Friday. The University Police Department is responsible for securing designated University buildings and for patrols of the campus. CU Anschutz does not have any on-campus residences.

Student, faculty, and staff are issued a University Access Control card that has the capability of serving as an access card to allow entrance to certain locked buildings and areas on the campus outside of regular business hours. Security, department heads and school deans determine what, if any, level of access a student, faculty, or staff will be provided with after-hours.

## Crime Prevention Programs

The University Police Department offers a number of programs that promote security awareness and crime prevention. Students, faculty, and staff are encouraged to be responsible for their own security and the security of others. Efforts of the University Police Department are oriented toward crime prevention education. In addition to departmental programs, the University Police Department cooperates with other campus organizations to present security and safety programs.

### *Weekly*

**New Employee Orientation** - A healthy work and learning environment free from discrimination and harassment is a key value at CU Anschutz. To that end, it is required that employees (faculty and staff) be familiar with discrimination and harassment protections, the types of discrimination and harassment that occur in employment and education environments, understand reporting requirements, and the University employees who address discrimination and harassment. This presentation also includes an overview of the University Police Department, the services it provides, and how and when to call the police. Crime on campus is discussed, and personal safety and security information is presented to new students and employees. Employees are required to complete CU: Discriminations & Sexual Misconduct on-line course within 90 days of hire.

## *Monthly*

**Active Harmer presentation/discussion** - This presentation offers information about surviving an active harmer situation on campus. The discussion portion allows for questions and campus specific information.

## *Semesterly*

**New Student Orientation** –CU Anschutz colleges and schools conduct a new student orientation at the beginning of each school year and/or the start of a program. In addition to academic and school/college information, the orientation typically provides new students with information about the student code of conduct for their program which includes discrimination and harassment, an overview of the University Police Department, crime prevention, public safety, and campus security procedures and practices.

**Rape Aggression Defense (R.A.D.)** This class is designed to "Develop and enhance the options of self-defense, so that they may become viable considerations to the woman who is attacked". It is a 15 - 16-hour class of physical self-defense and personal protection strategies taught several times through the year, by certified University Police R.A.D. instructors.

## *On-Going and Upon Request*

**Crime Prevention** – University Police participate in numerous events on campus throughout the year. Officers present crime prevention and educational material, answer questions and discuss personal safety with participants. (Examples include, Welcome Wednesday, Block Party, Safety Fair, Preparathon, etc.) Programs presented by the University Police Department may be requested by contacting the Community Resource Officer at 303.724.0739.

- **Preventing Workplace Violence** - Critical to preventing violence from happening in your workplace is recognizing the warning signs and behaviors that can lead to it. This session provides understanding of the many forms those warning signs can take and the situations that can spawn them. Learn how to assess those indicators and how to appropriately respond to a crisis situation.
- **Alcohol Awareness Seminar** - This program emphasizes the legal ramifications of alcohol abuse.
- **Drug Awareness Seminar** - This program emphasizes the legal ramifications of the possession or use of illegal drugs.
- **Drug Information Seminars** - These talks cover recognition of controlled substances and recommend procedures if someone suspects illegal drug use or sales.
- **Rape Drugs Seminar** - This program covers the most commonly used drugs for drug-facilitated rape, their effects, and how to avoid becoming a victim. This program is presented upon request.
- **Office Watch** - Office complexes, health care areas, and research areas are given a security survey, and the staff is trained to recognize and confront suspicious persons and to notify University Police.
- **Personal Safety, Sexual Assault, Date Rape Awareness, and Prevention On-Campus** - This program addresses ways to be aware of and avoid being a physical or sexual assault victim.
- **Robbery Prevention** - This seminar, given to cashiers, gives tips on how to survive an armed robbery and be a good witness.
- **Security Surveys** - Upon request, a University Police Officer in conjunction with the Electronic Security Division evaluates a facility's physical security and makes recommendations for improvements.
- **Stakeout Program** - When needed, undercover operatives are hired to watch high crime areas and report, by radio, suspicious activity to University Police.

- **Theft and Fraud Seminars** - These presentations are usually given to people working in an area where check and credit card fraud occurs (such as the University bookstore, bursar's office, etc.). The talk usually identifies commonly used scams, how to recognize them and what to do when they happen.
- **New Student/Employee Orientation** - This presentation includes an overview of the University Police Department, the services it provides, and how and when to call the police. Crime on campus is discussed, and personal safety and security information is presented to new students and employees. Topics related to work place violence are also covered.
- **Escort Service** - This personal safety and crime prevention program is intended to improve campus safety for students, faculty, visitors, and staff. Students, faculty, visitors, and staff may request a safety escort to their cars in the campus parking lots or within a 4-block radius of the perimeter of campus (perimeter roads are Colfax Ave., Fitzsimons Parkway, Montview Blvd., and Peoria St.), on the CU Anschutz Medical Campus, during the hours of darkness by calling 303.724.4444.
- **Workplace violence education and prevention training.** This training defines workplace violence and outlines strategies to recognize, report and avoid incidents of workplace violence.

## **POLICES – ALCOHOL & OTHER DRUGS**

As an academic community, **the University of Colorado Anschutz Medical Campus** is committed to providing an environment in which learning and scholarship can flourish. The possession or use of illegal drugs, or the abuse of those which may otherwise be legally possessed, seriously affects the university environment, as well as the individual potential of our students and employees. The university enforces state laws and related university policies, including those prohibiting the following activities on campus:

- A. Providing alcoholic beverages to individuals under 21 or possession or consumption of alcoholic beverages by individuals under 21.
- B. Distribution, possession, or use of illegal drugs or controlled substances.
- C. Possession of firearms or other dangerous weapons.

The abuse of alcohol and other drugs by students, regardless of age and of location (on-campus or off-campus), is prohibited by the Student Code of Conduct and Ethics and Professionalism codes on the University of Colorado Denver | Anschutz Medical Campus. This includes on- or off-campus activities sponsored by the university, such as officially sanctioned field trips, student-sponsored social activities, as well as activities of a student organization recognized by the institution. Professional meetings attended by employees and institution-sponsored activities abroad also fall under this code of conduct. The university can, and will, impose disciplinary sanctions for violations. Students are also subject to city ordinances and state and federal laws. A separate policy addresses violations by university staff.

The university strongly encourages students and staff members to voluntarily obtain assistance for dependency or abuse problems before such behavior results in an arrest and/or disciplinary referral, which might result in their separation from the institution.

The use of, or addiction to, alcohol, marijuana, or controlled substances is not considered an excuse for violations of the Student Code of Conduct or staff expectations, and will not be a mitigating factor in the application of appropriate disciplinary sanctions for such violations.

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Services are available at the Student Mental Health Services (303-724-4716) for CU Anschutz students, and The Colorado State Employee Assistance Program (303-866-4314) for CU Denver | Anschutz employees. These resources as well as other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities. The Director of Student Health Promotion at the CU Anschutz Medical Campus, (303)724-7674, provides this programming for CU Anschutz students.

## Student Sanctions

Underage students confronted by the institution for the consumption of alcohol will face disciplinary sanctions including, but not limited to, a warning, bystander class, online class, face-to-face class, reflection paper, personal success plan, counseling referral, alcohol assessment, disciplinary probation, disciplinary probation with loss of good standing, suspension, and expulsion.

Students whose use of alcohol or drugs results in harm or the threat of harm to themselves or others, or to property, regardless of the location of the incident, may face disciplinary action by the university up to and including expulsion.

### CU Anschutz

Students in the following schools/colleges on the CU Anschutz Medical Campus will be sanctioned according to their individual school or college's professionalism/ethics or disciplinary codes.

#### **CU Anschutz Medical Campus School of Dental Medicine Honor Code:**

<http://www.ucdenver.edu/academics/colleges/dentalmedicine/Documents/HonorCodeDisciplinePolicies.pdf>

#### **CU Anschutz Medical Campus School of Medicine Student Honor Code:**

<http://www.ucdenver.edu/academics/colleges/medicalschoo/education/studentaffairs/studentresources/Documents/StudentHandbook.pdf>

#### **CU Anschutz Medical Campus College of Nursing:**

<http://www.ucdenver.edu/academics/colleges/nursing/students/Documents/student-handbooks/all-student-handbook.pdf>

#### **Colorado School of Public Health at the CU Anschutz Medical Campus:**

[http://www.ucdenver.edu/academics/colleges/PublicHealth/resourcesfor/currentstudents/academics/Documents/PoliciesHandbooks/CSPH\\_Honor\\_Code.pdf](http://www.ucdenver.edu/academics/colleges/PublicHealth/resourcesfor/currentstudents/academics/Documents/PoliciesHandbooks/CSPH_Honor_Code.pdf)

#### **CU Anschutz Medical Campus School of Pharmacy:**

[http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Documents/SOP\\_Student\\_Ethics\\_and\\_Conduct\\_Code\\_2012.pdf](http://www.ucdenver.edu/academics/colleges/pharmacy/currentstudents/OnCampusPharmDStudents/PharmDResources/Documents/SOP_Student_Ethics_and_Conduct_Code_2012.pdf)

As members of the university community, students are also subject to city ordinances and to state and federal law. Arrest and prosecution for alleged violations of criminal law or city ordinances may result from the same incident for which the university imposes disciplinary sanctions.

## Employee Sanctions

The university prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (illicit drugs and alcohol). These prohibitions cover any individual's actions, which are part of university activities, including those occurring while on university owned or leased property or in the conduct of university business away from the campus.

It is a violation of university policy for any member of the faculty, staff, or student body to jeopardize the operation or interests of the University of Colorado through the use of alcohol or drugs. Sanctions that will be imposed by the University of Colorado for employees who are found to be in violation of this policy may include expulsion and/or termination of employment. Compliance with this policy is a condition of employment for all employees.

# State Alcohol & Other Drugs Laws

## Colorado Sanctions for Violation of Alcohol Control Statutes

C.R.S. 12-47-901, 903, 18-1.3-501

Class 1 Misdemeanor - unlawful use of an identification card

- A. Class 4 Felony - fictitious or unlawfully altered identification card
- B. Class 4 Felony - fraudulent identification card
- C. Class 2 Misdemeanor to possess or sell alcohol if you are under 21. \*
- D. Class 1 Misdemeanor to sell, give, or deliver alcohol to individuals under 21 years of age. Local ordinances may also be enforced.

Class 1 Misdemeanors are punishable with a fine of \$500.00 to \$5,000.00 and up to 18 months in the county jail.

Class 2 Misdemeanors are punishable with a fine of \$250.00 to \$1,000.00 and up to 12 months in the county jail.

## Colorado Sanctions for Driving Under the Influence

C.R.S. 42-4-1301

- A. (1) (a) A person who drives a motor vehicle or vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, commits driving under the influence. Driving under the influence is a misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI; vehicular homicide, as described in section 18-3-106 (1) (b), C.R.S.; vehicular assault, as described in section 18-3-205 (1) (b), C.R.S.; or any combination thereof.
  - a. First Conviction
    - i. Minimum of nine months loss of full driving privileges
    - ii. Possible imprisonment for up to one year
    - iii. Maximum fine of \$1,000
  - b. Second Conviction
    - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
    - ii. Mandatory TEN days imprisonment, minimum 48 hours of community service
    - iii. Possible imprisonment for up to one year
    - iv. Maximum fine of \$1,000
  - c. Third Conviction
    - i. Minimum ten-year loss of full driving privileges
    - ii. Mandatory 60-day periodic imprisonment Minimum 48 hours community service
    - iii. Possible imprisonment for up to 1 year
    - iv. Maximum fine of \$1,000
  - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
    - i. Minimum of one-year loss of full driving privileges
    - ii. Mandatory ten days imprisonment or 480 hours of community service
    - iii. Possible imprisonment for up to eight years
    - iv. Maximum fine of \$5000,000
- B. Other alcohol offenses
  - a. Providing alcohol to a person under age 21

- i. Possible imprisonment for up to one year
  - ii. Maximum fine of \$5,000
- b. Illegal transportation of an alcoholic beverage
  - i. Maximum fine of \$5,000
  - ii. Point-assigned violation will be entered on drivers record
  - iii. Driver's license suspension for a second conviction in a 12-month period
- c. Knowingly permitting a driver under the influence to operate a vehicle
  - i. Possible imprisonment for up to one year
  - ii. Maximum fine of \$5,000
- d. Summary Suspension
  - i. First offense
    - 1. A chemical test indication a BAC of .08 or greater results in a mandatory six-month driver's license suspension
    - 2. Refusal to submit to a chemical test(s) results in a twelve-month suspension
  - ii. Subsequent offenses
    - 1. A chemical test indicating a BAC of .08 or greater results in a mandatory one-year driver's license suspension
    - 2. Refusal to submit to a chemical test(s) results in a three-year license suspension

## Colorado Penalties for Drinking and Driving Under Age 21

- A. Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof
  - a. First Conviction
    - i. Minimum of two-year loss of full driving privileges
    - ii. Possible imprisonment for up to one year
    - iii. Maximum fine of \$2,500
  - b. Second Conviction
    - i. Minimum five-year loss of full driving privileges for a second conviction in a 20-year period
    - ii. Mandatory five days imprisonment or 240 hours of community service
    - iii. Possible imprisonment for up to one year
    - iv. Maximum fine of \$2,500
  - c. Third Conviction – Class 2 Felony
    - i. Minimum ten-year loss of full driving privileges
    - ii. Mandatory 18-30-month periodic imprisonment
    - iii. Possible imprisonment for up to 24 years
    - iv. Maximum fine of \$1 million
  - d. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement)
    - i. Minimum of one-year loss of full driving privileges
    - ii. Possible imprisonment for up to eight years
    - iii. Maximum fine of \$500,000
- B. Other alcohol offenses
  - a. Illegal transportation of an alcoholic beverage
    - iii. Maximum fine of \$1,000
    - iv. Driver's license suspended for first conviction
    - v. Driver's license revoked for a second conviction
  - b. Summary Suspension
    - vi. First offense
      - 1. A chemical test indication a BAC of .08 or greater results in a mandatory six-month driver's license suspension

2. Refusal to submit to a chemical test(s) results in a twelve-month suspension
- vii. Subsequent offenses
  1. A chemical test indicating a BAC of .08 or greater results in a mandatory one-year driver's license suspension
  2. Refusal to submit to a chemical test(s) results in a three-year license suspension

### State of Colorado Statutory Provisions for Illegal Drugs Manufacture or Delivery

Possession or Sale:	Type of Offense	Jail Term	Fine	Driver's License
<b>Schedule I and II:</b> Cocaine, opium, heroin, morphine, methadone, LSD, mescaline, psilocybin, GH	1 <sup>st</sup> offense: Class 3 Felony	4-12 years	\$3,000 – 750,000	Suspension, drug evaluation
	2 <sup>nd</sup> offense: Class 2 Felony	8-24 years	\$5,000 – 1,000,000	
<b>Schedule III:</b> PCP, codeine, dilaudid	1 <sup>st</sup> offense: Class 4 Felony	2-6 years	\$2,000 – 500,000	Suspension, drug evaluation
	2 <sup>nd</sup> offense: Class 3 Felony	4-12 years	\$3,000 – 750,000	
<b>Schedule IV:</b> Chloral hydrate, tranquilizers, some barbiturates, and stimulant	1 <sup>st</sup> offense: Class 5 Felony	1-3 years	\$1,000 – 100,000	Suspension, drug evaluation
	2 <sup>nd</sup> offense: Class 4 Felony	2-6 years	\$2,000 – 500,000	
<b>Schedule V:</b> Codeine and other narcotics	1 <sup>st</sup> offense: Class 1 Misdemeanor	6-18 Months	\$500 – 5,000	Suspension, drug evaluation
	Repeat: Class 5 Felony	1-3 years	\$1,000 – 100,000	
<b>USE:</b>	<b>Type of Offense</b>	<b>Jail Term</b>	<b>Fine</b>	<b>Driver's License</b>
<b>Schedule I, II</b>	Class 6 Felony	1 year – 18 months	\$1,000 to 100,000	Suspension of minor driver's license
<b>Schedule III, IV, V</b>	Class 1 Misdemeanor	6-18 months	\$500 – 5,000	Suspension of minor driver's license

This chart gives examples of the penalties, which may be imposed on individuals convicted of drug possession, manufacturing, or delivery. *The circumstances of the case and other factors affect whether or not these are the actual penalties imposed.*

### Colorado Marijuana Laws

Persons must be at least 21 years of age to buy, possess or use retail marijuana. It is illegal to give or sell retail marijuana to minors. Adults 21 and older can purchase and possess up to 1 ounce of retail marijuana at a time.

Medical marijuana requires a state red card, which can only be obtained by Colorado residents with a recommendation from a doctor that a patient suffers from a debilitating medical condition that may benefit from medical marijuana. Medical marijuana patients can obtain marijuana from a licensed center, a primary caregiver or self-grow.

Retail marijuana is intended for private, personal use. Such use is only legal in certain locations not open or accessible to the public. Marijuana may not be consumed openly or publicly. This includes but is not limited to areas accessible to the public such as transportation facilities, schools, amusement/sporting/music venues, parks, playgrounds, sidewalks and roads and outdoor and rooftop cafes. It is also illegal to smoke at indoor-but-public locations like bars, restaurants, and common areas in buildings.

It is illegal to drive under the influence of marijuana and it can result in a DUI, just like alcohol. Anyone with 5 nanograms or more of delta 9-tetrahydrocannabinol (known as THC) per milliliter in whole blood (CRS 42-4-1301) while driving can be arrested for DUI. The consequences of DUI are dependent on the driver but they can include fines, jail time and a revoked license.

## Local Drug Laws

### Denver Marijuana Laws

Sec. 38-175. - Possession or consumption of marijuana.

- (a) It shall be unlawful for any person under the age of twenty-one (21) to possess one (1) ounce or less of marijuana.
- (b) It shall be unlawful for any person to openly and publicly display or consume one (1) ounce or less of marijuana.
  - (1) The term "openly" means occurring or existing in a manner that is unconcealed, undisguised, or obvious.
  - (2) The term "publicly" means:
    - a. Occurring or existing in a public place; or
    - b. Occurring or existing in any outdoor location where the consumption of marijuana is clearly observable from a public place.
  - (3) The term "public place" means a place to which the public or a substantial number of the public have access, and includes, but is not limited to, streets and highways, transportation facilities, schools, places of amusement, parks, playgrounds, and the common areas of public and private buildings or facilities.
- (c) It shall be unlawful for any person within one thousand (1,000) feet of the perimeter of any public or private elementary school, middle school, junior high school, or high school to display, transfer, distribute, sell, or grow marijuana upon any city-owned street or sidewalk or upon any other property owned by the city.
- (d) For the purposes of this section, section 38-175.5, and section 39-10, the term "marijuana" shall mean and include all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.
- (e) It shall not be an offense under subsection (b) of this section if the consumption of marijuana is occurring on private residential property and the person consuming the marijuana is:
  - (1) An owner of the property; or
  - (2) A person who has a leasehold interest in the property; or
  - (3) Any other person who has been granted express or implied permission to consume marijuana on the property by the owner or the lessee of the property.
- (f) Any violation of this section is hereby declared to be a non-criminal violation and, upon an admission or finding or judgment of guilt or liability by default or otherwise, the violator shall be subject to the following maximum penalties:
  - (1) First violation: One hundred and fifty dollars (\$150.00).
  - (2) Second violation: Five hundred dollars (\$500.00).
  - (3) Third and each subsequent violation: Nine hundred and ninety-nine dollars (\$999.00).

If the violator is under the age of eighteen (18) years of age at the time of the offense, any fine imposed may be supplanted by treatment as required by the court.

(Ord. No. 645-97, § 1, 9-29-97; Ord. No. 618-05, § 2, 8-9-05, elec. 11-1-05; Ord. No. 660-13, § 1, 12-9-13; Ord. No. 711-14, § 1, 12-23-13; Ord. No. 712-14, § 1, 12-23-13)



## **Aurora Marijuana Laws**

Sec. 94-218. - Offenses related to marijuana.

- (a) For the purposes of this section, the term "marijuana" shall include all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or its resins, but shall not include fiber produced from its stalks, oil or cake made from the seeds of such plant or the sterilized seed of such plant which is incapable of germination, if these items exist apart from any other item defined as "marijuana" in this section.
- (b) It shall be unlawful for any person under 21 years of age to possess two ounces or less of marijuana.
- (c) Unless otherwise provided it shall be unlawful for any person 21 years of age or older to possess more than one ounce and less than two ounces of marijuana.
- (d) Unless otherwise provided it shall be unlawful for any person to possess more than two ounces but less than 12 ounces of marijuana.
- (e) It shall be unlawful for any person to openly and publicly, consume two ounces or less of marijuana.
- (f) Except for a person who lawfully cultivates medical marijuana pursuant to the authority granted in Section 14 of Article XVIII of the State Constitution, it shall be unlawful for a person under 21 years of age to knowingly cultivate, grow or produce six or fewer marijuana plants or knowingly allow six or fewer marijuana plants to be cultivated, grown, or produced on land that the person owns, occupies, or controls.
- (g) Penalties.
  - (1) Any person convicted of subsection (b) or (c) of this section shall be punished by a fine of not more than \$100.00.
  - (2) Any person who is convicted of subsection (e) of this section shall be punished, at a minimum, by a fine of not less than \$100.00 or, at a maximum, by a fine of not more than \$100.00 and 15 days in jail.
- (h) It shall not be an offense under subsections (c) and (d) of this section for a person 21 year of age or older to possess, grow, process or transport six or fewer marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the plants on the premises where the plants were grown, provided that the growing takes place in an enclosed, locked space, is not conducted openly or publicly, and is not made available for sale

## **FEDERAL DRUG LAWS**

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

### **Denial of Federal Aid (20 USC 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work-study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

### **Forfeiture of Personal Property and Real Estate (21 USC 853)**

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

## Federal Drug Trafficking Penalties (21 USC 841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Federal Trafficking Penalties for Schedules, I, II, III, IV and V (except Marijuana)				
Schedule	Substance/Qty.	Penalty	Substance/Qty.	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> not less than 5 yrs., and no more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs., and not more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
II	Cocaine base 28-279 grams' mixture		Cocaine base 280 grams or more mixture	
II	Fentanyl 40-399 grams' mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl analogue 10-99 grams' mixture		Fentanyl analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture	<b>Second Offense:</b> Not less than 10 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Heroin 1 kilogram or more mixture	<b>Second Offense:</b> Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure grams or more mixture	

II	PCP 10-99 grams pure or 100-999 grams mixture	PCP 100 grams or more pure or 1 kilogram or more mixture	<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
<b>Substance/Quantity</b>		<b>Penalty</b>	
Any amount of other schedule I & II substances		<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.	
Any drug product containing gamma hydroxybutyric acid			
Flunitrazepam (Schedule IV) 1 gram		<b>Second Offense:</b> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.	
Any amount of other schedule III drugs		<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not less than 15 years or more than life. Fine \$500,000 if an individual, \$2.5 million if not an individual.	
		<b>Second Offense:</b> Not more than 20 years. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.	
Any amount of all other schedule IV drugs (other than one gram or more of Flunitrazepam)		<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.	
		<b>Second Offense:</b> Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if not an individual.	
Any amount of all schedule V drugs		<b>First Offense:</b> Not more than 1 yrs. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.	
		<b>Second Offense:</b> Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.	

<b>Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances</b>	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<b>First Offense:</b> Not more than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100-999 marijuana plants	<b>First Offense:</b> Not more than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not more than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine \$8 million if an individual, \$50 million if not an individual.
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.

Hashish More than 10 kilograms	<b>Second Offense:</b> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Hashish oil More than 1 kilogram	
Marijuana Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than individual.  <b>Second Offense:</b> Not more than 1 years. Fine \$500,000 if an individual, \$2 million if not an individual.
Hashish 10 kilograms or less	
Hashish oil 1 kilogram or less	

## Counseling and Treatment

Short-term alcohol and other drug counseling is available at Student Mental Health Services 303-724-4716 for CU Anschutz students.

Campus services may refer students to other treatment programs for more intensive treatment if deemed appropriate. The University of Colorado Anschutz Medical Campus and the State of Colorado Employee Assistance Program offer employees additional education and counseling, as well as appropriate referrals. Below is an abbreviated list of services and treatment centers. The list includes a brief summary of the agency name, services offered at various levels of treatment, and contact information.

TREATMENT CENTER	SERVICE DESCRIPTION	CONTACT INFORMATION	LEVEL OF SERVICE
<b>ACI Counseling Services</b>	Offender programs, relapse prevention, groups/classes  Adults, children/adolescents	1301 East 58 <sup>th</sup> Ave., Unit F.  Denver, Colorado 80216  <b>(720) 641-9627</b>	Outpatient
<b>Addiction Research and Treatment Services (ARTS) University of Colorado Hospital Outpatient Psychiatry Office</b>	Inpatient and outpatient substance abuse treatment with specialized programs for adolescents, men, women, and the offender population. The Addiction Research and Treatment Services (ARTS) is the clinical program of the Division of Substance Dependence, Department of Psychiatry at the University of Colorado School of Medicine. ARTS has provided residential and outpatient empirically supported substance abuse treatment services in Colorado for over 33 years, with an emphasis on psychosocial and pharmacological treatments for adolescents, women, men, families, and those involved in the criminal justice system. ARTS is on the	13001 E. 17th Place, Building 500, Campus Box C290, Aurora, CO, 80045  <b>(303) 336-1600</b>  <a href="https://www.artstreatment.com/">https://www.artstreatment.com/</a>	Inpatient and outpatient

		cutting edge of scientific research, medical education, and clinical care for the purpose of reducing death and dying from addictive disorders.		
<b>CeDAR</b>		<p>CeDAR provides a full continuum of care including:</p> <ul style="list-style-type: none"> <li>• Intensive, medically managed detoxification and stabilization</li> <li>• Intensive residential</li> <li>• Extended residential</li> <li>• Day treatment</li> <li>• Intensive outpatient treatment</li> <li>• Outpatient counseling</li> <li>• Addiction psychiatry</li> <li>• Integrated addiction medicine and primary care</li> <li>• Recovery management and support services</li> </ul>	<p>1693 N. Quentin St., Aurora, CO 80045</p> <p><b>(720) 848-3000</b></p> <p><a href="https://www.cedarcolorado.org/">https://www.cedarcolorado.org/</a></p>	<p>Intensive residential</p> <p>Intensive outpatient</p>
<b>Centennial Hospital</b>	<b>Peaks</b>	<p>Services include:</p> <ul style="list-style-type: none"> <li>• Adult psychiatric services</li> <li>• Adult chemical dependency services</li> <li>• Adult/adolescent chemical dependency including dual diagnosis</li> <li>• Intensive outpatient treatment -IOP for adults and adolescents including dual diagnosis</li> <li>• Adult/adolescent mental health intensive outpatient treatment</li> <li>• Electroconvulsive therapy</li> <li>• Inpatient detoxification</li> </ul>	<p>2255 S. 88th Street, Louisville, CO, 80027</p> <p><b>(303) 673-9990</b></p> <p><a href="https://www.centennialpeaks.com/">https://www.centennialpeaks.com/</a></p>	<p>Intensive outpatient</p>
<b>West Pines (Chemical Dependency and Behavioral Health)</b>		<p>We also offer integrated treatment for people with co-occurring diagnoses who are affected by both chemical dependency and an emotional or psychiatric disorder. Our holistic approach to treatment focuses on the physical, emotional, social, and spiritual well-being of each of our patients.</p>	<p>3400 N Lutheran Parkway, Wheat Ridge, CO 80033</p> <p><b>(303) 467-4000</b></p> <p><a href="http://www.westpinesrecovery.org/">http://www.westpinesrecovery.org/</a></p>	<p>Memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence</p>

Interested individuals are encouraged to contact each agency for additional information regarding specific services and costs.

For a more comprehensive list of services students and personnel are encouraged to visit the following website:  
<https://rmcrisispartners.org/>

## HEALTH RISKS OF COMMONLY ABUSED SUBSTANCES

Substance	Nicknames/Slang	Possible Short Term Effects	Possible Long-Term Effects
Alcohol		Slurred speech, drowsiness, headaches, impaired judgment, decreased perception and coordination, distorted vision and hearing, vomiting, breathing difficulties, unconsciousness, coma, blackouts, memory problems, death	Toxic psychosis, physical dependence, neurological and liver damage, fetal alcohol syndrome, vitamin B1 deficiency, sexual problems, cancer, physical dependence, dementia, Wernicke-Korsakoff syndrome that causes brain changes, memory problems, movement issues, and psychosis
Amphetamines	uppers, speed, meth, crack, crystal, ice, pep pills	Increased heart rate, increased blood pressure, dry mouth, loss of appetite, restlessness, irritability, anxiety, insomnia	Delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, physical dependence, depression, chronic fatigue
Barbiturates and tranquilizers	barbs, bluebirds, blues, yellow jackets, red devils, roofies, rohypnol, ruffies, tranqs, mickey, flying v's	Slurred speech, muscle relaxation, dizziness, decreased motor control, respiratory depression when mixed with other drugs, death in overdose	Severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence, seizures
Cocaine	coke, cracks, snow, powder, blow, rock	Loss of appetite, increased blood pressure and heart rate, contracted blood vessels, nausea, hyper-stimulation anxiety, paranoia, increased hostility increased rate of breathing, muscle spasms and convulsions. dilated pupils disturbed sleep, psychosis	Depression, weight loss, high blood pressure, seizure, heart attack, stroke, hypertension, hallucinations, psychosis, chronic cough, nasal passage injury, kidney, liver, bowel, and lung damage
Gamma hydroxy butyrate	GHB, liquid B, liquid X, liquid ecstasy, G, georgia homeboy, grievous bodily harm	Euphoria, decreased inhibitions, drowsiness, sleep, decreased body temperature, decreased heart rate, decreased blood pressure, lower body temperature, coma, death	Memory loss, depression, severe withdrawal symptoms, physical dependence, psychological dependence
Heroin	H, junk, smack, horse, skag	Euphoria, flushing of the skin, dry mouth, "heavy" arms and legs, slowed breathing, muscular weakness, clouded thinking,	Constipation, loss of appetite, lethargy, weakening of the immune system, respiratory (breathing) illnesses, muscular weakness, partial paralysis, coma, physical dependence,

		itching, nausea, vomiting, abscesses, infection	psychological dependence, risks of HIV and hepatitis with shared needles
Ketamine	K, super K, special K	Dream-like states, hallucinations, impaired attention and memory, delirium, impaired motor function, high blood pressure, depression, problems speaking	Urinary tract and bladder problems, abdominal pain, major convulsions, muscle rigidity, increased confusion, increased depression, physical dependence, psychological dependence
LSD	acid, stamps, dots, blotter, A-bombs	Dilated pupils, change in body temperature, blood pressure and heart rate, sweating, chills, loss of appetite, decreased sleep, tremors, changes in visual acuity, mood changes, reality distortions	May intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, physical dependence, psychological dependence
MDMA	ecstasy, XTC, adam, X, rolls, pills	Impaired judgment, confusion, blurred vision, teeth clenching, depression, anxiety, paranoia, sleep problems, muscle tension	Same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, depression, anxiety, memory loss kidney failure, cardiovascular problems, convulsions, death, physical dependence, psychological dependence
Marijuana/Cannabis	pot, grass, dope, weed, joint, bud, reefer, doobie, roach	Sensory distortion, poor coordination of movement slowed reaction time, panic, anxiety, psychosis, problems with learning and memory	Bronchitis, conjunctivas, lethargy, shortened attention span, suppressed immune system, personality changes, cancer, psychological dependence, physical dependence possible for some
Mescaline	peyote cactus	Nausea, vomiting, anxiety, delirium, hallucinations, increased heart rate, blood pressure, and body temperature,	Lasting physical and mental trauma, intensified existing psychosis, psychological dependence
Morphine/opiates	M, morf, duramorph, Miss Emma, monkey, roxanol, white stuff	Euphoria, increased body temperature, dry mouth, "heavy" feeling in arms and legs, constipation, pain relief	Constipation, loss of appetite collapsed veins, heart infections, liver disease, depressed respiration, pneumonia and other pulmonary complications, physical dependence, psychological dependence, fetal damage
PCP	crystal, tea, angel dust, embalming fluid, killer weed, rocket fuel, supergrass, wack, ozone	Shallow breathing, flushing, profuse sweating, numbness in arms and legs, decreased muscular coordination, nausea, vomiting, blurred vision, delusions, paranoia, disordered thinking,	Memory loss, difficulties with speech and thinking, depression, weight loss, psychotic behavior, violent acts, psychosis, physical dependence, psychological dependence

		blood pressure changes, coma, death	
Psilocybin	mushrooms, magic mushrooms, shrooms, caps, psilocybin & psilocyn	Nausea, vomiting, drowsiness, distorted perceptions, nervousness, paranoia, panic	Confusion, memory loss, shortened attention span, flashbacks may intensify existing psychosis
Steroids	roids, juice	Increased lean muscle mass, increased strength, acne, oily skin, excess hair growth, high blood pressure, fluid retention	Aggression, cholesterol imbalance, anger management problems, masculinization or women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, psychological dependence

## PREVENTION AND EDUCATION

As mandated by the Drug-Free Schools and Campuses Act, the Drug and Alcohol Abuse Prevention Program (DAAPP) is distributed to all students, staff and faculty on an annual basis, and during every even year, a biennial review of the comprehensive alcohol and other drug program is conducted. For more information concerning current programs, interventions and policies, contact: Nicky Lowry, Director of Student Health Promotions 303-724-7674.

Alcohol and Drug education and prevention education at the Anschutz Medical Campus is managed within the individual schools and college. Each addresses these issues differently via orientation programs, licensing requirements, course work, and community based referral programs.

Clinical programs with the School of Medicine work with the Colorado Physician Health Program (CPHP) on diagnostic evaluation, treatment referral as well as treatment monitoring and support services.

In addition, other clinical programs (Dental Medicine, Nursing, Pharmacy) of Anschutz Medical Campus work with Peer Assistance Services (PAS), a non-profit agency that provides quality, accessible prevention and intervention services focused on substance use and related issues.

## ON-CAMPUS RESOURCES/INFORMATION

CU Anschutz Resources	
University of Colorado Denver/ Anschutz Police Department	303-724-4444, <a href="https://www.cuanschutz.edu/police">https://www.cuanschutz.edu/police</a>
Aurora Police Department	<b>Emergency: 911</b> Non-Emergency: 303-627-3100 <a href="https://www.auroragov.org/residents/public_safety/police">https://www.auroragov.org/residents/public_safety/police</a>
Colorado Employee Assistance Program	303-866-4314, <a href="http://www.colorado.gov/c-seap">http://www.colorado.gov/c-seap</a>
Student Mental Health	303-724-4716 <a href="https://medschool.cuanschutz.edu/psychiatry/programs/amc-student-mental-health">https://medschool.cuanschutz.edu/psychiatry/programs/amc-student-mental-health</a>



CU Anschutz Health Center	303-724-4716 <a href="http://www.ucdenver.edu/academics/colleges/nursing/clinical-practice-community/PatientServices/CHC/Pages/default.aspx">http://www.ucdenver.edu/academics/colleges/nursing/clinical-practice-community/PatientServices/CHC/Pages/default.aspx</a>
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## OFF-CAMPUS RESOURCES/INFORMATION

Aurora Mental Health Center	303-617-2300 <a href="http://www.aumhc.org">http://www.aumhc.org</a>
Denver Police Department	<b>Emergency: 911</b> <b>Non-Emergency: 720-913-2000</b> <a href="https://www.denvergov.org/content/denvergov/en/police-department.html">https://www.denvergov.org/content/denvergov/en/police-department.html</a>
Colorado Crisis Centers	1-844-493-8255 <a href="http://www.coloradocrisiservices.org">www.coloradocrisiservices.org</a>
Denver Health	303-436-6000 <a href="http://www.denverhealth.org">http://www.denverhealth.org</a>
CeDAR – Center for Dependency, Addiction, and Rehabilitation	720-848-3000 <a href="http://www.cedarcolorado.org">www.cedarcolorado.org</a>
Denver Sheriff's Department	720-337-0400 <a href="https://www.denvergov.org/content/denvergov/en/sheriff.html">https://www.denvergov.org/content/denvergov/en/sheriff.html</a>
Peer Assistance Services	303-369-0039 <a href="http://www.peerassistanceservices.org/">http://www.peerassistanceservices.org/</a>
CPHP Colorado Physician Health Program	303-860-0122 <a href="http://www.cphp.org">www.cphp.org</a>

In accordance with Americans with Disabilities Act of 1990, no individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of the university. Further, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the university or be subjected to discrimination by the university.

## Links to University Alcohol & Other Drug Policies

The following are the university's policies regarding abuse of alcohol and drugs.

Chancellor's Communique regarding the Campus Policy on Marijuana (12-12-12):

<http://www.ucdenver.edu/about/WhoWeAre/Chancellor/CUAnschutz/ChancellorsCommunications/Pages/Campus-Policy-on-Marijuana.%2012-12-12.aspx>

Campus Administrative Policy - Smoke-Free and Tobacco-Free Environment:

[http://www.ucdenver.edu/faculty\\_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3059%20-%20Smoke-Free%20and%20Tobacco-Free%20Environment.pdf](http://www.ucdenver.edu/faculty_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3059%20-%20Smoke-Free%20and%20Tobacco-Free%20Environment.pdf)

Financial Aid Drug Convictions Policy:

<http://www.ucdenver.edu/student-services/resources/CostsAndFinancing/FASO/Learn/FAQs/Pages/FAQs.aspx>

Campus Administrative Policy – Alcohol Service

[http://www.ucdenver.edu/faculty\\_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3050%20-%20Alcohol%20Service.pdf](http://www.ucdenver.edu/faculty_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3050%20-%20Alcohol%20Service.pdf)

Campus Administrative Policy – Food and Drink Policy

[http://www.ucdenver.edu/faculty\\_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3060%20-%20Food%20and%20Drink%20Policy.pdf](http://www.ucdenver.edu/faculty_staff/employees/policies/Policies%20Library/3XXX%20General%20Administration/3060%20-%20Food%20and%20Drink%20Policy.pdf)

## **WEAPONS POLICY**

WHEREAS the unauthorized possession of firearms, explosives, and other dangerous or illegal weapons on or within any University of Colorado campus, leased building, areas under the jurisdiction of the local campus police department or areas where such possession interferes with the learning and working environment is inconsistent with the academic mission of the university and, in fact, seriously undermines it;

WHEREAS the unauthorized possession of such weapons threatens the tranquility of the educational environment in an intimidating way and it contributes in an offensive manner to an unacceptable climate of violence;

WHEREAS the university educational mission should attempt to teach and model those values which are held to be important to the nation as a whole;

WHEREAS in passing the Colorado Concealed Carry Act, Colorado Revised Statute 18-12-201 et seq., Colorado's General Assembly authorized qualified citizens to obtain a permit to carry concealed weapons and the Colorado Supreme Court has held that the Act applies to university property;

WHEREAS the Board of Regents and the University of Colorado are committed to upholding the law, recognizing the right of citizens to protect themselves and others in accordance with the Colorado Concealed Carry Act, and preserving the University of Colorado campuses as safe and tranquil learning environments;

NOW THEREFORE BE IT RESOLVED that the unauthorized possession of firearms, explosives, or other dangerous or illegal weapons on or within any University of Colorado campus, leased building, other area under the jurisdiction of the local campus police department is prohibited. Notwithstanding the foregoing, the University of Colorado shall not, by rule or regulation, restrict the ability of any person who has been lawfully issued a permit to carry a concealed handgun under the provisions of Colorado law to exercise the right to concealed carry in any public places or publicly accessible buildings on the University of Colorado campuses. It shall not be a violation of this policy for such person to carry a concealed handgun consistently with the requirements of Colorado law. When acting pursuant to such a permit and acting in conformity with Colorado law possession of a concealed handgun on university property shall not be deemed to be unauthorized.

In those situations where the University of Colorado grants access to buildings or facilities pursuant to a contractual relationship, such as a landlord-tenant relationship for access to student housing facilities or a licensor-licensee relationship for access to events that are not generally open to the public, the chancellor of each campus shall have the authority to enter contracts with students, employees, and guests of the University of Colorado governing the terms of that relationship, including contractually limiting the ability of persons to exercise the ability to possess a concealed firearm in those buildings or facilities. In the event that

a person violates the terms of such a contract, the person may be excluded from the building or facility to which he had been granted access pursuant to the contractual relationship.

A "dangerous or illegal weapon" may be an instrument of offensive or defensive combat; anything used, or designed to be used, in destroying, defeating, or injuring a person; an instrumentality designed or likely to produce bodily harm; or an instrument by the use of which a fatal wound may probably or possibly be given. A "dangerous or illegal weapon" may include, but not be limited to, the following: any firearm, slingshot, cross-knuckles, knuckles of lead, brass or other metal, any bowie knife, dirk, dagger or similar knife, or any knife having the appearance of a pocket knife, the blade of which can be opened by a flick of a button, pressure on the handle or other mechanical contrivance. A harmless instrumentality designed to look like a firearm, explosive, or dangerous weapon which is used by or is in the possession of a person with the intent to cause fear in or assault to another person is expressly included within the meaning of a firearm, explosive, or dangerous weapon.

Possession of firearms, explosives, or other dangerous weapons is permitted for peace officers or for others who have written permission from the chief of police for those campuses which have such an officer or from the chancellor after consultation with the chief of police. Firearm storage may be provided by campus police as a service to students or employees residing in campus housing.

FURTHER RESOLVED that the individual found guilty via a due process procedure of the unauthorized possession of firearms, explosives, or other dangerous or illegal weapons, and who is found to have intentionally or recklessly used or possessed such weapons in a way that would intimidate, harass, injure or otherwise interfere with the learning and working environment of the university, shall be banned from the university campus, leased building, or other area under the control of University Campus Police. In the case of the University of Colorado Denver, officials shall make every effort to work with the Auraria Higher Education Center officials to obtain such ban. This section is not intended to limit the discretion of the university to institute summary suspension proceedings.

In the case of a student who is found guilty via a due process procedure to have intentionally or recklessly used or possessed an unauthorized weapon in a way that would intimidate, harass, injure, or otherwise interfere with the learning and working environment of the university, the minimum disciplinary sanction shall be expulsion.

In the case of an employee who is found guilty via a due process procedure to have intentionally or recklessly used or possessed unauthorized weapons in a way that would intimidate, harass, injure, or otherwise interfere with the learning and working environment of the university, the minimum disciplinary sanction shall be termination of employment, subject to such other rules governing the employment relationship.

FURTHER RESOLVED that this resolution is intended to clearly state expected standards of personal conduct for employees, students, and visitors;

FURTHER RESOLVED that to the extent that institutional policies need to be amended to reflect the intent of this resolution, the administration is directed to proceed to make such changes.

History: Adopted March 17, 1994; revised September 12, 2012

## **SEX OFFENDER REGISTRY**

In compliance with section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) and Colorado Revised Statutes 16-22-102 through 16-22-115, and 23-5-125, registered sex offender information may be obtained at:

Colorado Bureau of Investigation <https://www.colorado.gov/apps/cdps/sor/search-agreement.jsf>

The CBI does not post information concerning (1) sex offenders only convicted of misdemeanor sex offenses, or (2) juveniles adjudicated for sex crimes.

According to the CBI website: You may contact your local Police Department, County Sheriff's office, or the CBI for a COMPLETE list of registered sex offenders that reside in your city, county or state. Some Police Departments and Sheriff's Offices maintain websites containing information about sex offenders in their jurisdiction, consistent with Colorado Revised Statutes (CRS) 16-22-112. Please select the Information tab for links to view specific Colorado Police and Sheriff sex offender websites.

## **DEFINITIONS OF “CLERY ACT CRIMES” AS REPORTED IN THE ANNUAL SECURITY REPORT**

The following are definitions of the crimes that the Clery Act requires institutions to report:

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

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

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

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

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

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

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

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

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

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

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

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- A. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, the type of interaction between the persons involved in the relationship.
- B. For the purpose of this definition-
  - 1. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - 2. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:**

- A. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - 1. Fear for the person's safety or the safety of others; or
  - 2. Suffer substantial emotional distress.

**For the purposes of this definition-**

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

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed

or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Hate Crimes:** All of the crimes described above, and any other crime involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability of the victim that are reported to Campus Security Authorities or local police agency, the data shall be collected and reported according to category of prejudice.

#### Additional Crime Classifications for Recording Hate Crimes

1. **Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
2. **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
3. **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
4. **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.