

BRISTOL

COMMUNITY COLLEGE



ANNUAL SECURITY REPORT

POLICIES – SERVICES – STATISTICS

2023

Campus Police

Emergency: 774.357.3911

Dispatch: 774.357.2218

Message from the Chief

The Bristol Community College Police Department is a full-service police department with 7 sworn officers. Our officers receive municipal police academy training and have full authority to enforce the laws of the Commonwealth. Each officer attends an annual in-service training program as well as a host of specialized training programs. Besides patrol, we also conduct criminal investigations and provide crime prevention and educational services at the Bristol Community College campuses. We have built a strong tradition of community policing and community outreach. We serve to engender and maintain a campus community wherein the students, faculty, staff, and visitors view the members of the police department as their partners in public safety. To ensure that safety, significant investments have been made in technology and emergency notification systems.

Our objective is for you to achieve your educational goals in a safe and secure environment. Additionally, we appreciate the importance of cultural and social growth.

We are pleased to present the Bristol Community College Annual Security Report. The report provides important information about the safety and security at Bristol Community College. All campus crime statistics required by the Clery Act are listed, including the number of persons referred for campus disciplinary action. Information about campus crime prevention and safety awareness programs are also provided.

We invite your questions, concerns, and suggestions so that we may better serve the College community. You may visit our website for contact information, <https://bristolcc.edu/student-services/resources/campus-police/>.

Recognizing that it takes community involvement to have a safe environment, we believe every member of the campus assumes a responsibility for our safety by reporting suspicious or criminal behavior to our office.

Sincerely,

Mark Nataly

Chief of Police & Preparedness

Bristol Community College

Notice of Non-Discrimination

Bristol Community College is committed to providing a learning and working environment free from unlawful discrimination and to fostering a nurturing and vibrant community founded upon the fundamental dignity and worth of all its members. Consistent with this commitment, and with all applicable laws, it is the policy of the college not to tolerate unlawful discrimination in any form and to provide persons who feel that they are victims of discrimination or harassment with mechanisms for seeking redress.

Bristol Community College prohibits any form of discrimination against any person on the basis of gender, race, color, national origin, religion, age, disability, marital status, veteran status, sexual orientation, gender expression, gender identity, genetic information or any other legally protected status in the administration of its educational policies, admissions policies, employment, scholarship and loan programs, and athletic and other College-administered programs.

Bristol Community College also responds promptly to allegations of dating violence, domestic violence, sexual assault and stalking.

Federal and State laws, including Titles VI and VII of the Civil Rights Act of 1964, as amended, the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972 and the Americans with Disabilities Act, as amended, more specifically define Bristol Community College's non-discrimination obligations.

Inquiries or complaints regarding any form of discrimination or harassment should be directed to:

Emmanuel Echevarria
Interim Title IX Coordinator
777 Elsbree Street, D209H
Fall River, MA 02720
(774) 357-2333
DiversityTitleIX@BristolCC.edu

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Section 1- Introduction

Introduction

Bristol Community College is concerned with the safety of its students, staff, faculty, guests, and visitors. We are concerned and accept the responsibility to employ security measures and law enforcement practices to help provide the College community with a safe, secure environment in which to work and pursue academic goals.

Bristol Community College faithfully adheres to the Student Right-to Know and Campus Security Act, passed by Congress in 1990. This law requires all Post-Secondary Colleges to report specific incidents of campus crime that occurred during the prior school year.

Title II of this act was known as the Crime Awareness and Security Act. It requires institutions participating in the student financial aid program under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occur on campus. It was amended, and renamed, the Jeanne Clery Act in October 1998. In compliance with the act, the Bristol Community College Police Department publishes and distributes this information by October 1 of each year. The Higher Education Act, as amended by the Higher Educational Opportunity Act, specifies new campus safety requirements regarding hate crime, emergency response and evacuation procedures effective October 1, 2010 and is included in this report.

The Bristol Community College Police Department prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This Annual Security Report includes statistics from the previous three years concerning certain reported crimes, arrests and disciplinary referrals on our campuses, including certain off-campus buildings owned or controlled by Bristol Community College, and on public property within or immediately adjacent to and accessible from the campuses. Campus crime, arrest and disciplinary referral statistics include those reported to the Police Department, designated campus officials (including but not limited to directors, deans, department heads, student conduct, advisors to students/student organizations, athletic coaches) and local law enforcement agencies.

All College departments that are identified as mandated reporters, together with local municipal police departments, are surveyed annually by the Chief of Police for reportable crimes. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Copies of this report can be obtained by contacting the Campus Police Office or by visiting the following Web site:
<https://bristolcc.edu/student-services/resources/campus-police/>

Each year by October 1, an e-mail is sent to Bristol employees and students that provides the location of the website where the report can be accessed, and that hard copies can be obtained at the Campus Police Office at D110, Hudnall Administration Building.

This document should be read in conjunction with the Student Handbook.

All policy statements contained in this report apply to all Bristol campuses.

Statement of Policy for Addressing Campus Law Enforcement Authority and Jurisdiction

Bristol Community College Police Department is located on the first floor of the Hudnall Administration Building, room D-110 on the Main Campus. The Department is a full-service Police Department providing safety, security, parking and traffic services to the entire campus community throughout the year. The Department operates Monday - Friday, 7:00 AM – 11:00 PM; Saturday. During all other times and on holidays the main campus is staffed by contract security officers from Internal Security Associates, LLC (ISA). ISA officers also staff the Attleboro, New Bedford and Taunton campuses while each campus is open. These security officers do not have arrest powers nor do they have any law enforcement or investigative authority on any land and buildings owned or leased by the College. The College Police Department is currently staffed by a Chief of Police, a Deputy Chief of Police, four Campus Police Officers, three Dispatchers and one Security Officer. The primary mission of the department is to provide a safe and secure environment for the College community. The department embraces a professional approach to law enforcement, emphasizing customer service, community policing, and impartial enforcement of all laws, policies and regulations. Bristol Community College Campus Police Officers receive their police authority from Chapter 22C of Massachusetts General Laws, Section 63 and are sworn Special State Police Officers. Officers have full arrest powers on ALL land and buildings owned or leased by the College. Campus police officers are charged with the enforcement of all state and local laws as well as any College regulations and policies on Bristol Community College property. Campus Police Officers receive basic and in-service training at the Massachusetts State Police Academy and/or the Municipal Police Training Committee. They also receive specialized training from various police agencies throughout the state and country.

There are written Memorandums of Understanding between Bristol Community College Police and the Fall River Police Department for “holding facility” and “evidence storage” purposes; and with Fall River Fire Department for shared use of the Fire Department radio frequency. Campus jurisdiction is shared with local and State law enforcement. Local Police and the Massachusetts State Police have concurrent jurisdiction on all campuses and upon all properties owned or controlled by the College, however there are no memorandums of understanding with other agencies pertaining to the investigation of offenses. Part I Crimes, such as rape, murder, aggravated assault, robbery and arson are reported to the jurisdictional law enforcement authority for that area, and a joint investigative effort between Bristol Community College Police Department and the Jurisdictional Department and/or Massachusetts State Police is conducted to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted through the Bristol County District Attorney’s Office.

By mutual agreement with state and federal agencies, the Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system, police personnel can access the National Crime Information Computer System as well as the Criminal History Systems Board for the Commonwealth of Massachusetts. These computer databases are used to enhance public safety by accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

The sworn personnel and support staff of the Police Department are dedicated to ensuring that the campus is a safe environment for studying, teaching, researching, and recreating. Our department strives toward this goal through problem-solving partnerships with the faculty, staff, and students, as well as state and local governmental bodies, and our community's neighbors.

Feel free to contact us for routine business or if you have any questions, concerns, or suggestions regarding the Bristol Community College Police Department. You may reach the Department via phone at (774) 357-2218, or visit our headquarters located in the Hudnall Administration Building, room D-110, 777 Elsbree Street, Fall River, MA.

Campus Security Authorities

In accordance with the Clery Act, Bristol Community College has designated certain employees as Campus Security Authorities (CSA). The term “*Campus Security Authority*” is defined as:

- *A campus police department or a campus security department of an institution;*
- *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. An official is defined as any person who has the authority and the duty to act or respond to particular issues on behalf of the institution. For example, staff responsible for campus student and family housing, a student center, or student extra-curricular activities; a director of athletics, coaches and trainers, faculty advisors to student groups, staff responsible for student discipline and campus judicial staff.*

Campus Security Authorities at Bristol Community College are required to complete an annual online training session which explains their responsibilities under the Clery Act. All crimes that are reported to, or witnessed by, a CSA must be reported to Campus Police in accordance with the law.

How Should a CSA Report Crimes?

CSA Incident Report forms can be found [here](#); and emailed, faxed, or hand-delivered **in a timely manner** to the Bristol Community College Police Department. Please refer to the following instructions when considering how you, as a CSA, should be reporting crimes:

- A.** If the reported incident constitutes a threat to the safety of the College community, in addition to completing a report form, the Campus Security Authority (CSA) shall immediately call 911. A CSA Crime Report Form shall be completed and submitted when it is safe to do so.
- B.** If the reporting party is a victim of a sex offense, a CSA shall encourage them to report the crime directly to the Police Department and/or to the Dean of Students, the Title IX Coordinator, or the Women’s Center.
- C.** While second hand (third party) reports are inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential for duplication of reported incidents shall not be a factor in determining whether or not a report is taken.
- D.** Clery Act reporting, via the CSA Crime Report form, does not replace or change any existing reporting requirements or procedures for disciplinary referrals or misconduct.
- E.** Hate Crimes present a special reporting challenge. CSA’s are to document each reported Hate Crime occurrence and the related category of prejudice.

Statement of Policy Addressing General Procedures for Reporting a Crime or Emergency

Community members, students, faculty, staff, and guests are encouraged to report accurately and promptly all crimes and public safety related incidents to the Bristol Community College Police Department and to any appropriate local police agencies; including when the victim elects to, or is unable to, make such a report.

To report a crime or an emergency from an on-campus phone, call the Police Department at extension 3911 or, from outside the College phone system at (774) 357-3911. When using a cell phone, please remember that 911 will not reach the dispatchers at Bristol Community College Police Department. Bristol Community College Police Department's emergency phone number is extension 3911, or from outside the College phone system dial (774) 357-3911. Please take the time to program the following Campus Police phone numbers into your cell phone for quick access:

- Campus Police **Emergency** number: **774.357.3911**
- Campus Police **Main** number: **774.357.2218**
- Campus Police **Anonymous Tip Line** number: **774.357.3223**
- Text-A-Tip: Text "BCCTIP" + *your message* to **67283**

Dispatchers are available at all times during regular business hours to answer your call.

In response to a call, the Police Department will take the required action, either by dispatching an officer to the caller's location or asking the caller to report to the Police Department to file an incident report. Police Department incident reports may be forwarded to the Office of Student Affairs for review by the Senior Student Affairs Officer or designee for potential disciplinary action.

Police Department officers respond to all requests for service and are the investigating authority for all crimes on campus with the exception of unattended deaths and homicides. According to M.G.L. Chapter 38, Section 4, "The District Attorney or his law enforcement representative shall direct and control the investigation of the death and shall coordinate the investigation with the office of the chief Medical examiner and the Police Department within whose jurisdiction the death occurred."

As an added security measure, 10 emergency phones are located at strategic points on campus. These outdoor phones can be easily identified by their blue poles with "EMERGENCY" stenciled on the side of the pole and a blue light at the top of the pole. When the red emergency button is pushed, the caller is immediately connected to the Campus Police Department.

In addition to providing voice contact with a police dispatcher, emergency phone use also enables a dispatcher to pinpoint the caller's location. When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State your location;
- State briefly the nature of your call.

If possible, stay on the line unless otherwise advised by the dispatcher. If assistance is required from off-campus, the dispatcher will summon the appropriate police, fire and/or medical service.

Crimes should be reported to the Bristol Community College Police Department for the purpose of assessing the incident for the issuance of a Timely Warning Notice and for including the incident in the annual statistical disclosure.

To report a crime that occurs at an off-campus location, contact the appropriate local police department in a timely manner; including when the victim elects to, or is unable to, make such a report. In the case of an emergency it is always best to dial 911 and follow the procedures outlined above. For the purpose of reporting a crime to a local police agency, we include the business number for those agencies that have jurisdiction in cities/towns where a Bristol Community College campus is located. These contacts, as well as other Bristol Community College Police Department contacts, are listed below. Bristol Community College Police Department staff will assist students with notification of local police agencies if requested.

Generally, members of the local law enforcement agencies will respond to a campus incident only if called by this department. However, local law enforcement agencies have the authority to investigate all criminal activity which

occurs within their jurisdiction, to include college property. This authority is promulgated by state statute and provisions of the Home Rule Charter of the individual cities and towns.

A local law enforcement agency responding to an emergency situation, or if called directly by a complainant, is not required to first notify a campus official. However, in general, as a matter of courtesy, they will notify our operations center of their response. In such situations a campus police officer shall be dispatched to document all such calls.

Off-Campus Resources for reporting a crime:

This publication contains information about on- and off-campus resources and is made available to all Bristol Community College community members. The information regarding “resources” is not provided to infer that those resources are “crime reporting entities” for Bristol Community College. Crimes should be reported to the Bristol Community College Police Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Department	Number
Fall River Police Department 685 Pleasant St. Fall River, MA 02721	(508) 676-8511
New Bedford Police Department 871 Rockdale Ave. New Bedford, MA 02740	(508) 910-6300
Attleboro Police Department 12 Union St. Attleboro, MA 02703	(508) 222-1212
Taunton Police Department 23 Summer St. Taunton, MA 02780	(508) 824-7522
Massachusetts State Police 265 Faunce Corner Rd. Dartmouth, MA 02747	(508) 993-8373
Bristol County Sheriff's Department 400 Faunce Corner Rd. Dartmouth, MA 02747	(508) 995-1311

Other resources available to the victim or witness of a crime include:

Contact	Number
Office of Student Engagement	(774) 357-2222
Title IX Officer	(774) 357-2333
Massachusetts State Police	(508) 993-8373
Fall River Police	(508) 676-8511
New Bedford Police	(508) 910-6300
Attleboro Police	(508) 222-1212
Taunton Police	(508) 824-7522

Statement of Policy Addressing Limited Voluntary Confidential Reporting

It is the policy of Bristol Community College that all crimes should be reported to Bristol Community College Police Department. Anyone who is the victim or witness to a crime on campus is encouraged to promptly report the incident to the Bristol Community College Police Department. While some police reports are public records under state law, there are exceptions. Therefore, Bristol Community College Police Department will hold reports of certain crimes in confidence. All reports will be investigated. When appropriate, violations of the law will be referred to the Office of Student Engagement and the Title IX Officer for review. Some examples of Exemption Statutes as may relate to law enforcement include the following:

- Alcohol Treatment Records [G. L. c. 111B, § 11]
- Criminal Offender Record Information [G. L. c. 6, § 167]
- Drug Addiction Treatment Records [G. L. c. 111E, § 18]
- Firearms Bureau Records [G. L. c. 66, § 10(d)]
- Hazardous Substances Reports [G. L. c. 111F, § 21]
- Victims of Adjudicated Crimes and Persons Providing Family Planning Services [G. L. c. 66, § 10]
- Juvenile Delinquency Case Records [G. L. c. 119, § 60A]
- Protective Services Records, Aged Persons [G. L. c. 19A, § 23]
- Rape and Domestic Abuse Reports [G. L. c. 41, § 97D]

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

When reports involve allegations of sexual harassment (including sexual violence) they are made available to the College's Title IX Officer. A request for confidentiality in these types of cases will be considered by the Title IX Officer. The Title IX Officer must weigh the individual's request with the College's obligations to end discriminatory behavior, prevent its recurrence, and remedy its effects. Confidentiality will be kept to the extent possible while complying with the requirements of state and federal law.

Victims of sexual assault or any Clery Act crime may choose not to identify themselves and report an incident to the *Campus Police Anonymous Tip Line* (774-357-3223). If a report of sexual assault is made, a [Harassment & Discrimination Complaint Form](#) is filled out and forwarded to the Title IX Officer.

When a potentially dangerous threat to the College community arises, a Timely Warning or Immediate Notification or Bristol Community College campus-wide alert will be issued to notify individuals of the threat in a timely manner. These Advisories and Alerts will inform the community of any recommended action to be taken. (See below: Statement of Policy Addressing Timely Warnings).

Reporting procedures applicable to allegations of sexual assault are further discussed later in this brochure.

Responsibilities of the College Community

Members of the College community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance.

- Report all suspicious activity to the Bristol Community College Police Department immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call Bristol Community College Police Department or local Police Departments for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended.
- Carry your keys at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.

Section 2- Timely Warnings, Emergency Response and Evacuation

Statement of Policy Addressing Timely Warnings

The purpose of this policy is to comply with the Department of Education requirements regarding timely notice of certain events as described 20 U.S.C. s. 1092(f), known as the Jeanne Clery Disclosure of Campus Security Policy, and Campus Crimes Statistics Act. These acts along with the Higher Education Reauthorization Act (2008) require campus police officers to keep the institution informed in a timely manner of acts that have occurred within the institution's Clery geography and that may pose a serious or continuing threat to students and employees.

Crime alerts will be distributed as soon as pertinent information is available, in a manner that withholds the names of the victims as confidential, and with the goal of aiding in the prevention of similar occurrences. The Bristol Community College Police Department is responsible for issuing Crime Alerts in compliance with the Clery Act. In an effort to provide timely notice to the Bristol Community College community, a Timely Warning is sent by blast email or text message to all students and employees on campus. The alerts are generally written by the Chief of Police or a designee and they are approved and distributed to the community by the College's Office of Marketing & Communications. Timely Warnings shall contain as much descriptive information about the alleged perpetrator(s) as is available (gender, race, approximate age, eye color, hair color, facial hair, body type, clothing description, scars/tattoos, etc.)

This e-mail or text message indicates that a Timely Warning has been issued.

Timely Warnings are sent for any **Clery Act crime** committed on the college's *Clery Act* geography that is reported to a campus security authority or a local law enforcement agency, and that is considered by the college to represent a serious or continuing threat to students and employees.

Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and whether there is a continuing danger to the campus community. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Bristol Community College community members and a Timely Warning would not be distributed. In cases involving a sexual offense, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by the Bristol Community College Police Department. Cases involving property crimes will be assessed on a case-by-case basis and alerts will typically be sent if there is a discernible pattern of crime. The Bristol Community College Police Chief or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning is warranted. Timely Warnings may also be issued for other crime classifications such as repeated acts of vandalism, simple assault, larceny theft, and intimidation that are not bias-motivated---but still pose a serious or continuing threat to students and employees.

In addition to a Timely Warning, Bristol Community College has been able to issue campus-wide alerts via text-messaging, e-mail, cell phones, computers, and face-to-face communication to the campus community in the event of an imminent or ongoing threat to the community. Bristol Community College campus-wide alerts are disseminated with the goal of notifying as many people as possible, as rapidly as possible (i.e., active threats, bomb threats, or a dangerous chemical spill, etc.). These alerts are sent to individuals who subscribe to Bristol Community College campus-wide alerts.

All students, faculty and staff are encouraged to sign up to receive these notices by **texting keyword "BCCAlert" to 67283**. Further information about the BCCAlert service can be found [here](#)..

Individuals with disabilities are encouraged to contact the Office of Disability Services at (774) 357-2955 for assistance in subscribing to BCCAlert.

Statement of Policy Regarding Immediate Emergency Response and Evacuation Procedures

The campus community will be immediately notified once the College Police Department confirms the potential of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, and visitors on any of the College campuses. Campus Police will confirm the situation by contacting local

agencies such as police and fire departments, the Board of Health, National Weather Service, local media, etc. It is information obtained from such agencies that will guide the content of the notification.

Once confirmed, the Chief of Police or the on-duty police supervisor will then determine the appropriate segment or segments of the campus community to receive a notification, depending on which segment(s) will likely be affected by the impending event. For example, the event may be a chemical spill in a particular building necessitating the evacuation of that building but not the entire campus. If it is determined the emergency could affect a very large segment of the campus, the entire community will be notified using the BCC Alert System.

Once the appropriate locations are determined, the Chief of Police or the on-duty police supervisor will determine how much information the notification should contain. The content of the notification will include the actual situation, as in some cases the content may differ; such as in the case of an approaching tornado it may be best for some to seek shelter in a basement area and others to stay off campus.

Campus communication systems consist of broadcast email, emergency text messaging (BCCAlert), an outdoor warning system (with roof top siren), and the fire alarm system. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. The on-duty police dispatcher or designee will broadcast the message through broadcast e-mail and emergency text messages to the campus community. Depending on the level of the emergency, College Police will utilize the roof top loudspeaker siren system to broadcast a message. The broadcast messages will contain information directing the campus community to follow specific instructions and take particular action as necessary. Fire alarms may be used in an immediate emergency to evacuate the building only at the direction of Campus Police.

All classrooms and offices have evacuation maps posted on the wall. Please become familiar with the evacuation routes and move to the nearest evacuation area (parking lot) when the need to evacuate is necessary.

As soon as Bristol Community College Police have confirmed that a significant emergency or dangerous situation exists, the College will:

- Address the safety of the campus community
- Determine what information to release about the situation
- Begin the notification process

The only reason the College would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to:

- Assist a victim
- Contain the emergency
- Respond to the emergency
- Otherwise mitigate the emergency. An example of not compromising efforts to mitigate the emergency maybe at the request of local law enforcement or fire department officials.

Notification to the College Community about an Immediate Threat

An “**immediate threat**” is a significant emergency or dangerous situation on campus that imminently threatens the health or safety of students or employees. Some examples of an immediate threat are an active fire in a college building, an approaching tornado or hurricane, a gas leak, a bomb threat, an armed intruder, a nearby chemical spill, etc.

The College has various systems in place for communicating information quickly. Some or all of these methods of communication will be activated in the event of an immediate threat to the campus community. Bristol Community College will immediately notify the campus community upon confirmation of an emergency or dangerous situation. Campus Police are usually the first alerted of an emergency or dangerous situation. The Campus Police would then utilize the fire alarm and outdoor warning systems to alert the campus community, followed by network emails and emergency text messages.

These methods of communication include BCCAlert, a system that provides emergency communications and other important information via text message, cellular phone and email (students, faculty and staff can register for this service by testing “BCCAlert” to 67283); network emails, phone trees, face-to-face communications, bulletins posted on building entrances and exits, the fire alarm system, and outdoor sirens and PA system. In the event a situation requires the

activation of the College's emergency notification system, updates are available on the Bristol Community College website, <https://www.bristolcc.edu/>.

The content of a notification is established from gathering or receiving information from such sources as local and state agencies, the National Weather Service, utility companies, surveillance technology, eye-witnesses, etc.

College Notification systems are administered by the following responsible authorities:

System to Use	Primary Message Creator	Backup Message Creator	Authority for Approving and Sending Messages	Primary Message Sender	Backup Message Sender
Primary					
Network E-mails	Chief of Police	Deputy Chief of Police	Vice President for Finance/Administration	Marketing & Communications	Chief/Deputy Chief of Police
Emergency Text Messages/BCCAlert	Chief of Police/Marketing & Communications	Deputy Chief/Marketing & Communications	Chief of Police	Marketing & Communications	Chief/Deputy Chief of Police
Secondary					
Outdoor Warning System	Chief of Police/ITS	Deputy Chief of Police/ITS	Chief of Police	Dispatcher	Chief/Deputy Chief of Police
Fire Alarm Systems	Facilities/EH&S	Chief/Deputy Chief of Police	Director of Facilities	Facilities	Chief/Deputy Chief of Police

The Bristol Community College Police Department receives information from various offices/departments on campus, such as Environmental Health and Safety (EHS) and Facilities. If Bristol Community College Police Department, EHS or Facilities (in conjunction with other College administrators, local first responders and/or the National Weather Service) confirms that there is an immediate threat to the health or safety of some or all members of the College community, they will collaborate to determine the content of the message and will use some, or all, of the systems described in the table above to communicate the threat to the College community or to the appropriate segment of the community (if the threat is limited to a particular building or segment of the population). The College will determine the content of the notification and initiate the notification system unless issuing a notification will, in the judgment of emergency personnel responding to the scene, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The college will alert the segment of the population determined to be at risk. For example, in the case of a gas leak, individuals in the building that has the leak would be notified. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole. There will be a continuing assessment of the situation, and additional segments of the campus community may be notified if a situation warrants such action. The Marketing & Communications Department will communicate information to the local media for the purpose of disseminating any emergency information to the larger community.

To report an emergency on campus call Campus Police Emergency Line at ext. 3911 (774.357.3911).

The College annually reviews the emergency response and evacuation procedures to provide updates and ensure that the College continues to move forward and strengthen emergency response programs, policies and procedures.

Procedure for Testing Emergency Response and Evacuation Procedures

A crisis can erupt at any time and in any form. A fire, explosion, medical epidemic, water leak, power outage, hurricane, or bomb threat – the possibilities are infinite and unpredictable. Nonetheless, planning for the unpredictable does help.

The College conducts numerous Emergency Response Exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These exercises include fire drills, "shelter-in-place", and/or "active threat" drills. Documentation of each exercise includes a description of the exercise and the date/time performed. The community is notified in advance of the scheduled date of a field exercise or test, but not the specific time of day. Emergency Response Exercises are planned and coordinated by the Campus Police's Emergency Preparedness Division. Campus Police maintains records of these exercises. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. The Bristol Community College Police Department

officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. The Incident Command System (ICS) is utilized when responding to critical incidents. When a serious incident occurs that causes an immediate threat to campus, the first responders to the scene are usually the Bristol Community College Police Department, Environmental Health and Safety (EH&S) and local fire department who typically respond and work together to manage, mitigate, and recover from incidents. Depending on the nature of the incident, other College departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for Bristol Community College is publicized each year as part of the institution's Clery Act compliance effort and that information is available on the Bristol Community College Police Department website at:

<http://www.bristolcc.edu/studentservices/resources/campuspolice/emergencypreparedness/>.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Bristol Community College, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College with the opportunity to test the operation of fire alarm system components.

Evacuation drills are coordinated by the Bristol Community College Police Department each year for academic, research and business buildings on campus. Thus, the emergency response and evacuation procedures are tested at least twice each year. Students, faculty and staff learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each building for a short-term building evacuation. EH&S does not tell individuals in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, the location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. EH&S and staff on the scene will communicate information to individuals regarding the developing situation or any evacuation status changes.

Information about Evacuation and Lockdown & Shelter-In-Place procedures is available to students, faculty and staff at: <http://www.bristolcc.edu/studentservices/resources/campuspolice/emergencypreparedness/>.

Bristol Community College Police Department conducts announced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. Bristol Community College will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Bristol Community College Police Department performs Active Threat Drills. An active threat refers to any incident which creates an immediate threat or presents an imminent danger to the campus community such as a shooter or hostage situation. Although encountering an active threat on campus remains remote, we encourage members of the campus community to review the guidelines in the event of an emergency.

The College conducts table-top and real time exercises as to test emergency preparedness, Business Continuity and Disaster Recovery Plans.

Shelter-in-Place Procedures

What it means to "Shelter-in-Place":

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance:

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, student ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs

instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”:

A shelter-in-place notification may come from several sources, including Bristol Community College Police Department, EH&S, other College employees, the federal or local government, or other authorities utilizing the College’s emergency communications tools.

How to “Shelter-in-Place”:

No matter where you are, the basic steps of “shelter-in-place” will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - An interior room;
 - Above ground level; and
 - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
7. Wait for an “All Clear”, or other instruction from authorities.

Active Threat Guidelines

Although encountering an active threat on campus remains remote, we encourage members of the campus community to review these guidelines in the event of an emergency. An active threat refers to any incident which creates an immediate threat or presents an imminent danger to the campus community such as a shooter or a hostage situation. Taking the time now to review these guidelines increases your ability to respond in the event of an emergency.

If you can evacuate the building ... RUN

1. Try to stay calm and determine the location of the threat.
2. Call 3911 as soon as possible, although escaping is your priority.
3. If a safe exit is available, take it as quickly as possible.
4. Continue running until you are well cleared from the location of the threat. Find a safe location and call 911 to tell the police of your location.

If the only exit is through a window, consider the consequences of the fall:

- How high are you from the ground?
- Can you land in shrubs or grass to decrease the potential for serious injury?
- Can you make an improvised rope out of clothing, belts or other items?

If you cannot evacuate the building ... HIDE

1. Try to stay calm and determine the location of the threat.
2. Take shelter in the nearest office, classroom, closet or another area that can be secured. Barricade the door using desks, bookshelves, or other heavy objects. If the door opens outward, attach one end of a belt to the door handle and the other end to a heavy object.
3. If the door has a window, cover it.
4. Look for other possible escape routes, such as windows, other doors.
5. Call 911 and tell them what is happening. Speak quietly and then set your cell phone to vibrate or silent.
6. Stay low to the ground and remain as quiet as possible.
7. Once in a secure location, do not open the door for anyone. Do not approach police officers as they attempt

to locate and neutralize the threat. The police officers will return to assist you once the threat has been neutralized.

8. When College Police arrive, obey all commands. You may be asked to keep your hands in the air; you may even be handcuffed until the police assess the situation. These steps are taken for safety reasons.

If an active threat is in your presence ... FIGHT

If you are in a crowded room and the threat is shooting, “play dead” or quietly crawl to safety. If you are with a group, as an action of last resort, you might choose to take the offense:

1. If the shooter is entering the room, position yourself in a location that allows for an element of surprise.
2. Throw anything available at the threat. Aim for the face to distract him/her.
3. Attack as a group, swarming around the threat.
4. Grab the threat’s arms, legs or head and take him/her to the ground. Use body weight to secure him/her.
5. “Fight dirty” – kick, bite, gouge eyes.
6. Have somebody in the group call 911.
7. When College Police arrive, obey all commands. You may be asked to keep your hands in the air; you may even be handcuffed until the police assess the situation. These steps are taken for safety reasons.

If you have incapacitated the threat ...

1. Make sure the suspect is secured (body weight, belts, etc.)
2. Move any weapons away from the threat.
3. Do not hold a weapon.
4. Call 911 and advise law enforcement that the threat/shooter is down.
5. Provide your location and stay on the line if possible.
6. When College Police arrive, obey all commands. You may be asked to keep your hands in the air; you may even be handcuffed until the police assess the situation. These steps are taken for safety reasons.

Statement of Policy for Missing Student Notifications

Bristol Community College does not have on-campus housing facilities, and therefore does not maintain a Missing Student Notifications policy.

Section 3 – Campus Facilities

Statement of Policy for Addressing Security and Access

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturdays and Sundays. Facilities are maintained, and their security monitored, in the interest of students, staff, and faculty. Many cultural and other social events are held in College facilities. Other facilities such as the bookstore, libraries, and cafeterias are also open to the public.

Access to academic and administrative facilities on campus is generally limited to students, employees, and visitors for the purposes of study, work, teaching, and to conduct other College business. Each academic building has established its hours based on the needs of specific academic departments and the hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours, and all of these buildings have varied levels of access. Most academic and administrative buildings do not have a Bristol Community College Police Department officer assigned to them. However, Campus Police provide random patrols of all facilities during normal business hours.

Maintenance of Campus Facilities

The Facilities Department maintains all the College building grounds with a special concern for safety and security. Personnel conduct inspections to identify lighting deficiencies and make recommendations for repairs to security/safety equipment such as broken locks, windows and fire safety equipment.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions and endeavors to provide the necessary levels of safety to the campus. College police and contract security officers patrol the campus by vehicle and on foot and report all non-functioning lights, roadway depressions and other unsafe physical conditions to Facilities Management for correction through use of a computerized work order system. In addition to patrols, over 100 surveillance cameras monitor and record key areas such as exterior grounds and parking lots and interior hallways and common areas of buildings. Bristol Community College Police Department encourages members of the College community to report safety and equipment problems to Facilities / EH&S (Environmental Health and Safety).

Emergencies may necessitate changes or alterations to any posted schedules. Areas that appear to be problematic will have security surveys conducted by Bristol Community College Police Department.

Provided is a brief description of campus facilities.

Main Campus

The main campus of Bristol Community College is located at 777 Elsbree St, Fall River, MA. The campus consists of 12 parking lots, outdoor basketball and tennis courts, and 11 buildings including an Administrative Building, Child Care Center, Classroom and Lab Buildings, Library and Student Center Building. The campus is open 7:00 am - 10:00 pm Monday through Friday; 7:00 am – 6:00 pm on Saturday. The main telephone number is (774) 357-2218. **Bristol Community College does not have residential facilities (student housing).**

Branch Campuses

Attleboro Campus: The Attleboro Campus is located in the Attleboro Corporate complex at 11 Field Road, Attleboro, MA. The campus consists of one building with classrooms, laboratories, offices and a cafeteria. Day, Evening and Saturday classes are offered at the Attleboro campus. The campus is open 8:00 am – 10:00 pm Monday through Friday. The main telephone number is (774) 357-3527. Parking is free and available in our adjacent parking lots. The Attleboro campus is patrolled by contract security (ISA) during business hours. These security officers have no police authority. **Bristol Community College does not have residential facilities (student housing).**

New Bedford Campus: The New Bedford Campus located at 800 Purchase Street, New Bedford, MA. The campus consists of one building with classrooms, laboratories and offices. Day and Evening classes are

offered at the New Bedford campus. The campus is open 7:00 am – 10:00 pm Monday through Friday; 8:00 am – 4:00 pm on Saturday. The main telephone number is (774) 357-4000. Parking is available on city streets (parking meters) and in nearby public parking garages. A Bristol Community College police officer is scheduled at the New Bedford campus 7:00 am – 3:00 pm Monday through Friday. Contract security officers (ISA) patrol the campus 3:00 pm – 10:00 pm Monday through Friday; 8:00 am – 4:00 pm on Saturday. These security officers have no police authority. **Bristol Community College does not have residential facilities (student housing).**

Taunton Campus: The Taunton Campus is located at 2 Hamilton Street, Taunton, MA. The campus consists of classrooms, laboratories, a gymnasium and a library. Day and Evening classes are offered at the Taunton campus. The campus is open 8:00 am – 10:00 pm Monday through Friday. The main telephone number is (774) 357-3767. Parking is free and available in our adjacent parking lots. The Taunton campus is patrolled by contract security (ISA) during business hours. These security officers have no police authority. **Bristol Community College does not have residential facilities (student housing).**

Non-Campus Properties

Britland Park: Located at 73 Wordell Street, Fall River, MA. The soccer field at this location is used by the Bristol Community College Men's and Women's soccer teams for "Home" games.

Swansea Country Club: Located at 299 Market Street, Swansea, MA. The golf course is used by the Bristol Community College Men's and Women's golf teams for "Home" games.

Criminal activity by students at non-campus locations of student organizations officially recognized by the college is monitored and recorded through local police agencies. Local police notify the college after responding to criminal activity at a non-campus location. Criminal statistics are obtained from local police agencies annually.

Section 4 – Security Awareness and Crime Prevention Programs

Statement of Policy for Addressing Security Awareness Programs

The College Police Department offers education materials to support its yearly safety efforts. They are prepared and/or disseminated to enhance college communities understanding of safety programs in order to prevent harm both physically and emotionally. Such prevention ultimately reduces violence and builds a community that is closely tied together. The College understands it is necessary for all community members to be increasingly responsible for their own security and assist with the security of others around them. The Campus Police Department attempts to educate members of the campus community on how to reduce their chances of becoming a victim of personal or property crime by publishing crime prevention tips on its website.

Some examples of educational materials are:

- Educational pamphlets (educational materials are located at the Bristol Community College Police Department)
- “See Something-Say Something” program (posters are at locations around campus)
- Educational presentations are provided upon request and encouraged on a regular basis.
- Annual Security report distributed – Yearly
- Crime Alerts posted throughout campus – As needed
- “Run-Hide-Fight” and “Shelter In Place” video presentations displayed on Campus Police website.

Statement of Policy for Addressing Crime Prevention Programs

The College encourages **ALL** community members to take advantage of the below described specialized programs designed to inform students and employees about the prevention of crimes.

Though not an all-inclusive list, the following are some programs and services we offer:

- **Emergency Call Boxes** - There are 10 emergency call boxes located at strategic locations on campus. Follow posted direction on phones to obtain the necessary assistance.
- **Safety Escorts** - The Police Department will provide safety escorts on campus to any student, faculty or staff upon request. Escorts may be requested by calling the College Police at (774) 357-2218.
- **RAD Program (774-357-2218)** - The Rape Aggression Defense System is a free program of realistic, self-defense tactics and techniques. The RAD System is a comprehensive course for women that begin with awareness, prevention, risk reduction and avoidance, while progressing to the basics of hands-on defense training.
- **3911** emergency telephone service is available to provide immediate access to emergency personnel. If you are on campus and need emergency assistance dial 3911.
- **Anonymous Tip Line** – Call (774) 357-3223, or fill out the online Anonymous Tip Line form at <https://bristolcc.edu/studentservices/resources/campuspolice/anonymoustipline.html> to report any criminal activity.
- **“Text-A-Tip”** – By texting “BCCTIP”...followed by your message...to 67283, you can communicate safety or security concerns directly to campus police.
- **Emergency Response Guides** are located in every classroom on campus. This is an instructional guide in case of an emergency such as fire, bomb threat, active shooter/violent intruder, etc.

Statement of Policy for Addressing Substance Abuse

Substance abuse and its related consequences undermine Bristol Community College's goals of academic success and civility. In addition, Congress amended Title XII of the Higher Education Act of 1965 by adding a section pertaining to Drug Free Schools and Campuses. Under this new amendment any institution receiving federal funds, including federal student loan programs, must adopt and implement policies to prevent the use of illegal drugs and alcohol by students and employees.

Bristol Community College prohibits unlawful manufacture, distribution, dispensing, possession or use of alcohol and illicit drugs by students and employees on its campuses or while using a motor vehicle owned or leased by the College, or as a part of any College-related activity. Students or employees who violate these restrictions shall be subject to appropriate disciplinary action, up to and including, suspension, expulsion or discharge and shall also be subject to referral for criminal prosecution.

No alcoholic beverages may be consumed, served, sold or stored by students, guests, invitees, educators, administrators or executives of the College at any of the College campuses or satellites or in any motor vehicle owned or leased by Bristol Community College without the advance (not less than 90 days) written approval of the College President. The College requires a liquor permit when serving alcohol. This permit is attained by having Campus Police submit a liquor application with the City or Town the function is being held.

Under-age drinking is prohibited at Bristol Community College functions and on any part of the College campuses.

To safeguard and promote a healthy academic environment, the College promulgates rules and regulations for the behavior of all members of the community. The college will impose disciplinary sanctions on students and employees, up to and including expulsion or termination of employment and referral for prosecution. These are outlined in several college policies (see p. 25).

Financial aid penalties for drug offenses: Beginning on July 1, 2000 the 1998 amendments to the higher education act require the suspension of eligibility for financial aid for students convicted of drug related offenses. The length of suspension of eligibility is not less than one year and varies depending on the nature of the offense. For full details visit: <http://www.bristolcc.edu/getstartedatbristol/financialaid/eligibilityforfinancialaid/>.

It is the responsibility of each member of this community to understand and comply with all campus rules and regulations. These regulations include all federal, state and local laws including the Drug Free Schools and Community Act of 1989, the Drug Free Workplace Act of 1988 and the Higher Education Act (as amended in 1998). As a member of the College community, it is your responsibility to know and abide by all campus rules and regulations, to understand the risks associated with the use and abuse of alcohol and other drugs, and to assist in creating an environment that promotes health-enhancing attitudes and activities.

State and Federal Laws and Sanctions Concerning Drugs and Alcohol

In addition to disciplinary sanctions imposed by the College, all students, faculty, and staff should be aware that federal, state, and some local laws treat illegal use, possession, sale, distribution, or manufacture of drugs or alcohol as serious crimes. Conviction can lead to imprisonment and/or fines. Courts do not lift prison sentences in order to allow convicted persons to attend college or continue their jobs. Felony and certain other convictions can prevent you from entering many fields of employment or professions and may have to be listed on applications for employment or admission to graduate or professional schools.

Many cities and towns in Massachusetts, including Fall River, have local ordinances and regulations which prohibit public consumption of alcoholic beverages or consumption of alcoholic beverages on private property without the owner's consent.

Massachusetts laws punish sale or delivery of alcoholic beverages to persons under 21 with a fine of up to \$2,000; and six months imprisonment, or both. Misrepresenting one's age or falsifying an identification to obtain alcoholic beverages is punishable by a fine of \$300. First conviction of driving under the influence of alcohol has a penalty of a \$500–\$5,000 fine, one-year revocation of driver's license, up to two-and-a-half years in prison, and mandatory alcohol rehabilitation.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, use of narcotic and addictive drugs, and drugs with high potential for abuse, have heavier penalties.

Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Massachusetts makes it illegal to be in a place where heroin is kept and to be “in the company” of a person known to possess heroin. Anyone in the presence of heroin risks a serious drug conviction. Sale and possession of “drug paraphernalia” is illegal in Massachusetts. Under federal laws and some state laws, participation in drug-related criminal activity can result in seizure or forfeiture of personal property and other assets utilized in conjunction with or stemming from the proceeds of the illegal activity. In addition, conviction of a drug-related offense may entail civil fines and denial or revocation of certain licenses and benefits.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans or for participation in federally sponsored research grants or contracts for up to one year after the first conviction, and up to five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, 10 years after the second, and permanently after the third.*

Under federal law, distribution of drugs to a person under age 21 is punishable by twice the normal penalty, i.e., a mandatory one-year prison term; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from use of the substance.

**In accordance with the requirements of the Drug-Free Workplace Act of 1988, as a condition of employment, any employee who is engaged in the performance of work under a federal grant or contract must notify the College if he or she is convicted of violating any criminal drug statute for activities done in the workplace not later than 10 days after conviction; students who receive Pell and certain other federal grants are subject to similar conditions and must report any conviction of a drug-related offense to the US Department of Education within 10 days of the conviction if the offense occurred during the period covered by the grant.*

Services and resources are available to all members of the College community, to provide accurate information relating to drugs and alcohol, to provide counseling, treatment/rehabilitation, and assistance with re-entry into society. A list of available resources can be obtained by calling:

CONTACT	NUMBER
Counseling Services – Fall River & New Bedford Campuses Attleboro Campus	(774) 357-2234 (774) 357-3527
Health Services	(774) 357-2232
Women’s Center	(774) 357-2954
Alcoholics Anonymous 24-hour Helpline	(888) 430-2698
Drug & Alcohol Abuse 24-hour Helpline	(800) 327-5050
College Alcohol & Drug Screening – Fall River & New Bedford Campuses Attleboro Campus	(774) 357-2234 (774) 357-3527

In addition, individuals who wish to enroll in a drug or alcohol rehabilitation program should check the College’s insurance or their own insurance to verify if they are covered for these services.

INFORMATION, TRAINING AND ASSISTANCE

The College annually sponsors a variety of alcohol and drug education programs. The Counseling Center maintains a comprehensive list of support services in the community that provide a variety of drug and [alcohol education and treatment programs](#) for students and employees.

Statement of Policy for Addressing Alcohol

The College Alcohol Policy and Massachusetts law: Laws regarding the possession, use, sale, consumption or furnishing of alcohol is controlled by the Department of Alcohol and Beverage Control (ABC); however, the enforcement of alcohol laws on-campus is the primary responsibility of the Bristol Community College Police Department. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws, including underage drinking laws, are strictly enforced by the Bristol Community College Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal.

ALCOHOL'S EFFECT ON YOU

Alcohol goes directly into the bloodstream, physically affecting the whole body. Some illnesses and health problems caused by alcohol include:

- **Hangovers.** Headaches, nausea, vomiting, aches and pains all result from drinking too much. Drinking to the point of drunkenness makes you sick.
- **Weight gain.** Alcohol is not water. A beer has about 150 “empty” calories that provide few if any nutrients.
- **High blood pressure.** Along with being overweight, high blood pressure is associated with many serious health problems.
- **Depressed immune system.** Impaired immunity makes you more likely to contract viral illnesses such as flu and infections.
- **Cancer.** 2-4% of all cancer cases are related to alcohol. Upper digestive tract cancers are the most common, hitting the esophagus, mouth, larynx, and pharynx. Women who drink prior to menopause are more likely to develop breast cancer. Your risk of skin cancer doubles if you drink slightly more than “moderate levels.” Some studies implicate alcohol in colon, stomach, pancreas and lung cancer.
- **Liver disease.** Heavy drinking can cause fatty liver, hepatitis, cirrhosis and cancer of the liver. The liver breaks down alcohol at the rate of only one drink per hour.
- **Alcohol poisoning.** Drinking large amounts can result in alcohol poisoning, which causes unconsciousness and even death. Breathing slows, and the skin becomes cold and may look blue. Don't let a person in this condition “sleep it off.” Call 911.
- **Heart or respiratory failure.** Excessive drinking can have serious results. Heart or respiratory failure often means death.

Other long-term effects of heavy alcohol use include loss of appetite, vitamin deficiencies, stomach ailments, sexual impotence, central nervous system damage, and memory loss. Finally, let's not forget alcoholism. Alcoholism is a disease to which some people seem predisposed. Alcoholics are unable to control their drinking--how much, when, and if. Alcoholism puts you at great risk for other health problems, and it can shorten your life by more than 10 years. Alcoholism cannot be cured, but it can be treated. Through education, treatment, and self-help support such as AA, people can learn to live alcohol-free and feel good.

Statement of Policy for Addressing Illegal Drugs

The Bristol Community College campus has been designated “Drug Free”. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Bristol Community College Police. Violators are subject to arrest, criminal prosecution, College disciplinary action, fine and imprisonment.

Federal Drug Laws

The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties 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.

A. Denial of Federal Benefits

21 U.S.C. 862

A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

B. Forfeiture of Personal Property and Real Estate

21 U.S.C. 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.

C. Federal Drug Trafficking Penalties

21 U.S.C. 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below 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 results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a 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 U.S.C. 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 one year.

D. Federal Drug Possession Penalties

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

SUBSTANCE	AMOUNT	PENALTY (first conviction)
Heroin	1 kg. or more	Prison: not less than 10 years, not more than life. Fine: up to \$4 million.
Cocaine	5 kg. or more	
Crack Cocaine	50 gm. or more	
Methamphetamine	100 gm. or more	
PCP	100 gm. or more	
LSD	10 gm. or more	
Marijuana	1,000 kg. or more	
N-Phenyl-N-propanamide	400 gm. or more	

Heroin	100-999 gm.	Prison: not less than 5 years, not more than 40 years. Fine: up to \$2 million.
Cocaine	500-4,999 gm.	
Crack Cocaine	5-49 gm.	
Methamphetamine	10-99 gm.	
PCP	10-99 gm.	
LSD	1-10 gm.	
Marijuana	100-1,000 kg.	
N-Phenyl-N-propanamide	40-399 gm.	

Amphetamines	any amount	Prison: up to 3 years. Fine: up to \$1 million.
Barbiturates	any amount	

Marijuana	50-100 kg.	Prison: up to 20 years. Fine: up to \$1 million
Hashish	10-100 kg.	
Hash Oil	1-100 kg.	
Flunitrazepan (Rohypnol, “roofies”, or “roaches”)	1 gm.	

Marijuana	less than 50 kg.	Prison: up to 5 years. Fine: up to \$250,000.
Hashish	less than 10 kg.	
Hash Oil	less than 1 kg.	
Flunitrazepan (Rohypnol, “roofies”, or “roaches”)	less than 30 mg.	

HOW DRUGS AFFECT YOU

Like many prescription drugs, “recreational” drugs come with potentially harmful side effects that can have serious and long-term effects on your health.

High doses of many of the drugs, or impure or more dangerous substitutes for these drugs, can cause immediate life-threatening health problems such as heart attack, respiratory failure, and coma. Combining drugs with each other or with alcohol is especially dangerous.

- Barbiturates and tranquilizers are commonly abused prescription drugs. They can cause hangover-like symptoms, nausea, seizures, and coma. Overdose or mixing these drugs with alcohol can be fatal.
- Cocaine can cause such long-term problems as tremors, seizures, psychosis, and heart or respiratory failure.
- LSD can cause nausea, rapid heart rate, depression, and disorientation. Long-term effects include paranoia and psychosis.
- Marijuana and hashish can cause rapid heart rate and memory impairment soon after use. Long-term effects include cognitive problems, infertility, weakened immune system, and possible lung damage.
- Narcotics such as heroin can bring on respiratory and circulatory depression, dizziness, impotence, constipation, and withdrawal sickness. Overdoses can lead to seizures and death.

- PCP, in addition to triggering unpredictable and violent behavior, can cause dizziness, numbness, high heart rate and blood pressure, convulsions, and in high amounts fatal heart and lung failure or ruptured blood vessels.
- Stimulants such as amphetamines have health effects that include high heart rate and blood pressure, headache, blurred vision, dizziness, impotence, skin disorders, tremors, seizures, and psychosis.

Bristol Community College Drug Free Policies:

[Alcohol & Other Drugs Policy](#)

[Tobacco-Free Campuses Policy](#)

[Standard of Ethical Conduct Policy](#)

[Student Code of Conduct Policy](#)

Statement of Policy for Addressing Firearms and Other Weapons

The unauthorized possession of firearms or other dangerous weapons which can be considered hazardous to the welfare of members of the college community are strictly prohibited on campus.

It is the policy of Bristol Community College that the possession, storing or use of any weapons, including but not limited to firearms, explosives of any type (including firecrackers), chemical sprays, bows and arrows, knives, batons, is prohibited on campus. Unauthorized persons possessing, storing, or using weapons on campus will be subject to disciplinary and/or criminal sanctions.

The pertinent legislation, Chapter 269, section 10 of the Massachusetts General Laws states in part *“whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of Chapter 140, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.”*

A law enforcement officer may carry a firearm in the classroom as allowed by the law stated above while on or off duty. Someone who is not a law enforcement officer, who may otherwise be permitted to carry a firearm, is not allowed to possess a firearm in the classroom or on the grounds of Bristol Community College.

Employees must report any suspected violations of this Policy/Law to the Campus Police Department, the Chief of Police, or the Vice President of Administration and Finance.

[Read Bristol Community College’s complete “Firearms & Weapons Policy” here.](#)

Section 5 – Sexual Assault Prevention and Response

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Bristol Community College (“the College”) does not discriminate on the basis of sex in its educational programs, and sexual harassment and sexual violence are types of sex discrimination. As a result, Bristol Community College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, when the incident occurs on campus and when it is reported to a college official. In this context, Bristol Community College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the college community.

For a complete copy of the college’s policy governing sexual misconduct, see: [The Commonwealth of Massachusetts Board of Higher Education Massachusetts Community Colleges Policy on Affirmative Action, Equal Opportunity & Diversity](#).

Guidelines for Assistance

Anyone who is a victim of a sexual assault at this institution should make getting to a place of safety as their first priority. Once safety has been established, obtain necessary medical treatment. The Bristol Community College Police Department strongly urges a victim of sexual assault to report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to Bristol Community College Police Department. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- Assist any sexual assault victim in filing a report with other agencies should the crime occur in another jurisdiction.

“Sexual assault” is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

A. Definitions

There are numerous terms used by Bristol Community College in our policy and procedures. Below, we provide the college’s definition of consent with regard to sexual assault. We also provide definitions for the offenses of sexual assault, domestic violence, dating violence and stalking as defined by the United States Department of Education as well as under Massachusetts State criminal law.

Consent is defined by *The Commonwealth of Massachusetts Board of Higher Education Massachusetts Community Colleges Policy on Affirmative Action, Equal Opportunity & Diversity* as follows:

“Consent” must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another

person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

“Consent”, in reference to sexual activity, is not defined in Massachusetts General Laws.

Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as 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.

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

Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

Massachusetts's Criminal Law also defines Sexual Assault under the statute contained in Ch. 265 § 22:

RAPE

Section 22. (a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty- six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty- six or section ten of chapter two hundred and sixty- nine shall be punished by imprisonment in the state prison for life or for any term of years. No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

(b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years.

Whoever commits any offense described in this section while being armed with a firearm, rifle, shotgun, machine - gun or assault weapon, shall be punished by imprisonment in the state prison for not less than ten years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 15 years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two thirds of the aggregate of the minimum terms of such several sentences.

For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

Domestic Violence: The term “domestic violence” means felony or misdemeanor crimes 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; or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Massachusetts’s Criminal Law also defines DOMESTIC VIOLENCE under the statute contained in Ch. 209A § 1

Section 1. As used in this chapter the following words shall have the following meanings: “Abuse”, the occurrence of one or more of the following acts between family or household members:

- (a) attempting to cause or causing physical harm;
- (b) placing another in fear of imminent serious physical harm;
- (c) causing another to engage involuntarily in sexual relations by force, threat or duress.

“**Court**”, the superior, probate and family, district or Boston municipal court departments of the trial court, except when the petitioner is in a dating relationship when “Court” shall mean district, probate, or Boston municipal courts.

“**Family or household members**”, persons who:

- (a) are or were married to one another;
- (b) are or were residing together in the same household;
- (c) are or were related by blood or marriage;
- (d) having a child in common regardless of whether they have ever married or lived together; or
- (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors:
 - (1) the length of time of the relationship;
 - (2) the type of relationship;
 - (3) the frequency of interaction between the parties; and
 - (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

“**Law officer**”, any officer authorized to serve criminal process.

“**Protection order issued by another jurisdiction**”, any jurisdiction or other order issued by a court of another state, territory or possession of the United States, the Commonwealth of Puerto Rico or the District of Columbia, or tribal court that is issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to another person, including temporary and final orders issued by civil and criminal courts filed by or on behalf of a person seeking protection.

“**Vacate order**”, court order to leave and remain away from premises and surrendering forthwith any keys to said premises to the plaintiff. The defendant shall not damage any of the plaintiff’s belongings or those of any other occupant and shall not shut off or cause to be shut off any utilities or mail delivery to the plaintiff. In the case where the premises designated in the vacate order is a residence, so long as the plaintiff is living at said residence, the defendant shall not interfere in any way with the plaintiff’s right to possess such residence, except by order or judgment of a court of competent jurisdiction pursuant to appropriate civil eviction proceedings, a petition to partition real estate, or a proceeding to divide marital property. A vacate order may include in its scope a household, a multiple family dwelling

and the plaintiff's workplace. When issuing an order to vacate the plaintiff's workplace, the presiding justice must consider whether the plaintiff and defendant work in the same location or for the same employer.

**Massachusetts's Criminal Law also defines ASSAULT & BATTERY ON A FAMILY OR HOUSEHOLD MEMBER
under the statute contained in Ch. 265 § 13M**

- a. Whoever commits an assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 2 1/2 years or by a fine of not more than \$5,000, or both such fine and imprisonment.
- b. Whoever is convicted of a second or subsequent offense of assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 2 ½ years or by imprisonment in the state prison for not more than 5 years.
- c. For the purposes of this section, "family or household member" shall mean persons who:
 - i. are or were married to one another;
 - ii. have a child in common regardless of whether they have ever married or lived together
OR
 - iii. are or have been in a substantive dating or engagement relationship; provided, that the trier of fact shall determine whether a relationship is substantive by considering the following factors:
 - The length of time of the relationship;
 - The type of relationship;
 - The frequency of interaction between the parties;
 - Whether the relationship was terminated by either person;
AND
 - The length of time elapsed since the termination of the relationship.

For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer's intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer's intervention should not be ordered or unless the batterer's intervention program determination determines that the defendant is not suitable for intervention.

Dating Violence: The term "dating violence" means violence committed by a person:

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the consideration of the following factors:
 - a) The length of the relationship;
 - b) The type of relationship;
 - c) The frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

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

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

"Dating violence" is not defined specifically in Massachusetts criminal law.

Stalking: The term "stalking" means:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - i. fear for the person's safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

2. For the purposes of this definition—

- i. Course of conduct means two or more acts, including, but not limited to, acts 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.
- ii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iii. Reasonable persons mean a reasonable person under similar circumstances and with similar identities to the victim.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Massachusetts's Criminal Law also defines STALKING under the statute contained in Ch. 265 § 43:

(a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

(b) Whoever commits the crime of stalking in violation of a temporary or permanent vacate, restraining, or no- contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C or a protection order issued by another jurisdiction; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty- seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy- nine shall not apply to any person convicted of violating any provision of this subsection.

(c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years and not more than ten years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of two years.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this section.

Education and Prevention Programs

The college provides online sexual assault prevention training to students and employees through [Get Inclusive](#). Education and training are available to new students and employees. In addition, there are other resources available on the Counseling Center [website](#). Prevention programs are designed to provide awareness training intended to end dating violence, domestic violence, sexual assault and stalking. These campaigns:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Define using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Define what behavior and actions constitute consent to sexual activity as defined by the college ([Policy on Affirmative Action](#), p. 10);
- Provide a description of safe and positive options for “[Bystander Intervention](#)”.

[Bystander intervention](#) means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are ***“individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”*** We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

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

2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

- Provide information on “Risk Reduction”.

Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. The Campus Police Department conducts ongoing Rape Aggression Defense (RAD) training to all students and employees in an effort to empower victims and decrease perpetration; and promotes the “*See Something...SAY Something*” philosophy to keep the community as safe as possible.

- Provide written information regarding:
 - a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs.
 - b. How the institution will protect the confidentiality of the victim and other necessary parties.
 - c. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and financial aid for victims, both within the institution and in the community.
 - d. Options for available assistance in, and how to request changes to transportation, working situations, or protective measures, and
 - e. Procedures for institutional disciplinary actions in cases of alleged dating violence, domestic violence, sexual assault or stalking.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs

The college has procedures in place that serve to be sensitive to those 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, student 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 academic, transportation and working accommodations, if reasonably available.

The college 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 Bristol Community College Police Department or local law enforcement. To request accommodations students and employees should contact any of the following offices:

Department	Number	Emergency
Title IX Officer/Designee	(774) 357-2333	
Bristol Community College Police Department	(774) 357-2218	(774) 357-3911
Women’s Center	(774) 357-2954	
Office of Student Services & Engagement	(774) 357-2222	

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at (The Victim can receive a SANE examination at Charlton Memorial Hospital in Fall River, MA or Saint Luke’s Hospital in New Bedford, MA without reporting their assault. The SANE kit is done for them free of charge.)

In Massachusetts, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, and change clothing or clean the bed/linen/area where they

were assaulted if the offense occurred within the past 120 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assaults, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to proving that the alleged criminal offense occurred and/or that may be helpful to obtain a protective order.

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The college will assist any victim in notifying local police if they so desire. For assistance with notifying law enforcement authorities including campus and local police, contact Bristol Community College Police Department at 774.357.2218.

Department	Number
Fall River Police Department 685 Pleasant St. Fall River, MA 02721	(508) 676-8511
New Bedford Police Department 871 Rockdale Ave. New Bedford, MA 02740	(508) 910-6300
Attleboro Police Department 12 Union St. Attleboro, MA 02703	(508) 222-1212
Taunton Police Department 23 Summer St. Taunton, MA 02780	(508) 824-7522
Massachusetts State Police 265 Faunce Corner Rd. Dartmouth, MA 02747	(508) 993-8373
Bristol County Sheriff's Department 400 Faunce Corner Rd. Dartmouth, MA 02747	(508) 995-1311

Bristol Community College Police Department may also be reached directly by calling 774-357-2218, or in person at: Bristol Community College Hudnall Administration Building, room D-110, 777 Elsbree Street, Fall River, MA 02720.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to Campus Police (if the victim so desires) and the Title IX Officer, [Emmanuel Echevarria, Hudnall Administration Building, room D-209H, Bristol Community College, 777 Elsbree Street, Fall River, MA, 02720. 774-357-2264]. You may file a report by calling, writing or coming into the office to report in person. The College will provide resources, on campus, off campus, or both, to include medical and/or health services, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate College policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making an investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If

a victim chooses not to report an incident, he or she nevertheless should consider speaking with College Police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the below are the procedures that the College will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

REPORTING SEXUAL VIOLENCE

Students may be hesitant to report sexual violence out of concern that they, or witnesses, might be charged with violations of the College's drug/alcohol policy and/or the Student Code of Conduct. While the College does not condone such behavior, it places a priority on addressing allegations of sexual violence. Accordingly, the College may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of an incident of sexual violence.

There are a number of mechanisms on campus for reporting incidents of sexual assault, domestic violence, dating violence and/or stalking. All are described below in detail. The person reporting the incident may select any one or a combination of all options below when reporting. In all cases the survivor of the assault will decide if, how, and when s/he will report the incident. When reported to any of the following –

Department	Number	Emergency
Title IX Officer D-Building--Room 206	(774) 357-2264	
Bristol Community College Police Department D-Building--Room 110	(774) 357-2218	(774) 357-3911
Women's Center E-Building--Room 104a	(774) 357-2954	
Office of Student Engagement G-Building--Room 101	(774) 357-2222	

The person to whom the incident is reported will:

- listen attentively and supportively.
- provide person reporting with a written explanation of rights and options for person victimized.
- review all support resources available and assist with contacting the resources.
- review all possible options for reporting/filing a complaint.
- answer questions.
- explain any and all reporting forms.

It is important to note the following:

1. If the person who has been victimized and who is or was under the influence of alcohol or drugs or in violation of any other Code of Conduct violation at either the time of the incident or at the time they make the report, they will not be charged with an alcohol or drug violation (unless involving distribution) either through the criminal or College Student Conduct Process.
2. Staff from the Women's Center will assist and accompany a student in filing whatever type of complaint(s) a survivor chooses to pursue.
3. Disclosure of an incident of sexual violence at an event such as Take Back the Night will not trigger an investigation.
4. A request for confidentiality from the complaining party may limit the College's ability to respond to the incident.

Privileged Communication Reporting vs. Limited Confidential Reporting

Before selecting a reporting option you may want to consider the following information. Under the law, there is a difference between "privileged" and "limited confidential," reporting:

Privileged Reporting consists of those communications that legally cannot be disclosed without the reporter's consent to any other person, except under very limited circumstances such as an imminent threat of danger to self or others. When reporting to a privileged source, the information shared between the reporting person and the care provider is privileged and ordinarily will not be disclosed, even to other members of the College community such as Bristol Community College Police or the Office of Student Affairs.

Privileged Reporting sources include:

- **Pastoral Counselors** (defined on page 54)
- **Professional Counselors** (defined on page 54)

Limited Confidential Reporting consists of those communications that will not be disseminated to others except on a need-to-know basis. Primary to a limited confidential reporting source is balancing the wishes of the reporting person while protecting the overall College community and assuring the appropriate disciplinary measures are taken including criminal, civil, and administrative.

A limited confidential reporting source has the obligation to enlist designated campus resources to ensure that necessary steps are taken to protect the community as a whole and that appropriate disciplinary measures are considered and imposed. Such disclosures will be limited to a finite group of people all with the same confidentiality obligations. These steps will include investigating the assault and disclosing the confidential communications to others on a need-to-know basis. The College will take all reasonable steps to keep this information confidential.

Examples of designated limited confidential reporting resources include:

- Student Activities, Involvement, and Leadership Staff
- Student Affairs
- Bristol Community College Police, or any police authority
- College Faculty or Staff
- College Office of Counsel

Note: *A friend or a peer who is not a privileged reporting source is considered a limited confidential source and may be required to report the sexual assault to the College or the police.*

Mandated Reporters:

There are a number of “offices of notice” who must, at the very least, submit an Anonymous Report when a student reports an incident of sexual violence. Those who must report incidents include any faculty or staff member (including student employees), except for staff in the Counseling Center, Health Services and the Designated Victim’s Advocate in the Women’s Center.

Confidential Resources:

The following campus offices are not required to report incidents of sexual violence and can keep reports of incidents completely confidential if this is the survivor’s choice:

- Counseling Center
- Student Health Services
- Center for Religious and Spiritual Life

Responsibility of Confidentiality

When a report of sexual assault is made, both the accused and the accuser, and all identified witnesses who are named in the investigation, will be notified of the College’s expectation of confidentiality. Breaches of confidentiality or retaliation against: the person bringing the complaint; any person assisting with the investigation; or the person or individuals being charged with the complaint; will result in disciplinary review. The College will make all reasonable efforts to maintain the confidentiality of all parties involved in sexual assault investigations.

Statement on Retaliation

Title IX regulations prohibit recipients from intimidating, coercing or retaliating against individuals because they engage in activities protected by Title IX. These include:

- Reporting sex discrimination, including sexual harassment and assault.
- Filing a discrimination complaint.
- Assisting someone in reporting discrimination or filing a complaint.
- Participating in any manner in an investigation of discrimination, for example as a witness.
- Protesting any form of sex discrimination (including, e.g., lack of equity in athletics).

FOUR SPECIFIC WAYS TO REPORT AN INCIDENT OF SEXUAL VIOLENCE:

1) The Diversity & Title IX Officer

An incident may be reported to the Diversity & Title IX Officer. A trained investigator will investigate in accordance with Title IX. This investigation is separate from and independent of any criminal investigation.

Office of Diversity & Title IX: Call 774-357-2333, or visit

<http://www.bristolcc.edu/studentservices/resources/studenthandbook/policiesandprocedures/affirmativeactionandtitleixsection504/>

2) The Code of Conduct Administrator

An incident may be reported to the Code of Conduct Administrator (Office of Student Services). When reported, a staff member will review options for reporting, interim measures that can be taken, and will be provided with written resources and rights of those affected by the incident. The staff member will inform the complainant that the matter will be referred to Human Resources, and inclusion for a Title IX investigation.

Office of Code of Conduct Administrator: Call 774-357-2425, or visit Room G-103, 777 Elsbree St., Fall River, MA.

3) Bristol Community College Police Department

Multiple members of the department have specialized training in sexual assault investigations. These officers are trained, sensitive, and competent in these types of investigations. Whenever possible, trained female investigators are available to assist when the victim/survivor prefers a female responder.

Due to the particularly intimate and intrusive nature of sexual assault, the preliminary investigation/interview process may be difficult for both the victim/survivor and the officer. Officers recognize the significance of the victim/survivor's initial contact with first responders and investigators and how this may affect their trust in the criminal justice system. They are also aware that the treatment the victim/survivor receives during the interview may impact their decision to proceed with a criminal case. To gather information from the victim/survivor it is important to respect the victim/survivor's immediate priorities:

- Attend to the victim/survivor's immediate health and safety concerns and questions about reporting and the criminal justice process before conducting the interview.
- Offer the assistance of the Victim Advocate/Educator from the Women's Center.
- The victim/survivor will be apprised of all sexual assault reporting options and will be provided with a form that outlines these options.
- Victims/survivors have a right to accept or decline any and all services. This does not mean that a thorough investigation will not be conducted.
- Help victims/survivors gain back a sense of control by involving them in the decision of where and when to conduct the interview.

Each case of sexual assault is different. College Police officers are trained not to judge the actions of a victim/survivor of sexual assault. The trained sexual assault investigators use sensitive, intuitive methods of questioning versus interrogating a victim/survivor of sexual assault. Every report of sexual violence is investigated in the most professional, thorough, and sensitive manner.

It is important to note that, due to Massachusetts State Rape Shield Law, when an incident of rape or dating/domestic violence is reported to the Bristol Community College Police, they will only notify the Title IX Officer of the incident if the Reporting Party agrees to do so.

It is your choice to report the crime to the police. Reporting the crime does not obligate you to pursue prosecution of a suspect. However, it is important to note that there will be an investigation whenever an incident is reported.

For police assistance:

ON Campus: Bristol Community College Police Department, 774-357-3911 (EMERGENCY); 774-357-2218 (Business)

OFF Campus: Contact local police at 911.

4) The Women's Center

Survivors and those concerned about survivors may report an incident to the Women's Center. The staff members in the center are trained to support survivors and to share information about resources and reporting options.

Women's Center: Call 774-357-2954, or visit <http://www.bristolcc.edu/studentservices/resources/womenscenter/>

If you or someone you know has been sexually assaulted:

Go to a safe place. Then contact someone you trust and tell them what happened. They can help you consider options, obtain medical care and support you. Write down, or have your support person write down, everything you can remember about the assault/rape.

Reporting the crime can help you gain a sense of control and can help ensure the safety of other potential victim/survivors. In order to preserve evidence, clothes should not be laundered and a shower should not be taken immediately following an incident of sexual violence.

Filing an Anonymous Report

Any member of the campus community may use the online "Discrimination & Harassment Complaint Form" to file a report about an assault that one has either experienced or heard. Staff and faculty (except for staff in the Counseling Center, Health Services, and the Designated Victim's Advocate in the Women's Center) are required to report an incident of sexual violence if one is brought to their attention. This is one option for reporting, and completion of the form does not propel other College procedures (e.g. police report, judicial action), nor does it preclude other reporting options.

Online Discrimination & Harassment Complaint Form:

<http://www.bristolcc.edu/studentservices/resources/studenthandbook/policiesandprocedures/affirmativeactionandtitleixsection504/>

Incident Being Reported	Procedure Bristol Community College Will Follow	Evidentiary Standard
Sexual Assault	1. Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care.	Preponderance of the Evidence
	2. Institution will assess immediate safety needs of complainant.	
	3. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police department.	
	4. Institution will provide complainant with referrals to	

	on and off campus mental health providers.	
	5. Institution will assess the need to implement interim or long-term protective measures, such as changes to class schedule, on-campus safety escorts, or a “No Contact” directive.	
	6. Institution will issue a “No Trespass” directive to accused party if deemed appropriate.	
	7. Institution will provide written instructions on how to apply for Protective Order.	
	8. Institution will provide written information to complainant on how to preserve evidence.	
	9. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.	
	10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and of the outcome of the hearing.	
	11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.	

Incident Being Reported	Procedure Bristol Community College Will Follow	Evidentiary Standard
Stalking	1. Institution will assess immediate safety needs of complainant.	Preponderance of the Evidence
	2. Institution will assist complainant with contacting local police if complainant requests AND will provide complainant with contact information for local police department.	
	3. Institution will provide written instructions on how to apply for Protective Order.	
	4. Institution will provide written information to complainant on how to preserve evidence.	
	5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, such as changes to class schedule, on-campus safety escorts, or a “No Contact” directive.	
	6. Institution will issue a “No Trespass” directive to accused party if deemed appropriate.	

Incident Being Reported	Procedure Bristol Community College Will Follow	Evidentiary Standard
Dating Violence	1. Institution will assess the immediate safety needs of complainant.	
	2. Institution will assist complainant with contacting local police if complainant requests AND will provide complainant with contact information for local police department.	
	3. Institution will provide written instructions on how to apply for Protective Order.	

	4. Institution will provide written information to complainant on how to preserve evidence.	
	5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, such as changes to class schedule, on-campus safety escorts, or a “No Contact” directive.	
	6. Institution will issue a “No Trespass” directive to accused party if deemed appropriate.	

Incident Being Reported	Procedure Bristol Community College Will Follow	Evidentiary Standard
Domestic Violence	<ol style="list-style-type: none"> 1. Institution will assess immediate safety needs of complainant. 2. Institution will assist complainant with contacting local police if complainant requests AND will provide complainant with contact information for local police department. 3. Institution will provide written instructions on how to apply for Protective Order. 4. Institution will provide written information to complainant on how to preserve evidence. 5. Institution will assess need to implement interim or long-term protective measures to protect complainant such as changes to class schedule, on-campus safety escorts, or a “No Contact” directive. 6. Institution will issue “No Trespass” directive to accused party if deemed appropriate. 	Preponderance of the Evidence

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue criminal charges, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information is provided to the victim regardless of whether the offense occurred on or off campus, and will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred.
- information about how the institution will protect the confidentiality of victims and other necessary parties.
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community.
- A statement regarding the institution's provisions about options for available assistance regarding accommodations and protective measures and how to request such information and
- An explanation of the procedures for institutional disciplinary action.

In Massachusetts, a victim of domestic violence, dating violence, sexual assault or stalking has rights. The Massachusetts Victim Bill of Rights (M.G.L. c.258B) provides rights and services to crime victims and survivors in order to ensure a meaningful role for them in the criminal justice system. While the Bill of Rights applies to all crimes, victims and survivors of violent crimes are given priority status for services. If you wish to be notified of the status of a pending criminal case, you must provide your victim witness advocate, prosecutor and others in the criminal justice system with a current address and phone number at which you can be reached. For a complete listing of your rights, please refer to the Victim Bill of Rights ([M.G.L. c258B](#)).

For a complete guidebook to your rights as a crime victim in the Commonwealth of Massachusetts, visit the Massachusetts Office for Victim Assistance at <https://www.mass.gov/orgs/askmova>; or access the guidebook at <https://www.mass.gov/files/documents/2016/08/un/aftermath-of-crime.pdf>.

Bristol Community College complies with Massachusetts State law in recognizing Abuse Prevention Orders (209A) and directs any person who obtains an order of protection from domestic or dating abuse, harassment, stalking or sexual assault from any state in the country to provide a copy to the College Police Department and to the Office of Human Resources/ Title IX Officer, Emmanuel Echevarria for faculty/staff related Abuse Prevention Orders; and to the College Police Department for student related Abuse Prevention Orders. A complainant may then meet with an officer from the College Police Department and the Victim Advocate to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, supervisor, work location, or allowing a student to complete assignments from home (depending on the course), safe room, and any other aspect the victim may need support or help with. The survivor decides upon the safe plan and all of its components. The College cannot apply for a legal Abuse Prevention Order, No Contact Order or Restraining Order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services.

The following information is information on the District Attorney's website that may be helpful when trying to get an Abuse Prevention Order (209A) and a Harassment Prevention Order (258E).

District Attorney: <https://www.mass.gov/orgs/massachusetts-court-system>

AM I ELIGIBLE FOR A RESTRAINING ORDER?

ABUSE PREVENTION ORDERS

You may request an Abuse Prevention Order (a "209A Order") from a judge if:

1. You and your abuser are or were:
 - married,
 - or residing together in the same household,
 - or in a substantive dating or engagement relationship,
 - or related by blood or marriage,
 - or you have a child in common;
2. *and* you are suffering from abuse because your abuser has:
 - harmed or attempted to harm you physically,
 - or put you in fear of imminent serious physical harm,
 - or caused you to engage in sexual relations involuntarily by using force, threat or duress;
3. *and* you:
 - currently live within the geographical area of this court,
 - or used to live within the geographical area of this court but you left to avoid abuse.

A judge may issue an Abuse Prevention Order *without prior notice* to your abuser if there is a substantial likelihood of immediate danger of abuse.

HARASSMENT PREVENTION ORDERS

You may request a Harassment Prevention Order (a "258E Order") from a judge if:

1. You are suffering from harassment because:
 - someone has committed 3 or more acts:
 - that were willful and malicious,
"Malicious" means characterized by cruelty, hostility or revenge.
 - and were aimed at you,

- and were intended to cause you fear, intimidation, abuse or damage to property,
"Abuse" means causing or attempting to cause physical harm, or causing fear of imminent serious physical harm.
- and did in fact cause you fear, intimidation, abuse or damage to property;
- or someone has caused you at least once to engage in sexual relations involuntarily by using force, threat or duress;
- or someone has committed against you at least once an act that violates any of the following statutes: General Laws chapter 265, §§ 13B, 13F or 13H (indecent assault and battery), 22 or 22A (rape), 23 (statutory rape), 24 or 24B (assault with intent to rape), 26C (enticing a child), 43 (criminal stalking), 43A (criminal harassment), or chapter 272, § 3 (drugging for sexual intercourse);

2. and you currently live within the geographical area of this court.

A judge may issue a Harassment Prevention Order *without prior notice* to your harasser if there is a substantial likelihood of immediate danger of harassment.

What Can I Request Under an Abuse Prevention Order?

Chapter 209A allows a judge to issue a variety of types of court orders including an order that the defendant not abuse you, not contact you, stay away from your home and work address and not possess any firearms. An abuse prevention order can include any provisions that a judge thinks are needed to keep you safe.

Can I get an abuse prevention order without telling the defendant?

The court may issue an abuse prevention order without the defendant having notice provided that if there is a substantial likelihood of immediate danger of abuse. Such an order is called an "ex parte order". You file a complaint form that includes an affidavit and a hearing is held right away without letting the defendant know. The court can issue an ex parte order that can last for up to ten business days. The court will schedule a hearing within ten business days and then notify the defendant about the ex parte order. The defendant has a right to attend that hearing to argue that all or part of the order should not be continued. At that hearing, often referred to as the "10-day hearing", the judge will hear from you and the defendant, if the defendant appears.

You can request that the defendant be ordered not to abuse you. This means that:

- The defendant shall not physically assault or threaten you.
- The defendant shall not do anything that makes you reasonably fear that the defendant might cause you physical harm.
- The defendant shall not use force or a threat of any kind to make you have sex unwillingly. You can request that the defendant be ordered to have no contact with you. This means that:
 - The defendant shall not live with you.
 - The order. defendant must stay a specific number of feet/yards away from you. The distance that the defendant must remain away from you is listed on the order
 - The defendant shall not contact you in any way. This includes, but is not limited to, phone calls, text messages, emails, gifts and contact through friends, relatives, neighbors or anyone else, sending or posting messages on Facebook, Twitter or any other social media site, unless specifically allowed in the
 - If you are already at a place and the defendant comes to that same location, the defendant must leave that place as quickly as possible.

You can request that the defendant be ordered to leave a residence (home). This means that:

- The defendant must leave your residence immediately and stay away from that residence while the order is in effect. The defendant must stay away from the residence even if you are not there at the time.
 - If the residence is in the defendant's name:
 - The defendant shall not damage the residence in any way.
 - The defendant shall not shut off any utilities or interrupt your mail delivery.

You can request that the defendant be ordered to stay away from your work. This means:

- The defendant must stay away from the place where you work as long as the order is in effect. The defendant must stay away from that workplace even if you are not there at the time.
- You can request that your residential, workplace and/or school address not appear on the order.

If the defendant does not know your current residential, workplace or school addresses you may request that these addresses be kept confidential. This information would only be available to the court, the police, the district attorney or others specifically allowed by you or the court. In all cases, this information is not available to the public.

You can request that you be given custody of children. This means:

- The children will live with you unless or until a judge changes that order. You can request that the defendant be also ordered to have no contact with the children.

This means:

- The defendant must stay a specific number of feet/yards away from them (the distance is listed on the order) and have no contact with them while the order is in effect unless and until a judge permits contact with the children.

The court can also order the defendant to stay a specific number of feet/yards away from a child's school or daycare. If the defendant is permitted to have contact with the children but not with you and the children live with you, the defendant must speak only to the children, not to you.

The Probate Court can change a District Court Judge's restraining order with regard to custody and contact with children. Even if the Probate Court changes the parts of the order that deal with the children, all other parts of the District Court order remain in effect.

You may request that the defendant be ordered to pay certain money. This means:

- The defendant can be ordered to pay temporary support if he or she might be legally obligated to do so (for example, if you are married),
- The defendant can be ordered to pay child support for his or her children, or
- The defendant can be ordered to pay for costs related to the abuse, such as medical bills, lost wages or for changing the locks.

If the judge issues a 209A order, the defendant will be ordered to surrender (give up) firearms. This means:

- The defendant must immediately transfer possession of any firearms, ammunition, license to carry a firearm or firearms identification card that he/ she has to the police department listed on the order. The defendant may not purchase any firearms or ammunition while the order is in effect.

How Do I Get an Abuse Prevention Order?

There is no charge to get an abuse prevention order.

Getting Help

If you need help with getting an order, the Massachusetts Office of Victim Assistance offers a program called SAFEPLAN that provides people to help you in many courts across the state. There are other programs in some courts that provide people who can help you fill out the forms and go with you to the courtroom. In some cases, the advocate is from the local domestic violence service provider. In other cases, District Attorney Office victim- witness advocates assist people in filing for a 209A order. A list of domestic violence service providers can be found at Jane Doe, Inc. People at these organizations can tell you if they have court advocates or, if not, how to reach a court advocate.

If you need help immediately such as safety planning or shelter, call the SAFELINK hotline at 1-877-785-2020, which can find you a domestic violence program or shelter near you.

Where do I apply for an abuse prevention order?

During regular business hours on weekdays, you can go to the Boston Municipal, District, Probate and Family or Superior Court whose jurisdiction covers where you live. See Court Locator <https://www.mass.gov/courthouse-locator>. If you are unsure which court covers where you live, you can call the closest court on the list and they will be able to direct you to the right place.

If you have left home since the abuse, you can choose to go to a court whose jurisdiction covers where you are staying. Go to the civil clerk's office and tell them you want to ask for a 209A order. They will give you the forms you need.

If you are in crisis and courts are closed, you can call or go to your local police station. The police will give you the forms to fill out and then call a judge. If the judge grants the order, it is only temporary until the next court business day. The order given to you by the police will tell you which court and when you need to be at the court.

What happens next?

After you fill out the forms, give them back to the clerk's office. Court staff will check to see if the defendant is wanted by the police, if there are or have been other restraining orders against the defendant, and/or whether the defendant has any criminal record. In some courts, court staff may also check your record. Once this is done, you will be brought into the courtroom.

Going into court

After you file your papers, you will appear before a judge. If you have asked for an order without the defendant knowing, the defendant will not be there. The judge will look over your papers and ask you some questions. The judge will decide whether or not to give you the order while you are still there.

You will be given a copy of the order by the Clerk's office after the hearing is over. The police will attempt to serve the defendant with a copy of the order. Your local police department receives a copy of the order. You should also keep a copy of the order with you at all times.

How Long Does the Order Last?

The first order you get, if the defendant is not present, is only good until you have a court hearing where the defendant has an opportunity to tell his/her side of the story. This is scheduled within 10 business days, so it is commonly called a "10-Day Hearing." It may be in fewer than 10 days. The judge will tell you when this hearing will be held at the time he or she issues the first order. The date of this hearing will also be on the order. If the judge grants the order at the 10-Day Hearing, it will remain in effect for up to one year. The order will say how long it will last, and will tell you when you need to go back to court if you want to renew it. If you want to renew the order, you will need to go back to court on the return/expiration date on the order, and ask for the order to be renewed or the order will expire.

If you get an emergency order from a judge over the telephone (when the court is not in session) and the defendant is also arrested, the defendant might be at the same court where you go to get the order extended. In that case, the judge will hold a hearing with both you and the defendant present and may grant an order for up to a year.

Can I appeal the judge's decision?

If you are not given an order or not given everything you request you may appeal. You have 30 days to appeal after the judge makes his or her decision. No matter which court issued the order, you must appeal to the Massachusetts Appeals Court. To start your appeal, you must file a Notice of Appeal at the Clerk's office of the court that issued the order within thirty days of your hearing. See the Appeals Court Help Center for information on the appeals process.

What happens if the Defendant violates the order (Does Something He or She is Not Supposed to Do)?

If the police witness or have probable cause to believe that the defendant violated a restraining order, the police are required to arrest the defendant.

A restraining order is a civil order but violation of certain parts of the order is a criminal offense. If the defendant violates the no abuse, no contact, leave the home, stay away from home/work or surrender firearms terms of the order, you should contact the local police department immediately and tell them what happened and that you have a restraining order.

Failure to pay money owed is **not a criminal offense**. If the defendant does not pay support, child support or any money damages ordered, you will need to go back to the court that issued the order and ask for a hearing to see if the defendant should be held in contempt of court.

What if I Want to Change or Terminate (End) the Order?

An abuse prevention order is a court order. That means that only a judge can change the order. The person who requested the order CANNOT change or end the order without returning to court. Even if the plaintiff seems to request or allow conduct forbidden by the order, the defendant will be in violation of the abuse prevention order unless a judge has changed it. If you want to change or end the order you can go to the same court that issued the order Monday through Friday 8:30 am to 4:00 pm to ask the judge to change or end the order. The Clerk-Magistrate's Office can assist you in the filing of documents to make this request.

More Information for People Seeking Abuse Prevention Orders

Help - OFF Campus

1. Safelink is a Massachusetts 24/7 toll-free domestic violence hot-line. Advocates are multilingual, and conversations are free and confidential. The advocates can assist victims with safety planning, locating shelters, providing emotional support, and finding local community services. Call 1-877-785-2020.
2. Local Police - You do not have to call the police, but it is important for you to know you can call them if you feel you need their protection, especially in emergencies.
3. Jane Doe, Inc. is the statewide coalition of against sexual assault and domestic violence. Their website includes information for victims and survivors of domestic violence.
4. Massachusetts Office for Victim Assistance coordinates the SAFEPLAN programs on a statewide basis. SAFEPLAN is a court-based program that provides advocates to help victims of domestic violence who are seeking protection from abuse. SAFEPLAN Advocates are available in 41 district and probate courts across the state. The services they provide to victims are free. SAFEPLAN Advocates can help you with getting a 209A order or go with you to a protective order hearing. For information on SAFEPLAN Advocates, what they do, and how to reach them, go to:
<https://www.mass.gov/orgs/massachusetts-office-for-victim-assistance>

Help - ON Campus

A victim can request the issuance of an institutional "No Contact" order from the Code of Conduct Administrator (Office of Student Services) or the Title IX Officer.

To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal College investigation of the complaint. For example, if reasonably available, a complainant will be offered changes to academic, or working situations, or protective measures regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Additional examples of potential changes to the academic situation may be to transfer the alleged perpetrator to a different area of campus or transfer to an online course of study. Possible changes to work situations may include changing the working hours or location of the alleged perpetrator. Protective measures may include providing safety escorts to the complainant while on campus.

Additionally, personal identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons with a specific need-to-know who are investigating/ adjudicating the complaint or delivering resources or support services to the complainant providing accommodations or protective measures. Bristol Community College will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution

to provide the accommodations or protective measures. In some cases, the college may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. Title IX Officer will determine what information about a victim should be disclosed and to whom this information will be disclosed after conferring with; 1. Campus Police to ensure any law enforcement efforts are not endangered; 2. Human Resources to ensure rights such as HIPAA or collective bargaining agreements are not violated; 3. Student Affairs to ensure a student's FERPA rights are not violated. Only information that is necessary to provide the accommodations or protective measures in a timely manner will be disclosed. Prior to sharing personal identifying information, the victim will be notified of which information will be shared, why it will be shared, and with whom it will be shared.

The College does not publish the name of crime victims or other identifiable information regarding victims in any records available to the public. This includes the Daily Crime Log and the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Victims may request that directory information on file be removed from public sources by request by contacting the Registrar's Office.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

The following information is provided, in writing, to all students and employees.

On-Campus Resources

Counseling Services— Fall River & New Bedford Campuses Attleboro Campus	(774) 357-2234 (774) 357-3527
Student Health Services	(774) 357-2232
Women's Center	(774) 357-2954
Financial Aid	(774) 357-2515

Off-Campus Resources

Counseling Services	SSTAR Women's Center 386 Stanley St. Fall River, MA 02720	(508) 675-0087
Health Services	Charlton Memorial Hospital 363 Highland Ave. Fall River, MA 02720	(508) 679-3131
Health Services	Saint Luke's Hospital 101 Page St. New Bedford, MA 02740	(508) 997-1515
Victim Advocacy	SSTAR Women's Center 386 Stanley St. Fall River, MA 02720	(508) 675-0087
Legal Assistance	SSTAR Women's Center 386 Stanley St. Fall River, MA 02720	(508) 675-0087
Immigration Services	Catholic Social Services 1600 Bay St. Fall River, MA 02724	(508) 674-4681
	Immigrants' Assistance Center 58 Crapo St. - #1 New Bedford, MA 02740	(508) 996-8113

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<https://www.rainn.org/> – Rape, Abuse and Incest National Network

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

<https://www.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights

WARNING SIGNS OF AN ABUSIVE PERSON:

This is a list of behaviors that are seen in people who abuse their partners. The first four behaviors (past abuse, threats of violence, breaking objects and any force during an argument) are almost always seen in an abusive person. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

Past abuse

An abuser may say, “I hit someone in the past, but she made me do it.” An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.

Threats of violence or abuse

Threats can involve anything that is meant to control the victim. For example, “I’ll tell your parents about your drug use if you don’t do what I want.” Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that “everybody talks like that.”

Breaking objects

An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.

Use of force during an argument

An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, “You’re going to listen to me.”

Jealousy

An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victim’s activities.

Controlling behavior

An abuser will claim that controlling behavior is out of concern for the victim’s welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim’s appearance and activities.

Quick involvement

An abuser will often pressure someone to make a commitment after a very short amount of time. The abuser comes on quickly, claiming “love at first sight,” and will tell the victim flattering things such as “You’re the only person I could ever love.”

Unrealistic expectations

The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, “You’re the only person I need in my life.”

Isolation

The abuser will attempt to diminish and destroy the victim’s support system. If a female victim has male friends, she is accused of being a “whore.” If she has female friends, she is accused of being a “lesbian.” If she is close to her family, she

is accused of being “tied to the apron strings.” The abuser will accuse people who are close to the victim of “causing trouble.”

Blames others for problems

Abusers will rarely admit to the part they play in causing a problem. She will blame the victim for almost anything that goes wrong.

Blames others for their feelings

An abuser will tell the victim, “I hurt you because you made me mad,” or “You’re hurting me when you don’t do what I ask.” Blaming the victim is a way of manipulating them and avoiding any responsibility.

Hypersensitivity

An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices -- such as getting a traffic ticket or not doing well on an exam.

Cruelty to animals or children

An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.

“Playful” use of force during sex

The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.

Rigid sex roles

Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.

Jekyll-and-Hyde personality

Explosiveness and mood swings are typical of abusers, and these behaviors are related to other traits such as hypersensitivity. This is not always a sign of mental health problems but may be a way of controlling the victim by being unpredictable.

Risk Reduction

Risk reduction is defined by Clery as “options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.”

With no intent to blame a victim, and fully recognizing that only rapists are responsible for rape, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, @ <http://www.rainn.org>). In addition to the college’s prevention programs, the following suggestions will help you control of your environment, thereby lessening the chance of perpetration.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
4. Try to avoid carrying large packages or bags as this can make you appear more vulnerable.
5. Make sure your cell phone is with you and charged.
6. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
7. Avoid putting earbuds in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

8. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
9. Trust your instincts. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
11. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
12. Watch out for your friends. If a friend seems out of it, is too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
13. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member; not feeling well; having somewhere else that you need to be; etc.

ADJUDICATION OF VIOLATIONS

TITLE IX AND CLERY ACT INVESTIGATIONS FOR CASES OF SEXUAL VIOLENCE

Title IX states that if an institution knows or reasonably should know of sexual harassment, including sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not, should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is "more likely than not" that the institution's sexual misconduct policy was violated, the College will take any action deemed necessary. Applicable law requires that, when taking such steps to separate the complainant and the accused, the College must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

Bristol Community College utilizes an Investigative Model for the resolution of complaints of sexual violence including sexual harassment, sexual assault, rape, stalking, dating violence, and domestic violence; and will conduct a prompt, fair, and impartial process from the initial investigation to the final resolution. The purpose of the investigation is to determine if an act of sexual violence as defined in this protocol took place. The investigator is neutral in the process.

When notified of an incident of sexual violence, the Title IX Officer will review the available information and if necessary, appoint a Title IX Investigator. The Title IX Officer is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information - less the victims identifying information - will be provided to whomever at the institution compiles the annual crime statistics, even if the victim chooses not to alert campus police personally. All officials involved in the investigation and hearing process receive annual training related to understanding the legal aspects of Title IX, conducting investigations of Title IX Offenses, administering an investigative process that protects the safety of victims and promotes accountability, and providing campus-wide training to members of the College community.

The college is obligated to investigate allegations of sexual violence, even if the alleged victim chooses not to file a formal report and/or participate in the investigation. Additionally, a report filed in another forum, including a criminal or civil complaint, shall not delay the college's investigation of a complaint of sexual violence. The college shall promptly and thoroughly investigate all such allegations in accordance with the Policy on Affirmative Action. The college may also institute protective measures, such as a no-trespass order, restricted access to campus, adjusted class or work schedule, or a leave of absence, during the investigative process and/or upon completion of the disciplinary process. A person found to have committed an act of sexual violence shall be subject to disciplinary action, up to and including suspension, expulsion or termination from the college, as well as criminal prosecution.

Investigative Process

Upon receipt of a Formal Complaint, the Title IX Coordinator (or designee) must promptly contact the Complainant confidentially to discuss the availability of supportive measures and resources, consider the Complainant's wishes with respect to these supportive measures, and explain to the Complainant the Title IX Sexual Harassment Complaint Process. If a student is involved, the Title IX Coordinator shall notify the Vice President or Dean of Student Services.

Within five (5) days of receiving a Formal Complaint, the Title IX Coordinator will notify the Respondent in writing of the Formal Complaint, provide the Respondent with a copy thereof and discuss supportive measures. The timeliness of such notification shall be in accordance with the appropriate collective bargaining agreement, if applicable. The Respondent shall have five (5) days from receipt of notice to submit to the Title IX Coordinator a written response to the Formal Complaint.

Where practicable, within fifteen (15) days from the date the Respondent's written response is received, or the date it was due if none was submitted, the Title IX Coordinator shall conduct an investigation and issue all evidence gathered to the parties (and Advisors) for review and written response within ten (10) days upon their receipt. Upon receipt of said parties' written response(s), or the date they were due if none were submitted, the Title IX Coordinator will have ten (10) days to complete and send an investigative report that fairly summarizes the relevant evidence to each party (and Advisor) for their review and written response within ten (10) days upon their receipt. Within ten (10) days of receipt, the Title IX Coordinator shall review the responses (if any) and prepare and submit the final investigative report including all relevant evidence (and including a section denoting all evidence submitted that was found by the Title IX Coordinator not to be relevant) to the Decision Maker; simultaneously, the Title IX Coordinator shall notice all parties of a hearing date that shall take place no later than ten (10) days later. Any request by a party to extend a deadline established under this Procedure shall be presented in writing to the Title IX Coordinator.

Hearing

The Title IX Coordinator (or designee) will be responsible for coordinating the hearing process. The Decision Maker shall be responsible for conducting the hearing. The duties of the Title IX Coordinator will include: scheduling the hearing; notifying the parties, advisors, and witnesses of the hearing; ensuring that the trained Decision Maker is provided with appropriate materials including a copy of the final investigative report and any exhibits; coordinating videoconferencing (if necessary); and securing a location for the hearing. The Title IX Coordinator will also act as liaison between the parties and the Decision Maker on procedural matters. A hearing is conducted in private. If a Respondent or Complainant has a good faith belief that the individual selected as the Decision Maker has a specific bias or conflict of interest, they may file a request with the Title IX Coordinator (or in instances where the Title IX Coordinator is serving as the Decision Maker, the request shall be directed to the individual selected as the designee in Step 1 - Investigation) for a replacement within two (2) calendar days of being noticed of the Decision Maker's identity. The Title IX Coordinator (or designee) shall review the request and render a decision in no more than three (3) calendar days either granting the request or providing reasons for denying the request. All procedural questions are subject to the final decision of the Decision Maker.

In general, hearings will proceed as follows:

- a. The Decision Maker shall summarize the Hearing Policy and allow the Title IX Coordinator the opportunity to briefly state the allegations and summarize the investigative report.
- b. Each party has the right to have others present, including an advisor of their choice. Advisors will be given the opportunity to question the other party and any witnesses by presenting questions to the Decision Maker (including questions on credibility). If the Decision Maker determines a question is relevant, the other party will be asked to

respond.

c. The Decision Maker shall have a final opportunity to question the parties.

d. The Decisions Maker will conclude the hearing by informing the parties that they will issue a decision to the parties and their advisors within ten (10) days, and that it will be based upon a Preponderance of the Evidence standard (i.e.; more likely than not).

Hearing Policy

Questions and evidence about a Complainant's prior sexual behavior will be deemed irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove consent.

If a party does not have an advisor present at the live hearing, the College will choose a trained member of the community, to conduct cross-examination on behalf of that party. All advisors are limited to active participation in the question and follow-up cross-examination part of the live hearing. Further, advisors are the only parties allowed to present questions (cross-examination or otherwise) to the Decision Maker.

Generally, live hearings may be conducted with all parties physically present in the same geographic location. At the request of either party, the College must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Decision Maker and parties to simultaneously see and hear the party or the witness answering questions.

Only relevant questions or cross-examination questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain to the party's Advisor asking cross-examination questions any decision to exclude a question as not relevant. If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Formal rules of evidence applied in courtroom proceedings (e.g., Massachusetts Evidence Code) do not apply in the hearing. The Decision Maker will make an official audio recording of the hearing. The recording is College property. No other recording of the hearing is permitted. The audio recording will be retained by the Title IX Coordinator in accordance with the College's records/information retention and disposition schedule. Access to the recording will be made available to the parties for inspection and review, however, parties are prohibited from making any copies of such recording. The recording shall only be released in compliance with applicable discovery proceedings in any future legal/administrative proceedings. The Decision Maker controls the hearing, is responsible for maintaining order during the hearing, and makes whatever rulings are necessary to ensure a fair hearing. The Decision Maker's decisions in this regard are final.

Review and Decision by the Decision Maker

The Decision-Maker must issue a written determination regarding responsibility to all parties (and their Advisors) simultaneously, within ten (10) days of the hearing. The written determination must include — Identification of the allegations potentially constituting sexual harassment; A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; Findings of fact supporting the determination; Conclusions regarding the application of the College's code of conduct to the facts; A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the Complainant; the College's procedures and permissible bases for the Complainant and Respondent to appeal; and when results of the investigation are final. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effectuating any remedies including referral to appropriate College administrators as may be applicable.

Step 4 – Appeal to the President

A party who is not satisfied with the Title IX Coordinator's decision to implement an emergency removal or dismiss a Formal Complaint; or, the Decision Maker's written decision may file an appeal with the President within five (5) days of receiving said decision, respectively on the following bases: procedural irregularity that affected the outcome of the matter, newly discovered evidence that could affect the outcome of the matter, and/or that any Title IX personnel (including the Decision Maker) had a conflict of interest or bias, that affected the outcome of the matter. Where practicable, within five (5) days of receiving the appeal, the President shall issue a written decision simultaneously to all parties, accepting, rejecting or modifying the decision, describing the result of the appeal and the rationale for the result. The President's decision is final provided that any corrective action and/or discipline imposed are subject to applicable collective bargaining agreements. If the President is the Respondent, then the Chair of the College's Board of Trustees shall consider the appeal and issue the written decision.

Investigations, Administrative Reviews, and Appeal Meetings are not open to the public.

STATEMENT OF POLICY INFORMING THE ACUSER AND ACCUSED THE OUTCOME OF A DISCIPLINARY PROCEEDING

When a student or employee harms someone else, it is likely that the outcome will be separation from the institution. Upon return from a Suspension from the College, it is possible that the accused will face restrictions that may involve limited time on campus, no contact orders, academic/work restrictions and limited participation in activities. Based on the severity, other formal college sanctions may be imposed including the following:

Interim Action/Suspension may be imposed by the College. A student may be suspended, or an employee be placed on paid administrative leave prior to the completion of the investigation when the College reasonably concludes the student or employee: a) poses a threat to the health or safety of the community; b) poses a threat to College property or equipment; c) is disruptive or interferes with the normal operations of the College; or d) is charged with a serious violation of state or federal law.

Disciplinary Probation is a conditional continuance of registration at the College. It is a period when actions of the student are subject to particular scrutiny and when conduct violations will cause student conduct entities to consider current violations within the context of and with prejudice based on past violations. Previous violations shall not be considered in the determination of responsibility for any new violation, but shall be considered in determining a sanction after responsibility has been established. Further misconduct during each probationary period may result in Suspension or Dismissal. At the discretion of the student conduct entity imposing probation, a student on Disciplinary Probation may lose the right to represent the College as an official delegate, representative, student-athlete, or as a holder of office or committee chair in College student groups of any kind. Probation shall be imposed for time periods similar to that for Suspension. Probation may be imposed together with such lesser sanctions as may be deemed appropriate.

Loss of Privilege allows a student conduct entity to restrict the activity of the student while he/she is on the College campus. The student may be prohibited from participating in non-academic or extra-curricular activities and/or from visiting certain specified areas of the College campus and/or from coming into contact with specified individuals while on campus. Loss of Privilege should be related to the offense, or serve to correct the result of the offense, or compensate the offended party in some relevant way. Loss of Privilege may accompany another sanction herein described.

Restitution is action taken by a student conduct entity requiring a student to make compensation for loss, damage, or injury the student may have caused. Restitution may accompany another sanction herein described.

Warning by a student conduct entity, normally in writing, is intended to make the student aware of the possible consequences of his/her actions. This sanction may be considered with prejudice by a student conduct entity in future action only when the Warning is presented to the student in writing. This sanction shall be for any time period specified

and shall remain a part of the student's record until graduation or termination of his/her association with the College, at which time the notations shall be removed.

No Contact with a specific student, faculty, staff, or community member, where all direct or indirect (via a third party on his/her behalf and with his/her knowledge) verbal, physical, and electronic forms of contact are prohibited.

Information for, and rights of, the reporting party:

- The reporting party will be informed of all methods for reporting, including filing a criminal complaint.
- The College will assist the reporting party in accessing support services and adjusting academics, employment/work, transportation or other College related issues if necessary.
- The reporting party may be accompanied by an advisor of their choice and an advocate to any meeting or proceeding involving this complaint. The reporting party may also be accompanied by legal counsel. The role of legal counsel is to advise his/her client.
- Whether the matter is being investigated by the Office of Human Resources (employee involved) or the Office of Student Services (student involved), both the reporting party and respondent will be kept apprised of the status of the investigation in a timely manner. The investigative and disciplinary process is the same for both students and employees.
- If the matter is being handled through the Student Conduct /Grievance Process and if an investigation is ongoing, the reporting party and respondent will be kept apprised by the Office of Student Services of the status of the complaint.

Information for, and rights of, the respondent (accused student):

- The respondent may seek assistance in the Office of Student Affairs.
- When becoming aware of a complaint of sexual violence the college may take interim measures including, but not limited to, restriction of communication with named individuals, Interim Suspension from the college, and restriction from participating in a particular class or in campus activities. Violation of any interim measure is likely to result in immediate interim suspension from the college.
- The respondent may be accompanied by an advisor of their choice and an advocate to any meeting or proceeding involving this complaint. The respondent may also be accompanied by legal counsel. The role of legal counsel is to advise their client.
- The respondent may request an assessment of interim restrictions with the Vice President for Division of Student Affairs, or designee.
- The college may proceed with the investigation/student conduct/grievance process regardless of the status of any criminal proceedings for the same incident.
- The respondent has a right to the support services of the college, including counseling.
- The respondent will be informed in writing of charges of violations of the code of conduct via Bristol Community College email account prior to meeting with a Title IX Investigator. If an investigation is ongoing, the accused student will be kept apprised of the status of the investigation by the Title IX Investigator.

Withdrawal from the College: A student party to a disciplinary action who has initiated an appeal to an Appeal Officer and who subsequently withdraws in good standing from the college while the appeal is pending, may continue the appeal process if he or she so chooses.

The appeal hearing is to be strictly limited to a review of the record of the original hearing. New evidence (i.e. evidence which was not presented at the original hearing) may be considered only if it is relevant and only if it was unobtainable at the time of the original hearing.

The decision of the Appeal Officer may include the following: 1) Affirm and uphold the decision of lower student conduct entity. 2) Reject and overturn the decision of a lower student conduct entity. 3) The accused may be found not responsible of the original charges. 4) The accused may be found responsible of the original charges and any of the full

range of available items under the Sanction and Penalties section of this document may be applied. 5) The matter may be returned to a hearing with instructions.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the College's ability to respond to the complaint may be limited.

Confidentiality

The complaint procedure will be conducted as confidentially as reasonably possible to protect the privacy rights of all individuals involved. The College may share information concerning the complaint with parties, witnesses and/or others during any phase of the procedure on a need-to-know basis and shall share information with union representatives as provided for in G.L. c.150E. All individuals with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss the matter with anyone other than an advisor, if applicable.

Where a Complainant requests that no action be taken by the College or requests that her/his identity not be revealed, the College shall take reasonable steps to investigate and respond to the complaint, but shall inform the Complainant that such a request may hamper its ability to fully investigate an alleged violation of this Policy and/or to take appropriate remedial steps, including disciplinary action. Where an allegation of Prohibited Conduct involves the potential of an ongoing threat to the health, safety or security of the College or a potential adverse employment action, the Affirmative Action Officer, or in the case of an allegation of Title IX Sexual Harassment, the Title IX Coordinator, shall inform the Complainant that it cannot ensure confidentiality and disclosure of their name may likely be required.

Sanctions and Supportive Measures

In all cases, investigations that result in a finding of "More Likely Than Not" that a violation occurred will lead to the initiation of disciplinary procedures against the accused individual. College sanctions for employees include: required participation in training, counseling, and/or intervention; verbal or written apology; change in job duties including in supervisory responsibilities, change in work schedule and/or location, reduction of regular and/or overtime hours, reduction in pay, transfer, or demotion, with all related changes including but not limited to changes in parking options; leave without pay; suspension; termination; barring from campus, may be imposed upon those determined to have violated this policy. For students: sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under Federal and State law.

Title IX requires the College to take non-disciplinary/non-punitive reasonable steps to preserve or restore equal access to its education programs and activities and protect individuals from Prohibited Conduct and Title IX Sexual Harassment, including offering supportive measures before the final outcome of an investigation, irrespective of whether the complainant ever chooses to file a Formal Complaint. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter all forms of sexual harassment. The College shall take these steps promptly once it has notice of an allegation of Prohibited Conduct or Title IX Sexual Harassment. Examples of supportive measures include, but are not limited to, the following:

- Counseling;
- Extensions of deadlines or other course-related adjustments (for example: changing class schedule, withdrawal without penalty, providing student services such as tutoring, alternate class completion options);
- Modifications of work schedules or job assignments;
- Campus escort services;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations (if applicable);
- Leaves of absence, increased security and monitoring of certain areas of the campus; and
- Other similar measures.

The specific supportive measures implemented and the process for implementing those measures will vary depending on the facts of each case. The College will consider a number of factors in determining what supportive measures to take,

including, for example, the specific needs expressed by each party; the severity or pervasiveness of the allegations; any continuing effects on each party; whether the parties share the same classes, dining hall schedule, transportation, or job location; and whether other judicial measures have been taken to protect the victim (*e.g.*, civil protection orders).

In general, when taking supportive measures, the College shall minimize the burden on each party. The College must maintain as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

Bristol Community College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the victim's next of kin shall be treated as the alleged victim for purposes of this paragraph, and be provided with the results of any disciplinary results.

Statement of Policy Addressing Counselors

Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, pastoral and professional counselors at Bristol Community College are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to voluntarily, and on a confidential basis, report crimes to the Campus Police Department's Anonymous Tip Line so that the incident may be included into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral Counselor

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

Professional Counselor

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

Statement of Policy Addressing Sex Offender Registration

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. The act also requires sex offenders already required to register in a State to provide notice, as required, under State Law, of each institution of higher education in that State at which a person is employed, carries on a vocation, volunteer's services, or is a student.

How to Inquire

Members of the Bristol Community College community may request information about sex offenders in Massachusetts at the Massachusetts Sex Offender Registry Board, telephone (978) 740-6400 or <http://www.mass.gov/eopss/agencies/sorb>.

Penalties for Improper Use of Sex Offender Registry Information

Information contained in the Sex Offender Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one-half years in the house of correction or by a fine of not more than \$1,000, or by both such fine and imprisonment.

Section 6 - Statistics

Statement of Policy for Reporting the Annual Disclosure of Crime Statistics

The information below provides context for the crime statistics reported as part of compliance with the Clery Act.

As required by federal law, Bristol Community College Police Department yearly crime statistics for this report are compiled on a calendar-year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to the Bristol Community College Police Department and other campus security authorities.

In addition, these statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor and drug law violations, and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by Bristol Community College, as well as public property within or immediately adjacent to and accessible from the campus are requested and collected from the Fall River Police Department, the New Bedford Police Department, the Attleboro Police Department, and the Taunton Police Department. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported.

All of the statistics are gathered, compiled, and reported to the Bristol Community College community via this report, entitled "Annual Security Report", which is published by the Bristol Community College Police Department. Bristol Community College Police Department submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Bristol Community College sends an e-mail to every enrolled student and current employee on an annual basis. The e-mail includes a brief summary of the contents of this report and a direct link to the Annual Security Report.

Copies of this report may also be obtained at the Bristol Community College Police Department at 777 Elsbree Street, Fall River, MA; or by calling Bristol Community College Police Department at 508-357-2218. All prospective employees may obtain a copy from the Human Resources Office in the Hudnall Administration Building or call (508) 678-2195.

The Bristol Community College Police Department Crime Log is available at the College Police Department located at 777 Elsbree Street, Fall River, MA; or online ([here](#)).

<https://bristolcc.edu/student-services/resources/campus-police/clery-act-information.html#log-link>

The College is a non-residential institution.

SPECIFIC INFORMATION ABOUT CLASSIFYING CRIME STATISTICS

The following statistics are published in accordance with the standards and guidelines used by the Federal Bureau of Investigation Uniform Crime Reporting Handbook and the federal law (the Clery Act).

The **number of victims** involved in a particular incident is indicated for the following crime classifications: Murder/NonNegligent Manslaughter, Negligent Manslaughter, Forcible and Non-Forcible Sex Offenses, Aggravated Assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics chart.

The **number of incidents** involving a particular offense are indicated for the following crime categories (includes one offense per distinct operation): Robbery, Burglary, Larceny, and Arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of **motor vehicle theft**, each vehicle stolen is counted.

In cases involving **Liquor Law, Drug Law, and Illegal Weapons violations**, each person who was arrested is indicated in the arrest statistics. If an arrest includes offenses for multiple liquor and drug law violations, it is counted as a Drug Law Violation, as that is the more egregious offense.

The statistics captured under the "*Disciplinary Referrals*" section for Liquor Law, Drug Law, and Weapons Violations indicate the number of people who are referred to the Office of Student Affairs and found responsible for violating those specific laws. Being found responsible includes a referral that resulted in disciplinary action being initiated by the Office of Student Affairs and a record of the action being kept on file.

2013 VAWA Amendments to Clery

The **Violence Against Women Act** added the following offenses to the list of criminal offenses for which statistics must be reported:

- Domestic Violence
- Dating Violence
- Stalking

Specific Information about the Crime Statistics Reported by Bristol Community College Police Department

Unless otherwise indicated, all statistics are from incidents that were reported to Bristol Community College Police Department. "Reported to Other Campus Agencies" includes crime statistics from incidents reported to other Campus Security Authorities.

Hate Crime Statistics

The law requires the release of statistics by category of prejudice concerning the occurrence of hate crimes in the crime classifications listed in the preceding section and for other crimes involving bodily injury to any person in which the victim is selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, or disability of the victim.

Note: Reported crimes may involve individuals not associated with the College.

DEFINITIONS OF REPORTABLE CRIMES

Clery Reportable Offense Crime definitions are taken from the Uniform Crime Reporting Handbook

- **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 the injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime was successfully completed.
- **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, etc.
- **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 a 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 joy riding).
- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Rape** is defined as "the carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity."
- **Fondling** is defined as "the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity."

- **Incest** is defined as “non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.”
- **Statutory Rape** is defined as “nonforcible sexual intercourse with a person who is under the statutory age of consent.” (The age of consent in Massachusetts is 16 years.)
- **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, violence, and/or causing the victim fear.
- **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; all attempts to commit any of the aforementioned.
- **Drug Law 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; all attempts to commit any of the aforementioned. (Drunkenness and Driving Under the Influence are not included in this definition.)

Crimes Defined as per the Violence Against Women Act (VAWA) Amendments to Clery

- **Domestic Violence:** The term “domestic violence” means
 1. Felony or misdemeanor crimes of violence committed—
 - i. By a current or former spouse or intimate partner of the victim;
 - ii. By a person with whom the victim shares a child in common;
 - iii. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - iv. 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
 - v. 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.
 2. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence:** The term “dating violence” means violence committed by a person:
 1. who is or has been in a social relationship of a romantic or intimate nature with the victim and
 2. 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, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition –
 - i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - ii. Dating violence does not include acts covered under the definition of domestic violence.
 3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Stalking:** The term “stalking” means:
 1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - i. fear for the person’s safety or the safety of others; or
 - ii. Suffer substantial emotional distress.
 2. For the purposes of this definition—

- i. Course of conduct means two or more acts, including, but not limited to, acts 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.
 - ii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - iii. Reasonable person means a person under similar circumstances and with similar identities to the victim.
3. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Offense Definitions Relating to the Hate/Bias Related Crime Statistics as Per the UCR Hate Crime Reporting Guidelines

A hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bristol Community College is required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

Larceny Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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

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

Note: If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim (which is a crime)...If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate/bias crime.

Geography definitions are taken directly from the Clery Act

- **On-Campus** - Defined as: 1. 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), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).
- **Branch Campus:** A branch campus is always a separate campus. It is a specific educational designation. It is defined as a location of an institution that is geographically apart and independent of the main campus of the institution. A location of an institution is considered independent of the main campus if the location is permanent in nature, offers courses in educational programs leading to a degree or other recognized educational credential, has its own faculty and administrative or supervisory organization, and has its own budgetary and hiring authority.

- **Public Property** - Defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.
- **Non-Campus Building Or Property** - Defined as: 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.

For a list of all buildings and properties owned or controlled by Bristol Community College and addresses for these buildings/properties select the "Locations" tab at: <http://bristolcc.edu/locations/>.

CRIME REPORT: MAIN CAMPUS

BRISTOL COMMUNITY COLLEGE | 777 Elsbree Street, Fall River

CRIME STATISTICS: CLERY DATA - The following pages report crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). **Bristol Community College is a non-residential institution.**

OFFENSES	2022			2021			2020		
	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property
	0	0	0	0	0	0	0	0	0
TOTAL CRIMES REPORTED	0	0	0	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0	0	0	0
Murder/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	0	0	0	0	0	0	0	0
Fondling	0	0	0	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	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
	*VAWA OFFENSES 2022			*VAWA OFFENSES 2021			*VAWA OFFENSES 2020		
	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
	ARRESTS 2022			ARRESTS 2021			ARRESTS 2020		
	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property
Weapon Law Violation	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0
	DISCIPLINARY REFERALLS 2022			DISCIPLINARY REFERALLS 2021			DISCIPLINARY REFERALLS 2020		
	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property
Weapon Law Violation	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0	0	0	0

HATE CRIMES

BRISTOL COMMUNITY COLLEGE | 777 Elsbree Street, Fall River

OFFENSES	2022			2021			2020		
	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property	On Campus	Non-Campus Property*	Public Property
TOTAL CRIMES REPORTED	0	0	0	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	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	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0	0	0	0

Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity

***Non-Campus Properties**

Britland Park: Located at **73 Wordell Street, Fall River, MA**. The soccer field at this location is used by the Bristol Community College Men's and Women's soccer teams for "Home" games.

Swansea Country Club: Located at **299 Market Street, Swansea, MA**. The golf course is used by the Bristol Community College Men's and Women's golf teams for "Home" games.

CRIME REPORT: ATTLEBORO CAMPUS

BRISTOL COMMUNITY COLLEGE | 11 Field Road, Attleboro

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). **Bristol Community College is a non-residential institution. The Attleboro campus does not have "non-campus" properties.**

OFFENSES	2022		2021		2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Manslaughter By Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
	*VAWA OFFENSES 2022		*VAWA OFFENSES 2021		*VAWA OFFENSES 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
	ARRESTS 2022		ARRESTS 2021		ARRESTS 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0
	DISCIPLINARY REFERALLS 2022		DISCIPLINARY REFERALLS 2021		DISCIPLINARY REFERALLS 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0

HATE CRIMES
BRISTOL COMMUNITY COLLEGE | 11 Field Road, Attleboro

OFFENSES	2022		2021		2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0

Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity

CRIME REPORT: NEW BEDFORD CAMPUS

BRISTOL COMMUNITY COLLEGE | 800 Purchase Street, New Bedford

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). **Bristol Community College is a non-residential institution. The New Bedford campus does not have "non-campus" properties.**

OFFENSES	2022		2021		2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Manslaughter By Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
	*VAWA OFFENSES 2022		*VAWA OFFENSES 2021		*VAWA OFFENSES 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
	ARRESTS 2022		ARRESTS 2021		ARRESTS 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0
	DISCIPLINARY REFERALLS 2022		DISCIPLINARY REFERALLS 2021		DISCIPLINARY REFERALLS 2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0
Alcohol Law Violation	0	0	0	0	0	0

HATE CRIMES

BRISTOL COMMUNITY COLLEGE | 800 Purchase Street, New Bedford

OFFENSES	2022		2021		2020	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0	0	0

Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity

CRIME REPORT: TAUNTON CAMPUS

BRISTOL COMMUNITY COLLEGE | 2 Hamilton Street, Taunton (Opened September 2021)

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). **Bristol Community College is a non-residential institution. The Taunton campus does not have "non-campus" properties.**

OFFENSES	2022		2021	
	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0
# of UNFOUNDED REPORTS	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0
Manslaughter By Negligence	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
	*VAWA OFFENSES 2022		*VAWA OFFENSES 2021	
	On Campus	Public Property	On Campus	Public Property
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0
	ARRESTS 2022		ARRESTS 2021	
	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0
Drug Law Violation	0	0	0	0
Alcohol Law Violation	0	0	0	0
	DISCIPLINARY REFERALLS 2022		DISCIPLINARY REFERALLS 2021	
	On Campus	Public Property	On Campus	Public Property
Weapon Law Violation	0	0	0	0
Drug Law Violation	0	0	0	0
Alcohol Law Violation	0	0	0	0

HATE CRIMES

BRISTOL COMMUNITY COLLEGE | 2 Hamilton Street, Taunton (*Opened September 2021*)

OFFENSES	2022		2021	
	On Campus	Public Property	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0	0	0
# OF UNFOUNDED REPORTS	0	0	0	0
Murder/Non-negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Larceny Theft	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Destruction, Damage or Vandalism of Property	0	0	0	0

Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity

CRIME REPORT: **CLOSED** TAUNTON CAMPUS

BRISTOL COMMUNITY COLLEGE | 2 Galleria Mall Drive, Taunton (CLOSED OCTOBER 2020)

CRIME STATISTICS: CLERY DATA - The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f). **Bristol Community College is a non-residential institution. The Taunton campus did not have "non-campus" properties.**

OFFENSES	2020	
	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0
# of UNFOUNDED REPORTS	0	0
Murder/Non-negligent Manslaughter	0	0
Manslaughter By Negligence	0	0
Rape	0	0
Fondling	0	0
Incest	0	0
Statutory Rape	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
	*VAWA OFFENSES 2020	
	On Campus	Public Property
Domestic Violence	0	0
Dating Violence	0	0
Stalking	0	0
	ARRESTS 2020	
	On Campus	Public Property
Weapon Law Violation	0	0
Drug Law Violation	0	0
Alcohol Law Violation	0	0
	DISCIPLINARY REFERALLS 2020	
	On Campus	Public Property
Weapon Law Violation	0	0
Drug Law Violation	0	0
Alcohol Law Violation	0	0

HATE CRIMES

BRISTOL COMMUNITY COLLEGE | 2 Galleria Mall Drive, Taunton **(CLOSED OCTOBER 2020)**

OFFENSES	2020	
	On Campus	Public Property
TOTAL CRIMES REPORTED	0	0
# OF UNFOUNDED REPORTS	0	0
Murder/Non-negligent Manslaughter	0	0
Rape	0	0
Fondling	0	0
Incest	0	0
Statutory Rape	0	0
Robbery	0	0
Aggravated Assault	0	0
Burglary	0	0
Motor Vehicle Theft	0	0
Arson	0	0
Larceny Theft	0	0
Simple Assault	0	0
Intimidation	0	0
Destruction, Damage or Vandalism of Property	0	0

Hate Crime Key: (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (Gi) Gender Identity