ARIZONA COLLEGE of Nursing®

ARIZONA COLLEGE®

Annual Security Report 2026

Campus Locations

ARIZONA

Glendale Campus
4425 West Olive Avenue, Suite 300
Glendale, AZ 85302
(855) 706-8382

Mesa Campus
163 North Dobson Road
Mesa, AZ 85201
(855) 706-8382

Phoenix Campus
16404 North Black Canyon Highway, Suite 200
Phoenix, AZ 85053
(855) 706-8382

Tempe Campus
1620 West Fountainhead Parkway, Suite 110
Tempe, AZ 85282
(855) 706-8382

Tucson Campus
5285 East Williams Circle, Suite 1000
Tucson, AZ 85711
(855) 706-8382

CALIFORNIA

Ontario Campus
3401 North Centre Lake Drive, Suite 430
Ontario, CA 91761
(855) 706-8382

COLORADO

Aurora Campus
3131 South Vaughn Way, Suite 525
Aurora, CO 80014
(855) 706-8382

CONNECTICUT

Hartford Campus
99 East River Drive, Suite 901
East Hartford, CT 06108
(855) 706-8382

FLORIDA

Fort Lauderdale Campus
600 Corporate Drive, Suite 200
Fort Lauderdale, FL 33334
(855) 706-8382

Melbourne Campus
100 Rialto Pl, Suite 100
Melbourne, FL 32901
(855) 706-8382

Sarasota Campus
8043 Cooper Creek Boulevard, Suite 107
University Park, FL 34201
(855) 706-8382

Tampa Campus
1411 North Westshore Boulevard, Suite 200
Tampa, FL 33607
(855) 706-8382

GEORGIA

Atlanta Campus
8200 Roberts Dr, Suite 300
Atlanta, Georgia 30350
(855) 706-8382

MICHIGAN

Southfield Campus
26400 Lahser Road, Suite 400
Southfield, MI 48033
(855) 706-8382

MISSOURI

St. Louis Campus
1807 Park 270 Drive, Suite 500
Maryland Heights, MO 63146
(855) 706-8382

NEVADA

Las Vegas Campus
8363 West Sunset Road, Suite 200
Las Vegas, NV 89113
(855) 706-8382

UTAH

Salt Lake City Campus
434 West Ascension Way, Suite 500
Murray, UT 84123
(855) 706-8382

OHIO

Cincinnati Campus
11500 Northlake Drive, Suite 105
Cincinnati, OH 45249
(855) 706-8382

Cleveland Campus
3401 Enterprise Parkway, Suite 100
Beachwood, OH 44122
(855) 706-8382

Columbus Campus
445 Hutchinson Ave, Suite 400
Columbus, OH 43235
(855) 706-8382

VIRGINIA

Arlington Campus
2800 Crystal Drive, Suite 600
Arlington, VA 22202
(855) 706-8382

Chesapeake Campus
545 Belaire Avenue
Chesapeake, VA 23320
(855) 706-8382

Falls Church Campus
3130 Fairview Park Drive, Suite 800
Falls Church, VA 22042
(855) 706-8382

SOUTH CAROLINA

Greenville Campus
150 Executive Center Drive, Suite 200
Greenville, SC 29615
(855) 706-8382

WISCONSIN

Milwaukee Campus
9000 West Chester Street, Suite 300
Milwaukee, WI 53214
(855) 706-8382

TEXAS

Dallas Campus
8330 Lyndon B Johnson Freeway, Suite B100
Dallas, TX 75243
(855) 706-8382

Fort Worth Campus
6000 Western Pl, Suite 118
Fort Worth, TX 76107
(855) 706-8382

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Purpose

Institutions of higher education, which receive federal financial assistance, are required to provide current and prospective students and employees with an annual report that identifies policies and procedures related to campus security. This document is prepared to increase awareness of current policies, procedures, and practices related to campus security. Campus crime, arrest, and referral statistics include those that were reported to local law enforcement and campus faculty and staff. An annual copy of the report is posted on the Arizona College website at https://www.arizonacollege.edu/consumer-information/.

Reporting Crimes and Emergencies

Arizona College students, employees and others are encouraged to report all criminal activity and emergencies to the college. In emergency situations, 911 should be called first, followed by an immediate notification to the Campus. Every Arizona College student has the option to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying these authorities, if the student chooses to do so. The school does not currently have procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. Arizona College does not have campus police or counselors.

If an employee or student observes any crime or if any person reveals to an employee or student that he/she learned of, or were the victim of, perpetrator of, or witness to any crime they are to immediately inform the campus Incident Commander. This applies to crimes on campus, and locations at which other official college activities are taking place. Please do not investigate the crime or attempt to determine whether a crime, in fact, took place.

Crimes may be reported to the following designated Incident Commanders on each campus

Arlington Robert DeFinis rdefinis@arizonacollege.edu	**Atlanta** Kwanza Thomas kwanza.thomas@arizonacollege.edu
Aurora Kim Jensen kjensen@arizonacollege.edu	**Chesapeake** Jeremiah Scarbrough jeremiah.scarbrough@arizonacollege.edu
Cincinnati Beth Hager beth.hager@arizonacollege.edu	**Cleveland** Warren Glen warren.glen@arizonacollege.edu
Columbus Wanda Chukwu wanda.chukwu@arizonacollege.edu	**Dallas** Mike Billar mike.billar@arizonacollege.edu

Falls Church Robert DeFinis rdefinis@arizonacollege.edu	**Fort Lauderdale** Dwight Young-Sang dwight.youngsang@arizonacollege.edu
Fort Worth Stephen Lewis Stephen.lewis@arizonacollege.edu	**Glendale** Lisa Beaman lbeaman@arizonacollege.edu
Greenville Jeremiah Scarbrough jeremiah.scarbrough@arizonacollege.edu	**Hartford** Tamara Mitchell-Davis tamara.mitchelldavis@arizonacollege.edu
Las Vegas Catherine Chege cchege@arizonacollege.edu	**Melbourne** Leanne Dragone leanne.dragone@arizonacollege.edu
Mesa Germaine Hendon ghendon@arizonacollege.edu	**Milwaukee** Tracey Murray tracey.murray@arizonacollege.edu
Ontario Elden Monday elden.monday@arizonacollege.edu	**Phoenix** Shannon Olson solson@arizonacollege.edu
Salt Lake City Teri Clawson teclawson@arizonacollege.edu	**Sarasota** Denise Rolle denise.rolle@arizonacollege.edu
Southfield Jared Deane Jared.deane@arizonacollege.edu	**St. Louis** Lanette Stuckey lstuckey@arizonacollege.edu
Tampa Lisa Cantlebary lcantlebary@arizonacollege.edu	**Tempe** Maria Dezenberg mdezenberg@arizonacollege.edu
Tucson Sharen Lacayo slacayo@arizonacollege.edu	**Corporate** Wendy Soliz wsoliz@arizonacollege.edu

Arizona College's designated Incident Commanders are responsible for maintaining reports of all crimes. Once a crime is reported, the Incident Commander will offer to contact local authorities. In addition, they will evaluate the crime and determine if it constitutes an ongoing security risk to students and employees on campus. If so, the Incident Commander will be notified, and a timely warning or emergency may be issued. Arizona College encourages accurate and prompt reporting

of all crimes to the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

Please see the relevant section related to the issuing of emergency notification and timely warning listed in the Annual Security Report.

To provide for the safety and security of students and employees, Arizona College maintains a cooperative relationship with all local public safety agencies including the Local Police and Fire Departments. Periodically, the local Police Department provides Arizona College with reports detailing police activity by category for on-campus locations, non-campus locations, and adjacent public property. The annual disclosure of crime statistics is prepared by Arizona College Office of Regulatory Affairs based on information gathered from designated Incident Commanders, Building Security (if relevant), Student Affairs, and Police Department reports of police actions. Arizona College does not maintain an MOU with local authorities.

Emergency Notification & Timely Warning

Timely Warning Policy & Procedures

Arizona College will issue a timely warning regarding Clery crimes that represent a serious or continuing threat to its students and employees as soon as pertinent information is available. The warning will contain information about the type of criminal incident that has occurred.

Crimes Subject to a Timely Warning

The College will issue a timely warning for all Clery Act crimes that occur on its Clery Act geography that are reported to campus security authorities or local police agencies and considered by the institution to represent a serious or continuing threat to its students and employees.

Making the Decision to Issue a Timely Warning

The Incident Commander will decide whether and how to warn on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime and whether there is continuing danger to the campus community. This means that after a Clery Act crime is reported, the Incident Commander considers whether students and employees are at risk of becoming victims of a similar crime. The Incident Commander evaluates other factors such as whether the apprehended perpetrator had accomplices or had already set other attacks in motion, and whether a criminal incident appears to be a one-time occurrence or falls into a pattern of reported crimes. The Incident Commander should consider the potential impact on various law enforcement operations as he/she issues these warnings.

The College will consult with local and state law enforcement authorities to discuss the timely warning requirement and request that local law enforcement keep the College informed on an immediate basis of crimes that may require timely warnings. This request will be made as part of its annual letter to law enforcement requesting crime statistics.

Determining the Content of a Timely Warning

The timely warning will include all information that promotes safety and aids in the prevention of similar crimes, especially pertinent information about the crime that triggered the warning. In addition, timely warnings will include information about what action is being taken by campus or local police authorities. It will also direct students and staff as to what action they need to take. Such reports shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

Issuing a Timely Warning

Timely warnings must be issued in a manner that gets the word out quickly and effectively communitywide. The Incident commander will notify the Regroup Alert administrator of the necessary message to campus constituents. The Incident Commander will also make a determination on the delivery method (text, and/or email) for the timely warning. The Regroup Alert administrator will then issue the message through the Regroup Alert system. Crimes exclusively reported to a pastoral or professional counselor are exempt from timely warnings.

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

The College may, in appropriate circumstances, include personally identifiable information in a timely warning due to health or safety emergencies.

Emergency Response & Evacuation

Emergency Response policy and procedures address non-timely warning incidents (noted above). However, the evacuation procedures described here may apply to either timely warning or emergency response situations.

The Emergency Preparedness Plan is located on the college's website. The plan is available for viewing emergency guidelines and evacuation procedures. If there is an emergency in the building, contact administration or an instructor immediately. In the event of an evacuation, all students should evacuate the building through the closest fire exit and report to their instructor for roll call.

Arizona College will immediately create and issue an Emergency Notification to the Arizona College community upon the confirmation of any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless initiating a notification could, in the professional judgment of responsible authorities compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The method of notification may be made via various methods to be determined at the time of the emergency. The methods of communication that may be used are:

1. Regroup Alert System
2. Email
3. SMS
4. Runners
5. Signs
6. The Web
7. Media

Incident Commanders

Are responsible for carrying out the following procedures.

Process to confirm a significant emergency or dangerous situation

Arizona College Incident Commanders may become aware of a critical incident or another emergency that potentially affects the health and/or safety of the campus community. Generally, Incident Commanders become aware of these situations when they are reported directly to a College employee and the employee informs the Commander.

Once first responders or other circumstances confirm there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, Incident Commanders will issue an emergency notification.

The Incident Commander will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of the Incident Commander, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Incident Commanders may also determine if a message should be sent to benefit the health, safety, and well-being of the campus community for situations that do not pose a significant emergency or dangerous situation.

Process to determine the appropriate segment or segments of the campus community to receive a notification

The Incident Commander has the flexibility to alert only the segment of the population it determines to be at risk. For example, in the case of a gas leak, it may choose to notify only individuals in the building that has the leak, whereas, for a meningitis outbreak, the Incident Commander may choose to notify the entire campus community.

The Incident Commander will make the decision to notify or not notify specific segments of the campus community. For example, the Incident Commander may determine 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. Incident Commanders will provide a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

Determining the contents of the emergency notification

Arizona College Incident Commanders will determine how much information is appropriate to disseminate at different points in time. Depending on what segments of the community the College's notification targets, the content will differ. In the case of an approaching tornado, you may want to tell students in daytime classes to take shelter in the basement, but you may want to tell evening students not yet on campus to stay away from the campus.

Arizona College has developed templates for the most common incidents that allows for the input of details. In the event no template is created, Incident Commanders will write a custom notification.

Procedures for initiating the emergency notification system

Once the Incident Commanders have made the determination an emergency exists, local authorities are notified. After local authorities have been notified, the Incident Commander will take the necessary steps to notify the appropriate campus segments.

The institution's procedures for disseminating emergency information to the larger community

Arizona College may disseminate emergency information to individuals and/or organizations outside of the campus community. The College may use different methods to target different segments of the community. For example, it may send cell phone alerts to students and use radio and/or TV alerts for the neighboring community. Incident Commanders are responsible for developing the information to be disclosed and are responsible for disseminating the information to the larger community.

The institution's procedures to test, evaluate, and publicize the emergency response and evacuation procedures

Arizona College will test emergency response and evacuation procedures, document each test, including the date, time, and whether it was announced or unannounced and publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year. The Campus Security & Safety committee will review the outcomes of each test and if necessary, make recommendations to improve the process. The Emergency Response and Evacuation procedures are included in the Emergency Preparedness Plan located on the College's website.

Security and Access to Campus Facilities

On-campus facilities are secured and require a key or key card for entrance outside of business hours. Access to the Campus is limited to regular business hours.

All students are required to display their Student ID while on campus, and guests of the college must register at the front desk and display a guest badge while on campus. Individuals who are not students or registered guests are not allowed on campus.

Facilities are maintained to ensure safety and security. Students and employees are encouraged to report any security or maintenance needs to a campus authority, who will ensure that all security requests are resolved. Incident Commanders are responsible for regularly reviewing the security and maintenance facilities on each campus.

Arizona College does not maintain residence buildings and does not have security personnel with law enforcement authority on Campus, written memoranda of understanding with law enforcement agencies, or student organizations with off-campus housing facilities.

Reducing Security Risks

Arizona College offers regular training to students/staff regarding Sexual Misconduct, Campus Security Procedures, and Practice. Staff training is also provided specifically to incident commanders and Title IX Investigators. Student training is offered specifically for sexual misconduct and Campus Security.

Arizona College students and staff are encouraged to be responsible for their own security. The following tips may help you protect yourself from security risks. This information was obtained from and additional safety information may be located at rainn.org.

"The following tips may reduce your risk for many different types of crimes, including sexual violence.

- Know your resources. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- Stay alert. When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- Be careful about posting your location. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.
- Make others earn your trust. A college environment can foster a false sense of security. They may feel like fast friends but give people time to earn your trust before relying on them.
- Think about Plan B. Spend some time thinking about backup plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- Be secure. Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure."

In keeping with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the College makes available to all current students and employees

the campus security report in its entirety. The most recently reported Crime Statistics for Campuses to follow.

Anti-Hazing Policy

Policy Statement
In accordance with the federal Stop Campus Hazing Act (SCHA) (Pub. L. 118-173), an amendment, enacted in 2024, to the Higher Education Act of 1965 (Pub. L. 89-329), hazing is strictly prohibited at Arizona College of Nursing and Arizona College (collectively "Arizona College").

Definitions

"Hazing." Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons)

- against another person or persons, regardless of the willingness of such other person or persons to participate,
- that is:
    - committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
    - causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization, of physical or psychological injury

"Student Organization." An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution."

Scope
This policy applies to all community members, including students, student organizations (whether or not recognized as a student organization by Arizona College), faculty, staff, volunteers, and alumni with regard to incidents meeting the definition of hazing within this Policy.

1. Reporting Hazing

- Hazing incidents should be reported promptly to the designated Incident Commanders for the relevant campus.
- Reports can be made verbally or in writing
- If someone believes a person is in immediate danger, they should call emergency services first.
- The report may be made anonymously, though anonymity may limit the ability to investigate.

2. Investigation Process
All reports of hazing will be investigated promptly, fairly, and thoroughly in accordance with applicable College procedures and disciplinary processes.

Investigations will be conducted by impartial and trained personnel from the Student Affairs department.

Investigations will include:

- A review of available evidence and witness statements;
- An opportunity for both the reporting party and responding party to provide information;
- Consideration of whether interim measures (such as no-contact directives or suspension of organizational activities) are necessary to protect health and safety;
- Consideration of any external law enforcement action related to the alleged activities or incidents

A written determination of findings and any sanctions or corrective actions imposed. The College will notify involved parties of the outcome and appeal rights, consistent with institutional policy.

3. Sanctions

Individuals and organizations found responsible for hazing violations may face sanctions ranging from warnings to temporary or permanent revocation of student organization status, as well as disciplinary action up to suspension or expulsion for students, or termination for staff and faculty.

4. Prevention & Awareness

Arizona College will implement research-informed, campus-wide hazing prevention and awareness programs that educate the community on:

- Policies relating to hazing
- How to report hazing
- The institution's investigation process
- Applicable local, state, and tribal laws regarding hazing

In addition, the College will prioritize primary prevention strategies to stop hazing before it occurs. These may include, as applicable:

- Providing information about ethical leadership and responsible decision-making for student leaders and organizations;
- Skill-building opportunities for bystander intervention to empower students and staff to safely disrupt hazing behavior;
- Promoting strategies for building group cohesion, trust, and identity without hazing practices.

Visit Resources | StopHazing | Hazing Prevention Resource to learn more about the issue of hazing and how to work to prevent it.

State	State Laws
Arizona	Arizona Anti-Hazing Law | StopHazing | Hazing Prevention Resource
California	California Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Colorado	Colorado Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Connecticut	Connecticut Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Florida	Florida Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Georgia	Georgia Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Michigan	Michigan Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Missouri	Missouri Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Nevada	Nevada Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Ohio	Ohio Anti-Hazing Law | StopHazing | Hazing Prevention Resource
South Carolina	South Carolina Anti-Hazing Law | StopHazing | Hazing Prevention Resource

Texas	Texas Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Utah	Utah Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Virginia	Virginia Anti-Hazing Law | StopHazing | Hazing Prevention Resource
Wisconsin	Wisconsin Anti-Hazing Law | StopHazing | Hazing Prevention Resource

(Note: None of the Arizona College campuses are located on or near federally recognized tribal land.)

5. Transparency Reporting
Arizona College will maintain a Campus Hazing Transparency Report, published prominently on the external-facing College website, which will summarize findings concerning any established or recognized student organizations found to be in violation of Arizona College's standards of conduct relating to hazing as defined in this policy. This report will be updated at least two (2) times each year. Report data must be kept up to date on the College's website for five (5) years. This report can be accessed at Consumer Information | Arizona College of Nursing.

Each entry will include:

- The organization's name
- A description of the violation (without personally identifiable information)
- Whether the violation involved abuse or illegal use of alcohol or drugs
- Date the incident was alleged to have occurred
- Dates investigation was initiated and concluded
- Any sanctions imposed
- Date the organization was given notice of the findings.

6. Annual Security Report (ASR)
Beginning with the 2026 Annual Security Report (covering 2025 data), Arizona College will include hazing statistics related to incidents reported to Arizona College or local law enforcement as required by the SCHA.

7. Records Retention
The College will retain all documents related to hazing reports, investigations, determinations, sanctions, and appeals for a minimum of seven (7) years. Data compiled for the Annual Security Report and the Campus Hazing Transparency Report will also be maintained for seven years to ensure compliance with federal requirements and to support institutional accountability.

The Student Affairs Department will be responsible for maintenance and retention of relevant documents under this Policy.

Nondiscrimination Notice

Arizona College does not discriminate on the basis of race, color, creed, national or ethnic origin, religion, sex, pregnancy, childbirth and related medical conditions, marital status, medical condition, service in the uniformed services, age, disability, sexual orientation, gender identity, veteran status, or any other consideration made unlawful by federal, state, or local laws. If there are any questions or concerns, please contact Maddie Caballo, Senior Vice President of Student Affairs, at 2510 W. Dunlap Ave., Suite 300 Phoenix, AZ 85021 602.759.2230 | mcaballo@arizonacollege.edu or the Office of Civil Rights (OCR), United States Department of Education, Washington DC 20201, and/or file a criminal complaint with local law enforcement.

Reporting/Filing a Complaint about Discrimination Other Than Sex Based

To report discrimination, misconduct, harassment, violence or retaliation based on race, color, creed, national or ethnic origin, religion, pregnancy, childbirth and related medical conditions, marital status, gender identity, medical condition, service in the uniformed services, political activities and affiliations, age, disability, veteran status, or any other consideration made unlawful by federal, state, or local laws, follow the relevant procedure outlined in the Dispute Resolution Procedure for Student Complaints.

Title IX

ARIZONA COLLEGE OF NURSING AND ARIZONA COLLEGE
TITLE IX NON-DISCRIMINATION & ANTI-HARASSMENT POLICY

I. Policy Statement

Arizona College and Arizona College of Nursing (collectively "Arizona College" or "the College") is committed to providing a supportive learning and working environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex. Consistent with Title IX and other applicable laws, prohibited sex discrimination includes discrimination based on sex stereotypes, pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, and sex-based distinctions related to parental, family, or marital status. Arizona College considers sex discrimination in all its forms to be a serious offense.

Sex-based harassment, whether verbal, physical, or visual, which is based on sex is a form of prohibited sex discrimination. Sex-based harassment means harassment and other harassment on the basis of sex, and includes sexual assault, dating violence, domestic violence, and stalking. The specific definition of sex-based harassment, including examples of such conduct, are set forth below.

II. Title IX Statement

Title IX provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Further information about Title IX can be found at https://www.justice.gov/crt/title-ix-education.

III. Scope and Application[1]

This policy is implemented to ensure compliance with local, state, and federal laws in alignment with existing Arizona College student and employee policies. The scope of this policy extends to all prohibited behaviors conducted by students, volunteers, external community members, employees, third-party contractors, guests, or any other third parties occurring under or in connection with Arizona College's education program or activity in the United States, whether on or

[1] *See Definitions section for a list of relevant definitions that apply to this policy.*

off campus, including but not limited to campus events, travel associated with an education program or activity, or any other Arizona College-sponsored education program or activity.

IV. Notice of Non-Discrimination

Arizona College does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please report to Arizona College's Title IX Coordinator and follow the procedures outlined in the Grievance Policy.

Inquiries about Title IX may be referred to Arizona College's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

It is the policy of Arizona College that instances of alleged sex discrimination will be addressed in accordance with Title IX of the Education Amendments of 1972 and its implementing regulations as in effect at the time of the alleged conduct. As of the date of this policy's last update, Arizona College applies the Title IX regulations in effect on August 14, 2020 (the "2020 Title IX Regulations"), as modified by applicable federal court orders. Arizona College continuously monitors federal regulatory and judicial developments to ensure policy compliance and will update this policy as necessary to reflect changes in controlling law.

V. Roles and Responsibilities of the Title IX Coordinator

Arizona College has designated the following Title IX Coordinator to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sex discrimination:

Maddie Caballo
Senior Vice President of Student Affairs
mcaballo@arizonacollege.edu
602-759-2230

Anyone wishing to make a report relating to sex discrimination or sex-based harassment may do so by reporting the concern to the school's Title IX Coordinator.

Individuals experiencing harassment or discrimination also have the right to file a formal grievance with the United States Department of Education:

U.S. Department of Education
Office for Civil Rights ("OCR")
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone – 800-421-3481
Fax – 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov
Web: https://ocrcas.ed.gov/contact-ocr

VI. Title IX Coordinator

The Title IX Coordinator oversees compliance with all aspects of this policy. Specifically, the Title IX Coordinator is responsible for coordinating the dissemination of information and education and training programs to: (1) assist members of the Arizona College community in understanding that sex discrimination is prohibited by this policy; (2) ensure that investigators are trained to respond to and investigate complaints of sex discrimination; (3) ensure that faculty, staff, and students are aware of the procedures for reporting and addressing complaints of sex discrimination; and (4) coordinating responses to all complaints involving sex discrimination.

The Title IX Coordinator oversees implementation and enforcement of the Grievance Policy, which includes primary responsibility for coordinating Arizona College's efforts related to the intake, investigation, resolution, and implementation of complaints and the provision of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy. When notified of conduct that reasonably may constitute sex discrimination, which includes conduct meeting the definition of sex-based harassment within this document, under the Grievance Policy, the Title IX Coordinator must take the following actions:

1. Treat the complainant and respondent equitably;
2. Offer and coordinate supportive measures;
3. Offer an informal resolution process if available and appropriate;
4. Initiate the Formal Grievance Process in response to a complaint;
5. Make a fact-based determination on whether to initiate a complaint of sex discrimination in situations where no complaint is filed or the complaint is withdrawn when there may be a risk of ongoing safety concerns if not addressed by Arizona College; and,
6. Regardless of whether a complaint is initiated, Arizona College will take reasonable and appropriate steps, as warranted by the information available and the circumstances presented, to address potential Sex Discrimination within its education program or activity and to help prevent its recurrence

VII. Deputy Title IX Coordinator

The Deputy Title IX Coordinator(s) are responsible for managing the day-to-day tasks associated with the operations of this policy at their respective locations. The Deputy Title IX Coordinators participate in collaborative and coordinated efforts with the Title IX Coordinator in monitoring, grievance processes, training, outreach, and information reporting. Deputy Title IX Coordinators may also serve as investigators and/or facilitators, as described elsewhere in this policy, and will fulfill those duties at the direction and under the guidance of the College-wide designated Title IX Coordinator. The Title IX Coordinator has designated the Deputy Title IX Coordinators listed in Appendix A to receive inquiries regarding Title IX, including reports or complaints of alleged sex discrimination.

VIII. Others' Responsibilities Under This Policy

If an employee of Arizona College receives an oral or written report, witnesses, or otherwise learns of conduct that reasonably may constitute Sex Discrimination, the employee should ensure that the individual is aware of the Title IX Coordinator's contact information and available reporting options.

In addition, employees designated by Arizona College as mandatory reporters must promptly notify the Title IX Coordinator of information regarding conduct that reasonably may constitute Sex Discrimination. Mandatory reporters include employees in Arizona College or campus leadership positions, faculty members, staff who serve as student advisors, and any other employee designated by Arizona College to report such information.

Providing the Title IX Coordinator's contact information does not satisfy a mandatory reporter's obligation to report information to the Title IX Coordinator.

It is the responsibility of those employees who formally supervise faculty, staff or employees to:

1. Inform employees under their direction or supervision of this policy;
2. Implement any corrective actions that are imposed as a result of findings of a violation of this policy.

It is the responsibility of all employees to review this policy and comply with it.

It is the responsibility of all students to review this policy and comply with it.

When Arizona College becomes aware of information indicating that a member of the Arizona College community may have been subjected to or affected by conduct that reasonably may constitute Sex Discrimination, Arizona College will promptly assess the information and determine the appropriate response under this Policy. Depending on the circumstances, Arizona College may provide Supportive Measures, conduct further review, initiate the applicable grievance process, or take other reasonable and appropriate action designed to address potential Sex Discrimination, restore or preserve equal access to Arizona College's education program or activity, and prevent the recurrence of conduct prohibited by this Policy.

IX. Record Keeping

Arizona College shall create, and maintain for seven (7) years, records of any actions (including any supportive measures) taken in response to a report or complaint of sex discrimination. Arizona College records shall include:

- For each report the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, records documenting the actions the Arizona College took to meet its obligations under Title IX and this policy;
- For each complaint of sex discrimination, records including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any supportive measures provided to the complainant;
- Any appeal and the result therefrom;
- Any informal resolution; and
- All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. These materials are available on the College’s public website.
- For each response required under Arizona College’s specific grievance procedures for allegations of sexual harassment, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

X. Training

Arizona College will ensure that relevant personnel receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX and this policy. Arizona College may make such training available to other employees. Title IX Coordinator (and any deputy or designee), as well as other employees and/or individuals who also serve as investigators, decisionmakers, and have direct responsibility for implementing the Arizona College Grievance Policy or who can modify or terminate supportive measures, must receive training:

- On the definition of sex discrimination and sexual harassment (as outlined within this policy) within the scope of Arizona College's education program or activity;
- How to conduct an investigation;
- Arizona College's grievance process, including hearings, appeals, and informal resolution processes, as applicable,
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- On any technology to be used at a live hearing;
- On issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
- On issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Training materials may be found on Arizona College's public website.

XI. Anti-Retaliation Policy

Arizona College prohibits retaliation, including peer retaliation, in its education program or activity. Retaliation under this policy includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or its applicable regulations, or because the individual made a report or complaint, testified, assisted, or participated in or refused to participate in any manner in an investigation, proceeding, or hearing afforded by any process outlined in this policy. Any retaliation complaints should be reported to the Title IX Coordinator or the Campus Deputy Title IX Coordinator.

Examples of retaliation may include:

1. Threats of reprisals;
2. Actions/behavior directed at the person outside of the norm occurring after a report is filed;
3. Changes in job duties, job location, or work schedules;
4. Unreasonable changes in academic expectations;
5. Withholding scholarships, salary, or other sources of income;
6. Altering grades or scoring rubrics after a report is filed;
7. Denial of a tool or training that will assist in the ability to perform a job or achieve academic success;
8. Unwarranted verbal or written reprimands.

Exercising rights protected under the First Amendment does not constitute retaliation. Likewise, taking disciplinary action against an individual for making a materially false statement in bad faith during an investigation does not constitute retaliation. However, on its own, a determination that sex discrimination did not occur is insufficient to conclude that any party made a materially false statement in bad faith. Concerns about retaliation should be addressed by contacting the Title IX Coordinator.

XII. Emergency Removal and Administrative Leave

Nothing in this policy and procedure precludes Arizona College from removing a respondent from the College's education program or activity on an emergency basis, once it undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and respondent is given notice and an opportunity to challenge the decision immediately following the removal. Also, nothing in this policy and procedure precludes Arizona College from placing a non-student employee respondent on administrative leave during the pendency of the grievance process.

XIII. Supportive Measures

Arizona College will offer and coordinate reasonable supportive measures as appropriate and without fee or charge for the complainant and/or respondent to restore or preserve that person's access to Arizona College's education program or activity, or to provide support during Arizona College's formal or informal resolution process to minimize disruption to that party's participation in an education program or activity. Supportive measures are available to a complainant regardless of whether they wish to pursue any formal or informal resolution process outlined in this policy. Supportive measures implemented by Arizona College will not impose an unreasonable burden on either party, and they will not be imposed for punitive or disciplinary reasons. Arizona College will engage in a fact-specific inquiry to determine whether supportive measures constitute an unreasonable burden on a party.

Arizona College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure, restore or preserve a party's access to the education program or activity, or an exception, described specifically within this policy or the relevant and applicable laws and regulations, applies. The Title IX Coordinator may consult with the Arizona College employee charged with ADA compliance responsibilities if complainant or respondent has a disability.

Supportive measures may include:

1. Counseling;
2. Reasonable academic accommodations (e.g., extending deadlines or other course-related adjustments);
3. Campus escort services;
4. Increased security and monitoring of certain areas of the campus;
5. Ordering the complainant and respondent to have no-contact directives and enforcing mutual restrictions on contact with each other and/or other third parties;
6. Leaves of absence;

7. Modifying class schedules, extracurricular activities, or working arrangements;
8. Providing training and education programs related to sex-based harassment.
9. Any other measure which can be tailored to the involved individuals to achieve the purposes and goals of this policy.

Arizona College may modify or terminate previously approved supportive measures based on the changed circumstances of the parties and/or the procedures invoked by this policy. Such modifications or terminations may be requested by the party they apply to or made at the recommendation of the Title IX Coordinator.

A complainant or respondent may appeal any decision to provide, deny, modify, or terminate supportive measures applicable to them within five (5) business days of the decision being made. Appeals must be submitted in writing to Arizona College's Title IX Coordinator and must include a statement as to why the implementation, denial, modification, or termination of the supportive measures fails to restore the requesting party's access to Arizona College's education program or activity. A complainant or respondent's appeal will be reviewed by a neutral employee of Arizona College designated by the Title IX Coordinator who has authority to modify or reverse decisions regarding supportive measures.

Arizona College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Arizona College to provide the supportive measures. Arizona College's Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

For each response required under Arizona College's specific grievance procedures for allegations of sex-based harassment, Arizona College must create and maintain for seven (7) years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sex-based harassment. In these instances, Arizona College must document the basis for its conclusion that its response was not deliberately indifferent, and it has taken measures designed to restore or preserve equal access to Arizona College's education program or activity. In the event that Arizona College decides not to provide a complainant with supporting measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

XIV. Confidentiality Under Title IX

Arizona College will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising under it.

XV. Confidentiality Under Clery

(Applies to allegations of sexual assault, dating violence, domestic violence and stalking, and is relevant to this policy to the extent there is a Clery crime that comes under the scope of Title IX.)

The College will protect a Clery crime victim's confidentiality, even if the victim does not specifically request confidentiality, where possible and in the following ways:

The victim's personally identifying information will not be included in any publicly available record, including Clery Act reporting and disclosures such as the annual security report. Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

In some cases, the College may need to disclose some information about a victim to a third party to provide necessary accommodations or protective/supportive measures. The College will inform victims before sharing personally identifying information that the institution believes is necessary to provide an accommodation or protective/supportive measure and will tell the victim what information will be shared, with whom it will be shared and why. The College's Title IX Coordinator will determine what information about a victim should be disclosed, to whom this information will be disclosed, and will use only official College systems to transmit the information necessary to provide the accommodation or protective/supportive measure.

XVI. Definitions

"Complainant" means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part;
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part and who was participating or attempting to participate in the Arizona College's education program or activity at the time of the alleged sex discrimination; or
3. An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances over which Arizona College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

"Party" means a complainant or respondent.

"Peer retaliation" means retaliation by a student against another student.

"Pregnancy or related conditions" means:

1. Pregnancy, childbirth, termination of pregnancy, or lactation;

2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

“Respondent” means a person who is alleged to have violated this policy.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by Arizona College, a student, or an employee or other person authorized by Arizona College to provide aid, benefit, or service under Arizona College’s programs or activities, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

“Sex Discrimination**”** includes, but is not limited to:

1. Discrimination based on:
    a. Pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, or other related conditions
    b. Sex stereotypes; or
    c. Sex in connection with parental, family, or marital status

“Sexual harassment” (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

“Student” means a person who has gained admission to Arizona College and is aligned with the definition under FERPA (20 U.S.C. § 1232g).

“Student with a disability” means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. 705(9)(B), (20)(B).

“Supportive measures” means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party’s access to Arizona College’s education program or activity, including measures that are designed to protect the safety of the parties or Arizona College’s educational environment; or
2. Provide support during Arizona College’s grievance procedures or during an informal resolution process.

ARIZONA COLLEGE OF NURSING AND ARIZONA COLLEGE
TITLE IX GRIEVANCE POLICY

I. Scope and Application

Arizona College is committed to providing a work environment, education programs, and activities free of unlawful harassment and discrimination, and will provide a prompt, fair, and impartial process to address complaints of alleged sex discrimination (which include complaints of alleged sexual or sex-based harassment).

Arizona College has implemented this policy to ensure compliance with applicable local, state, and federal non-discrimination laws in alignment with Arizona College's existing student and employee policies.

The scope of this policy extends to all prohibited behaviors conducted by students, volunteers, external community members, employees, third-party contractors, guests, or anyone doing business with Arizona College on or off campus, including but not limited to campus events, travel, or any other Arizona College-sponsored event, provided such conduct occurs in connection with Arizona College's education program or activity in the United States.

This Grievance Procedure governs complaints alleging Sex Discrimination other than Sex-Based Harassment. Allegations of Sex-Based Harassment shall be resolved under the Sex-Based Harassment Grievance Procedure. If Arizona College determines at any stage of the process that allegations are more appropriately addressed under a different grievance procedure established by this Policy, Arizona College may reassign the matter and will notify the parties accordingly.

Arizona College will respond promptly and effectively if it acquires knowledge – either through a report or complaint received – of conduct that reasonably may constitute sex discrimination in its education program or activity and shall not act in a way that is deliberately indifferent.

II. Definitions

"Sex Discrimination" includes, but is not limited to:

1. Discrimination based on:
    a. Pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, or other related conditions
    b. Sex stereotypes; or
    c. Sex in connection with parental, family, or marital status
2. Conduct that, on the basis of sex, excludes a person from participation in, denies a person the benefits of, treats a person differently, or otherwise adversely affects a person's access to, participation in, or benefits under any an education program or activity, and subjects them to more than de minimis harm.

    For the purposes of this policy, "Sex discrimination" includes "sexual harassment" and, except where specifically noted or called out as only applying to allegations of sexual harassment, usage of "sex discrimination," and provisions thereby pertaining, includes and applies to sexual harassment as well.

"Sexual harassment" (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

For all other relevant definitions, please refer to the Definitions section within the College's Title IX Non-Discrimination and Anti-Harassment Policy.

III. Reports and Complaints

A. **Receiving or Initiating a Report or Complaint.** Any person, regardless of whether the reporting person is the alleged victim of the conduct, can make a report to Arizona College regarding conduct that reasonably may constitute sex discrimination in its education program or activity.

These reports can be made directly to the Title IX Coordinator via phone call, in person communication, by mail, or by email, using the contact information below:

Maddie Caballo
Senior Vice President of Student Affairs
mcaballo@arizonacollege.edu
602-759-2230

Reports can also be made to or designee(s)/Deputy Title IX Coordinator(s), or to certain Arizona College employees (including individuals in College or campus leadership positions, faculty members, and staff who serve as student advisors) who have an obligation to report to the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination. If reports are made to a Title IX Coordinator designee or other employee with reporting obligations, those reports will be forwarded to the Title IX Coordinator who will review and follow-up as appropriate.

Reports of Sex Discrimination may be made orally or in writing to the Title IX Coordinator. Upon receipt of an oral or written report, the Title IX Coordinator will assess the information provided and determine the appropriate response under this Policy, which may include the provision of Supportive Measures, informal resolution, or initiation of the applicable grievance process.

Initiation of the Formal Grievance Process requires a written Complaint. A written Complaint may be submitted by the Complainant or, where appropriate, documented by

the Title IX Coordinator based on information provided through an oral report. Before initiating the Formal Grievance Process, the Title IX Coordinator will provide the Complainant an opportunity to review the written Complaint and identify any corrections or clarifications.

Submission of a written Complaint does not require Arizona College to pursue a particular resolution or outcome. Upon receipt of a Complaint, Arizona College will determine the appropriate next steps consistent with this Policy, the information available, and the circumstances presented.

The Title IX Coordinator has no obligation to act where the Title IX Coordinator reasonably determines that the conduct as alleged does not constitute sex discrimination, notwithstanding other Arizona College policies related to formal complaints related to allegations of sexual harassment.

B. **Anonymity.** If a complainant or other reporter makes a complaint or report anonymously, it will be investigated by Arizona College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures can be provided. Anonymous reports typically limit Arizona College's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a complaint even when the complainant's report has been made anonymously.

C. **Limitations on Reporting Obligations.** Employees are not obligated to report incidents of discrimination or harassment that they have personally been the target of, and student-employees are only obligated to report information they learn within the context of their employment. If an employee has a question about whether to report conduct, they should consult the Title IX Coordinator.

D. **Timeframe.** Arizona College strongly encourages individuals to report incidents that may be violations of this policy as soon as possible to maximize Arizona College's ability to respond promptly and equitably. Although there is no time limitation, the timing of when an alleged incident is reported may affect Arizona College's ability to investigate and respond to the report.

E. **Documenting the Complaint; Initial Outreach and Review.** If the Title IX Coordinator receives information about conduct that reasonably may constitute sex discrimination (either through a directly-filed complaint or other report) the Title IX Coordinator must open an initial documentation/file on the report. The Title IX Coordinator must then perform an initial review to determine whether the report merits further investigation, and must document that determination with supporting analysis.

The Title IX Coordinator will conduct an initial outreach to the complainant to offer supportive measures and the ability to schedule a meeting to discuss their report and explore options and related processes.

If a complainant fails to respond to outreach from the Title IX Coordinator within fourteen (14) calendar days or informs the Title IX Coordinator that they are not interested in pursuing further action, the case will be marked as administratively closed and the

complainant will be notified of their right to reopen the case at any point in the future. If the complainant later wishes to pursue additional action, complainant needs only to reach out to the Title IX Coordinator and the Coordinator will reassess the matter based on the information then available and determine the appropriate next steps under this Policy.

However, If a report or complaint contains information suggesting there may be an ongoing safety or health concerns if not addressed by Arizona College, or the alleged conduct prevents Arizona College from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator will undertake a fact-based assessment to determine whether to initiate a formal resolution process, even if a complainant declines to respond or only wishes to have their concerns documented. The Title IX Coordinator, in consultation with legal counsel, may refer the concern to be reviewed under a separate process under the Student Code of Conduct or internal HR policies.

If the complainant is responsive and wishes to continue with a review of the report, the following steps will be taken:

1. Initial Conversation with Complainant. If the complainant meets with the Title IX Coordinator, the initial conversation will be documented by the Title IX Coordinator and will be maintained within the official records of the Title IX Office.

2. Applicability Assessment. After receiving additional information, the Title IX Coordinator, in consultation with Arizona College legal counsel, will review the complainant's allegations and description of the conduct in question to determine whether it meets the definition of either sex discrimination, as provided in this Policy, or sexual harassment, as provided in this Policy and 34 CFR 106.30.

    a. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, would not constitute sex discrimination under this policy, the complaint will be dismissed. More information on the dismissal process can be found in section VII below. Such determination will be documented in the file.

    b. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, could constitute sex harassment under this policy, the Title IX Coordinator must determine whether there is a basis for filing a Formal Complaint on his or her own accord, or whether the complainant wishes to make a formal complaint. If either is true, **any further review or action should proceed under the College's Grievance Policy Related to Complaints of Sex-Based Harassment**. Such determination will be documented in the file.

    c. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, **could constitute sex discrimination under this policy, the Title IX Coordinator will move to step 3 or 4, as applicable**. Such determination will be documented in the file.

3. Informal Process/Documentation of Concerns. If the complainant wishes to resolve the complaint/report through informal means and documentation of concerns only, the process can continue as described in **section VI below covering the Informal Resolution Process.**

   If the complaint/report is resolved on that documentation only, the complainant may at a future date choose to request modifications to any supportive measures received or to move forward with either a formal or informal resolution process.

4. Formal Complaint Initiated. If the complainant wishes to file a formal complaint, or the Title IX Coordinator decides to initiate on their own, **the Formal Grievance Process described in section VII** below will commence (unless the Title IX Coordinator has otherwise made the decision to dismiss the complaint, pursuant to section VI below). If the Title IX Coordinator decides to initiate a complaint, the Title IX Coordinator will notify the complainant prior to doing so and will address the complainant's reasonable concerns about the complainant's safety or the safety of others.

IV. Informal Resolution

A. Discretion and Limitations. Arizona College has sole discretion to offer an informal resolution process to the parties and will consider each complaint on a case-by-case basis. The informal resolution process may not be appropriate when, among other reasons, Arizona College determines that the alleged conduct would present a future risk of harm to others.

Arizona College cannot require parties to participate in an informal resolution process, or require a party waive the right to an investigation and determination of a complaint as a condition of enrollment or employment.

Arizona College does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

B. Informal Resolution Process. At any time, Arizona College may offer to complainant and respondent, as appropriate, an informal resolution process.

The process may include the following steps:

1. Consult with the Complainant. The Title IX Coordinator will discuss the complainant's concerns, desired outcome, and available options for addressing the reported conduct.
2. Consider Supportive Measures. In some circumstances, supportive measures, as described elsewhere in this Policy, may adequately address the complainant's concerns and serve as an appropriate resolution without further action.
3. Identify Other Appropriate Resolution Measures. Where additional action may be appropriate, the Title IX Coordinator will consider available informal measures based on the circumstances, the interests of the parties, and the College's responsibility to maintain an educational environment free from sex discrimination.
4. Notify the Respondent and Campus Leadership, as Appropriate**.** If a proposed resolution would affect the respondent's participation in an Arizona College

education program or activity, the Title IX Coordinator will notify the respondent. If appropriate, the Title IX Coordinator will consult with respondent, and, as necessary, relevant campus or College leadership to understand the impact of proposed resolution.

5. Document the Resolution**.** The Title IX Coordinator will document the resolution and any measures to be implemented and will communicate the outcome to the parties to the extent appropriate.

Regardless of whether a complaint is initiated or resolved through an informal process, the Title IX Coordinator may implement reasonable and appropriate measures, consistent with the information available and the circumstances presented, to address concerns regarding Sex Discrimination and to help prevent the recurrence of conduct prohibited by this Policy.

V. Dismissal of Complaints.

A. Basis for Dismissal. Arizona College may dismiss a complaint of sex discrimination where:

1. It is unable to identify the respondent after taking reasonable steps to do so;
2. If specific circumstances prevent Arizona College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Depending on the facts of the situation, either the complainant or the respondent is not participating in Arizona College's education program or activity and is not employed by Arizona College;
4. Complainant voluntarily withdraws any or all of the allegations in the complaint and the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX or this policy even if proven; or
5. Arizona College determines after reasonable efforts to clarify the allegations with the complainant that the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under this policy.

B. Follow-Up Actions. The Title IX Coordinator will offer complainant supportive measures as appropriate. Respondent may be offered supportive measures, if appropriate.

Upon dismissal, Arizona College will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, Arizona College will notify both complainant and respondent, simultaneously and in writing.

Arizona College will notify complainant and respondent (if applicable) that complainant may appeal the dismissal of the complaint.

VI. Formal Grievance Process

A. Timeframe. The Formal Grievance Process outlined in this policy will conclude within ninety (90) calendar days from the filing of a complaint in most instances. Arizona College breaks, holidays, a party's need for disability-related accommodations, concurrent law enforcement activities, and/or unforeseen circumstances may impact this timeline. If the process must be delayed or extended, the Title IX Coordinator will provide the complainant and respondent with written notice of the delay, reason for the delay, and the revised timeline. The Title IX Coordinator will also allow a reasonable extension of timeframes on a

case-by-case basis for good cause with notice to the parties that includes the reason for the delay and the anticipated duration of the extension.

B. Treatment of Parties Participating in the Formal Grievance Process. Arizona College will:

1. Promptly investigate and respond to complaints of sex discrimination, including establishing reasonably prompt timeframes and allowing for the reasonable extension of timeframes on a case-by- case basis for good cause with notice to the parties that includes the reason for the delay;
2. Ensure that any person designated Title IX Coordinator, investigator, or decisionmaker is impartial and free of conflict of interest or bias;
3. Not consider an individual's status as a respondent as a negative factor. The respondent shall be afforded the presumption that the respondent is not responsible for the alleged sex discrimination until so found through this Formal Grievance Process;
4. Take reasonable steps to protect the privacy of the parties and witnesses during this Formal Grievance Process;
5. Gather evidence and decide what is relevant or impermissible;
6. Objectively analyze and evaluate only relevant evidence;
7. Not make credibility determinations based on a person's status as a complainant, respondent, or witness;
8. Follow this Formal Grievance Process before the imposition of any disciplinary sanctions;
9. Provide remedies (other than supportive measures) to a complainant only if this Formal Grievance Process results in a determination that the respondent is responsible for sex discrimination;
10. Make reasoned decisions based on the preponderance of the evidence; and
11. Promptly offer and coordinate reasonably available Supportive Measures designed to restore or preserve equal access to Arizona College's education program or activity without unreasonably burdening another party.

C. Notice of Allegations. Upon receiving a written and signed complaint, which has been determined to be able to move forward, the Title IX Coordinator will provide written notice of the allegations to complainant and respondent. The written notice will include:

a. Description of this Grievance Process, including the informal resolution process;
b. Sufficient information, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under this policy, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available and can be disclosed;
c. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and,
d. That retaliation is prohibited.

If the investigation uncovers new issues outside of the scope of the written notice, Arizona College will provide a supplemental written notice describing the additional allegations under investigation.

D. **Consolidation of Complaints.** Arizona College may consolidate complaints of sex discrimination when the allegations of sex discrimination arise out of the same facts or circumstances.

Consolidation decisions will be made by the Title IX Coordinator based on considerations of efficiency, fairness to the parties, and the relatedness of the allegations. The Title IX Coordinator will notify all parties in writing when complaints are consolidated.

E. **Investigation of Complaints.** The Title IX Coordinator will assign a trained investigator/decisionmaker to investigate the complaint. The Title IX Coordinator or Deputy Title IX Coordinator may be assigned as the investigator in the formal resolution process.

Under this process, Arizona College will ensure an adequate, reliable, and impartial investigation of complaints. Arizona College will:

1. Conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
2. Provide an equal opportunity for the parties to present for interview and/or review by the investigator any fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible;
3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance;
4. Provide each party with an equal opportunity to review the evidence (or an accurate description of this evidence) and provide each party with a reasonable opportunity to respond to such evidence;
5. Take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through this Formal Grievance Process.

F. **Assessing Credibility.** The investigator/decisionmaker will question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. Credibility assessments must be individualized and may not rely on generalizations, stereotypes, or assumptions about how persons of a particular sex, gender identity, sexual orientation, race, ethnicity, or other characteristic would or should act.

G. **Determination of Whether Sex Discrimination Occurred.** Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the investigator/decisionmaker, in consultation with and under the guidance of legal counsel, will use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. "Preponderance of the evidence" means that the evidence indicates that there is a greater than 50% - more likely than not – that sex discrimination occurred.

If the decisionmaker is not persuaded by a preponderance of the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must conclude that no sex discrimination occurred.

Upon a determination that sex discrimination occurred, the Title IX Coordinator will (i) coordinate the provision and implementation of remedies to a complainant and other persons whose equal access to Arizona College's education program or activity was limited or denied by sex discrimination; (ii) at the conclusion of this Formal Grievance Process coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and (iii) take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Arizona College's education program or activity.

The decisionmaker will provide the parties with a written determination that includes the rationale for the decisionmaker's determination. In the written determination, the decisionmaker will inform the parties of the procedures and permissible bases for appeal, if applicable.

Arizona College will not discipline a party, witness, or others participating this Formal Grievance Process for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

H. Appeal. Either party has the right to file an appeal of determination by the decisionmaker of either the respondent's responsibility and/or the dismissal of a formal complaint or any allegations therein.

1. Scope. Appeals are not a re-hearing of the facts of the case and must be limited in scope on the following basis:
    a. The party has discovered new and relevant evidence that was not reasonably available at the time the determination was made that could alter the outcome.
    b. Allegations that the decisionmaker deviated from the policy or procedure in a way that changed the outcome of the case.
    c. Evidence that the Title IX Coordinator, investigator or decisionmaker was biased or had a conflict of interest, and such bias or conflict of interest changed the outcome of the case.

2. Initial Process. An appeal request must be made in writing to the Title IX Coordinator within ten (10) calendar days of the delivery of the written determination. The appeal request must include the basis for the appeal and all evidence in support of the request.

    If an appeal is filed, Arizona College will notify the parties of the appeal and provide each with a copy of the appeal.

    The non-appealing party may choose to respond and, if he or she does so, must respond within ten (10) calendar days.

    Any discipline imposed will be suspended pending the outcome of the appeal. Sanctions will take effect upon the expiration of the deadline for an appeal or the conclusion of the appeal.

The Title IX Coordinator will assign a trained and impartial decisionmaker who was not previously involved in the Formal Grievance Procedure to hear the appeal.

3. Review. The appellate decisionmaker may, after reviewing the appeal, deny the appeal without further process if the appeal is groundless – i.e., the appeal is not based on the grounds specified above. In this case, both parties will be notified of the decision, and the party who did not submit the appeal will be provided a copy of the appeal, but they will not need to provide any response.

4. Decision. The appellate decisionmaker will review the appeal materials submitted by both parties. The appellate decisionmaker may also choose to interview the investigator(s) and/or any other person that participated in the investigation and decision-making process but is not obligated to do so.

   The appellate decisionmaker will make a final decision on the appeal within thirty (30) days of the filing of the appeal. The original decision may be upheld, reversed, or modified (which includes the possibility that different or additional sanctions may be imposed).

   Modification of sanctions can only place a greater burden on the respondent if the appeal was filed by the complainant. The appellate decisionmaker may also refer the matter to the same or different investigator(s) for additional investigation and a new decision-making process.

   The Title IX Coordinator will send a written notice to both parties of the decision on appeal. Notice will describe the result of the appeal and the rationale for the result. No further appeal process is available.

VII. Prohibition on Knowingly Making False Statements

Arizona College is committed to creating a safe environment where reporting of conduct that reasonably may constitute sex discrimination is encouraged.

Arizona College expects individuals to provide truthful information in any report, interview, meeting or proceeding under this policy.

Arizona College requires an individual to act in good faith when reporting acts that reasonably may violate this policy or when serving as a witness in a Formal Grievance Process.

Providing or submitting false or misleading information in bad faith is prohibited and such conduct may be disciplined under the relevant Arizona College policies and procedures. Reports made or information provided in good faith, even if the facts are later unsubstantiated, will not be subject to disciplinary consequences. A determination that sex discrimination did not occur is not, by itself, evidence that any party submitted false or misleading information in bad faith.

VIII. Privacy of the Grievance Process

The Formal Grievance Process will remain private to the extent permissible by law. Arizona College cannot guarantee privacy in all situations and will balance privacy and other competing interests on

a case-by-case basis. Formal Grievance Process records may be produced subject to a lawful subpoena.

Parties and witnesses shall not disseminate or otherwise disclose information or evidence obtained solely through their participation in a Formal Grievance Process. Arizona College will address any violations under its code of conduct.

Arizona College will not disclose personally identifiable information it has obtained in its enforcement of this policy except where (i) Arizona College has obtained prior written consent from an individual with a legal right to consent to disclosure; (ii) the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue; (iii) necessary to carry out the purposes of this policy, including action taken to address conduct that reasonably may constitute sex discrimination in Arizona College's education program or activity; (iv) as required by federal law or regulation; or, (v) to the extent such disclosures are not otherwise in conflict with Title IX, when required by state or local law or when permitted under FERPA.

GRIEVANCE POLICY RELATED TO COMPLAINTS OF SEXUAL OR SEX-BASED HARASSMENT

I. Scope and Application

Arizona College has implemented this policy to ensure compliance with applicable local, state, and federal non-discrimination laws in alignment with Arizona College's existing student and employee policies.

Arizona College is committed to providing a work environment, education programs, and activities free of unlawful harassment and discrimination, and will provide a prompt, fair, and impartial process to address complaints of alleged sex discrimination (which include complaints of alleged sex-based harassment).

The provisions of this Grievance Policy and this section shall apply to complaints of sex-based harassment involving prohibited conduct by students, employees, volunteers, third-party contractors, guests, external community members, and others doing business with Arizona College, whether the conduct occurs on or off campus, provided it occurs in connection with Arizona College's education program or activity in the United States. This includes, but is not limited to, conduct occurring at campus events, during College-related travel, or at other Arizona College-sponsored activities.

Although Sex-Based Harassment is a form of Sex Discrimination, complaints alleging Sex-Based Harassment shall be resolved using the Sex-Based Harassment Grievance Procedure. Complaints alleging Sex Discrimination that do not involve Sex-Based Harassment shall be resolved under the applicable Sex Discrimination grievance procedures. If a matter is reclassified during review or investigation, Arizona College will notify the parties and apply the appropriate procedure.

This policy includes a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the applicable grievance procedure.

II. Definitions

"Sexual harassment" (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

For all other relevant definitions, please refer to the Definitions section within the College's Title IX Non-Discrimination and Anti-Harassment Policy.

III. Presumptions and Equitable Treatment

This policy includes a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the applicable grievance procedure.

Arizona College's administration of this Policy must treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility has been made against the respondent, and by following a grievance process against a respondent that complies with Title IX and its effectuating regulations.

Remedies instituted under this Policy shall be designed to restore or preserve the complainant's equal access to Arizona College's education program or activity following a determination of responsibility.

IV. Reports and Complaints

A. Receiving or Initiating a Report or Complaint. Any person, regardless of whether the reporting person is the alleged victim of the conduct, can make a report to Arizona College regarding conduct that reasonably may constitute sexual or sex-based harassment in its education program or activity.

These reports can be made directly to the Title IX Coordinator via phone call, in person communication, by mail, or by email, using the contact information below:

Maddie Caballo
Senior Vice President of Student Affairs
mcaballo@arizonacollege.edu
602-759-2230

Reports of Sex Discrimination may be made orally or in writing to the Title IX Coordinator. Upon receipt of an oral or written report, the Title IX Coordinator will assess the information provided and determine the appropriate response under this Policy, which may include the provision of Supportive Measures, informal resolution, or initiation of the applicable grievance process.

Initiation of the Formal Grievance Process requires a written Complaint. A written Complaint may be submitted by the Complainant or, where appropriate, documented by the Title IX Coordinator based on information provided through an oral report. Before initiating the Formal Grievance Process, the Title IX Coordinator will provide the Complainant an opportunity to review the written Complaint and identify any corrections or clarifications.

Submission of a written Complaint does not require Arizona College to pursue a particular resolution or outcome. Upon receipt of a Complaint, Arizona College will determine the appropriate next steps consistent with this Policy, the information available, and the circumstances presented.

The Title IX Coordinator has no obligation to act where the Title IX Coordinator reasonably determines that the conduct as alleged does not constitute sexual harassment, notwithstanding the requirement to respond promptly in a manner that is not deliberately indifferent.

B. Anonymity. If a complainant or other reporter makes a complaint or report anonymously, it will be investigated by Arizona College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures can be provided. Anonymous reports typically limit Arizona College's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a complaint even when the complainant's report has been made.

C. Limitations on Reporting Obligations. Employees are not obligated to report incidents of discrimination or harassment that they have personally been the target of, and student-employees are only obligated to report information they learn within the context of their employment. If an employee has a question about whether to report conduct, they should consult the Title IX Coordinator.

D. Timeframe. Arizona College strongly encourages individuals to report incidents that may be violations of this policy as soon as possible to maximize Arizona College's ability to respond promptly and equitably. Although there is no time limitation, the timing of when an alleged incident is reported may affect Arizona College's ability to investigate and respond to the report.

F. **Documenting the Complaint; Initial Outreach and Review.** If the Title IX Coordinator receives information about conduct that reasonably may constitute sex-based harassment the Title IX Coordinator must open an initial documentation/file on the report. The Title IX Coordinator must then perform an initial review to determine whether the report merits further investigation, and must document that determination with supporting analysis.

The Title IX Coordinator will conduct an initial outreach to the complainant to offer supportive measures and the ability to schedule a meeting to discuss their report and explore options and related processes.

If a complainant fails to respond to outreach from the Title IX Coordinator within fourteen (14) calendar days or informs the Title IX Coordinator that they are not interested in pursuing further action, the case will be marked as administratively closed and the complainant will be notified of their right to reopen the case at any point in the future. If the complainant later wishes to pursue additional action, complainant needs only to reach out to the Title IX Coordinator and the Coordinator will reassess the matter based on the information then available and determine the appropriate next steps under this Policy.

However, If a report or complaint contains information suggesting there may be an ongoing safety or health concerns if not addressed by Arizona College, or the alleged conduct prevents Arizona College from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator will undertake a fact-based assessment to determine whether to initiate a formal resolution process even if a complainant only wishes to have their concerns documented.

If the complainant is responsive, the following steps will be taken:

1. Initial Conversation with Complainant. If the complainant meets with the Title IX Coordinator, the initial conversation will be documented by the Title IX Coordinator and will be maintained within the official records of the Title IX Office.

2. Applicability Assessment. After receiving additional information, the Title IX Coordinator, in consultation with Arizona College legal counsel, will review the complainant's allegations and description of the conduct in question to determine whether it meets the definition of sexual harassment, as provided in this policy and 34 CFR 106.30.

    a. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, would not constitute sex-based harassment under this policy, the Title IX Coordinator will dismiss the complaint. More information on the dismissal process can be found in section VII below. Such determination will be documented in the file.

    b. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, could constitute sex harassment under this policy, the Title IX Coordinator must determine whether there is a basis for filing a Formal Complaint on his or her own accord, or whether the complainant wishes to make a formal complaint. If either is true, **the Title IX Coordinator will move to step 3 or 4, as applicable**. Such determination will be documented in the file.

3. Acknowledgement of Concerns. If the complainant wishes to resolve the complaint/report through discussion of concerns and supportive measures only, the process can conclude with those pieces in place. The complainant may at a future date

choose to request modifications to any supportive measures received or to move forward with either a formal or informal resolution process.

4. Formal Complaint Initiated. If the complainant wishes to file a formal complaint, or the Title IX Coordinator decides to initiate on their own, **the Formal Grievance Process described in section VII** below will commence (unless the Title IX Coordinator has otherwise made the decision to dismiss the complaint, pursuant to section VI below). If the Title IX Coordinator decides to initiate a complaint, the Title IX Coordinator will notify the complainant prior to doing so and will address the complainant's reasonable concerns about the complainant's safety or the safety of others.

5. Initiation of Informal Process Subsequent to Formal Complaint. If at any point after a complainant files a formal complaint and before a determination has been made as to whether the complained-of conduct constitutes sexual harassment, the complainant expresses their wish to attempt to resolve through an informal resolution process, they may request to do so and the process will continue as described in section V below.

V. Informal Resolution

A. Overview. At any time after a Formal Complaint has been filed and before a determination regarding responsibility is made, Arizona College may offer the parties an Informal Resolution Process as an alternative to the Formal Grievance Process, when appropriate. The Informal Resolution Process is a voluntary, structured process intended to resolve allegations through constructive agreements that address the reported conduct, remediate harm, prevent future misconduct, and support the educational environment.

The Informal Resolution Process is not intended to determine guilt or innocence. Rather, it focuses on addressing concerns, understanding the impact of the reported conduct, and identifying mutually agreeable outcomes. Informal Resolution may be conducted through written communications, separate meetings with the parties, shuttle mediation, or other appropriate methods. The parties will not be required to confront one another or be present in the same room as part of the process.

B. Discretion and Limitations. Arizona College has sole discretion to offer an informal resolution process to the parties and will consider each complaint on a case-by-case basis. The informal resolution process may not be appropriate when, among other reasons, Arizona College determines that the alleged conduct would present a future risk of harm to others.

Arizona College cannot require parties to participate in an informal resolution process, or require a party waive the right to an investigation and determination of a complaint as a condition of enrollment or employment.

Arizona College does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

C. **Facilitation of the Process.** The Title IX Coordinator may offer Informal Resolution to the parties, or either party may submit a written request to the Title IX Coordinator seeking Informal Resolution.

Informal Resolution Process will be administered by the Title IX Coordinator or a trained designee ("Facilitator"). The Facilitator will oversee the process, communicate with the parties regarding proposed resolution terms, and assist in exploring mutually acceptable outcomes. The Facilitator does not serve as a decision-maker and does not determine responsibility for the allegation.

D. **Notice and Consent.** Arizona College will notify the parties in writing of the availability of the informal resolution process. In order to engage in the informal resolution process, both parties must agree in writing.

Before initiation of an informal resolution process, Arizona College will provide to the parties notice that explains:

1. The allegations in the complaint;
2. The requirements of the informal resolution process;
3. That at any time prior to resolution, a party can withdraw from the informal resolution process and initiate or resume the Formal Grievance Process; and,
4. That if the parties agree to a resolution at the conclusion of the informal resolution process they cannot initiate or resume the Formal Grievance Process on the same allegations;
5. The potential terms that may be requested or offered in an informal resolution agreement;
6. That an informal resolution agreement is binding on the parties and Arizona College, to the extent the institution agreed to undertake specific actions; and,
7. The information that Arizona College will maintain and whether and how it could disclose such information for use in the Formal Grievance Process if proceedings on the complaint are initiated or resumed.

The requisite notices described above and the documented, mutually agreed-upon informal resolution must be maintained within the appropriate Title IX files.

E. **Informal Resolution Procedures.** The Informal Resolution Process is intended to be flexible and may take a variety of forms depending on the nature of the allegations and the needs of the parties. In most cases, the process will be conducted through separate communications with each party rather than through direct interaction between the parties. Informal Resolution may include:
1. Shuttle mediation, in which the Facilitator meets or communicates separately with each party and conveys information, concerns, proposals, and responses between them;
2. Written exchanges facilitated by the Facilitator, including the exchange of proposed terms, concerns, and resolution options;
3. Separate meetings with one or both parties to discuss the allegations, identify appropriate remedies, and explore possible resolutions; and
4. Any other structured, voluntary process approved by the Title IX Coordinator that is designed to resolve the allegations without a formal hearing.

The parties will not be required to meet face-to-face, confront one another, or be present in the same room at any point during the Informal Resolution Process. All communication regarding the process may be conducted through the Facilitator.

F. Advisors. Each party may consult with an advisor of their choice and may have their advisor present during any Informal Resolution meeting.

G. Withdrawal from the Process. Either party may withdraw from the Informal Resolution Process at any time before a written resolution agreement is signed by both parties. If either party withdraws, the Formal Grievance Process will resume without prejudice.

H. Good Faith Participation. The Facilitator may terminate the Informal Resolution Process if the Facilitator determines that one or both parties are not participating in good faith or that the process is otherwise no longer productive. In such cases, the Formal Grievance Process will resume.

I. Resolution Terms. The parties and Facilitator may propose terms for inclusion in an Informal Resolution Agreement. Resolution terms will be tailored to the circumstances of the matter and may include, but are not limited to:

1. Educational interventions, training, workshops, or assignments;
2. Behavioral agreements, including restrictions on contact or communication;
3. Restorative measures designed to repair harm and rebuild trust;
4. Modifications to work assignments, schedules, educational programs, or activities;
5. Monitoring requirements, including periodic check-ins or progress reporting;
6. Counseling or other supportive resources;
7. Restrictions on a respondent's participation in one or more College programs, activities, events, or opportunities; and/or
8. Other reasonable terms that the College could have imposed as remedies or disciplinary sanctions following a determination under the Formal Grievance Process, where appropriate and agreed upon by the parties.

J. Agreement and Approval. Any Informal Resolution Agreement must be acceptable to both parties and approved by the Title IX Coordinator before it becomes effective. If either party declines to sign the proposed agreement, the Informal Resolution Process will be deemed unsuccessful and the Formal Grievance Process will resume.

K. Binding Effect. A fully executed Informal Resolution Agreement is binding on the parties and the College, to the extent the College agreed to undertake specific actions. Upon successful completion of the agreement, the matter will be considered resolved and closed with respect to the allegations addressed by the agreement.

L. Documentation and Confidentiality. The College will document all Informal Resolution Agreements in writing. Documentation will be maintained in accordance with applicable law, institutional policy, and recordkeeping requirements, while protecting the privacy of the parties to the greatest extent possible.

M. Supportive Measures. Supportive measures remain available throughout the Informal Resolution Process. Choosing to participate in Informal Resolution does not limit either party's access to counseling, academic accommodations, safety measures, or other supportive resources, and such measures may be modified as circumstances warrant.

N. **Retaliation Prohibited.** Arizona College prohibits retaliation against any individual for participating in, declining to participate in, or otherwise exercising rights under the Informal Resolution Process. Allegations of retaliation may result in separate disciplinary action.

O. **Future Conduct.** Any alleged misconduct occurring after the execution of an Informal Resolution Agreement will be addressed independently under applicable College policies and procedures. Future violations are not excused or limited by a prior Informal Resolution Agreement.

P. As required, the Title IX Coordinator must also to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the recipient's education program or activity. Even though an informal resolution process is provided for, nothing about the informal resolution process precludes the Title IX Coordinator from taking appropriate, prompt, and effective steps, within the parameters of this Policy, to ensure that complained of conduct does not continue or recur within Arizona College's education program or activity.

VI. Dismissal of Complaints.

A. **Required Dismissal**. Arizona College must dismiss a complaint where the conduct alleged in the formal complaint would not constitute sexual harassment, even if proved, did not occur in the recipient's education program or activity, or did not occur against a person in the United States. Such dismissal does not preclude action under the College's Code of Conduct.

B. **Permissive Dismissal.** Arizona College may dismiss a complaint of sex discrimination where:

1. If specific circumstances prevent Arizona College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
2. The respondent is no longer enrolled at Arizona College or is no longer employed by Arizona College;
3. Complainant voluntarily withdraws, via written notice to the Title IX Coordinator, any or all of the allegations in the complaint and/or the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX or this policy even if proven.

If the dismissal occurs after the respondent has been notified of the allegations, Arizona College will notify both complainant and respondent of the dismissal and the basis, and will do so simultaneously and in writing.

Arizona College will notify complainant and respondent (if applicable) that complainant may appeal the dismissal of the complaint. Any appeal will follow the process outlined below.

VII. Formal Grievance Process

A. **Timeframe.** The Formal Grievance Process outlined in this policy will conclude within ninety (90) calendar days from the filing of a complaint in most instances. Arizona College breaks, holidays, a party's need for disability-related accommodations, concurrent law enforcement activities, and/or unforeseen circumstances may impact this timeline. If the process must be delayed or extended, the Title IX Coordinator will provide the complainant

and respondent with written notice of the delay, reason for the delay, and the revised timeline. The Title IX Coordinator will also allow a reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay and the anticipated duration of the extension.

B. Treatment of Parties Participating in the Formal Grievance Process. Arizona College will:

1. Promptly investigate and respond to complaints of sex discrimination, including establishing reasonably prompt timeframes for the major stages of this Formal Grievance Process and allowing for the reasonable extension of timeframes on a case-by- case basis for good cause with notice to the parties that includes the reason for the delay;
2. Ensure that any person designated Title IX Coordinator, investigator, or decisionmaker is impartial and free of conflict of interest or bias;
3. Not consider an individual's status as a respondent as a negative factor. The respondent shall be afforded the presumption that the respondent is not responsible for the alleged sex discrimination until so found through this Formal Grievance Process;
4. Take reasonable steps to protect the privacy of the parties and witnesses during this Formal Grievance Process;
5. Provide the parties a reasonable opportunity to obtain and present relevant evidence, including through discussions with witnesses; consult with family members, confidential resources, advisors, or legal counsel; and otherwise prepare for or participate in the Formal Grievance Process.
6. Gather evidence and decide what is relevant or impermissible;
7. Objectively analyze and evaluate only relevant evidence, which may include both inculpatory and exculpatory evidence;
8. Not consider impermissible evidence and questioning on impermissible subjects;
9. Not require, allow, rely upon, or otherwise use questions or evidence that seek disclosure of information protected by a legally recognized privilege, unless the person holding the privilege has voluntarily waived the privilege;
10. Not access, consider, disclose, or otherwise use records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity and which were created and maintained in connection with the provision of treatment to a party, unless Arizona College obtains that party's voluntary written consent to do so for purposes of this Formal Grievance Process;
11. Not make credibility determinations based on a person's status as a complainant, respondent, or witness;
12. Follow this Formal Grievance Process before the imposition of any disciplinary sanctions;
13. Provide remedies to a complainant only if this Formal Grievance Process results in a determination that the respondent is responsible for sex discrimination;
14. Make reasoned decisions based on the preponderance of the evidence; and
15. Offer Supportive Measures. Promptly offer and coordinate reasonably available Supportive Measures designed to restore or preserve equal access to Arizona

College's education program or activity without unreasonably burdening another party.

C. Written Notice of Allegations. The written notice of the allegations must contain the following information:

1. Description of this Grievance Process, including the informal resolution process;
2. Sufficient information, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under this policy, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available and can be disclosed;
3. A statement that the parties are entitled to an equal opportunity to access the evidence; and,
4. That retaliation is prohibited.
5. Description of the allegations potentially constituting sexual harassment which include sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment; and the date and location of the incident, if known.
6. That respondent is presumed not responsible for the alleged sex-based harassment until a determination under this Formal Grievance Process.
7. That they may have an advisor of their choice who may be, but who is not required to be, an attorney;
8. That they are entitled to an equal opportunity to access (i) the relevant and not otherwise impermissible evidence; or (ii) an investigative report that accurately summarizes this evidence and, upon request of a party, equal access to the relevant and not otherwise impermissible evidence; and,
9. Advisement, if applicable, that the Arizona College code of conduct prohibits a party from making false statements or knowingly submitting false information.

If the investigation discloses new issues outside of the scope of the written notice of allegations, Arizona College will provide a supplemental written notice describing the additional allegations under investigation.

D. Consolidation of Complaints. Arizona College may consolidate complaints of sex discrimination when the allegations of sex discrimination arise out of the same facts or circumstances.

Consolidation decisions will be made by the Title IX Coordinator based on considerations of efficiency, fairness to the parties, and the relatedness of the allegations. The Title IX Coordinator will notify all parties in writing when complaints are consolidated.

E. Investigation. When investigating a complaint alleging sex-based harassment under this section, Arizona College will:

1. Ensure that the burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility rests on Arizona College and not the parties;
2. Provide the parties an equal opportunity to present witnesses, including fact witnesses and, where permitted by the decisionmaker(s), expert witnesses, as well as other inculpatory and exculpatory evidence. The decisionmaker(s) shall have

discretion to determine whether expert witness testimony will be permitted; however, any such determination shall be applied equally to both parties.

3. The investigation will not require, permit, rely upon, disclose, or otherwise use information protected by a legally recognized privilege unless the privilege has been voluntarily waived by the person holding the privilege. Arizona College will not access, consider, disclose, or otherwise use a party's treatment records that were created and maintained in connection with the provision of treatment by a physician, psychiatrist, psychologist, counselor, or other recognized professional or paraprofessional unless the party provides voluntary written consent for such use in this grievance process.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, provided that the parties comply with applicable restrictions regarding the disclosure of information or evidence obtained solely through the Formal Grievance Process.
5. Provide a party or person whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate;
6. Provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice;
7. Provide the parties with the same opportunities to have persons other than the advisor of the parties' choice present during any meeting or proceeding;
8. Allow for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the parties that includes the reason for the delay;
9. Provide both parties an equal opportunity to inspect and review any evidence, obtained as part of the investigation that is directly related to the allegations raised in a formal complaint. This opportunity to inspect includes the evidence upon which Arizona College does not intend to rely in reaching a determination regarding responsibility, as well as inculpatory or exculpatory evidence (whether obtained from a party or other source), so that each party can meaningfully respond to the evidence prior to conclusion of the investigation;
10. Prior to completion of the investigative report, Arizona College must send, or otherwise make available, to each party and the party's advisor, if any, the evidence subject to inspection and review. Arizona College must make all such evidence available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. The parties must have at least 10 days after being provided with access to evidence to submit a written response, which the investigator will consider prior to completion of the investigative report.
11. Following completion of the investigation, the Title IX Investigator shall prepare an investigative report that fairly summarizes all relevant evidence. The investigative report will be provided to each party and, if applicable, the party's advisor, in electronic or hard-copy format at least ten (10) days prior to the hearing, and each party will have the opportunity to submit a written response for consideration before the hearing.

Arizona College will determine in its discretion and on a case-by-case basis the extent to which an advisor may participate in proceedings under this section. Any restrictions imposed will apply equally to the parties.

Arizona College may take reasonable steps to protect the privacy of the parties and the integrity of the process by preventing or addressing the unauthorized disclosure of information or evidence obtained solely through the Formal Grievance Process. Nothing in this Policy shall be interpreted to restrict a party's ability to discuss the allegations, consult with advisors, family members, confidential resources, witnesses, or legal counsel, or otherwise gather and present relevant evidence.

F. Live Hearing. Arizona College will conduct a live hearing on formal written complaints of Sex-Based Harassment in accordance with 34 C.F.R. § 106.45(b)(6). Consistent with those requirements, each party's advisor will be permitted to conduct questioning as provided by applicable law and regulation. Arizona College may provide an advisor for this limited purpose where required. The decisionmaker will determine the relevance of proposed questions before they are answered, and the hearing may be conducted with the parties located in separate rooms upon request. Arizona College will create and maintain a record of the hearing and make it available to the parties as required by law.

G. Written Determination. Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Arizona College will use the preponderance of the evidence standard of proof to determine whether sex-based harassment occurred and issue a written determination.

1. The decisionmakers(s) – those issuing the written determination – cannot be the same person(s) as the Title IX Coordinator or the investigators,
2. The written determination will include:
    a. Identification of the allegations potentially constituting sexual harassment;
    b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
    c. Findings of fact supporting the determination;
    d. Conclusions regarding the application of the Arizona College's code of conduct to the facts;
    e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Arizona College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Arizona College's education program or activity will be provided by the Arizona College to the complainant; and
    f. Arizona College’s procedures and permissible bases for the complainant and respondent to appeal.

Arizona College must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that Arizona 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, with support from campus and College leadership and HR, as applicable, for effective implementation of any remedies.

H. Range of Disciplinary Sanctions. When a determination of responsibility for sexual harassment is made under this Formal Grievance Process, Arizona College may impose a range of disciplinary sanctions or remedies, depending on the severity of the conduct, its impact, and any relevant disciplinary history.

Possible sanctions include, but are not limited to: formal warning, required education or training, no-contact directives, probation, suspension, loss of privileges, reassignment of duties, demotion, or termination of employment for employees, and suspension or expulsion for students.

Arizona College also reserves the right to implement other remedies designed to restore or preserve equal access to its education programs and activities, consistent with Title IX and applicable College policies.

I. Appeal. Either party has the right to file an appeal of determination by the decisionmaker of either the respondent's responsibility and/or the dismissal of a formal complaint or any allegations therein.

1. Scope. Appeals are not a re-hearing of the facts of the case and must be limited in scope on the following basis:
    a. The party has discovered new and relevant evidence that was not reasonably available at the time the determination or dismissal was made that could alter the outcome.
    b. Allegations that the decisionmaker deviated from the policy or procedure in a way that changed the outcome of the case.
    c. Allegations that a procedural irregularity by Arizona College occurred elsewhere in the process (intake, investigation, etc.) and affected the outcome of the matter.
    d. Evidence that the Title IX Coordinator, investigator or decisionmaker was biased or had a conflict of interest, and such bias or conflict of interest changed the outcome of the case.

2. Initial Process. An appeal request must be made in writing to the Title IX Coordinator within ten (10) calendar days of the delivery of the written determination or notice of dismissal, as applicable. The appeal request must include the basis for the appeal and all evidence in support of the request.

    If an appeal is filed, Arizona College will notify the parties of the appeal and provide each with a copy of the appeal.

    The non-appealing party may choose to respond and, if he or she does so, must respond within ten (10) calendar days.

    Any discipline imposed will be suspended pending the outcome of the appeal. Sanctions will take effect upon the expiration of the deadline for an appeal or the conclusion of the appeal.

The Title IX Coordinator will assign a trained and impartial decisionmaker who was not previously involved in the Formal Grievance Procedure to hear the appeal.

3. Review. The appellate decisionmaker may, after reviewing the appeal and any written response submitted by the non-appealing party, deny the appeal without further process if the appeal is groundless – i.e., the appeal is not based on the grounds specified above. In this case, both parties will be notified of the decision, simultaneously, and the party who did not submit the appeal will be provided a copy of the appeal, but they will not need to provide any response.

4. Decision. The appellate decisionmaker will review the appeal materials submitted by both parties. The appellate decisionmaker may also choose to interview the investigator(s) and/or any other person that participated in the investigation and decision-making process but is not obligated to do so.

   The appellate decisionmaker will make a final decision on the appeal within thirty (30) days of the filing of the appeal. The original decision may be upheld, reversed, or modified (which includes the possibility that different or additional sanctions may be imposed).

   Modification of sanctions can only place a greater burden on the respondent if the appeal was filed by the complainant. The appellate decisionmaker may also refer the matter to the same or different investigator(s) for additional investigation and a new decision-making process.

   The Title IX Coordinator will send a written notice to both parties of the decision on appeal. Notice will describe the result of the appeal and the rationale for the result. No further appeal process is available.

VIII. Prohibition on Knowingly Making False Statements

Arizona College is committed to creating a safe environment where reporting of conduct that reasonably may constitute sex discrimination is encouraged.

Arizona College expects individuals to provide truthful information in any report, interview, meeting or proceeding under this policy.

Arizona College requires an individual to act in good faith when reporting acts that reasonably may violate this policy or when serving as a witness in a Formal Grievance Process.

Providing or submitting false or misleading information in bad faith is prohibited and such conduct may be disciplined under the relevant Arizona College policies and procedures. Reports made or information provided in good faith, even if the facts are later unsubstantiated, will not be subject to disciplinary consequences. A determination that sex discrimination did not occur is not, by itself, evidence that any party submitted false or misleading information in bad faith.

IX. Privacy of the Grievance Process

The Formal Grievance Process will remain private to the extent permissible by law. Arizona College cannot guarantee privacy in all situations and will balance privacy and other competing interests on

a case-by-case basis. Formal Grievance Process records may be produced subject to a lawful subpoena.

Parties and witnesses are expected to maintain the privacy of information and evidence obtained solely through their participation in the Formal Grievance Process and may not disseminate such information for purposes unrelated to the investigation, resolution, or defense of the allegations. This provision does not prohibit parties from discussing the allegations; consulting with advisors, family members, confidential resources, legal counsel, experts, or witnesses; seeking support services; participating in legal proceedings; or otherwise gathering and presenting relevant evidence. Arizona College will address any violations under its code of conduct.

Arizona College will not disclose personally identifiable information it has obtained in its enforcement of this policy except where (i) Arizona College has obtained prior written consent from an individual with a legal right to consent to disclosure; (ii) the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue; (iii) necessary to carry out the purposes of this policy, including action taken to address conduct that reasonably may constitute sex discrimination in Arizona College's education program or activity; (iv) as required by federal law or regulation; or, (v) to the extent such disclosures are not otherwise in conflict with Title IX, when required by state or local law or when permitted under FERPA.

Appendix A - Deputy Coordinators

Note: In the event a listed Deputy Coordinator is no longer with the College, the Campus President or Senior Campus President will be assume the role.

Arlington
Melissa Weir
2800 Crystal Drive, Suite 600
Arlington, Virginia 30350
mweir@arizonacollege.edu
(571) 681-1723

Atlanta
Kwanza Thomas
8200 Roberts Drive, Suite 300
Sandy Springs, Georgia 30350
kwanza.thomas@arizonacollege.edu
(404) 795-8941

Aurora
Anthony Mendez
3131 South Vaughn Way, Suite 525
Aurora, Colorado 80014
anthony.mendez@arizonacollege.edu
(720) 343-4628

Chesapeake
Monique Rodriquez
545 Belaire Ave.
Chesapeake, Virginia 23320
monique.rodriquez@arizonacollege.edu
(757) 577-9103

Cincinnati
Iris Patton
11500 Northlake Drive, Suite 105
Cincinnati, Ohio 45249
iris.patton@arizonacollege.edu
(513) 991-8154

Cleveland
Jason Ross
3401 Enterprise Parkway, Suite 100
Beachwood, Ohio 44122
jason.ross@arizonacollege.edu
(216) 423-6803

Columbus
Megan Standiford
445 Hutchinson Ave, Suite 400
Columbus, Ohio 43235
megan.standiford@arizonacollege.edu
(380) 236-1033

Dallas
Stephen Lewis
8330 Lyndon B. Johnson Fwy, Suite B100
Dallas, Texas 75243
stephen.lewis@arizonacollege.edu
(480) 265-3587

Falls Church
Payton Mcgoldrick
3130 Fairview Park Drive, Suite 800
Falls Church, Virginia 22042
Payton.mcgoldrick@arizonacollege.edu
(703) 682-8238

Fort Lauderdale
Anastasia Razumovskiy
600 Corporate Drive, Suite 200
Fort Lauderdale, Florida 33334
arazumovskiy@arizonacollege.edu
(754) 220-3196

Fort Worth
Stephen Lewis
6000 Western Pl, Suite 118
Fort Worth, Texas 76107
stephen.lewis@arizonacollege.edu
(480) 265-3587

Glendale
Lisa Beaman
4425 W. Olive Avenue, Suite 300
Glendale, Arizona 85302
lbeaman@arizonacollege.edu
(602) 759-2224

Greenville
Elaina Lang
150 Executive Center Drive, Suite 200
Greenville, South Carolina 29615
elaina.lang@arizonacollege.edu
(864) 743-6710

Hartford
Jennifer Joseph
99 East River Drive, Suite 901
East Hartford, Connecticut 06108
jennifer.joseph@arizonacollege.edu
(860) 426-6809

Las Vegas
Nicki Owen
8363 W. Sunset Road, Suite 200
Las Vegas, Nevada 89113
nichoel.owen@arizonacollege.edu
(702) 831-5036

Melbourne
Leanne Dragone
100 Rialto Pl, Suite 100
Melbourne, Florida 32901
leanne.dragone@arizonacollege.edu
(321) 447-5002

Mesa
Germaine Hendon
163 N. Dobson Road
Mesa, Arizona 85201
ghendon@arizonacollege.edu
(480) 344-1202

Milwaukee
Brendan Carlson
9000 W. Chester St, Suite 300
Milwaukee, WI 53214
brendan.carlson@arizonacollege.edu
(414) 867-9552

Ontario
Alexis Redden
3401 N. Centre Lake Drive, Suite 430
Ontario, California 91761
alexis.redden@arizonacollege.edu
(909) 935-2767

Phoenix
Kim O'Hara
16404 N. Black Canyon Highway, Suite 200
Phoenix, Arizona 85053
kim.ohara@arizonacollege.edu

Salt Lake City
Rachel Carey
434 West Ascension Way, Suite 500
Murray, Utah 84123
rachel.carey@arizonacollege.edu
(385) 799-6510

Sarasota
Clare Owen
8043 Cooper Creek Blvd., Suite 107
University Park, Florida 34201
clare.owen@arizonacollege.edu
(941) 867-2917

Southfield
Allison Helwig
26400 Lahser Road, Suite 400
Southfield, Michigan 48033
allison.helwig@arizonacollege.edu
(313) 284-5067

St. Louis
Kirk Washington
1807 Park 270 Drive, Suite 500
Maryland Heights, Missouri 63146
kirk.washington@arizonacollege.edu
(314) 441-3831

Tampa
Abdul Roux
1411 N. Westshore Blvd, Suite 200
Tampa, Florida 33607
abdul.roux@arizonacollege.edu
(813) 755-3817

Tempe
Cheyenne Eggers
1620 W. Fountain Head Pkwy, Suite 110
Tempe, Arizona 85282
cheyenne.eggers@arizonacollege.edu
(480) 344-1251

Tucson
Wendy Clark
5285 E. Williams Circle, Suite 1000
Tucson, Arizona 85711
wclark@arizonacollege.edu
(520) 497-2148

Corporate
Wendy Soliz
2510 West Dunlap Ave., Suite 300
Phoenix, Arizona 85021
wsoliz@arizonacollege.edu
(602) 759-2293

Resources

Emergency and Counseling Hotline Telephone Numbers
Emergency (police, fire, and rescue) Always dial 911 for life-threatening emergencies.

24 Hour National Suicide Prevention Lifeline/ Veterans Crisis Line 988	**SAMHSA Substance Abuse and Mental Health Service Administration** 1-877-SAMHSA-7 (1-877-726-4727)
National Child Abuse Hotline 1-800-4-A-CHILD (1-800-422-4453)	**American Social Health Association** (919) 361-8400
National Hotline for Crime Victims 1-855-4-VICTIM (1-855-484-2846)	**CDC National AIDS Hotline / National STD Hotline** 1-800-CDC-INFO (232-4636) 1-800-227-8922 (STD Hotline)
RAINN National Sexual Assault Hotline 1-800-656-HOPE (4673)	**LGBT National Hotline** (888) 843-4564
The Substance Abuse and Mental Health Services Administration Treatment Helpline 1-800-662-HELP (4357) 1-800-487-4889 (TTY)	**National Resource Center on Domestic Violence** 1-800-553-2508 1-800-537-2238 (TTY)
National Coalition of Anti-Violence Programs National Advocacy for Local LGBT Communities 1-212-714-1141	**National Domestic Violence Hotline** 1-800-799-SAFE (7233) 1-800-787-3224 (TTY)
National Sexual Assault Hotline 1-800-656-4673	**National Resources for Sexual Assault Survivors and their Loved ones** 1-800-656-4673

Local Authority Contacts

Arlington, Virginia

Police Department	Fire Department	Virginia Sexual & Domestic Violence Action Alliance
Address: 1425 N Courthouse Rd, Arlington, VA 22201 Phone: (703) 558-2222	Address: 1535 Wilson Blvd, Arlington, VA 22209 Phone: (703) 228-0110	Phone Number: (800) 838-8238 For other specialized hotlines that may better suit your needs, click here. Website: https://vsdvalliance.org/

Atlanta, Georgia

Police Department	Fire Department	Georgia Coalition Against Domestic Violence
Address: 620 Morgan Falls Rd, Sandy Springs, GA 30350 Phone: (770) 551-6900	Address: 1425 Spalding Dr, Sandy Springs, GA 30350 Phone: (770) 730-5600	Phone: (404) 209-0280 Website: https://gcadv.org/

Aurora, Colorado

Police Department	Fire Department	Colorado Coalition Against Sexual Assault
Address: 15001 E Alameda Pkwy, Aurora, CO 80012 Phone: (303) 739-6000	Address: 2290 S. Blackhawk St, Aurora, CO 80014 Phone: (303) 326-8999	Phone: (303) 839-9999 Website: https://www.ccasa.org/

Chesapeake, Virginia

Police Department	Fire Department	Virginia Sexual & Domestic Violence Action Alliance
Address: 400 Volvo Pkwy, Chesapeake, VA 23320 Phone: (757) 382-1499	Address: 104 Lenore Trail, Chesapeake, VA 23320 Phone: (757) 382-6297	Phone Number: (800) 838-8238 For other specialized hotlines that may better suit your needs, click here. Website: https://vsdvalliance.org/

Cincinnati, Ohio

Police Department	Fire Department	Ohio Domestic Violence Network
Address: 8871 Weekly Ln, Cincinnati, OH 45249 Phone: (513) 683-3444	Address: 1201 W Kemper Rd, Cincinnati, OH 45240 Phone: (513) 595-5243	Phone: 1 (800) 934-9840 Website: https://www.odvn.org/

Cleveland, Ohio

Police Department	Fire Department	Ohio Domestic Violence Network
Address: 2700 Richmond Road, Beachwood, OH 44122 Phone: (216) 464-1234	Address: 3777 Richmond Rd, Beachwood, OH 44122 Phone: (216) 292-1965	Phone: 1 (800) 934-9840 Website: https://www.odvn.org/

Columbus, Ohio

Police Department	Fire Department	Ohio Domestic Violence Network
Address: 120 Marconi Blvd, Columbus, OH 43215 Phone: (614) 645-4545	Address: 7560 Smoky Row Rd, Columbus OH 43235 Phone: (614) 221-3132	Phone: 1 (800) 934-9840 Website: https://www.odvn.org/

Dallas, Texas

Police Department	Fire Department	National Center on Domestic & Sexual Violence
Address: 1400 Botham Jean Blvd., Dallas TX 75215 Phone: (214) 671-3001	Address: 1500 Marilla Street, Dallas, TX 75201 Phone: (214) 670-3111	Phone: 1-800-799-SAFE (7233) or 1-800-787-3224 For other specialized hotlines that may better suit your needs, click here. Website: ncdsv.org

Falls Church, Virginia

Police Department	Fire Department	Virginia Sexual & Domestic Violence Action Alliance
Address: 300 Park Ave., Falls Church, VA 22046 Phone: (703) 241-5050	Address: 3101 Hodge Pl, Falls Church, VA 22042 Phone: (703) 573-4505	Phone Number: (800) 838-8238 For other specialized hotlines that may better suit your needs, click here. Website: https://vsdvalliance.org/

Fort Lauderdale, Florida

Police Department	Fire Department	Florida Domestic Violence Hotline
Address: 1300 W Broward Blvd, Fort Lauderdale, FL 33312 Phone: (954) 828-5700	Address: Station 2 - 528 NW 2nd Street, Fort Lauderdale, FL 33311 Phone: (954) 828-6800	Phone: 1-800-500-1119 or TDD (800) 621-4202 Florida Relay 711 Information about local service providers may be found on the DCF webpage: myflfamilies.com Information regarding domestic violence and the programs available in Florida are also available on the DCF website: myflfamilies.com Florida Council Against Sexual Violence 1-888-956-7273

Fort Worth, Texas

Police Department	Fire Department	National Center on Domestic & Sexual Violence
Address: 1000 Calvert St, Fort Worth, TX 76107 Phone: (817) 392-4200	Address: 205 University Dr, Fort Worth, TX 76107 Phone: (817) 392-3000	Phone: 1-800-799-SAFE (7233) or 1-800-787-3224 For other specialized hotlines that may better suit your needs, click here. Website: ncdsv.org

Glendale, Arizona

Police Department	Fire Department	Arizona Coalition to End Sexual & Domestic Violence
Address: 6835 North 57th Drive, Glendale, AZ 85301 Phone: (623) 930-3000	Address: 11550 W. Glendale Avenue, Glendale, AZ 85307 Phone: (623) 930-4400	Phone: 602-279-2900 Phone: 1-800-782-6400 Website: ACESDV

Greenville, South Carolina

Police Department	Fire Department	South Carolina Coalition Against Domestic Violence & Sexual Assault
Address: 125 Commonwealth Dr, Greenville, SC 29615 Phone: (864) 675-4844	Address: 10 Watson Aviation Rd, Greenville, SC 29607 Phone: (864) 232-2273	Phone: 803-246-2900 Website: SCCADVASA

Hartford, Connecticut

Police Department	Fire Department	Connecticut Coalition Against Domestic Violence
Address: 31 School St, East Hartford, CT 06108 Phone: (860) 528-4401	Address: 31 School St, East Hartford, CT 06108 Phone: (860) 291-7400	Phone Number: (860) 282-7899 Website: https://www.ctcadv.org/

Las Vegas, Nevada

Police Department	Fire Department	Nevada Coalition to End Domestic Violence & Sexual Violence
Address: 400 S. Martin L. King Blvd., Las Vegas, NV 89106 Phone: (702) 828-3111	Address: 500 N. Casino Center Blvd., Las Vegas, NV 89101 Phone: (702) 383-2888	National Domestic Violence Hotline at 1.800.799.7233 or RAINN 1.800.656.4673 Phone Number: 775-828-1115 Website: https://www.ncedsv.org/

Melbourne, Florida

Police Department	Fire Department	Florida Domestic Violence Hotline
Address: 701 S Babcock St, Melbourne, FL 32901 Phone: (321) 608-6443	Address: 151 E University Blvd, Melbourne, FL 32901 Phone: (321) 608-6000	Phone: 1-800-500-1119 or TDD (800) 621-4202 Florida Relay 711 Information about local service providers may be found on the DCF webpage: myflfamilies.com Information regarding domestic violence and the programs available in Florida are also available on the DCF website: myflfamilies.com Florida Council Against Sexual Violence 1-888-956-7273

Mesa, Arizona

Police Department	Fire Department	Arizona Coalition to End Sexual & Domestic Violence
Address: 130 N Robson, Mesa, AZ 85201 Phone: (480) 644-2211	Address: 13 W. First Street, Mesa, AZ 85201 Phone: (480) 644-2101	Phone: 602-279-2900 Phone: 1-800-782-6400 Website: ACESDV

Milwaukee, Wisconsin

Police Department	Fire Department	Wisconsin Coalition Against Sexual Assault
Address: 749 W State St, Milwaukee, WI 53233 Phone: (414) 933-4444	Address: 711 W Wells St, Milwaukee, WI 53233 Phone: (414) 286-8948	Phone: 608-257-1516 Website: WCASA

Ontario, California

Police Department	Fire Department	California Partnership to End Domestic Violence
Address: 2500 S. Archibald Ave., Ontario, CA 91761 Phone: (909) 395-2001	Address: 1530 East Fourth St., Ontario, CA 91764 Phone: (909) 395-2002	Phone Number: (916) 444-7163 For other specialized hotlines that may better suit your needs, click here. Website: https://www.cpedv.org/

Phoenix, Arizona

Police Department	Fire Department	Arizona Coalition to End Sexual & Domestic Violence
Address: 620 West Washington Street Phoenix, AZ 85003 Phone: (602) 262-6151	Address: 150 S. 12th St. Phoenix, AZ 85034 Phone: (602) 262-6297	Phone: 602-279-2900 Phone: 1-800-782-6400 Website: ACESDV

Salt Lake City, Utah

Police Department	Fire Department	Utah Domestic Violence Coalition
Address: 5025 S State St. Murray, UT 84107 Phone: (801) 264-2673	Address: 4848 South Box Elder Street, Murray, UT 84107 Phone: (801) 264-2780	Phone Number: 1-800-897-5465 For other specialized hotlines that may better suit your needs, click here. Website: https://www.udvc.org/

Sarasota, Florida

Police Department	Fire Department	Florida Domestic Violence Hotline
Address: 600 301 Boulevard West, Bradenton, FL 34205 Phone: (941) 747-3011	Address: 5228 45th St E, Bradenton, FL 34203 Phone: (941) 225-2594	Phone: 1-800-500-1119 or TDD (800) 621-4202 Florida Relay 711 Information about local service providers may be found on the DCF webpage: myflfamilies.com Information regarding domestic violence and the programs

		available in Florida are also available on the DCF website: myflfamilies.com Florida Council Against Sexual Violence 1-888-956-7273

Southfield, Michigan

Police Department	Fire Department	Michigan Coalition to End Domestic & Sexual Violence
Address: 26000 Evergreen Rd. Southfield, MI 48076 Phone: (248) 796-5500	Address: 24477 Lahser Rd. Southfield, MI 48033 Phone: (248) 796-5650	Phone Number: (517) 347-7000; (517) 381-8470 For other specialized hotlines that may better suit your needs, click here. Website: https://mcedsv.org/

St. Louis, Missouri

Police Department	Fire Department	Missouri Coalition Against Domestic & Sexual Violence
Address: 11911 Dorsett Rd, Maryland Heights, MO 63043 Phone: (314) 298-8700	Address: 2600 Schuetz Rd, Maryland Heights, MO 63043 Phone: (314) 298-4400	Phone: (573) 634-4161 Website: mocadsv.org

Tampa, Florida

Police Department	Fire Department	Florida Domestic Violence Hotline
Address: 2008 E 8th Ave, Tampa, FL 33605 Phone: (813) 247-8000	Address: 9450 E. Columbus Dr. Tampa, FL 33619 Phone: (813) 272-6600	Phone: 1-800-500-1119 or TDD (800) 621-4202 Florida Relay 711 Information about local service providers may be found on the DCF webpage: myflfamilies.com Information regarding domestic violence and the programs available in Florida are also available on the DCF website: myflfamilies.com Florida Council Against Sexual Violence 1-888-956-7273

Tempe, Arizona

Police Department	Fire Department	Arizona Coalition to End Sexual & Domestic Violence
Address: 120 E. 5th Street, Tempe, AZ 85281 Phone: (480) 350-8311	Address: 1400 E Apache Blvd, Tempe, AZ 85281 Phone: (480) 858-7200	Phone: 602-279-2900 Phone: 1-800-782-6400 Website: ACESDV

Tucson, Arizona

Police Department	Fire Department	Arizona Coalition to End Sexual & Domestic Violence
Address: 270 S. Stone Ave., Tucson, AZ 85701 Phone: (520) 791-4444	Address: 300 S. Fire Central Place. Tucson, AZ 85701 Phone: (520) 791-4512	Phone: 602-279-2900 Phone: 1-800-782-6400 Website: ACESDV

State Applicable/Jurisdiction Definitions

Arizona College reserves the right to determine the applicable definition based upon factors including but not limited to the location of the alleged offense, applicable laws or location of the College. Under College policy or Title IX or other federal law, conduct may constitute sex/gender discrimination, misconduct, or harassment even though that conduct does not meet a specific state or other definition of an offense.

Arizona
Pertinent Legal Definitions Under Arizona Law

Consent – ARS 13-1401(5)
"Without consent" includes any of the following:

1. The victim is coerced by the immediate use or threatened use of force against person or property.
2. The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairments of cognition and such condition is known or should have reasonably been known to the defendant. For purposes of this subdivision, "mental defect" means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
3. The victim is intentionally deceived as to the nature of the act.
4. The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

Domestic Violence – ARS 13-3601

1. "Domestic Violence" means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102,13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13- 1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 3 or section

13-2916, 13- 2921, 13- 2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:

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

Sexual Assault – A.R.S. 13-1406(A)

1. A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

Stalking – A.R.S. 13-2923

A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

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

<u>California</u>

Pertinent Legal Definitions Under California Law

(See Appendix B)

Colorado

Pertinent Legal Definitions Under Colorado Law

(1.5) **"Consent"** means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in this definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4.

C.R.S § 18-6-800.3 (1) **"Domestic violence"** means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

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

C.R.S § 18-3-402 **Sexual Assault** (1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

(a) The actor causes sexual intrusion or sexual penetration knowing the victim does not consent; or
(b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
(c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
(d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
(e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
(f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
(g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or

(h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

C.R.S § 18-3-602 **Stalking** A person commits stalking if directly, or indirectly through another person, the person knowingly:

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

Connecticut

Pertinent Legal Definitions Under Connecticut Law

Lack of consent to sexual activity exists where: the accused compels the victim to engage in sexual activity by the use or threat of force against the victim (or against a third person); 1. the victim is mentally incapacitated or impaired because of mental disability or disease to the extent that the person is unable to consent to sexual activity; or 2. 3. the victim is physically helpless. Connecticut General Statutes Annotated §§ 53a- 65; 53a-70; 53a-71; 53a-72a; 53a-73a.

"Mentally incapacitated" means that a person is rendered temporarily incapable of appraising or controlling such person's conduct owing to the influence of a drug or intoxicating substance administered to such person without such person's consent, or owing to any other act committed upon such person without such person's consent. Connecticut General Statutes Annotated § 53a-65(5).

"Impaired because of mental disability or disease" means that a person suffers from a mental disability or disease which renders such person incapable of appraising the nature of such person's conduct. Connecticut General Statutes Annotated § 53a-65(4).

"Physically helpless" means that a person is unconscious or for any other reason is physically unable to resist an act of sexual intercourse or sexual contact or to communicate unwillingness to an act of sexual intercourse or sexual contact. Connecticut General Statutes Annotated § 53a-65(6).

C.G.S. § 46b-38a (1) **"Family violence"** means an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault, including, but not limited to, stalking or a pattern of threatening, between family or household members. Verbal abuse or argument does not constitute family violence unless there is present danger and the likelihood that physical violence will occur.

(2) "Family or household member" means any of the following persons, regardless of the age of such person: (A) Spouses or former spouses; (B) parents or their children; (C) persons related by blood or marriage; (D) persons other than those persons described in subparagraph (C) of this subdivision presently residing together or who have resided together; (E) persons who have a child in common regardless of whether they are or have been married or have lived together at any time; and (F) persons in, or who have recently been in, a dating relationship.

C.G.S. § 53a-70 **Sexual Assault** (a) A person is guilty of sexual assault in the first degree when such person (1) compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person, or (2) engages in sexual intercourse with another person and such other person is under thirteen years of age and the actor is more than two years older than such person, or (3) commits sexual assault in the second degree as provided in section 53a-71 and in the commission of such offense is aided by two or more other persons actually present, or (4) engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such sexual intercourse.

C.G.S. § 53a-181d **Stalking in the second degree** (a) For the purposes of this section:
(1) "Course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly or through a third party, by any action, method, device or means, including, but not limited to, electronic or social media, (A) follows, lies in wait for, monitors, observes, surveils, threatens, harasses, communicates about or with or sends unwanted gifts to, a person, or (B) interferes with a person's property;

(2) "Emotional distress" means significant mental or psychological suffering or distress that may or may not require medical or other professional treatment or counseling; and

(3) "Personally identifying information" means:

(A) Any information that can be used to distinguish or trace an individual's identity, such as name, prior legal name, alias, mother's maiden name, Social Security number, date or place of birth, address, telephone number or biometric data;
(B) Any information that is linked or linkable to an individual, such as medical, financial, education, consumer or employment information, data or records; or
(C) Any other sensitive private information that is linked or linkable to a specific identifiable individual, such as gender identity, sexual orientation or any sexually intimate visual depiction.

(b) A person is guilty of stalking in the second degree when:
(1) Such person knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person to

(A) fear for such specific person's physical safety or the physical safety of a third person;
(B) suffer emotional distress; or
(C) fear injury to or the death of an animal owned by or in possession and control of such specific person;

(2) Such person with intent to harass, terrorize or alarm, and for no legitimate purpose, engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person to fear that such person's employment, business or career is threatened, where:

(A) such conduct consists of the actor telephoning to, appearing at or initiating communication or contact to such other person's place of employment or business, including electronically, through video-teleconferencing or by digital media, provided the actor was previously and clearly informed to cease such conduct, and
(B) such conduct does not consist of constitutionally protected activity; or

(3) Such person, for no legitimate purpose and with intent to harass, terrorize or alarm, by means of electronic communication, including, but not limited to, electronic or social media, discloses a specific person's personally identifiable information without consent of the person, knowing, that under the circumstances, such disclosure would cause a reasonable person to:

(A) Fear for such person's physical safety or the physical safety of a third person; or
(B) Suffer emotional distress.
(C) For the purposes of this section, a violation may be deemed to have been committed either at the place where the communication originated or at the place where it was received.
(D) Stalking in the second degree is a class A misdemeanor.

Florida

Pertinent Legal Definitions Under Florida Law

Acts of violence or intimidation include sexual assault, domestic violence, dating violence, and stalking.

Sexual assault
is the commission of an unwanted sexual act, whether by an acquaintance or by a stranger, that occurs without indication of consent of both individuals, or that occurs under threat or coercion. Sexual assault can occur either forcibly and/or against a person's will, or when a person is incapable of giving consent. A person is legally incapable of giving consent if less than the age recognized by law, if intoxicated by drugs and/or alcohol, if developmentally disabled, or if temporarily or permanently mentally or physically unable to do so. Under federal and state law, sexual assault includes, but is not limited to, rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing for purposes of sexual gratification), and threat of sexual assault. See Fla. Stat. 784.011 (assault), 784.046(c) (sexual violence), 794.011 (sexual battery).

Domestic violence
includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, cohabitant, coparent, or person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law. Florida law defines domestic violence as "any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member." Fla. Stat. 741.28.

Dating violence
means violence, including sexual or physical abuse or the threat of such abuse, by a person who has been in a romantic or intimate relationship with the victim. The existence of such a relationship will be gauged by its length and type, frequency of interaction, and the reporting party's statement of such a relationship. Florida law defines dating violence as "violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors: 1. A dating relationship must have existed within the past 6 months; 2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and 3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context." Fla.Stat. 784.046.

Stalking
means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. A course of conduct includes a series of acts over any period of time. Stalking includes harassment and cyberstalking, either of which includes a course of conduct that causes substantial emotional distress to the victim and that serves no legitimate purpose. Stalking includes any credible threat to the victim that causes reasonable fear for the safety of the victim, the victim's family members, or others closely associated with the victim, regardless of whether the perpetrator actually intends to go through with the threats. See Fla. Stat. 784.048.

Georgia

Pertinent Legal Definitions Under Georgia Law

Dating Violence
O.C.G.A. § 19-13A-1: 'Dating violence' means the occurrence of one or more of the following acts between persons through whom a current pregnancy has developed or who are currently, or within the last 12 months were, in a dating relationship: (A) Any felony; or (B) Commission of the offenses of simple battery, battery, simple assault, or stalking.

Domestic Violence
The State of Georgia does not have a Domestic Violence law, but defines Family Violence as: O.C.G.A. § 19-13-1: The term "family violence" means the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child,

parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony; or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass. The term "family violence" shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention.

Sexual Assault

Georgia does not have a Sexual Assault law, but instead has a Sexual Battery law as shown below. O.C.G.A. § 16-6-22.1: (a) For the purposes of this Code section, the term "intimate parts" means the primary genital area, anus, groin, inner thighs, or buttocks of a male or female and the breasts of a female. (b) A person commits the offense of sexual battery when he or she intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person. (c) Except as otherwise provided in this Code section, a person convicted of the offense of sexual battery shall be punished as for a misdemeanor of a high and aggravated nature. (d) A person convicted of the offense of sexual battery against any child under the age of 16 years shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years. (e) Upon a second or subsequent conviction under subsection (b) of this Code section, a person shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than one nor more than five years and, in addition, shall be subject to the sentencing and punishment provisions of Code Section 17-10-6.2. (f) When the alleged victim is under the age of 16 years and the conduct is for the purpose of sexual arousal on the part of the alleged offender or alleged victim, consent of the alleged victim shall not be a defense to a prosecution under this Code section; provided, however, that if at the time of the offense the alleged victim is at least 13 but less than 16 years of age and the accused is 18 years of age or younger and no more than 48 months older than the alleged victim, this subsection shall not be applicable.

Rape

O.C.G.A. § 16-6-1: (a) A person commits the offense of rape when he has carnal knowledge of: (1) A female forcibly and against her will; or (2) A female who is less than 10 years of age. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ. The fact that the person allegedly raped is the wife of the defendant shall not be a defense to a charge of rape. (b) A person convicted of the offense of rape shall be punished by death, by imprisonment for life without parole, by imprisonment for life, or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7. (c) When evidence relating to an allegation of rape is collected in the course of a medical examination of the person who is the victim of the alleged crime, the Georgia Crime Victims Emergency Fund, as provided for in Chapter 15 of Title 17, shall be responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence.

Sodomy; Aggravated Sodomy; Medical Expenses

O.C.G.A. § 16-6-2: (a) (1) A person commits the offense of sodomy when he or she performs or submits to any sexual act involving the sex organs of one person and the mouth or anus of another. (2) A person commits the offense of aggravated sodomy when he or she commits sodomy with force and against the will of the other person or when he or she commits sodomy with a person

who is less than ten years of age. The fact that the person allegedly sodomized is the spouse of a defendant shall not be a defense to a charge of aggravated sodomy. (b) (1) Except as provided in subsection (d) of this Code section, a person convicted of the offense of sodomy shall be punished by imprisonment for not less than one nor more than 20 years and shall be subject to the sentencing and punishment provisions of Code Section 17-10-6.2. (2) A person convicted of the offense of aggravated sodomy shall be punished by imprisonment for life or by a split sentence that is a term of imprisonment for not less than 25 years and not exceeding life imprisonment, followed by probation for life. Any person convicted under this Code section of the offense of aggravated sodomy shall, in addition, be subject to the sentencing and punishment provisions of Code Sections 17-10-6.1 and 17-10-7. (c) When evidence relating to an allegation of aggravated sodomy is collected in the course of a medical examination of the person who is the victim of the alleged crime, the Georgia Crime Victims Emergency Fund, as provided for in Chapter 15 of Title 17, shall be financially responsible for the cost of the medical examination to the extent that expense is incurred for the limited purpose of collecting evidence. (d) If the victim is at least 13 but less than 16 years of age and the person convicted of sodomy is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor and shall not be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

Fondling

The State of Georgia does not have a definition for Fondling, however what the Clery Act defines as fondling is included in the State definition of Sexual Battery provided above.

Incest

O.C.G.A. § 16-6-22: (a) A person commits the offense of incest when such person engages in sexual intercourse or sodomy, as such term is defined in Code Section 16-6-2, with a person whom he or she knows he or she is related to either by blood or by marriage as follows: (1) Father and child or stepchild; (2) Mother and child or stepchild; (3) Siblings of the whole blood or of the half blood; (4) Grandparent and grandchild of the whole blood or of the half blood; (5) Aunt and niece or nephew of the whole blood or of the half blood; or (6) Uncle and niece or nephew of the whole blood or of the half blood. (b) A person convicted of the offense of incest shall be punished by imprisonment for not less than ten nor more than 30 years; provided, however, that any person convicted of the offense of incest under this subsection with a child under the age of 14 years shall be punished by imprisonment for not less than 25 nor more than 50 years. Any person convicted under this Code section of the offense of incest shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2.

Statutory Rape

O.C.G.A. § 16-6-3: (a) A person commits the offense of statutory rape when he or she engages in sexual intercourse with any person under the age of 16 years and not his or her spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the victim. (b) Except as provided in subsection (c) of this Code section, a person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years; provided, however, that if the person so convicted is 21 years of age or older, such person shall be punished by imprisonment for not less than ten nor more than 20 years. Any person convicted under this subsection of the offense of statutory rape shall, in addition, be subject to the sentencing and punishment provisions of Code Section 17-10-6.2. (c) If the victim is at least 14 but less than 16 years of age and the person convicted of statutory rape is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Stalking

O.C.G.A. § 16-5-90: (a) (1) A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meanings as set out in Code Section 16-9-92; the term "contact" shall mean any communication including without being limited to communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received. For the purpose of this article, the term "place or places" shall include any public or private property occupied by the victim other than the residence of the defendant. For the purposes of this article, the term "harassing and intimidating" means a knowing and willful course of conduct directed at a specific person which causes emotional distress by placing such person in reasonable fear for such person's safety or the safety of a member of his or her immediate family, by establishing a pattern of harassing and intimidating behavior, and which serves no legitimate purpose. This Code section shall not be construed to require that an overt threat of death or bodily injury has been made. (2) A person commits the offense of stalking when such person, in violation of a bond to keep the peace posted pursuant to Code Section 17-6-110, standing order issued under Code Section 19-1-1, temporary restraining order, temporary protective order, permanent restraining order, permanent protective order, preliminary injunction, or permanent injunction or condition of pretrial release, condition of probation, or condition of parole in effect prohibiting the harassment or intimidation of another person, broadcasts or publishes, including electronic publication, the picture, name, address, or phone number of a person for whose benefit the bond, order, or condition was made and without such person's consent in such a manner that causes other persons to harass or intimidate such person and the person making the broadcast or publication knew or had reason to believe that such broadcast or publication would cause such person to be harassed or intimidated by others. (b) Except as provided in subsection (c) of this Code section, a person who commits the offense of stalking is guilty of a misdemeanor. (c) Upon the second conviction, and all subsequent convictions, for stalking, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one year nor more than ten years. (d) Before sentencing a defendant for any conviction of stalking under this Code section or aggravated stalking under Code Section 16-5-91, the sentencing judge may require psychological evaluation of the offender and shall consider the entire criminal record of the offender. At the time of sentencing, the judge is authorized to issue a permanent restraining order against the offender to protect the person stalked and the members of such person's immediate family, and the judge is authorized to require psychological treatment of the offender as a part of the sentence, or as a condition for suspension or stay of sentence, or for probation.

Consent

While Georgia does not define consent there is a published definition of "Without his consent" in: O.C.G.A. § 16-1-3: (19) "Without his consent" means that a person whose concurrence is required has not, with knowledge of the essential facts, voluntarily yielded to the proposal of the accused or of another.

Michigan

Consent

(1) All of the following are elements of informed consent:

(a) Legal competency. An individual shall be presumed to be legally competent. This presumption may be rebutted only by a court appointment of a guardian or exercise by a court of guardianship powers and only to the extent of the scope and duration of the guardianship. An individual shall be presumed legally competent regarding matters that are not within the scope and authority of the guardianship.

(b) Knowledge. To consent, a recipient or legal representative must have basic information about the procedure, risks, other related consequences, and other relevant information. The standard governing required disclosure by a doctor is what a reasonable patient needs to know in order to make an informed decision. Other relevant information includes all of the following:

(i) The purpose of the procedures.

(ii) A description of the attendant discomforts, risks, and benefits that can reasonably be expected.

(iii) A disclosure of appropriate alternatives advantageous to the recipient.

(iv) An offer to answer further inquiries.

(c) Comprehension. An individual must be able to understand what the personal implications of providing consent will be based upon the information provided under subdivision (b) of this subrule.

(d) Voluntariness. There shall be free power of choice without the intervention of an element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion, including promises or assurances of privileges or freedom. There shall be an instruction that an individual is free to withdraw consent and to discontinue participation or activity at any time without prejudice to the recipient.

Sexual Assault

Sexual assault is when a person forces or pressures another person into unwanted sexual contact. This can be unwanted sexual penetration of the body or unwanted touching of private parts of the body. Some, but not all perpetrators force unwanted sexual contact when a victim is asleep, unconscious, under the influence of alcohol or drugs or physically helpless. Michigan law refers to sexual assault as “Criminal Sexual Conduct.”

Stalking

Stalking means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Dating violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

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

Domestic violence means the occurrence of any of the following acts by a person as described above that is not an act of self-defense –

1. Causing or attempting to cause physical or mental harm to a family or household member;
2. Placing a family or household member in fear of physical or mental harm;
3. Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress or
4. Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Missouri

Sexual Assault
Rape:
1. A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.031. 1. A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

566.060. 1. A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.061. 1. A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.

566.062. 1. A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.

566.064. 1. A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.

Fondling:
Missouri does not have a specific fondling statute. All incidents of this nature are defined by Missouri as sexual abuse, sexual misconduct or child molestation.

566.067. 1. A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.

566.068. 1. A person commits the offense of child molestation in the second degree if he or she:
1. Subjects a child who is less than twelve years of age to sexual contact; or
2. Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.

566.069. 1. A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.

566.071. 1. A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.

566.093. 1. A person commits the offense of sexual misconduct in the first degree if such person:
1. Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;
2. Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or
3. Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

566.095. 1. A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.

566.100.1. A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

566.101.1. A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

Incest:
568.020. A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her:
1. Ancestor or descendant by blood or adoption; or
2. Stepchild, while the marriage creating that relationship exists; or
3. Brother or sister of the whole or half-blood; or
4. Uncle, aunt, nephew or niece of the whole blood.

Statutory Rape and Attempt to Commit:
566.032. 1. A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.

566.034. 1. A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.

Domestic Violence
565.072. 1. A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.

565.073. 1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:

1. Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
2. Recklessly causes serious physical injury to such domestic victim; or
3. Recklessly causes physical injury to such domestic victim by means of any deadly weapon.

565.074. 1. A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim.

565.076. 1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002 and:

1. The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;
2. With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
3. The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
4. The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
5. The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or
6. The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

565.002. (6) "Domestic victim", a household or family member as the term "family" or "household member" is defined in section 455.010, including any child who is a member of the household or family;

455.010. "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with

the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

Dating Violence
Missouri does not have a specific dating violence statute or definition. Anyone in a dating relationship where violence occurs would be covered under the "domestic victim", "Family" or "household member" as defined in RSMO 565.002 and 455.010. All incidents involving a dating relationship where violence occurs will be counted for Clery reporting purposes as domestic violence.

Stalking
The term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

The term "course of conduct" is a pattern of conduct composed of two or more acts, which may include communication by any means, over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct. Such constitutionally protected activity includes picketing or other organized protests.

565.225. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:

1. Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or
2. At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
3. At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
4. At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or
5. He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or
6. At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

565.227. 1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

Consent – Defined by Missouri Revised Statutes Section
556.061 (14). "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

(a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

(b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(c) It is induced by force, duress or deception.

Nevada

Pertinent Legal Definitions Under Nevada Law

Sexual assault
NRS 200.366 A person who subjects another person to sexual penetration, or who forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct, is guilty of sexual assault.

Domestic violence
NRS 33.018 Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person is or was actually residing, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

a. A Battery
b. An assault.
c. Coercion pursuant to NRS 207.190.
d. A sexual assault.
e. A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:
    i. Stalking.
    ii. Arson.
    iii. Trespassing.
    iv. Larceny.
    v. Destruction of private property.
    vi. Carrying a concealed weapon without a permit.
    vii. Injuring or killing an animal.
    viii. Burglary
    ix. An invasion of the home
f. A false imprisonment.

g. Pandering

Stalking
NRS 200.575 A person who, without lawful authority, willfully or maliciously engages in a course of conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for the immediate safety of a family or household member, commits the crime of stalking.
Note: There are no definitions for consent or dating violence in Nevada.

Ohio

Consent
Permission that is clear, knowing, voluntary, and expressed prior to engaging in and during an act. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Consent may be withdrawn at any time.
- Previous relationships or prior consent cannot imply consent to future sexual acts; this includes "blanket" consent (i.e., permission in advance for any/all actions at a later time/place).
- Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – substantially impaired (e.g., by alcohol or other drug use, unconsciousness, etc.).
    - Substantial impairment is a state when an individual cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).
    - This also covers individuals whose substantial impairment results from other physical or mental conditions including mental disability, sleep, involuntary physical restraint, or from the consumption of alcohol or other drugs.
    - Being impaired by alcohol or other drugs will never function as a defense for any behavior that violates this policy.
- It is the obligation of the person initiating the sexual activity to obtain consent.
- An individual cannot consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or who is coerced by a supervisory or disciplinary authority.

1. Force: violence, compulsion, or constraint; physically exerted by any means upon or against a person.
2. Coercion: the application of pressure by the respondent that unreasonably interferes with the complainant's ability to exercise free will. Factors to be considered include but are not limited to the intensity and duration of the conduct.

- A person who does not want to consent to sex is not required to resist or verbally object.
- Withdrawal of consent can be manifested through conduct and need not be a verbal withdrawal of consent (i.e., crying, pulling away, pushing away, lying there, uncomfortable or upset facial expression).

- Consent may not be given by an individual who has not reached the legal age of consent under applicable law.

Sexual Assault
Any sexual act directed against another person, without the consent of the complainant, including instances where the complainant is incapable of giving consent. Sexual assault is an umbrella term that includes nonconsensual sexual contact, nonconsensual sexual penetration, incest, and statutory rape.

Nonconsensual Sexual Contact – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent. Sexual contact includes intentional contact with the breasts, buttock, groin, or genitals; or touching another with any of these body parts or an object; or making another touch you or themselves with or on any of these body parts. Nonconsensual sexual contact includes forcible fondling.

Nonconsensual Sexual Penetration – Penetration, no matter how slight, of the vagina or anus (including genital or anal opening) with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant. Sexual penetration includes vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact); no matter how slight the penetration or contact. Non-consensual sexual penetration includes forcible rape, forcible sodomy, and sexual assault with an object.

- Forcible Rape – 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 complainant.
- Forcible Sodomy – Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age of consent in the applicable jurisdiction or because of temporary or permanent mental or physical incapacity.
- Sexual Assault with an Object – The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (nonconsensually), or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- Incest – Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Nonforcible sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction

Domestic Violence
Conduct that would meet the definition of a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant

monies, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

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

Stalking
(A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.
(2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:

(a) Violate division (A)(1) of this section;

(b) Urge or incite another to commit a violation of division (A)(1) of this section.

(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.
(B) Whoever violates this section is guilty of menacing by stalking.
(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.
(2) Menacing by stalking is a felony of the fourth degree if any of the following applies:

(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or a violation of section 2911.211 of the Revised Code.

(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced

by the offender's posted message made a threat of physical harm to or against the victim.
(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or attends school.
(d) The victim of the offense is a minor.
(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.
(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.
(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section 2903.213 or 2903.214 of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.
(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

Ohio Revised Code
ORC §2919.25 Domestic Violence. (A) No person shall knowingly cause or attempt to cause physical harm to a family or household member. (B) No person shall recklessly cause serious physical harm to a family or household member. (C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

For purposes of eligibility to obtain a protection order, the following Ohio Revised Code (ORC) definition is used:

ORC §3113.31 Domestic Violence. (1) “Domestic violence” means the any of the following: (a) The occurrence of one or more of the following acts against a family or household member: (i)

Attempting to cause or recklessly causing bodily injury; (ii) Placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section §2903.211 or §2911.211 of the Revised Code; (iii) Committing any act with respect to a child that would result in the child being an abused child, as defined in section §2151.031 of the Revised Code; (iv) Committing a sexually oriented offense. (b) The occurrence of one or more of the acts identified in divisions (A)(1)(a)(i) to (iv) of this section against a person with whom the respondent is or was in a dating relationship.

ORC §2903.211 Menacing by Stalking. (A)(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs. (2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following: (a) Violate division (A)(1) of this section, (b) Urge or incite another to commit a violation of division (A)(1) of this section. (3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

While the term Sexual Assault is not specifically defined, sexual assaults are provided for in §2907 of the Ohio Revised Code: ORC §2907.02 Rape. (A)(1) No person shall engage in sexual conduct with another when any of the following applies: (a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception. (b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person. (c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age. (d) The offender knows that the judgement or control of the other person is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery. (A)(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

ORC §2907.03 Sexual Battery. (A) No person shall engage in sexual conduct with another, cause another to engage in sexual activity with the offender; or cause two or more other persons to engage in sexual activity when any of the following apply: (1) The offender knowingly coerces the other person, or one of the other persons, to submit by any means that would prevent resistance by a person of ordinary resolution. (2) The offender knows that the other person's, or one of the other person', ability to appraise the nature of or control the other person's own conduct is substantially impaired. (3) The offender knows that the other person, or one of the other persons, submits because the other person is unaware that the act is being committed. (4) The offender knows that

the other person, or one of the other persons, submits because the other person mistakenly identifies the offender as the other person's spouse. (5) The offender is the other person's, or one of the other persons', natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person. (6) The other person, or one of the other persons, is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person. (7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person, or one of the other persons, is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school. (8) The other person, or one of the other persons, is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution. (9) The other person, or one of the other persons, is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person. (10) The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes. (11) The offender is a licensed medical professional, the other person, or one of the other persons, is a patient of the offer, and the sexual activity occurs in the course of medical treatment. (12) The other person, or one of the other persons, is confined in a detention facility, and the offender is an employee of that detention facility. (13) The other person, or one of the other persons, is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric. (14) The other person, or one of the other persons, is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

ORC §2907.04 Unlawful Sexual Conduct with a Minor. (A) No person who is eighteen years of age or older shall engage in sexual conduct with another when the offender knows the other person is thirteen years of age of older but less then sixteen years of age, or the offender is reckless in that regard.

ORC §2907.05 Gross Sexual Imposition. (A) No person shall have sexual contact with another; cause another to have sexual contact with the offender; or cause two or more other persons to have sexual contact with any of the following applies: (1) The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force. (2) For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception. (3) The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery. (4) The other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person. (5) The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the

other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

ORC §2907.06 Sexual Imposition. (A) No person shall have sexual contact with another, cause another to have sexual contact with the offender; or cause two or more other persons to have sexual contact with the offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard. (B) No person shall be convicted of a violation of this section solely upon the victim's testimony unsupported by other evidence. (C) Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree.

The Ohio Revised Code does not have definitions for Sexual Assault, Dating Violence, or Consent.

South Carolina

Consent
The clear, knowing, and voluntary, agreement to participate in mutually agreed-upon acts. Consent can be given by words and/or actions, as long as those words and/or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) the sexual activity. It is the responsibility of each party to determine that the other(s) has consented before engaging in the sexual activity.

For consent to take place, the following elements must be present:

- Both are clear about their intent to engage in sexual activities and their desire to do so is willing.
- Both individuals are fully conscious.
- Someone who is incapacitated cannot consent.
- Neither individual is impaired by drugs or alcohol to the extent they do not know the who, what, when,
- where, why, or how of the situation.
- Coercion, force, or threat of either cancels consent.
- Consent to engage in one form of sexual activity does not provide consent to engage in any other form of
- sexual activity.
- Past consent of sexual activities does not imply future consent.
- Consent to engage in sexual activity with one person does not give consent to engage in sexual activity with
- someone else.
- The existence of a prior or current relationship does not, in itself, constitute consent; even in the context of a
- relationship, there must be real time and mutual consent to sexual activity.
- Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once consent
- is withdrawn and clearly communicated.
- Consent cannot be inferred from the absence of a “no.”
- Consent cannot be inferred from silence, passivity, or lack of verbal or physical resistance. Consent may not be
- given by an individual who has not reached the legal age of consent under applicable law.

Interpersonal Violence
Acts of relationship violence including domestic violence, dating violence, sexual assault, stalking, and harassment.

Domestic Violence
Refers to any act of physical violence, threats of violence against another, threats of violence against individuals close to, pets of, or property belonging to an individual with a connection to a perpetrator as defined by college policy or state law.

Domestic violence is defined by South Carolina state law, S.C. Code Ann. § 16-25-20, as the unlawful causing of "physical harm or injury to a person's own household member" or the "offer or attempt to cause physical harm or injury to a person's own household member with apparent present ability in circumstances reasonably creating fear of imminent peril." A "household member" includes a spouse, a former spouse, persons who have a child in common, cohabitants involved during a romantic relationship or those who formerly cohabitated during a romantic relationship.

Dating Violence
Any act of violence or threats of violence committed by a person: 1. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and 2. where the existence of such a relationship will be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. Dating violence is not a specific criminal violation in South Carolina. However, the state does prohibit a number of physically violent actions to include Homicide, Manslaughter, and Assault and Battery in multiple degrees, which may be applicable.

Stalking
A course of conduct directed at a specific person that would cause a reasonable person under similar circumstances or with similar identities to fear for their own safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more instances, including but not limited to; unwelcome acts in which an individual 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. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used. South Carolina law, S.C. Code Ann. § 16-3-1700, also prohibits stalking which is defined as a "pattern of words, whether verbal written, or electronic, or a pattern" of "two or more acts occurring over a period of time, however short, evidencing a continuity of purpose" that "serves no legitimate purpose and is intended to cause and does cause a targeted person and would cause a reasonable person in the targeted person's position to fear" either "(1) death of the person or a member of his family; (2) assault upon the person or a member of his family; (3) bodily injury to the person or a member of his family; (4) criminal sexual contact on the person or a member of his family; (5) kidnapping of the person or a member of his family; or (6) damage to the property of the person or a member of his family."

Sexual Assault
Any form of sexual contact that occurs with another individual without consent and/or through the use of force, threat of force, intimidation, incapacitation or coercion. This includes instances

where an individual cannot provide consent because of age or temporary/permanent mental incapacity. Sexual Assault includes non-consensual sexual contact, non-consensual sexual penetration, incest and statutory rape. State criminal law defines a sexual assault generally as the unwilling, non-consensual penetration of any bodily opening with any object or body part that is committed by force, threat, intimidation, or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware. State law governing such actions is found in S.C. Code Ann. §16-3-600 and §16-3-652 to 655.

Non-Consensual sexual contact (Offensive Touching): the touching of an unwilling or non-consenting person's intimate parts such as genitalia, groin, breast, buttocks, mouth, and/or clothes covering them; the touching of an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. Offensive Touching falls generally within the Clery Crime Category of "Forcible Fondling."

Non-Consensual sexual penetration: 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 Complainant.

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

Statutory rape: non-forcible sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction.

Sexual exploitation: involves one or more of the following behaviors committed for any purpose, including sexual arousal or gratification, financial gain, or other person benefit; taking sexual advantage of another person without consent, taking advantage of another's sexuality, or extending the bounds of consensual sexual activity without the knowledge of the other individual.

Texas

Pertinent Legal Definitions Under Texas Law

Without Consent
In reference to sexual assault is defined in Texas Penal Code as: (1) the actor compels the other person to submit by the use of violence; (2) the actor compels the other person to submit by threatening to use violence against the victim or against any other person; (3) The other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease the other person is at the time of the sexual assault incapable of appraising the nature of the act; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise the victim's conduct by administering any substance without the victim's knowledge. (Texas Penal Code 22.011)

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 if 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 as non-forcible sexual intercourse with a person who is under the statutory age of consent. Texas Penal Code 22.011 defines "Sexual Assault" as an offense committed by a person that intentionally or knowingly causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; or causes the penetration of the mouth of another person by the sexual organ of the actor, without person's consent, or causes the sexual organ of another person without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor.

Domestic Violence
Means (1) Felony or misdemeanor crimes of violence committed; (i) By a current of 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 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 the person's acts under the domestic or family violence laws of the jurisdiction in the crime of violence occurred. "(2) For the purposes of complying with the requirements of this section 668.41 any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. The Texas Family Code 71.004 defines Family Violence/Domestic Violence as an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault or sexual assault or that is a threat that reasonably places the family member in fear of imminent physical harm, bodily injury, or sexual assault, but does not include defensive measures to protect oneself.

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 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 purpose 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. Texas Family Code 71.0021 defines Dating Violence as an act other than a defensive measure to protect oneself, that is committed against a victim with whom the actor has or has had a dating relationship; or because of the victim's dating relationship with an individual with whom the actor is or has been in a dating relationship. The act is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault or sexual assault. A "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature which is determined based on consideration of the length, nature, frequency and type of interaction between the persons involved in the relationship.

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 purpose 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 persons 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 means a reasonable person under similar circumstances and with similar identities to the victim. Texas Penal Code 42.072 defines Stalking as when a person on more than one occasion and pursuant to the same course of conduct directed specifically at another person, knowingly engages in conduct that: (1) the actor knows or reasonably believes the victim will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family, or for an individual with whom the other person has a dating relationship; or that an offense will be committed against the other person's property; (2) Causes the other person, a member of the other person's family, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or fear that on offense will be committed against the other person's property. Further it would cause a reasonable person to fear bodily injury of death for themselves; bodily injury or death for a member of the person's family or for an individual with whom the person has a dating relationship; or that an offense will be committed against the person's property.

<u>Utah</u>

Sexual assault
Under Utah law, a person is guilty of sexual battery (also called sexual assault) if the person, under circumstances not amounting to rape, sodomy, forcible sex abuse, aggravated sexual abuse, intentionally touches, whether or not through the clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female person, and the person's conduct is under circumstances the person knows or should know will likely cause affront or alarm to the person touched.

Stalking
Under Utah law, stalking is intentionally or knowingly engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. A person is guilty of Stalking who intentionally or knowingly violates a stalking injunction

Dating violence
Under Utah law, dating violence includes any criminal offense involving violence or physical harm, or threat of violence or physical harm, when committed by a person against a dating partner of the person; or any attempt, conspiracy, or solicitation by a person to commit a criminal offense

involving violence or physical harm against a dating partner of the person. A dating partner is a person who is -

1. An emancipated person; or
2. 18 years of age or older; and
3. Is, or has been, in a dating relationship with the other party.

A dating relationship is social relationship of a romantic or intimate nature, or a relationship, which has romance or intimacy as a goal by one or both parties, regardless of whether the relationship involves sexual intimacy. Dating relationship does not mean casual fraternization in a business, educational, or social context. In determining, based on a totality of the circumstances, whether a dating relationship exists, all relevant factors shall be considered, including -

1. whether the parties developed interpersonal bonding above a mere casual fraternization;
2. the length of the parties' relationship;
3. the nature and the frequency of the parties' interactions, including communications indicating that the parties intended to begin a dating relationship;
4. the ongoing expectations of the parties, individual or jointly, with respect to the relationship;
5. whether, by statement or conduct, the parties demonstrated an affirmation of their relationship to others; and
6. whether other reasons exist that support or detract from a finding that a dating relationship exists; and it is not necessary that all, or a particular number, of the factors described herein are found to support the existence of a dating relationship.

Domestic violence

Under Utah law, domestic violence is a felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. 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
5. 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.

Under Utah law, domestic violence is any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another. Domestic violence also means commission or attempt to commit, any of the following offenses by one cohabitant against another: aggravated assault, assault, criminal homicide, harassment, electronic communication harassment, kidnapping, child kidnapping, or aggravated kidnapping, mayhem, sexual offenses, stalking, unlawful detention, violation of protective order, any offense against property, or possession of a deadly weapon with intent to assault, or discharge of a firearm.

Virginia

Prohibited Conduct Definitions Related to VAWA Offenses

1. Sexual Assault

Sexual Assault is defined as the following forcible and nonforcible sex offenses:

(A) Forcible Rape is:

1. penetration,
2. no matter how slight,
3. of the vagina or anus with any body part or object,
4. or oral penetration by a sex organ of another person,
5. without the consent of the Complainant.

(B) Forcible sodomy is:

1. oral or anal sexual intercourse with another person,
2. forcibly,
3. and/or against that person's will (non-consensually) or,
4. not forcibly or against a person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

(C) Sexual Assault with an Object is:

1. the use of an object or instrument to penetrate,
2. however slightly,
3. the genital or anal opening of the body of another person,
4. forcibly,
5. and/or against the person's will (non-consensually),
6. or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

(D) Forcible Fondling is:

1. The touching of the private body parts of another person (buttocks, groin, breasts),
2. for the purpose of sexual gratification,
3. forcibly,
4. and/or against that person's will (non-consensually),
5. or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

(E) Incest is:

1. Nonforcible sexual intercourse,
2. Between persons who are related to each other within the degrees wherein marriage is prohibited by Virginia law.

(F) Statutory Rape is:

1. Nonforcible sexual intercourse,
2. A. If any person carnally knows, without the use of force, a child thirteen years of age or older but under fifteen years of age, such person shall be guilty of a Class 4 felony.

   B. If any person carnally knows, without the use of force, a child thirteen years of age or older but under fifteen years of age who consents to sexual intercourse and the accused is a minor and such consenting child is three years or more the accused's junior, the accused shall be guilty of a Class 6 felony. If such consenting child is less than three years the accused's junior, the accused shall be guilty of a Class 4 misdemeanor.

   In calculating whether such child is three years or more a junior of the accused minor, the actual dates of birth of the child and the accused, respectively, shall be used.

C. For the purposes of this section, (i) a child under the age of thirteen years shall not be considered a consenting child and (ii) "carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, and animate and inanimate object sexual penetration.

2. Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse

(A) Non-Consensual Sexual Contact is:

1. Any intentional (not incidental or accidental),
2. Sexual, touching,
3. However slight,
4. With any object or body part (as described below),
5. Performed by a person upon another such person, without Affirmative Consent. Non-Consensual Sexual Contact includes
    (a) intentional touching of the breasts, buttocks, groin, or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and
    (b) making another touch you or themselves with or on any of these body parts.

(B) Non-Consensual Sexual Intercourse is:

1. Any penetration,
2. However slight,
3. With any object or body part (as described below)
4. Performed by a person upon another person,
5. Without Affirmative Consent. Non-Consensual Sexual Intercourse includes
    (a) vaginal penetration by a penis, object, tongue, or finger,
    (b) anal penetration by a penis, object, tongue, or finger; and
    (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

3. For purposes of Sexual Assault, Non-Consensual Sexual Contact, and Non-Consensual Sexual Intercourse, Affirmative Consent is defined below:

(C) Affirmative Consent is:

a. informed (knowing)
b. voluntary (freely given)
c. active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed upon sexual activity.

Affirmative Consent cannot be obtained by force includes

a. the use of physical violence,
b. threats,
c. intimidation, and/or
d. coercion.

Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, strangling, and brandishing or using any weapon.

Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.

Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size alone does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Affirmative Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Affirmative Consent because of mental or physical helplessness, sleep, unconsciousness or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Domestic Violence

The Virginia Department of State Police and the police and sheriff's departments of every political subdivision in the Commonwealth shall establish an arrest policy and procedures for domestic violence and family abuse cases. Any local police or sheriff's department is authorized to adopt an arrest policy that prescribes additional requirements under this section. Any policies and procedures established under this section shall at a minimum provide guidance to law-enforcement officers on the following:

1. The department's arrest policy;
2. The standards for determining who is the predominant physical aggressor pursuant to § 19.2-81.3;
3. The standards for completion of a required incident report to be filed with the department including the existence of any special circumstances which would dictate a course of action other than arrest;
4. The department's policy on providing transportation to an allegedly abused person;
5. The legal and community resources available to allegedly abused persons in the department's jurisdiction;
6. The department's policy on domestic violence incidents involving law-enforcement officers; and
7. The department's policy on the handling of cases involving repeat offenders of family abuse or domestic violence.

Stalking

A. For purposes of this section:

"Electronically transmitted communication" includes communication by telephone, computer, or other electronic device.

"Family or household member" has the same meaning as provided in § 16.1-228.
B. Any person, except a law-enforcement officer, as defined in § 9.1-101, and acting in the performance of his official duties, and a registered private investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct, either in person or through any other means, including by mail, telephone, or an electronically transmitted communication, directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.

Wisconsin

Consent
Consent is defined in the state of Wisconsin as words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. The following persons are presumed incapable of consent, but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11 (2):

> (b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.
> 940.225(4)(c)
> (c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

Dating Violence
According to the Clery Act, Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

In the state of Wisconsin, a dating relationship is further defined as a romantic or intimate social relationship between two adult individuals but "dating relationship" does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

Domestic Violence
According to the Clery Act, Domestic Violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with,

the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Domestic Abuse; Domestic Abuse Restraining Orders and Injunctions (Wis. Stats. s.813.12(1))
In the state of Wisconsin, domestic abuse means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver's care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s. 940.225 (1), (2) or (3).
4. A violation of s. 940.32.
5. A violation of s. 943.01, involving property that belongs to the individual.
6. A threat to engage in the conduct under subd. 1., 2., 3., 4., or 5.

Domestic Abuse Incidents; Arrest and Prosecution (Wis. Stat. s.968.075)
"Domestic abuse" means any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
2. Intentional impairment of physical condition.
3. A violation of s.940.225(1) [first degree sexual assault], (2) [second degree sexual assault] or (3) third degree sexual assault].
4. A physical act that may cause the other person to fear imminent engagement in the conduct described in 1, 2 or 3.

Sex Offenses
According to the Clery Act, sex offenses are any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

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

Incest
According to the Clery Act, incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

In the state of Wisconsin, people who are nearer of kin than 2nd cousins may not marry, except that marriage may be contracted between first cousins where the female has attained the age of 55

years or where either party, at the time of the application for a marriage license, submits an affidavit signed by a physician stating that either party is permanently sterile.

Rape
According to the Clery Act, rape is 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.

Sexual Assault
An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's UCR program. In the state of Wisconsin, sexual assault is differentiated by degree, with the following definitions:

1. First degree sexual assault. Whoever does any of the following is guilty of a Class B felony:
    a. Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
    b. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
    c. Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
2. Second degree sexual assault. Whoever does any of the following is guilty of a Class C felony:
    a. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
    b. Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
    c. Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.
    d. (cm) Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.
    e. Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
    f. Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another
    g. person without the consent of that person.
    h. Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.
    i. Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

j. Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
k. Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.

3. Third degree sexual assault. Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.
   a. (3m) Fourth degree sexual assault. Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

Sexual Assault of a Child

Any person who has sexual contact or sexual intercourse with a child who has not attained the age of 13 years and causes great bodily harm is guilty of a Class A felony. Any person who has sexual intercourse with a child who has not attained the age of 12 years is guilty of a Class B felony. Any person who has sexual intercourse with a child who has not attained the age of 16 years by use of threat of force or violence is guilty of a Class B felony. Any person who has sexual contact with a child who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the person is at least 18 years of age when the sexual contact occurred. Any person who has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of a Class B felony. [Wis.Stats. s.948.02(1)] Any person who has sexual contact or sexual intercourse with a child who has not attained the age of 16 years is guilty of a Class C felony. [Wis.Stats. s.948.02(2)]

Underage Sexual Activity

In the state of Wisconsin, any person who has sexual contact with a child who has attained the age of 15 years but has not attained the age of 16 years, or any person who has sexual intercourse with a child who has attained the age of 15 years, is guilty of a Class A misdemeanor if the person has not attained the age of 19 years when the violation occurs. (Wis.Stat. s. 948.093) The statute does not apply to the child's spouse.

Statutory Rape

Statutory rape is sexual intercourse with a person who is under the statutory age of consent.17 In the state of Wisconsin, the statutory age of consent for sexual intercourse is 18 years of age. (Wis.Stat. s. 948.09) Any person who has sexual intercourse with a child who is not that person's spouse and who has attained the age of 16 years is guilty of a Class A misdemeanor. (Wis. Stats. S. 948.09).

Stalking

According to the Clery Act, stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or

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

In the state of Wisconsin, stalking means a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

1. Maintaining a visual or physical proximity to the victim.
2. Approaching or confronting the victim.
3. Appearing at the victim's workplace or contacting the victim's employer or coworkers.
4. Appearing at the victim's home or contacting the victim's neighbors.
5. Entering property owned, leased, or occupied by the victim.
6. Contacting the victim by telephone or causing the victim's telephone or any other person's telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
    a. (6m) Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim's family or household or an employer, coworker, or friend of the victim.
8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
9. Delivering an object to a member of the victim's family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
10. Causing a person to engage in any of the acts described in subds. 1. to 9.

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

Campus Sex Crimes Prevention Act

In accordance with the "Campus Sex Crimes Prevention Act" of 2000 and the Sex Offender Registration and Notification Act (SORNA), enacted as part of the Adam Walsh Child Protection and Safety Act of 2006, Arizona College is providing a link to the state Sex Offender Registry. Arizona College is providing a link to the state Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Registry information provided under this section shall be used for the purposes of the administration of justice, screening of current or prospective employees and volunteers, or otherwise for the protection of the public in general and children in particular. Using this public information to threaten, intimidate or harass sex/kidnap offenders will not be tolerated by the law enforcement agencies of Arizona. This abuse could potentially terminate our ability to release this important information to the public. Follow the link below to access the Arizona Department of Public Safety Registry information.

Arizona: http://www.azdps.gov/Services/Sex_Offender/
California: https://oag.ca.gov/sex-offender-reg
Colorado: https://apps.colorado.gov/apps/dps/sor/search-agreement.jsf
Connecticut: https://www.communitynotification.com/cap_office_disclaimer.php?office=54567
Florida: https://offender.fdle.state.fl.us/offender/sops/home.jsf
Georgia: https://gbi.georgia.gov/services/georgia-sex-offender-registry
Michigan: https://www.michigan.gov/msp/services/sex-offender-reg
Missouri: https://www.mshp.dps.missouri.gov/CJ38/searchRegistry.jsp
Nevada: http://www.nvsexoffenders.gov/
Ohio: https://ohio.gov/residents/resources/sex-offender-search
South Carolina: https://scor.sled.sc.gov/
Texas: https://records.txdps.state.tx.us/SexOffenderRegistry
Utah: https://corrections.utah.gov/probation-parole/sex-offender-and-kidnap-registry/
Virginia: https://sex-offender.vsp.virginia.gov/sor/
Wisconsin: https://appsdoc.wi.gov/public

Drug Free Schools & Communities Act

Arizona College is committed to maintaining a drug and alcohol abuse-free environment including following the Drug Free Schools and Communities Act. Preparation for a career in Healthcare requires both students and staff to be free of drug and alcohol abuse.

The College prohibits the unlawful, and lawful but unauthorized, possession, use or distribution of drugs and alcohol on the institution's property or as part of its activities. Drug screenings may be required during the course of enrollment or employment at Arizona College and may be required by clinical facilities. Arizona College will impose sanctions on students and employees who consume or distribute illegal or unauthorized drugs or alcohol on the school premises, at clinical and externship sites, or as part of any of its activities, consistent with local, state and federal law. Disciplinary sanctions may include expulsion, termination of employment, and referral for prosecution.

Laws Regarding Alcohol and Drugs

Arizona

Alcohol

It is illegal for persons under the age of 21 to possess alcoholic beverages with intent to consume them, and for anyone to falsify or misrepresent his or her age or another person's age to obtain alcohol. It is illegal in most circumstances to obtain or give alcohol to a person under the age of 21. Arizona law (ARS & 8-323) provides for the following penalties for a minor who purchases, possesses, or consumes spirituous liquor.

1. Probation
2. A juvenile court hearing
3. Driving privileges suspended for 180 days
4. Attendance at a counseling or education program
5. A fine up to $500
6. Community service work

Arizona law also makes it a misdemeanor to be intoxicated in public and cause a public disturbance or to be intoxicated and endanger the safety of another person or of property. This carries a fine of up to $1000 and up to 90 days imprisonment.

Drugs

In addition to the Federal laws, the State of Arizona has its own laws dealing with controlled substances Controlled Substances

Federal and state laws prohibit the possession, use, sale and manufacture of illegal drugs. Penalties for drug possession under Arizona law range from a minimum of probation to a maximum of 10 years in prison and a $150,000 fine. *Information is given for first offense only. Repeat offenses carry progressively greater sanctions. Trafficking (selling) any of the above drugs, excluding alcohol, are all felonies. Amount and type of drug possessed for sale will determine the penalty. The above information is presented as guidelines for educational purposes but is not binding.

<u>California</u>

The following summarizes some of the California state laws regarding drugs and alcohol that may be relevant to students and employees:

Controlled Substances

- California penalties for offenses involving controlled substances include those set forth in the California Health & Safety Code § 11350: Imprisonment in the county jail or state prison, a fine not to exceed $70, or probation with fine for felony convictions of at least
- $1,000 for the first offense and at least $2,000 for second or subsequent offenses or community service for unlawful possession of controlled substances. (HS § 11350)
- Under California law, possession of certain controlled substances (Schedule I, II, and III) for sale or purchasing for the purpose of sale are punishable by imprisonment of two, three, or four years. (HS §§ 11054, 11055, 11056 & 11351)
- Penalties are more severe for offenses involving heroin, cocaine, cocaine base, or any analog of these substances and occurring upon the grounds of, or within, a church or synagogue, a playground, a public or private youth center, a child day care facility, or a public swimming pool, during hours in which the facility is open for business, classes, or school-related programs, or at any time when minors are using the facility. (HS § 11353.1)
- It is unlawful to possess any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking certain controlled substances. (HS § 11364)

- Personal property may be subject to forfeiture if it contains drugs or was used in a drug manufacture, distribution, dispensation or acquired in violation of this division. (HS § 11470)
- The California Legislature declares that the dispensing and furnishing of prescription drugs, controlled substances and dangerous drugs or dangerous devices without a license poses a significant threat to the health, safety and welfare of all persons residing in the state and shall be guilty of a crime. (HS § 11352.1)

Alcohol

- It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public. Sanctions range from a fine of $250-$500 and community service, depending on whether the offense is a first or subsequent violation. (BP § 25662)
- Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor. Potential sanctions include fines of $250 or higher, community service, and imprisonment, depending on the facts of the case. (BP § 25658)
- Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor. (PC § 647 (f))
- It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher. (CVC § 23152)
- It is a misdemeanor to ride a bicycle upon a highway under the influence of alcohol, drugs or both. (CVC § 21200.5)
- It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle. (CVC § 23223)
- It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area. (CVC § 23225)

Driving Under the Influence

- First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than $390 nor more than $1,000 and except as otherwise provided suspension of privilege to operate motor vehicle. (CVC § 23536)
- Conviction of driving under the influence with or without bodily injury within ten years of certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than $390 nor more than $1,000 and revocation of privilege to operate a motor vehicle. (CVC § 23550.5)
- Driving under the influence causing bodily injury: Imprisonment in state prison or county jail for not less than 90 days nor more than one year and a fine of not less than $390 nor more than $1,000 and suspension of privilege to operate a motor vehicle. (CVC § 23554)
- Driving under the influence causing bodily injury or death to more than one victim: Enhancement of one year in state prison for each additional injured victim up to a maximum of three one-year enhancements. (CVC §23558)
- Second conviction of driving under the influence causing bodily injury within ten years or conviction within ten years of separate conviction of other specified offenses involving alcohol or drugs: Imprisonment in the county jail for not less than 120 days nor more than one year and a fine of not less than $390 nor more than $5,000 and revocation of privilege to operate a motor vehicle. (CVC § 23560)

Colorado

Alcohol
It is illegal to sell whiskey, wine, or beer to any person under twenty-one years of age, and it is illegal for any person under twenty- one years of age to possess or to attempt to purchase the same. identification cards which appear to be fraudulent when presented by purchasers may be confiscated by the establishment and turned over to a law enforcement agency. It is illegal if you are twenty-one years of age or older for you to purchase whiskey, wine, or beer for a person under twenty-one years of age.

Drugs

1. Except as authorized by part 1 or 3 of article 280 of title 12, part 2 of article 80 of title 27, section 18-1-711, section 18-18-428 (1)(b), or part 2 or 3 of this article 18, it is unlawful for a person knowingly to possess a controlled substance.
2. On or after March 1, 2020, a person who violates subsection (1) of this section by possessing:
    a. Any material, compound, mixture, or preparation that contains any quantity of flunitrazepam; ketamine; gamma hydroxybutyrate, including its salts, isomers, and salts of isomers; cathinones; or more than four grams of a controlled substance listed in schedule I or II of part 2 of this article 18 commits a level 4 drug felony.
    b. (Deleted by amendment, L. 2013.)
    c. Any material, compound, mixture, or preparation that contains not more than four grams of a controlled substance listed in schedule I or II of part 2 of this article 18 or any quantity of a controlled substance listed in schedule III, IV, or V of part 2 of this article 18 except flunitrazepam, gamma hydroxybutyrate, or ketamine commits a level 1 drug misdemeanor; except that a fourth or subsequent offense for a violation of this subsection (2)(c) is a level 4 drug felony.

If the circumstances described in section 18-18-428 (1)(b) occur, the peace officer shall not arrest the person pursuant to this section for any minuscule, residual controlled substance that may be present in the used hypodermic needle or syringe, and the district attorney shall not charge or prosecute the person pursuant to this section for any minuscule, residual controlled substance that may be present in a used hypodermic needle or syringe. The circumstances described in section 18-18-428 (1)(b) may be used as a factor in a probable cause or reasonable suspicion determination of any criminal offense if the original stop or search was lawful.

Notwithstanding the provisions of subsection (2) of this section, on or after March 1,2020, a district attorney shall not charge or prosecute a person pursuant to this section for any minuscule, residual, or unusable amount of a controlled substance that may be present in a used hypodermic needle or syringe, or other drug paraphernalia, as defined in section 18-18-426. The circumstances described in this subsection (4) may be used as a factor in a probable cause or reasonable suspicion determination of any criminal offense if the original stop or search was lawful.

Notwithstanding any provision of this section, a person may be charged with another offense in this article 18, including unlawful distribution, manufacturing, dispensing, or sale of a controlled substance, or possession with intent to do the same, pursuant to section 1818-405, when there is evidence for the person to be so charged. Such evidence may include, but is not limited to, the amount of the controlled substance that the person possesses.

Connecticut

Alcohol

1. Sale of Alcohol to Minors and Intoxicated Persons (see Connecticut General Statutes 30–86)
    a. Any permittee or any servant or agent of a permittee who sells or delivers alcoholic liquor to any minor or any intoxicated person, or to any habitual drunkard, knowing the person to be such a habitual drunkard, shall be subject to the penalties of section 30-113.
    b. Any person who sells, ships, delivers or gives alcoholic liquor to a minor, by any means, including, but not limited to, the Internet or any other on-line computer three thousand five hundred dollars or imprisoned not more than eighteen months, or both.
2. Inducing Minors to Procure Liquor (see Connecticut General Statutes 30–87)
    a. Any person who induces any minor to procure alcoholic liquor from any person permitted to sell such alcoholic liquor shall be subject to the penalties prescribed in section 30-113. The provisions of this section shall not apply to (1) the procurement of liquor by a person over age eighteen who is an employee or permit holder under section 30-90a where such procurement is made in the course of such person's employment or business, or (2) any such inducement in furtherance of an official investigation or enforcement activity authorized or conducted by a law enforcement agency or the Department of Consumer Protection. Nothing in this section shall be construed to prevent any action from being taken under section 30-55 or section 30-86, or both, against any person permitted to sell alcoholic liquor who has sold alcoholic liquor to a minor where such minor is participating in an official investigation or enforcement activity authorized or conducted by a law enforcement agency or the department.
3. Misrepresentation of Age to procure liquor (see Connecticut General Statutes 30–88a)
    a. Each person who attains the age of twenty-one years and has a motor vehicle operator's license, containing a full-face photograph of such person, may use, and each permittee may accept, such license as legal proof of the age of the licensee for the purposes of this chapter. Any person who, for the purpose of procuring alcoholic liquor, misrepresents his or her age or uses or exhibits an operator's license belonging to any other person shall be fined not less than two hundred dollars or more than five hundred dollars or imprisoned not more than thirty days, or both.
4. Procuring Liquor by Persons Forbidden and Public Possession of Liquor by Minors (see Connecticut General Statutes 30-89)
    a. Any person to whom the sale of alcoholic liquor is by law forbidden who purchases or attempts to purchase such liquor or who makes any false statement for the purpose of procuring such liquor shall be fined not less than $200 nor more than $500.
    b. Any minor who possesses any alcoholic liquor on any public street or highway, or in any other public or private location, shall, for a first offense, have committed an infraction and for any subsequent offense, be fined not less than $200 nor more than $500.
5. Dram Shop Act (see Connecticut General Statutes 30–102)

a. If any person, by such person or such person's agent, sells any alcoholic liquor to an intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of two hundred fifty thousand dollars, or to persons injured in consequence of such intoxication up to an aggregate amount of two hundred fifty thousand dollars, to be recovered in an action under this section, provided the aggrieved person or persons shall give written notice to such seller of such person's or persons' intention to bring an action under this section. Such notice shall be given (1) within one hundred twenty days of the occurrence of such injury to person or property, or (2) in the case of the death or incapacity of any aggrieved person, within one hundred eighty days of the occurrence of such injury to person or property. Such notice shall specify the time, the date and the person to whom such sale was made, the name and address of the person injured or whose property was damaged, and the time, date and place where the injury to person or property occurred. No action under the provisions of this section shall be brought but within one year from the date of the act or omission complained of. Such injured person shall have no cause of action against such seller for negligence in the sale of alcoholic liquor to a person twenty-one years of age or older.

6. Operating a Motor Vehicle While Under the Influence of Liquor or Drug or While Impaired by Liquor (see Connecticut General Statutes 14–227a)
    a. Operation while under the influence or while having an elevated blood alcohol content. Definitions. No person shall operate a motor vehicle while under the influence of intoxicating liquor or any drug or both. A person commits the offense of operating a motor vehicle while under the influence of intoxicating liquor or any drug or both if such person operates a motor vehicle (1) while under the influence of intoxicating liquor or any drug or both, or (2) while such person has an elevated blood alcohol content.
    b. This statute provides for greater penalties for subsequent offenses.

Drugs

1. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Dispensing of Controlled Substances
    a. Hallucinogenic or narcotic substances other than marijuana. First offense: Prison sentence not to exceed 15 years and/or fine not to exceed $50,000. Second offense: Prison sentence not to exceed 30 years and/or fine not to exceed $100,000. Each subsequent offense: Prison sentence not to exceed 30 years and/or fine not to exceed $250,000 (see Connecticut General Statutes 21–277).
    b. Other controlled substances excluding marijuana. First offense: Prison sentence not to exceed seven (7) years and/or fine not to exceed $25,000. Each subsequent offense: Prison sentence not to exceed 15 years and/or fine not to exceed $100,000 (see Connecticut General Statutes 21–277).
    c. Examples of such substances include, but are not limited to, mescaline, peyote, morphine, LSD, cocaine (including “crack”), opium, amphetamines, and heroin. For a complete definition of controlled, hallucinogenic, and narcotic substances, see Connecticut General Statutes 21a–240.
2. Penalties for Illegal Manufacture, Distribution, Sale, Prescription or Administration by Nondrug-Dependent Person

a. Minimum prison term of not less than five years and maximum term of life imprisonment for the manufacture, distribution, sale, or possession or transportation with the intent to sell of one ounce or more of heroin, methadone, or cocaine (including “crack”), or one- half gram more of cocaine in a freebase form, or five milligrams or more of LSD (see Connecticut General Statutes 21a–278).
b. Minimum prison term of not less than five years for first offense, and for subsequent offenses, minimum prison term of not less than 10 years, for the manufacture, distribution, sale, or transportation or possession with the intent to sell any narcotic, hallucinogenic or amphetamine-type substance, or one kilogram or more of a cannabis type substance (which includes marijuana) (see Connecticut General Statutes 21a-278).

3. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Administration Involving Minors (see Connecticut General Statutes 21a–278a)
    a. Mandatory two-year prison term for the distribution, sale, dispensing, offering, or giving of any controlled substance to another person who is under 18 years of age and who is at least two years younger than the person violating the statute.
    b. Mandatory three-year prison term for the manufacture, distribution, dispensing, sale, transportation or possession with intent to sell, offering or gift of any controlled substance on or within fifteen hundred feet of the real property comprising a public or private elementary school.
4. Penalties for Possession (see Connecticut General Statutes 21a–279)
    a. Any person who possesses or has under such person's control any quantity of any controlled substance, except less than one-half ounce of a cannabis-type substance and except as authorized in this chapter, shall be guilty of a class A misdemeanor.
    b. For a second offense of subdivision (1) of this subsection, the court shall evaluate such person and, if the court determines such person is a drug-dependent person, the court may suspend prosecution of such person and order such person to undergo a substance abuse treatment program.
    c. For any subsequent offense of subdivision (1) of this subsection, the court may find such person to be a persistent offender for possession of a controlled substance in accordance with section 53a-40.
    d. Any person who violates subsection (a) of this section in or on, or within one thousand five hundred feet of, the real property comprising a public or private elementary or secondary school and who is not enrolled as a student in such school or a licensed child care center, as defined in section 19a-77, that is identified as a child care center by a sign posted in a conspicuous place shall be guilty of a class A misdemeanor and shall be sentenced to a term of imprisonment and a period of probation during which such person shall perform community service as a condition of such probation, in a manner ordered by the court.
    e. To the extent that it is possible, medical treatment rather than criminal sanctions shall be afforded individuals who breathe, inhale, sniff or drink the volatile substances described in subdivision (49) of section 21a-240.
    f. The provisions of subsection (a) of this section shall not apply to any person (1) who in good faith, seeks medical assistance for another person who such person reasonably believes is experiencing an overdose from the ingestion, inhalation or injection of intoxicating liquor or any drug or substance, (2) for whom another person, in good faith, seeks medical assistance, reasonably believing such person

is experiencing an overdose from the ingestion, inhalation or injection of intoxicating liquor or any drug or substance, or (3) who reasonably believes he or she is experiencing an overdose from the ingestion, inhalation or injection of intoxicating liquor or any drug or substance and, in good faith, seeks medical assistance for himself or herself, if evidence of the possession or control of a controlled substance in violation of subsection (a) of this section was obtained as a result of the seeking of such medical assistance. For the purposes of this subsection, "good faith" does not include seeking medical assistance during the course of the execution of an arrest warrant or search warrant or a lawful search.

Florida

Alcohol

Drinking age laws for Florida State Statute 562.111, located on line on the Florida legislature website in detail

- It is unlawful for any person under 21 years of age to have in his or her possession alcoholic beverages;
- To sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or to permit a person under 21 years of age to consume said beverages on licensed premises;
- To misrepresent or misstate his or her age or any other person for the purpose of inducing any licensee or his agents or employees to sell, give, serve, or deliver any alcoholic beverages to a person under 21 years of age. OPEN CONTAINER LAWS City Ordinance Section 4-4(b)(1). It is unlawful for any person to consume or have in his or her possession any alcoholic beverage in any open container on any public street, thoroughfare, sidewalk, or on the premises of any publicly owned parking facility. Nor shall any person consume or have in his/her possession any alcoholic beverages in an open container on any private property, except as a lawful guest and with the consent of the owner or person in charge of such private property.

Drugs

The term "drug paraphernalia" means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, transporting, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this chapter or s. 877.111. Drug paraphernalia is deemed to be contraband which shall be subject to civil forfeiture.

In addition to the Federal laws, the State of Florida has its own laws dealing with controlled substances. The possession and use of controlled drugs by members Arizona College community must at all times be in accordance with the provisions of Florida Law. Under Florida law, no person may possess substances regulated under the provisions of Florida State Statute Chapter 893 which can be viewed on the 2026 Florida Statutes.

Exceptions.

(1) The following may be distributed at retail without a prescription, but only by a registered pharmacist:

(a) Any compound, mixture, or preparation described in Schedule V.

(b) Any compound, mixture, or preparation containing any depressant or stimulant substance described in s. 893.03(2)(a) or (c) except any amphetamine drug or sympathomimetic amine drug or compound designated as a Schedule II controlled substance pursuant to this chapter

Georgia

Under State of Georgia Laws, the following laws pertain to alcohol, illegal drugs, and controlled substances:

OCGA Code Section	Description	Possible Penalty
OCGA §16-11-41 Public Drunkenness	Unlawful for an intoxicated person to be in a public place or on another's private property without Penalties invitation, where the behavior is boisterous, indecent, vulgar, profane, loud or unbecoming.	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both
OCGA §3-3-23 Minor in Possession of Alcohol	Unlawful to knowingly furnish, purchase, act as an agent to purchase any alcoholic beverage to any person under 21 years of age. No person under 21 years of age shall misrepresent his or her identity or use any false identification for the purpose of purchasing or obtaining any alcoholic beverage.	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both
OCGA §40-6-391 Driving Under the Influence	Unlawful to drive or be in actual physical control of any moving vehicle while under the influence of alcohol, drug, glue, aerosol, or other toxic vapor to the extent that it is less safe to drive; person's alcohol concentration is .08 grams or more at any time within three hours after such driving or being in actual physical control from alcohol; or any amount of marijuana or	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both

	a controlled substance present in blood, urine or both.	
OCGA §40-6-253 Consumption of Alcoholic Beverage or Possession of Open Container of Alcoholic Beverage in Passenger Area	Unlawful to consume any alcoholic beverage or possess any open alcoholic beverage container in the passenger area of any motor vehicle which is on the roadway or shoulder of any public highway.	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both
OCGA §16-13-1 Drug Related Objects	Unlawful for minor to possess any drug related object meaning any machine, instrument, tool, equipment, contrivance, or device which an average person would reasonably conclude is intended to be used to introduce a drug into the body, enhance the effect of a drug, conceal the quantity of the drug, or test the strength/effectiveness/purity of a drug.	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both
OCGA §16-13-3 Abandonment of dangerous drugs, poisons or controlled substances	Unlawful for a person to abandon, in a public place, any dangerous drug, poison, or controlled substance.	Misdemeanor; a fine not to exceed $1,000 or by jail time not to exceed 12 month or both
OCGA §16-13-20 through 16-13-29 Georgia Controlled Substances Act	Describes the different scheduling of drugs, the names of drugs that fall within each schedule, and the penalties of each.	Penalties vary
OCGA §16-13-30 Purchase, Possession, Manufacture, Distribution, or Sale of Controlled Substances or Marijuana; Penalties	Unlawful for any person to purchase, possess, manufacture, deliver, distribute, dispense, administer, sell, or have under their control any controlled	It is generally a felony, and the potential sentence depends on the drug, amount, and whether the charge is simple possession or distribution.

	substance including marijuana.	
OCGA §16-13-30.1 Unlawful manufacture, delivery, distribution, possession, or sale of noncontrolled substances	Unlawful for any person knowingly to manufacture, deliver, distribute, dispense, possess with the intent to distribute, or sell a noncontrolled substance upon either a representation that it is a narcotic or nonnarcotic controlled substance; it appears or is represented to be a narcotic or nonnarcotic controlled substance, or if the implied representation is that the drug presented is essentially the same pharmacological action or effect as a controlled substance.	Marijuana: misdemeanor Other drugs (exception of morphine, heroin and others outlined in the code section): felony; combined weight >1g imprisonment 1-3 years
OCGA §16-13-30.2 Unlawful manufacture, or possession with intent to distribute of imitation controlled substances	Unlawful for any person to knowingly manufacture, distribute, or possess imitation controlled substances.	Misdemeanor of a high and aggravated nature
OCGA §16-13-30.3 Possession of substances containing ephedrine, pseudoephedrine, and phenylpropanolamine	Unlawful for any person to possess any amount of a substances set forth in this code section with the intent to manufacture amphetamine or methamphetamine.	Felony; imprisonment 1-10 years
OCGA §16-13-30.4 Licenses for sale, transfer, or purchase for resale of products containing pseudoephedrine	Unlawful to possess, sell, transfer or furnish a product containing pseudoephedrine with the knowledge that the substance will be used in the unlawful manufacture of a controlled substance.	Felony; imprisonment 1-10 years

OCGA §16-13-30.5 Possession of substances with intent to use or convey such substances for the manufacture of Schedule I or Schedule II controlled substances	Unlawful to possess any substance with the intent to use the substance to manufacture a Schedule I or Schedule II controlled substance.	Felony; imprisonment 1-15 years or by fine not to exceed $100,000 or both
OCGA §16-13-30.6	Unlawful for a person to sell, deliver, distribute, or provide a minor, or knowingly possess with intent to sell to a minor, any marijuana flavored product, or for a minor (under 18) to falsely represent their age with intent to purchase a marijuana flavored product.	Misdemeanor and $500 fine per offense
OCGA §16-13-31 Trafficking in cocaine	Unlawful to knowingly sell, manufacture, deliver, or bring into the state or who is knowingly in possession of 28 grams or more of cocaine or of any mixture with a purity of 10% or more of cocaine.	Cocaine 28g<200g imprisonment 10 years and $200,000 fine Cocaine 200g<400g imprisonment 15 years and $300,000 fine Cocaine more than 400g imprisonment 25 years and $1 million fine
OCGA §16-13-31 Trafficking morphine, opium or similar substance	Unlawful to knowingly sell, manufacture, deliver, bring into this state, or possess 4 grams or more of any morphine, opium, or heroin.	Morphine 4g<14g imprisonment of 5 years and $50,000 fine Morphine 14g<28g imprisonment of 10 years and $100,000 fine Morphine more than 28 grams imprisonment 25 years and $500,000 fine
OCGA §16-13-31 Trafficking methaqualone	Unlawful to knowingly sell, manufacture, deliver or bring into this state 200 grams or	Methaqualone 200g<400g imprisonment 5 years and $50,000 fine

	more of methaqualone is considered trafficking.	Methaqualone more 400g imprisonment 15 years and $250,000 fine
OCGA §16-13-31 Trafficking marijuana	Unlawful to knowingly sell, manufacture, deliver or bring into this state 10 lbs or more of marijuana is considered trafficking.	Marijuana 10lbs<2,000lbs imprisonment 5 years and $100,000 fine Marijuana 2,000lbs<10,000lbs imprisonment 15 years and $250,000 fine Marijuana more 10,000lbs imprisonment 15 years and $1 million fine
OCGA §16-13-31 Trafficking methamphetamine felony	Unlawful to knowingly sell, deliver, or brings into the state, or possess 28 grams or more of methamphetamine, amphetamine, or any mixture is considered trafficking.	<200g imprisonment 10 years and $200,000 fine 200g<400g imprisonment 15 years and $300,000 fine More than 400g imprisonment 25 years and $1 million fine
2018 Farm Bill	In 2018, The Federal government legalized hemp which allowed pathways for CBD to hit the market. Current statutes prohibit the possession of CBD related products to those under the age of 21.	
OCGA §16-13-72 Sale, distribution, or possession of dangerous drug	Unlawful for any person, firm, corporation, or association to sell, give away, barter, exchange, distribute, or possess any dangerous drug.	The applicable penalty depends on the particular drug and the conduct charged.
OCGA §16-13-78.2 Possession, manufacture, delivery, distribution, or sale of counterfeit substances	Unlawful to possess, control, manufacture, deliver, distribute, dispense, administer, sell or possess with intent to distribute counterfeit substances.	Jail: Up to 12 months. Fine: Up to $1,000. Both jail time and a fine may be imposed.

Michigan

Alcohol
Michigan Law prohibits, among other things, possession, purchase, and consumption of alcoholic beverages by persons under 21 years of age. It also prohibits the sale and furnishing of alcoholic beverages to persons under 21 years of age.

There is a potential for legal responsibility when an individual, even if unlicensed, furnishes alcoholic beverages to persons under 21 years of age. If a minor to whom the beverage was furnished subsequently has an accident attributable to the beverage, then the unlicensed furnisher may be found to be legally liable.

Also under state law, open or unsealed containers of alcoholic beverages may not be transported in the passenger compartment of motor vehicles. Students are encouraged to become familiar with their responsibilities under the State Liquor Control Act.

Drugs
The State of Michigan's penalty for unlawful manufacture, delivery, or possession with intent to deliver less than 50 grams of a Schedule I or II controlled substance is imprisonment for up to 20 years, and/or a fine of up to $25,000. Use of a Schedule I or II controlled substance is a misdemeanor that has a penalty of imprisonment for up to one year, a fine of up to $2,000, or both. Michigan law also provides for up to seven years imprisonment and/or a fine of not more than $5,000 for individuals who manufacture, deliver, or possess with intent to manufacture or deliver gamma-butyrolactone (GBL), a compound related to GHB. For less than 50 kilograms of marijuana, except in the case of 50 or more marijuana plants regardless of weight, 10 kilograms of hashish, or one kilogram of hashish oil, the federal penalty is imprisonment for not more than 5 years, a fine not to exceed $250,000 for an individual, or both. In Michigan, with the exception of manufacture, possession, use, or sale consistent with the Michigan Medical Marihuana Act and Medical Marihuana Facilities Licensing Act, the “unlawful manufacture, delivery, or possession with intent to deliver” of less than 5 kilograms of marijuana or a mixture containing marijuana, or fewer than 20 marijuana plants, is a felony punishable by imprisonment for up to four years, a fine of up to $20,000, or both. Schedule III drugs have a potential for abuse that is less than Schedule I and II substances, and abuse may lead to moderate or lower physical dependence or high psychological dependence. Examples include products containing less than 90 milligrams of codeine per dosage unit such as Tylenol with codeine, ketamine, anabolic steroids such as oxandrolone, or testosterone. Schedule IV drugs have a low potential for abuse relative to substances in Schedule III. Examples include propoxyphene (Darvon® and Darvocet-N 100®), alprazolam (Xanax®), clonazepam (Klonopin®), diazepam (Valium®), lorazepam (Ativan®), and midazolam (Versed®). Schedule V drugs have a low potential for abuse relative to substances listed in Schedule IV and consist primarily of preparations containing limited quantities of certain narcotics that are used for antitussive, antidiarrheal, and analgesic purposes, such as Robitussin AC®, Lomotil, Motofen, Lyrica, Parepectolin. Except as otherwise provided by federal law, the penalty for first offense sale of a Schedule III drug is imprisonment for not more than ten years, a fine of not more than $500,000 for an individual, or both. The federal penalty for first offense sale of Schedule IV drugs is imprisonment for not more than five years, a fine of not more than $250,000 for an individual, or both. The federal penalty for first offense sale of Schedule V drugs is imprisonment for not more than one year, a fine of not more than $100,000 for an individual, or both. The State of Michigan’s penalty for unlawful manufacture, delivery, or possession of Schedule III controlled substances is

imprisonment for not more than seven years, a fine of not more than $10,000, or both. The penalty for Schedule IV controlled substances is imprisonment for not more than four years, a fine of not more than $2,000, or both. The penalty for Schedule V controlled substances is imprisonment for not more than two years, a fine of not more than $2,000, or both. The penalty for use of lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocin, psilocybin, or a controlled substance classified in Schedule V is imprisonment for not more than six months, a fine of not more than $500, or both. Use of all other Schedule I, II, III, and IV controlled substances is punishable by imprisonment for not more than one year, a fine of not more than $1,000, or both.

Missouri

311.325. Purchase or possession by minor, penalty — container need not be opened and contents verified, when — consent to chemical testing deemed given, when — burden of proof on violator to prove not intoxicating liquor — section not applicable to certain students, requirements.

1. Any person under the age of twenty-one years, who purchases or attempts to purchase, or has in his or her possession, any intoxicating liquor as defined in section 311.020 or who is visibly in an intoxicated condition as defined in section 577.001, or has a detectable blood alcohol content of more than two-hundredths of one percent or more by weight of alcohol in such person's blood is guilty of a misdemeanor. A first violation of this section shall be punishable as a class D misdemeanor. A second or subsequent violation of this section shall be punishable as a class A misdemeanor. Prior findings of guilt shall be pleaded and proven in the same manner as required by section 558.021. For purposes of prosecution under this section or any other provision of this chapter involving an alleged illegal sale or transfer of intoxicating liquor to a person under twenty-one years of age, a manufacturer-sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such person, as it shall be presumed that such a sealed container describing that there is intoxicating liquor therein contains intoxicating liquor.
2. For purposes of determining violations of any provision of this chapter, or of any rule or regulation of the supervisor of alcohol and tobacco control, a manufacturer-sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such person, as it shall be presumed that such a sealed container describing that there is intoxicating liquor therein contains intoxicating liquor.
3. Any person under the age of twenty-one years who purchases or attempts to purchase, or has in his or her possession, any intoxicating liquor, or who is visibly in an intoxicated condition as defined in section 577.001, shall be deemed to have given consent to a chemical test or tests of the person's breath, blood, saliva, or urine for the purpose of determining the alcohol or drug content of the person's blood. The implied consent to submit to the chemical tests listed in this subsection shall be limited to not more than two such tests arising from the same arrest, incident, or charge. Chemical analysis of the person's breath, blood, saliva, or urine shall be performed according to methods approved by the state department of health and senior services by licensed medical personnel or by a

person possessing a valid permit issued by the state department of health and senior services for this purpose. The state department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to be considered valid and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health and senior services. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer. Upon the request of the person who is tested, full information concerning the test shall be made available to such person. Full information is limited to the following:

a. The type of test administered and the procedures followed;
b. The time of the collection of the blood or breath sample or urine analyzed;
c. The numerical results of the test indicating the alcohol content of the blood and breath and urine;
d. The type and status of any permit which was held by the person who performed the test;
e. If the test was administered by means of a breath-testing instrument, the date of performance of the most recent required maintenance of such instrument.

Full information does not include manuals, schematics, or software of the instrument used to test the person or any other material that is not in the actual possession of the state. Additionally, full information does not include information in the possession of the manufacturer of the test instrument.

4. The provisions of this section shall not apply to a student who:
    a. Is eighteen years of age or older;
    b. Is enrolled in an accredited college or university and is a student in a culinary course;
    c. Is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and
    d. Tastes a beverage under subdivision (3) of this subsection only for instructional purposes during classes that are part of the curriculum of the accredited college or university. The beverage must at all times remain in the possession and control of an authorized instructor of the college or university, who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted as part of the curriculum.

Drug and Alcohol State Laws

Controlled Substances:
579.015. Possession or control of a controlled substance — penalty:

1. A person commits the offense of possession of a controlled substance if he or she knowingly possesses a controlled substance, except as authorized by this chapter or chapter 195.

2. The offense of possession of any controlled substance except thirty-five grams or less of marijuana or any synthetic cannabinoid is a class D felony.
3. The offense of possession of more than ten grams but thirty-five grams or less of marijuana or any synthetic cannabinoid is a class A misdemeanor.
4. The offense of possession of not more than ten grams of marijuana or any synthetic cannabinoid is a class D misdemeanor. If the defendant has previously been found guilty of any offense of the laws related to controlled substances of this state, or of the United States, or any state, territory, or district, the offense is a class A misdemeanor. Prior findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.
5. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this chapter or chapter 195, it shall not be necessary to include any exception, excuse, proviso, or exemption contained in this chapter or chapter 195, and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

Alcohol and Minors:
In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor, subject to a fine not to exceed $500. See MO. REV. STAT. § 311.325 (2019). A subsequent violation is a Class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed $2,000. Id. Anyone between 17– 21 who represents that she/he is 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. MO. REV. STAT. § 311.320 (2019). The use of a fake identification is subject to a $500 fine. Id. An attempt to purchase, or possession of alcohol, may also result in license suspension.

Driving Under the Influence (DUI):
A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 percent. A first offense results in a suspended license for 30 days and then a restricted license for 60 days, and may require a certified ignition interlock device. MO. REV. STAT. §302.525 (2019). A second offense within five years results in a one-year restricted license and additional penalties.

Nevada

NRS 453.316 Opening or maintaining of place for unlawful sale, gift or use of controlled substance prohibited; penalties; prohibition against probation or suspension of sentence for certain repeat offenders.

1. A person who opens or maintains any place for the purpose of unlawfully selling, giving away or using any controlled substance is guilty of a category C felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $10,000, except as otherwise provided in subsection.
2. If a person convicted of violating this section has previously been convicted of violating this section, or if, in the case of a first conviction of violating this section, he has been convicted of an offense under the laws of the United States or any state, territory or district which, if committed in this State, would amount to a felony under this section, he is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 10 years, and may be further punished by a fine of not more than $20,000. The court shall not grant probation to

or suspend the sentence of a person convicted of violating this section if he has been previously convicted under this section or of any other offense described in this subsection.
3. This section does not apply to any rehabilitation clinic established or licensed by the Health Division of the Department.

Alcohol

1. A person under 21 years of age who purchases any alcoholic beverage or any such person who consumes any alcoholic beverage in any salon, resort or premises where spirituous, malt or fermented liquors or wines are sold is guilty of a misdemeanor.
2. A person under 21 years of age who, for any reason, possesses any alcoholic beverage in public is guilty of a misdemeanor.
3. Every person who knowingly
   a. Sells, gives or otherwise furnishes an alcoholic beverage to any person under 21 years of age;
   b. Leaves or deposits any alcoholic beverage in any place with the intent that it will be procured by any person under 21 years of age; or
   c. Furnishes, gives, or causes to be given any money or thing of value to any person under 21 years of age with the knowledge that the money or thing of value is to be used by the person under 21 years of age to purchase or procure any alcoholic beverage
   is guilty of a misdemeanor.
4. A person who is under 21 years of age and who falsely represents himself or herself to be 21 years of age or older in order to obtain any intoxicating liquor
   is guilty of a misdemeanor.

Drugs

In addition to federal law, Nevada has its own laws prohibiting the unlawful possession, manufacture, sale, delivery, and trafficking of controlled substances.

Under Nevada Revised Statutes:

1. Schedule I and II substances: Under NRS 453.3385, trafficking involving 100 grams or more but less than 400 grams is punishable by 2–20 years in prison and a fine of up to $100,000. Trafficking involving 400 grams or more is punishable by life imprisonment with parole eligibility after 10 years, or a 25-year prison term with parole eligibility after 10 years, and a fine of up to $500,000.
2. Marijuana and concentrated cannabis: Under NRS 453.339, trafficking involving 50 pounds or more but less than 1,000 pounds of marijuana is a Category C felony, punishable by a fine of up to $25,000. Larger quantities carry more severe felony penalties, including mandatory prison terms.
3. Fentanyl: Under NRS 453.3387, trafficking in illicitly manufactured fentanyl is subject to specific felony penalties based on the quantity involved.
4. Schedule III, IV, and V substances: Under NRS 453.338, unlawful possession of these substances for sale is a Category D felony for a first or second offense, with a possible fine of up to $10,000. Third or subsequent offenses may be Category C felonies.
5. Manufacturing controlled substances: Under NRS 453.322, unlawful manufacturing or compounding of controlled substances is generally a Category B felony, punishable by 3–15 years in prison and a possible fine of up to $100,000, unless a greater penalty applies.

Penalties may increase depending on the type and quantity of the substance, prior convictions, and circumstances of the offense.

Ohio

Ohio Revised Code Drug Laws

2925.02 Corrupting another with drugs.
(A) No person shall knowingly do any of the following: (1) By force, threat, or deception, administer to another or induce or cause another to use a controlled substance; (2) By any means, administer or furnish to another or induce or cause another to use a controlled substance with purpose to cause serious physical harm to the other person, or with purpose to cause the other person to become drug dependent; (3) By any means, administer or furnish to another or induce or cause another to use a controlled substance, and thereby cause serious physical harm to the other person, or cause the other person to become drug dependent; (4) By any means, do any of the following: (a) Furnish or administer a controlled substance to a juvenile who is at least two years the offender's junior, when the offender knows the age of the juvenile or is reckless in that regard; (b) Induce or cause a juvenile who is at least two years the offender's junior to use a controlled substance, when the offender knows the age of the juvenile or is reckless in that regard; (c) Induce or cause a juvenile who is at least two years the offender's junior to commit a felony drug abuse offense, when the offender knows the age of the juvenile or is reckless in that regard; (d) Use a juvenile, whether or not the offender knows the age of the juvenile, to perform any surveillance activity that is intended to prevent the detection of the offender or any other person in the commission of a felony drug abuse offense or to prevent the arrest of the offender or any other person for the commission of a felony drug abuse offense. (5) By any means, furnish or administer a controlled substance to a pregnant woman or induce or cause a pregnant woman to use a controlled substance, when the offender knows that the woman is pregnant or is reckless in that regard. (B) Division (A)(1), (3), (4), or (5) of this section does not apply to manufacturers, wholesalers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code. 34 (C) Whoever violates this section is guilty of corrupting another with drugs. The penalty for the offense shall be determined as follows: (1) If the offense is a violation of division (A)(1), (2), (3), or (4) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1- Pentyl-3-(1- naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- dimethylheptyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, the offender shall be punished as follows: (a) Except as otherwise provided in division (C)(1)(b) of this section, corrupting another with drugs committed in those circumstances is a felony of the second degree and, subject to division (E) of this section, the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (2) If the offense is a violation of division (A)(1), (2), (3), or (4) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule III, IV, or V, the offender shall be punished as follows: (a) Except as otherwise provided in division (C)(2)(b) of this section, corrupting another with drugs committed in those circumstances is a felony of the second degree and there is a presumption for a prison term for the

offense. (b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the second degree and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (3) If the offense is a violation of division (A)(1), (2), (3), or (4) of this section and the drug involved is marihuana, 1-Pentyl-3-(1- naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]- phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, the offender shall be punished as follows: (a) Except as otherwise provided in division (C)(3)(b) of this section, corrupting another with drugs committed in those circumstances is a felony of the fourth degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the offense was committed in the vicinity of a school, corrupting another with drugs committed in those circumstances is a felony of the third degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (4) If the offense is a violation of division (A)(5) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, 1-Pentyl-3-(1- naphthoyl)indole, 1-Butyl-3-(1- naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5-(1,1- dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)- 2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, corrupting another with drugs is a felony of the first degree and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (5) If the offense is a violation of division (A)(5) of this section and the drug involved is any compound, mixture, preparation, or substance included in schedule III, IV, or V, corrupting another with drugs is a felony of the second degree and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (6) If the offense is a violation of division (A)(5) of this section and the drug involved is marihuana, 1-Pentyl-3-(1- naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole, 5- (1,1- dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, or 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, corrupting another with drugs is a felony of the third degree and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (D) In addition to any prison term authorized or required by division (C) or (E) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's 35 driver's or commercial driver's license or permit for not more than five years. The court also shall do all of the following that are applicable regarding the offender: (1) (a) If the violation is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. (b) Notwithstanding any contrary provision of section 3719.21 of the Revised Code, any mandatory fine imposed pursuant to division (D)(1)(a) of this section and any fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code shall be paid by the clerk of the court in accordance with and subject to the requirements of, and shall be used as specified in, division (F) of section 2925.03 of the Revised Code. (c)If a person is charged with any violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the

forfeited bail shall be paid by the clerk of the court pursuant to division (D)(1)(b) of this section as if it were a fine imposed for a violation of this section. (2) If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, 1-Pentyl3-(1-naphthoyl)indole, 1-Butyl-3-(1-naphthoyl)indole, 1-[2-(4-morpholinyl)ethyl]-3-(1- naphthoyl)indole, 5-(1,1- dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol, and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3- hydroxycyclohexyl]-phenol, and if the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender and is guilty of a specification of the type described in division (A) of section 2941.1410 of the Revised Code, the court, in lieu of the prison term that otherwise is authorized or required, shall impose upon the offender the mandatory prison term specified in division (B)(3)(a) of section 2929.14 of the Revised Code.

2925.03 Trafficking, aggravated trafficking in drugs.
(A) No person shall knowingly do any of the following: (1) Sell or offer to sell a controlled substance or a controlled substance analog; (2) Prepare for shipment, ship, transport, deliver, prepare for distribution, or distribute a controlled substance or a controlled substance analog, when the offender knows or has reasonable cause to believe that the controlled substance or a controlled substance analog is intended for sale or resale by the offender or another person. (B) This section does not apply to any of the following: (1) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code; (2) If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States food and drug administration; (3) Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed, or administered for that purpose in accordance with that act. (C) Whoever violates division (A) of this section is guilty of one of the following: (1) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule I or schedule II, with the exception of marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, hashish, and any controlled substance analog, whoever violates division (A) of this section is guilty of aggravated trafficking in drugs. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(1)(b), (c), (d), (e), or (f) of this section, aggravated trafficking in drugs is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 36 (b) Except as otherwise provided in division (C)(1)(c), (d), (e), or (f) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, aggravated trafficking in drugs is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If aggravated trafficking in drugs is a felony

of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (e) If the amount of the drug involved equals or exceeds fifty times the bulk amount but is less than one hundred times the bulk amount and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds one hundred times the bulk amount and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, aggravated trafficking in drugs is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (2) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule III, IV, or V, whoever violates division (A) of this section is guilty of trafficking in drugs. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(2)(b), (c), (d), or (e) of this section, trafficking in drugs is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(2)(c), (d), or (e) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, trafficking in drugs is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, trafficking in drugs is a felony of the third degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in drugs is a felony of the second degree, and there is a presumption for a prison term for the offense. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty times the bulk amount, trafficking in drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds fifty times the bulk amount and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking 37 in drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term.

(3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of trafficking in marihuana. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(3)(b), (c), (d), (e), (f), (g), or (h) of this section, trafficking in marihuana is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(3)(c), (d), (e), (f), (g), or (h) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, trafficking in marihuana is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one thousand grams but is less than five thousand grams, trafficking in marihuana is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five thousand grams but is less than twenty thousand grams, trafficking in marihuana is a felony of the third degree, and there is a presumption that a prison term shall be imposed for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense. (f) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds twenty thousand grams but is less than forty thousand grams, trafficking in marihuana is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term of five, six, seven, or eight years. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (g) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds forty thousand grams, trafficking in marihuana is a felony of the second degree, and the court shall impose as a mandatory prison term a maximum second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds forty thousand grams and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (h) Except as otherwise provided in this division, if the offense involves a gift of twenty grams or less of marihuana, trafficking in marihuana is a minor misdemeanor upon a first offense and a misdemeanor of the third degree upon a subsequent offense. If the offense involves a gift of twenty grams or less of marihuana and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in marihuana is a misdemeanor of the third degree. (4) If the drug involved in the violation is cocaine or a compound, mixture, preparation, or substance containing

cocaine, whoever violates division (A) of this section is guilty of trafficking in cocaine. The penalty for the offense shall be determined as follows: 38 (a) Except as otherwise provided in division (C)(4)(b), (c), (d), (e), (f), or (g) of this section, trafficking in cocaine is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(4)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds five grams but is less than ten grams of cocaine, trafficking in cocaine is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than twenty grams of cocaine, trafficking in cocaine is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If trafficking in cocaine is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds twenty grams but is less than twenty-seven grams of cocaine, trafficking in cocaine is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds twenty-seven grams but is less than one hundred grams of cocaine and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (g) If the amount of the drug involved equals or exceeds one hundred grams of cocaine and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in cocaine is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (5) If the drug involved in the violation is L.S.D. or a compound, mixture, preparation, or substance containing L.S.D., whoever violates division (A) of this section is guilty of trafficking in L.S.D. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(5)(b), (c), (d), (e), (f), or (g) of this section, trafficking in L.S.D. is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(5)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit

doses but is less than fifty unit doses of L.S.D. in a solid form or equals or exceeds one gram but is less than five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in L.S.D. is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the 39 vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than two hundred fifty unit doses of L.S.D. in a solid form or equals or exceeds five grams but is less than twenty-five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in L.S.D. is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If trafficking in L.S.D. is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the second degree, and the court shall impose as a mandatory prison term a second-degree felony mandatory prison term. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred fifty unit doses but is less than one thousand unit doses of L.S.D. in a solid form or equals or exceeds twenty-five grams but is less than one hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in L.S.D. is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the first degree, and the court shall impose as a mandatory prison term a first-degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds one thousand unit doses but is less than five thousand unit doses of L.S.D. in a solid form or equals or exceeds one hundred grams but is less than five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (g) If the amount of the drug involved equals or exceeds five thousand unit doses of L.S.D. in a solid form or equals or exceeds five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in L.S.D. is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (6) If the drug involved in the violation is heroin or a compound, mixture, preparation, or substance containing heroin, whoever violates division (A) of this section is guilty of trafficking in heroin. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(6)(b), (c), (d), (e), (f), or (g) of this section, trafficking in heroin is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(6)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five

grams, trafficking in heroin is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, trafficking in heroin is a felony of the third degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the second degree, and there is a presumption for a prison term for the offense. 40 (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one hundred unit doses but is less than five hundred unit doses or equals or exceeds ten grams but is less than fifty grams, trafficking in heroin is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds five hundred unit doses but is less than one thousand unit doses or equals or exceeds fifty grams but is less than one hundred grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (g) If the amount of the drug involved equals or exceeds one thousand unit doses or equals or exceeds one hundred grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in heroin is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (7) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates division (A) of this section is guilty of trafficking in hashish. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(7)(b), (c), (d), (e), (f), or (g) of this section, trafficking in hashish is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(7)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than fifty grams of hashish in a solid form or equals or exceeds two grams but is less than ten grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty grams but is less than two hundred fifty grams of hashish in a solid form or equals or exceeds ten grams but is less than fifty grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code

applies in determining whether to impose a prison term on the offender. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two hundred fifty grams but is less than one thousand grams of hashish in a solid form or equals or exceeds fifty grams but is less than two hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the third degree, and there is a presumption that a prison term shall be imposed for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the second degree, and there is a presumption that a prison term shall be imposed for the offense. (f) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one thousand grams but is less than two thousand grams of hashish in a solid form or equals or exceeds two hundred grams but is less than four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term of five, six, seven, or eight years. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish 41 is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (g) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds two thousand grams of hashish in a solid form or equals or exceeds four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, trafficking in hashish is a felony of the second degree, and the court shall impose as a mandatory prison term a maximum second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds two thousand grams of hashish in a solid form or equals or exceeds four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in hashish is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (8) If the drug involved in the violation is a controlled substance analog or compound, mixture, preparation, or substance that contains a controlled substance analog, whoever violates division (A) of this section is guilty of trafficking in a controlled substance analog. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(8)(b), (c), (d), (e), (f), or (g) of this section, trafficking in a controlled substance analog is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) Except as otherwise provided in division (C)(8)(c), (d), (e), (f), or (g) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten grams but is less than twenty grams, trafficking in a controlled substance analog is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds twenty grams but is less than thirty grams, trafficking in a controlled substance analog is a felony of the third degree, and there is a

presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the second degree, and there is a presumption for a prison term for the offense. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds thirty grams but is less than forty grams, trafficking in a controlled substance analog is a felony of the second degree, and the court shall impose as a mandatory prison term a second-degree felony mandatory prison term. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the first degree, and the court shall impose as a mandatory prison a first degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds forty grams but is less than fifty grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (g) If the amount of the drug involved equals or exceeds fifty grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a controlled substance analog is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (9) If the drug involved in the violation is a fentanyl-related compound or a compound, mixture, preparation, or substance containing a fentanyl-related compound and division (C)(10)(a) of this section does not apply to the drug involved, whoever violates division (A) of this section is guilty of trafficking in a fentanyl-related compound. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(9)(b), (c), (d), (e), (f), (g), or (h) of this section, trafficking in a fentanyl-related compound is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 42 (b) Except as otherwise provided in division (C)(9)(c), (d), (e), (f), (g), or (h) of this section, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl-related compound is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, trafficking in a fentanyl related compound is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl related compound is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, trafficking in a fentanyl-related compound is a felony of the third degree, and there is a presumption for a prison term for the offense. If the amount of the drug involved is within that range and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl-related compound is a felony of the second degree, and there is a presumption for a prison term for the offense. (e) Except as otherwise provided in this division, if the amount of the drug involved equals or exceeds one hundred unit doses but is less than two hundred unit doses or equals or exceeds ten grams but is less than twenty grams, trafficking in a fentanyl-related compound is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. If the amount of the drug involved is within that range and if the offense was committed in

the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl-related compound is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree. (f) If the amount of the drug involved equals or exceeds two hundred unit doses but is less than five hundred unit doses or equals or exceeds twenty grams but is less than fifty grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl- related compound is a felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree. (g) If the amount of the drug involved equals or exceeds five hundred unit doses but is less than one thousand unit doses or equals or exceeds fifty grams but is less than one hundred grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl-related compound is a felony of the first degree, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. (h) If the amount of the drug involved equals or exceeds one thousand unit doses or equals or exceeds one hundred grams and regardless of whether the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in a fentanyl-related compound is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. (10) If the drug involved in the violation is a compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and marihuana, one of the following applies: (a) Except as otherwise provided in division (C)(10)(b) of this section, the offender is guilty of trafficking in marihuana and shall be punished under division (C)(3) of this section. The offender is not guilty of trafficking in a fentanyl-related compound and shall not be charged with, convicted of, or punished under division (C)(9) of this section for trafficking in a fentanyl-related compound. (b) If the offender knows or has reason to know that the compound, mixture, preparation, or substance that is the drug involved contains a fentanyl-related compound, the offender is guilty of trafficking in a fentanyl-related compound and shall be punished under division (C)(9) of this section. (D) In addition to any prison term authorized or required by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend the driver's or commercial driver's license or permit of the offender in accordance with division (G) of this section. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the 43 law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of this section. If applicable, the court also shall do the following: (1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. Except as otherwise provided in division (H)(1) of this section, a mandatory fine or any other fine imposed for a violation of this section is subject to division (F) of this section. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk of the court shall pay the forfeited bail pursuant to divisions (D)(1) and (F) of this section, as if the forfeited bail was a fine imposed for a violation of this section. If any amount of the forfeited bail remains after that payment and if a fine is imposed under division (H)(1) of this section, the clerk of the court shall pay the remaining amount of the forfeited bail pursuant to divisions (H)(2) and (3) of this section, as if that remaining amount was a fine imposed under division (H)(1) of this section.

(2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code. (E) When a person is charged with the sale of or offer to sell a bulk amount or a multiple of a bulk amount of a controlled substance, the jury, or the court trying the accused, shall determine the amount of the controlled substance involved at the time of the offense and, if a guilty verdict is returned, shall return the findings as part of the verdict. In any such case, it is unnecessary to find and return the exact amount of the controlled substance involved, and it is sufficient if the finding and return is to the effect that the amount of the controlled substance involved is the requisite amount, or that the amount of the controlled substance involved is less than the requisite amount. (F) (1) Notwithstanding any contrary provision of section 3719.21 of the Revised Code and except as provided in division (H) of this section, the clerk of the court shall pay any mandatory fine imposed pursuant to division (D)(1) of this section and any fine other than a mandatory fine that is imposed for a violation of this section pursuant to division (A) or (B)(5) of section 2929.18 of the Revised Code to the county, township, municipal corporation, park district, as created pursuant to section 511.18 or 1545.04 of the Revised Code, or state law enforcement agencies in this state that primarily were responsible for or involved in making the arrest of, and in prosecuting, the offender. However, the clerk shall not pay a mandatory fine so imposed to a law enforcement agency unless the agency has adopted a written internal control policy under division (F)(2) of this section that addresses the use of the fine moneys that it receives. Each agency shall use the mandatory fines so paid to subsidize the agency's law enforcement efforts that pertain to drug offenses, in accordance with the written internal control policy adopted by the recipient agency under division (F)(2) of this section. (2) Prior to receiving any fine moneys under division (F)(1) of this section or division (B) of section 2925.42 of the Revised Code, a law enforcement agency shall adopt a written internal control policy that addresses the agency's use and disposition of all fine moneys so received and that provides for the keeping of detailed financial records of the receipts of those fine moneys, the general types of expenditures made out of those fine moneys, and the specific amount of each general type of expenditure. The policy shall not provide for or permit the identification of any specific expenditure that is made in an ongoing investigation. All financial records of the receipts of those fine moneys, the general types of expenditures made out of those fine moneys, and the specific amount of each general type of expenditure by an agency are public records open for inspection under section 149.43 of the Revised Code. Additionally, a written internal control policy adopted under this division is such a public record, and the agency that adopted it shall comply with it. (3) As used in division (F) of this section: (a) "Law enforcement agencies" includes, but is not limited to, the state board of pharmacy and the office of a prosecutor. (b) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code. (G) (1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under division (D) of this section or any other provision of this chapter, the court shall suspend the license, by order, for not more than five years. If an offender's driver's or commercial driver's license or permit is suspended pursuant to this division, the offender, at any time after the expiration of two years from the day on which the offender's sentence was imposed or 44 from the day on which the offender finally was released from a prison term under the sentence, whichever is later, may file a motion with the sentencing court requesting termination of the suspension; upon the filing of such a motion and the court's finding of good cause for the termination, the court may terminate the suspension. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the

violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (G)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. (H) (1) In addition to any prison term authorized or required by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, in addition to any other penalty or sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, and in addition to the forfeiture of property in connection with the offense as prescribed in Chapter 2981. of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may impose upon the offender an additional fine specified for the offense in division (B)(4) of section 2929.18 of the Revised Code. A fine imposed under division (H)(1) of this section is not subject to division (F) of this section and shall be used solely for the support of one or more eligible community addiction services providers in accordance with divisions (H)(2) and (3) of this section. (2) The court that imposes a fine under division (H)(1) of this section shall specify in the judgment that imposes the fine one or more eligible community addiction services providers for the support of which the fine money is to be used. No community addiction services provider shall receive or use money paid or collected in satisfaction of a fine imposed under division (H)(1) of this section unless the services provider is specified in the judgment that imposes the fine. No community addiction services provider shall be specified in the judgment unless the services provider is an eligible community addiction services provider and, except as otherwise provided in division (H)(2) of this section, unless the services provider is located in the county in which the court that imposes the fine is located or in a county that is immediately contiguous to the county in which that court is located. If no eligible community addiction services provider is located in any of those counties, the judgment may specify an eligible community addiction services provider that is located anywhere within this state. (3) Notwithstanding any contrary provision of section 3719.21 of the Revised Code, the clerk of the court shall pay any fine imposed under division (H)(1) of this section to the eligible community addiction services provider specified pursuant to division (H)(2) of this section in the judgment. The eligible community addiction services provider that receives the fine moneys shall use the moneys only for the alcohol and drug addiction services identified in the application for certification of services under section 5119.36 of the Revised Code or in the application for a license under section 5119.37 of the Revised Code filed with the department of mental health and addiction services by the community addiction services provider specified in the judgment. (4) Each community addiction services provider that receives in a calendar year any fine moneys under division (H)(3) of this section shall file an annual report covering that calendar year with the court of common pleas and the board of county commissioners of the county in which the services provider is located, with the court of common pleas and the board of county commissioners of each county from which the services provider received the moneys if that county is different from the county in which the services provider is located, and with the attorney general. The community addiction services provider shall file the report no later than the first day of March in the calendar year following the calendar year in which the services provider received the fine moneys. The report shall include statistics on the number of persons served by the community addiction services provider, identify the types of alcohol and drug addiction services provided to those persons, and include a specific accounting of the purposes for which the fine moneys received were used. No information contained in the report shall identify, or enable a person to determine the identity of, any person served by the community addiction services provider. Each report received by a court of common pleas, a board of county commissioners, or the attorney general is a public record open for inspection under section 149.43 of the Revised Code. (5) As used in divisions (H)(1) to (5) of this section: 45 (a) "Community addiction services provider" and "alcohol and drug addiction services" have the same meanings as in section 5119.01 of the Revised

Code. (b) "Eligible community addiction services provider" means a community addiction services provider, including a community addiction services provider that operates an opioid treatment program licensed under section 5119.37 of the Revised Code. (I) As used in this section, "drug" includes any substance that is represented to be a drug. (J) It is an affirmative defense to a charge of trafficking in a controlled substance analog under division (C)(8) of this section that the person charged with violating that offense sold or offered to sell, or prepared for shipment, shipped, transported, delivered, prepared for distribution, or distributed one of the following items that are excluded from the meaning of "controlled substance analog" under section 3719.01 of the Revised Code: (1) A controlled substance; (2) Any substance for which there is an approved new drug application; (3) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption. Amended by 132nd General Assembly File No. TBD, SB 229, §3, eff. 6/29/2019. Amended by 132nd General Assembly File No. TBD, HB 111, §1, eff. 6/29/2019. Amended by 132nd General Assembly File No. TBD, SB 201, §1, eff. 3/22/2019. Amended by 132nd General Assembly File No. TBD, SB 1, §1, eff. 10/31/2018. Amended by 131st General Assembly File No. TBD, HB 171, §1, eff. 9/14/2016. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 131st General Assembly File No. TBD, HB 64, §101.01, eff. 9/29/2015. Amended by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013. Amended by 129th General AssemblyFile No.189, HB 334, §1, eff. 12/20/2012. Amended by 129th General AssemblyFile No.131, SB 337, §1, eff. 9/28/2012. Amended by 129th General AssemblyFile No.43, HB 64, §1, eff. 10/17/2011. Amended by 129th General AssemblyFile No.29, HB 86, §1, eff. 9/30/2011. Effective Date: 01-01-2004; 05-17-2006; 07-01-2007; 2008 HB195 09-30-2008.

2925.04 Illegal manufacture of drugs - illegal cultivation of marihuana - methamphetamine offenses.

(A) No person shall knowingly cultivate marihuana or knowingly manufacture or otherwise engage in any part of the production of a controlled substance. (B) This section does not apply to any person listed in division (B)(1), (2), or (3) of section 2925.03 of the Revised Code to the extent and under the circumstances described in those divisions. (C) (1) Whoever commits a violation of division (A) of this section that involves any drug other than marihuana is guilty of illegal manufacture of drugs, and whoever commits a violation of division (A) of this section that involves marihuana is guilty of illegal cultivation of marihuana. (2) Except as otherwise provided in this division, if the drug involved in the violation of division (A) of this section is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of methamphetamine or marihuana, illegal manufacture of drugs is a felony of the second degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a second degree felony mandatory prison term. If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of methamphetamine or marihuana, and if the offense was committed in the vicinity of a juvenile or in the vicinity of a school, illegal manufacture of drugs is a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (3) If the drug involved in the violation of division (A) of this section is methamphetamine, the penalty for the violation shall be determined as follows: (a) Except as otherwise provided in division (C)(3)(b) of this section, if the drug involved in the violation is methamphetamine, illegal manufacture of drugs is a felony of the second degree, and, subject to division (E) of this section, the court shall impose a mandatory prison term on the offender determined in accordance with this division. Except as otherwise provided in this division, the court shall impose as a mandatory prison term a second

degree 46 felony mandatory prison term that is not less than three years. If the offender previously has been convicted of or pleaded guilty to a violation of division (A) of this section, a violation of division (B)(6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.041 of the Revised Code, the court shall impose as a mandatory prison term a second degree felony mandatory prison term that is not less than five years. (b) If the drug involved in the violation is methamphetamine and if the offense was committed in the vicinity of a juvenile, in the vicinity of a school, or on public premises, illegal manufacture of drugs is a felony of the first degree, and, subject to division (E) of this section, the court shall impose a mandatory prison term on the offender determined in accordance with this division. Except as otherwise provided in this division, the court shall impose as a mandatory prison term a first degree felony mandatory prison term that is not less than four years. If the offender previously has been convicted of or pleaded guilty to a violation of division (A) of this section, a violation of division (B)(6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.041 of the Revised Code, the court shall impose as a mandatory prison term a first degree felony mandatory prison term that is not less than five years. (4) If the drug involved in the violation of division (A) of this section is any compound, mixture, preparation, or substance included in schedule III, IV, or V, illegal manufacture of drugs is a felony of the third degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the second degree, and there is a presumption for a prison term for the offense. (5) If the drug involved in the violation is marihuana, the penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(5)(b), (c), (d), (e), or (f) of this section, illegal cultivation of marihuana is a minor misdemeanor or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the fourth degree. (b) If the amount of marihuana involved equals or exceeds one hundred grams but is less than two hundred grams, illegal cultivation of marihuana is a misdemeanor of the fourth degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a misdemeanor of the third degree. (c) If the amount of marihuana involved equals or exceeds two hundred grams but is less than one thousand grams, illegal cultivation of marihuana is a felony of the fifth degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (d) If the amount of marihuana involved equals or exceeds one thousand grams but is less than five thousand grams, illegal cultivation of marihuana is a felony of the third degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the second degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (e) If the amount of marihuana involved equals or exceeds five thousand grams but is less than twenty thousand grams, illegal cultivation of marihuana is a felony of the third degree or, if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, a felony of the second degree, and there is a presumption for a prison term for the offense. (f) Except as otherwise provided in this division, if the amount of marihuana involved equals or exceeds twenty thousand grams, illegal cultivation of marihuana is a felony of the second degree, and the court shall impose as a mandatory prison term a maximum second degree felony mandatory prison term. If the amount of the drug involved equals or exceeds twenty thousand grams and if the offense was committed in the vicinity of a school or in the vicinity of a juvenile, illegal cultivation of marihuana is a felony of the first degree, and the court shall impose as a mandatory prison term a maximum first-degree felony mandatory prison term. (D) In addition to any prison term authorized or required by division (C) or (E) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a

violation of division (A) of this section may suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If applicable, the court also shall do the following: 47 (1) If the violation of division (A) of this section is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section. (2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code. (E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, and if the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender and is guilty of a specification of the type described in division (A) of section 2941.1410 of the Revised Code, the court, in lieu of the prison term otherwise authorized or required, shall impose upon the offender the mandatory prison term specified in division (B)(3) of section 2929.14 of the Revised Code. (F) It is an affirmative defense, as provided in section 2901.05 of the Revised Code, to a charge under this section for a fifth degree felony violation of illegal cultivation of marihuana that the marihuana that gave rise to the charge is in an amount, is in a form, is prepared, compounded, or mixed with substances that are not controlled substances in a manner, or is possessed or cultivated under any other circumstances that indicate that the marihuana was solely for personal use. Notwithstanding any contrary provision of division (F) of this section, if, in accordance with section 2901.05 of the Revised Code, a person who is charged with a violation of illegal cultivation of marihuana that is a felony of the fifth degree sustains the burden of going forward with evidence of and establishes by a preponderance of the evidence the affirmative defense described in this division, the person may be prosecuted for and may be convicted of or plead guilty to a misdemeanor violation of illegal cultivation of marihuana. (G) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in an application for employment, a license, or any other right or privilege or made in connection with the person's appearance as a witness. (H) (1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under this section in accordance with division (G) of section 2925.03 of the Revised Code, the offender may request termination of, and the court may terminate, the suspension of the offender in accordance with that division. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of

the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (H)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 132nd General Assembly File No. TBD, SB 201, §1, eff. 3/22/2019. Amended by 132nd General Assembly File No. TBD, SB 1, §1, eff. 10/31/2018. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 129th General AssemblyFile No.131, SB 337, §1, eff. 9/28/2012. Amended by 129th General AssemblyFile No.29, HB 86, §1, eff. 9/30/2011. Effective Date: 01-01-2004; 08-11-2004; 05-17-2006 48

2925.041 Illegal assembly or possession of chemicals for manufacture of drugs.
(A) No person shall knowingly assemble or possess one or more chemicals that may be used to manufacture a controlled substance in schedule I or II with the intent to manufacture a controlled substance in schedule I or II in violation of section 2925.04 of the Revised Code. (B) In a prosecution under this section, it is not necessary to allege or prove that the offender assembled or possessed all chemicals necessary to manufacture a controlled substance in schedule I or II. The assembly or possession of a single chemical that may be used in the manufacture of a controlled substance in schedule I or II, with the intent to manufacture a controlled substance in either schedule, is sufficient to violate this section. (C) Whoever violates this section is guilty of illegal assembly or possession of chemicals for the manufacture of drugs. Except as otherwise provided in this division, illegal assembly or possession of chemicals for the manufacture of drugs is a felony of the third degree, and, except as otherwise provided in division (C)(1) or (2) of this section, division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the offense was committed in the vicinity of a juvenile or in the vicinity of a school, illegal assembly or possession of chemicals for the manufacture of drugs is a felony of the second degree, and, except as otherwise provided in division (C)(1) or (2) of this section, division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the violation of division (A) of this section is a felony of the third degree under this division and if the chemical or chemicals assembled or possessed in violation of division (A) of this section may be used to manufacture methamphetamine, there either is a presumption for a prison term for the offense or the court shall impose a mandatory prison term on the offender, determined as follows: (1) Except as otherwise provided in this division, there is a presumption for a prison term for the offense. If the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, except as otherwise provided in this division, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree that is not less than two years. If the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense and if at least one of those previous convictions or guilty pleas was to a violation of division (A) of this section, a violation of division (B)(6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.04 of the Revised Code, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree that is not less than five years. (2) If the violation of division (A) of this section is a felony of the second degree under division (C) of this section and the chemical or chemicals assembled or possessed in committing the violation may be used to manufacture methamphetamine, the court shall impose as a mandatory prison term a second degree felony mandatory prison term that is not less than three years. If the violation of division (A) of this section is a felony of the second degree under division (C) of this section, if the chemical or chemicals assembled or possessed in committing the violation may be used to manufacture methamphetamine, and if the offender previously has been convicted of or pleaded

guilty to a violation of division (A) of this section, a violation of division (B)(6) of section 2919.22 of the Revised Code, or a violation of division (A) of section 2925.04 of the Revised Code, the court shall impose as a mandatory prison term a second degree felony mandatory prison term that is not less than five years. (D) In addition to any prison term authorized by division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of this section may suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If applicable, the court also shall do the following: (1) The court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section under division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division 49 (F) of section 2925.03 of the Revised Code. If a person charged with a violation of this section posts bail and forfeits the bail, the clerk shall pay the forfeited bail as if the forfeited bail were a fine imposed for a violation of this section. (2) If the offender is a professionally licensed person or a person who has been admitted to the bar by order of the supreme court in compliance with its prescribed and published rules, the court shall comply with section 2925.38 of the Revised Code. (E) (1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under this section in accordance with division (G) of section 2925.03 of the Revised Code, the offender may request termination of, and the court may terminate, the suspension of the offender in accordance with that division. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (E)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 132nd General Assembly File No. TBD, SB 201, §1, eff. 3/22/2019. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 129th General Assembly File No.29, HB 86, §1, eff. 9/30/2011. Effective Date: 08-07-2001; 08-11-2004; 05-17-2006.

2925.05 Funding, aggravated funding of drug or marihuana trafficking.

(A) No person shall knowingly provide money or other items of value to another person with the purpose that the recipient of the money or items of value use them to obtain any controlled substance for the purpose of violating section 2925.04 of the Revised Code or for the purpose of selling or offering to sell the controlled substance in the following amount: (1) If the drug to be sold or offered for sale is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, cocaine, L.S.D., heroin, any fentanyl-related compound, and hashish, or schedule III, IV, or V, an amount of the drug that equals or exceeds the bulk amount of

the drug; (2) If the drug to be sold or offered for sale is marihuana or a compound, mixture, preparation, or substance other than hashish containing marihuana, an amount of the marihuana that equals or exceeds two hundred grams; (3) If the drug to be sold or offered for sale is cocaine or a compound, mixture, preparation, or substance containing cocaine, an amount of the cocaine that equals or exceeds five grams; (4) If the drug to be sold or offered for sale is L.S.D. or a compound, mixture, preparation, or substance containing L.S.D., an amount of the L.S.D. that equals or exceeds ten unit doses if the L.S.D. is in a solid form or equals or exceeds one gram if the L.S.D. is in a liquid concentrate, liquid extract, or liquid distillate form; (5) If the drug to be sold or offered for sale is heroin or a fentanyl-related compound, or a compound, mixture, preparation, or substance containing heroin or a fentanyl-related compound , an amount that equals or exceeds ten unit doses or equals or exceeds one gram; (6) If the drug to be sold or offered for sale is hashish or a compound, mixture, preparation, or substance containing hashish, an amount of the hashish that equals or exceeds ten grams if the hashish is in a solid form or equals or exceeds two grams if the hashish is in a liquid concentrate, liquid extract, or liquid distillate form. (B) This section does not apply to any person listed in division (B)(1), (2), or (3) of section 2925.03 of the Revised Code to the extent and under the circumstances described in those divisions. (C) (1) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, whoever violates division (A) of this section is guilty of aggravated funding of drug trafficking, a felony of the first degree, and, subject to division (E) of this section, the court shall impose as a mandatory prison term a first degree felony mandatory prison term. 50 (2) If the drug involved in the violation is any compound, mixture, preparation, or substance included in schedule III, IV, or V, whoever violates division (A) of this section is guilty of funding of drug trafficking, a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (3) If the drug involved in the violation is marihuana, whoever violates division (A) of this section is guilty of funding of marihuana trafficking, a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If funding of marihuana trafficking is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. (D) In addition to any prison term authorized or required by division (C) or (E) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit in accordance with division (G) of section 2925.03 of the Revised Code. If applicable, the court also shall do the following: (1) The court shall impose the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. The clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine in accordance with division (F) of section 2925.03 of the Revised Code. If a person is charged with a violation of this section, posts bail, and forfeits the bail, the forfeited bail shall be paid as if the forfeited bail were a fine imposed

for a violation of this section. (2) If the offender is a professionally licensed person, the court immediately shall comply with section 2925.38 of the Revised Code. (E) Notwithstanding the prison term otherwise authorized or required for the offense under division (C) of this section and sections 2929.13 and 2929.14 of the Revised Code, if the violation of division (A) of this section involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, one of the following applies: (1) If the drug involved in the violation is a fentanyl-related compound, the offense is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. (2) If division (E)(1) of this section does not apply and the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender and is guilty of a specification of the type described in division (A) of section 2941.1410 of the Revised Code, the court, in lieu of the prison term otherwise authorized or required, shall impose upon the offender the mandatory prison term specified in division (B)(3) of section 2929.14 of the Revised Code. (F) (1) If the sentencing court suspends the offender's driver's or commercial driver's license or permit under this section in accordance with division (G) of section 2925.03 of the Revised Code, the offender may request termination of, and the court may terminate, the suspension in accordance with that division. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (F)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. 51 Amended by 132nd General Assembly File No. TBD, SB 201, §1, eff. 3/22/2019. Amended by 132nd General Assembly File No. TBD, SB 1, §1, eff. 10/31/2018. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 129th General Assembly File No.29, HB 86, §1, eff. 9/30/2011. Effective Date: 01-01-2004.

2925.11 Possession of controlled substances.

(A) No person shall knowingly obtain, possess, or use a controlled substance or a controlled substance analog. (B) (1) This section does not apply to any of the following: (a) Manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct was in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code; (b) If the offense involves an anabolic steroid, any person who is conducting or participating in a research project involving the use of an anabolic steroid if the project has been approved by the United States food and drug administration; (c) Any person who sells, offers for sale, prescribes, dispenses, or administers for livestock or other nonhuman species an anabolic steroid that is expressly intended for administration through implants to livestock or other nonhuman species and approved for that purpose under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, and is sold, offered for sale, prescribed, dispensed, or administered for that purpose in accordance with that act; (d) Any person who obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs if the prescription was issued for a legitimate medical purpose and not altered, forged, or obtained through deception or commission of a theft offense. As used in division (B)(1)(d) of this section, "deception" and "theft offense" have the same meanings as in section 2913.01 of the Revised Code. (2) (a) As used in division (B)(2) of this section: (i) "Community addiction services provider" has the same meaning as in section

5119.01 of the Revised Code. (ii) "Community control sanction" and "drug treatment program" have the same meanings as in section 2929.01 of the Revised Code. (iii) "Health care facility" has the same meaning as in section 2919.16 of the Revised Code. (iv) "Minor drug possession offense" means a violation of this section that is a misdemeanor or a felony of the fifth degree. (v) "Post-release control sanction" has the same meaning as in section 2967.28 of the Revised Code. (vi) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. (vii) "Public agency" has the same meaning as in section 2930.01 of the Revised Code. (viii) "Qualified individual" means a person who is not on community control or post-release control and is a person acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person who experiences a drug overdose and who seeks medical assistance for that overdose, or a person who is the subject of another person seeking or obtaining medical assistance for that overdose as described in division (B)(2)(b) of this section. (ix) "Seek or obtain medical assistance" includes, but is not limited to making a 9-1-1 call, contacting in person or by telephone call an on-duty peace officer, or transporting or presenting a person to a health care facility. (b) Subject to division (B)(2)(f) of this section, a qualified individual shall not be arrested, charged, prosecuted, convicted, or penalized pursuant to this chapter for a minor drug possession offense if all of the following apply: (i) The evidence of the obtaining, possession, or use of the controlled substance or controlled substance analog that would be the basis of the offense was obtained as a result of the qualified individual seeking the medical assistance or experiencing an overdose and needing medical assistance. (ii) Subject to division (B)(2)(g) of this section, within thirty days after seeking or obtaining the medical assistance, the qualified individual seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional. 52 (iii) Subject to division (B)(2)(g) of this section, the qualified individual who obtains a screening and receives a referral for treatment under division (B)(2)(b)(ii) of this section, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the requirements of that division. The documentation shall be limited to the date and time of the screening obtained and referral received. (c) If a person is found to be in violation of any community control sanction and if the violation is a result of either of the following, the court shall first consider ordering the person's participation or continued participation in a drug treatment program or mitigating the penalty specified in section 2929.13, 2929.15, or 2929.25 of the Revised Code, whichever is applicable, after which the court has the discretion either to order the person's participation or continued participation in a drug treatment program or to impose the penalty with the mitigating factor specified in any of those applicable sections: (i) Seeking or obtaining medical assistance in good faith for another person who is experiencing a drug overdose; (ii) Experiencing a drug overdose and seeking medical assistance for that overdose or being the subject of another person seeking or obtaining medical assistance for that overdose as described in division (B)(2)(b) of this section. (d) If a person is found to be in violation of any post- release control sanction and if the violation is a result of either of the following, the court or the parole board shall first consider ordering the person's participation or continued participation in a drug treatment program or mitigating the penalty specified in section 2929.141 or 2967.28 of the Revised Code, whichever is applicable, after which the court or the parole board has the discretion either to order the person's participation or continued participation in a drug treatment program or to impose the penalty with the mitigating factor specified in either of those applicable sections: (i) Seeking or obtaining medical assistance in good faith for another person who is experiencing a drug overdose; (ii) Experiencing a drug overdose and seeking medical assistance for that emergency or being the subject of another person seeking or obtaining medical assistance for that overdose as described in division (B)(2)(b) of this section. (e) Nothing in division (B)(2)(b) of this section shall be construed

to do any of the following: (i) Limit the admissibility of any evidence in connection with the investigation or prosecution of a crime with regards to a defendant who does not qualify for the protections of division (B)(2)(b) of this section or with regards to any crime other than a minor drug possession offense committed by a person who qualifies for protection pursuant to division (B)(2)(b) of this section for a minor drug possession offense; (ii) Limit any seizure of evidence or contraband otherwise permitted by law; (iii) Limit or abridge the authority of a peace officer to detain or take into custody a person in the course of an investigation or to effectuate an arrest for any offense except as provided in that division; (iv) Limit, modify, or remove any immunity from liability available pursuant to law in effect prior to September 13, 2016, to any public agency or to an employee of any public agency. (f) Division (B)(2)(b) of this section does not apply to any person who twice previously has been granted an immunity under division (B)(2)(b) of this section. No person shall be granted an immunity under division (B)(2)(b) of this section more than two times. (g) Nothing in this section shall compel any qualified individual to disclose protected health information in a way that conflicts with the requirements of the "Health Insurance Portability and Accountability Act of 1996," 104 Pub. L. No. 191, 110 Stat. 2021, 42 U.S.C. 1320d et seq., as amended, and regulations promulgated by the United States department of health and human services to implement the act or the requirements of 42 C.F.R. Part 2. (C) Whoever violates division (A) of this section is guilty of one of the following: (1) If the drug involved in the violation is a compound, mixture, preparation, or substance included in schedule I or II, with the exception of marihuana, cocaine, L.S.D., heroin, hashish, and controlled substance analogs, whoever violates division (A) of this section is guilty of aggravated possession of drugs. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(1)(b), (c), (d), or (e) of this section, aggravated possession of drugs is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, aggravated possession of drugs is a felony of the third degree, and there is a presumption for a prison term for the offense. 53 (c) If the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, aggravated possession of drugs is a felony of the second degree, and the court shall impose as a mandatory prison term a second-degree felony mandatory prison term. (d) If the amount of the drug involved equals or exceeds fifty times the bulk amount but is less than one hundred times the bulk amount, aggravated possession of drugs is a felony of the first degree, and the court shall impose as a mandatory prison term a first-degree felony mandatory prison term. (e) If the amount of the drug involved equals or exceeds one hundred times the bulk amount, aggravated possession of drugs is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first-degree felony mandatory prison term. (2) If the drug involved in the violation is a compound, mixture, preparation, or substance included in schedule III, IV, or V, whoever violates division (A) of this section is guilty of possession of drugs. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(2)(b), (c), or (d) of this section, possession of drugs is a misdemeanor of the first degree or, if the offender previously has been convicted of a drug abuse offense, a felony of the fifth degree. (b) If the amount of the drug involved equals or exceeds the bulk amount but is less than five times the bulk amount, possession of drugs is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) If the amount of the drug involved equals or exceeds five times the bulk amount but is less than fifty times the bulk amount, possession of drugs is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) If the amount of the drug involved equals or exceeds fifty times the bulk amount, possession of drugs is a felony of the second degree, and the

court shall impose upon the offender as a mandatory prison term a second-degree felony mandatory prison term. (3) If the drug involved in the violation is marihuana or a compound, mixture, preparation, or substance containing marihuana other than hashish, whoever violates division (A) of this section is guilty of possession of marihuana. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(3)(b), (c), (d), (e), (f), or (g) of this section, possession of marihuana is a minor misdemeanor. (b) If the amount of the drug involved equals or exceeds one hundred grams but is less than two hundred grams, possession of marihuana is a misdemeanor of the fourth degree. (c) If the amount of the drug involved equals or exceeds two hundred grams but is less than one thousand grams, possession of marihuana is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (d) If the amount of the drug involved equals or exceeds one thousand grams but is less than five thousand grams, possession of marihuana is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (e) If the amount of the drug involved equals or exceeds five thousand grams but is less than twenty thousand grams, possession of marihuana is a felony of the third degree, and there is a presumption that a prison term shall be imposed for the offense. (f) If the amount of the drug involved equals or exceeds twenty thousand grams but is less than forty thousand grams, possession of marihuana is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term of five, six, seven, or eight years. (g) If the amount of the drug involved equals or exceeds forty thousand grams, possession of marihuana is a felony of the second degree, and the court shall impose as a mandatory prison term a maximum second-degree felony mandatory prison term. (4) If the drug involved in the violation is cocaine or a compound, mixture, preparation, or substance containing cocaine, whoever violates division (A) of this section is guilty of possession of cocaine. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(4)(b), (c), (d), (e), or (f) of this section, possession of cocaine is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 54 (b) If the amount of the drug involved equals or exceeds five grams but is less than ten grams of cocaine, possession of cocaine is a felony of the fourth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) If the amount of the drug involved equals or exceeds ten grams but is less than twenty grams of cocaine, possession of cocaine is a felony of the third degree, and, except as otherwise provided in this division, there is a presumption for a prison term for the offense. If possession of cocaine is a felony of the third degree under this division and if the offender two or more times previously has been convicted of or pleaded guilty to a felony drug abuse offense, the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the third degree. (d) If the amount of the drug involved equals or exceeds twenty grams but is less than twenty-seven grams of cocaine, possession of cocaine is a felony of the second degree, and the court shall impose as a mandatory prison term a second-degree felony mandatory prison term. (e) If the amount of the drug involved equals or exceeds twenty-seven grams but is less than one hundred grams of cocaine, possession of cocaine is a felony of the first degree, and the court shall impose as a mandatory prison term a first-degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds one hundred grams of cocaine, possession of cocaine is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first-degree felony mandatory prison term. (5) If the drug involved in the violation is L.S.D., whoever violates division (A) of this section is guilty of possession of L.S.D. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(5)(b), (c), (d), (e), or (f) of this section,

possession of L.S.D. is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the amount of L.S.D. involved equals or exceeds ten unit doses but is less than fifty unit doses of L.S.D. in a solid form or equals or exceeds one gram but is less than five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, possession of L.S.D. is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) If the amount of L.S.D. involved equals or exceeds fifty unit doses, but is less than two hundred fifty unit doses of L.S.D. in a solid form or equals or exceeds five grams but is less than twenty-five grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, possession of L.S.D. is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) If the amount of L.S.D. involved equals or exceeds two hundred fifty unit doses but is less than one thousand unit doses of L.S.D. in a solid form or equals or exceeds twenty-five grams but is less than one hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, possession of L.S.D. is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (e) If the amount of L.S.D. involved equals or exceeds one thousand unit doses but is less than five thousand unit doses of L.S.D. in a solid form or equals or exceeds one hundred grams but is less than five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, possession of L.S.D. is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (f) If the amount of L.S.D. involved equals or exceeds five thousand unit doses of L.S.D. in a solid form or equals or exceeds five hundred grams of L.S.D. in a liquid concentrate, liquid extract, or liquid distillate form, possession of L.S.D. is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (6) If the drug involved in the violation is heroin or a compound, mixture, preparation, or substance containing heroin, whoever violates division (A) of this section is guilty of possession of heroin. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(6)(b), (c), (d), (e), or (f) of this section, possession of heroin is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, possession of heroin is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. 55 (c) If the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, possession of heroin is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) If the amount of the drug involved equals or exceeds one hundred unit doses but is less than five hundred unit doses or equals or exceeds ten grams but is less than fifty grams, possession of heroin is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term. (e) If the amount of the drug involved equals or exceeds five hundred unit doses but is less than one thousand unit doses or equals or exceeds fifty grams but is less than one hundred grams, possession of heroin is a felony of the first degree, and the court shall impose as a mandatory prison term a first degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds one thousand unit doses or equals or exceeds one hundred grams, possession of heroin is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first degree felony mandatory prison term. (7) If the drug involved in the violation is hashish or a compound, mixture, preparation, or substance containing hashish, whoever violates division (A) of this section is guilty of possession of

hashish. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(7)(b), (c), (d), (e), (f), or (g) of this section, possession of hashish is a minor misdemeanor. (b) If the amount of the drug involved equals or exceeds five grams but is less than ten grams of hashish in a solid form or equals or exceeds one gram but is less than two grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a misdemeanor of the fourth degree. (c) If the amount of the drug involved equals or exceeds ten grams but is less than fifty grams of hashish in a solid form or equals or exceeds two grams but is less than ten grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (d) If the amount of the drug involved equals or exceeds fifty grams but is less than two hundred fifty grams of hashish in a solid form or equals or exceeds ten grams but is less than fifty grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the third degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (e) If the amount of the drug involved equals or exceeds two hundred fifty grams but is less than one thousand grams of hashish in a solid form or equals or exceeds fifty grams but is less than two hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the third degree, and there is a presumption that a prison term shall be imposed for the offense. (f) If the amount of the drug involved equals or exceeds one thousand grams but is less than two thousand grams of hashish in a solid form or equals or exceeds two hundred grams but is less than four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the second degree, and the court shall impose as a mandatory prison term a second degree felony mandatory prison term of five, six, seven, or eight years. (g) If the amount of the drug involved equals or exceeds two thousand grams of hashish in a solid form or equals or exceeds four hundred grams of hashish in a liquid concentrate, liquid extract, or liquid distillate form, possession of hashish is a felony of the second degree, and the court shall impose as a mandatory prison term a maximum second-degree felony mandatory prison term. (8) If the drug involved is a controlled substance analog or compound, mixture, preparation, or substance that contains a controlled substance analog, whoever violates division (A) of this section is guilty of possession of a controlled substance analog. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(8)(b), (c), (d), (e), or (f) of this section, possession of a controlled substance analog is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the amount of the drug involved equals or exceeds ten grams but is less than twenty grams, possession of a controlled substance analog is a felony of the fourth degree, and there is a presumption for a prison term for the offense. (c) If the amount of the drug involved equals or exceeds twenty grams but is less than thirty grams, possession of a controlled substance analog is a felony of the third degree, and there is a presumption for a prison term for the offense. 56 (d) If the amount of the drug involved equals or exceeds thirty grams but is less than forty grams, possession of a controlled substance analog is a felony of the second degree, and the court shall impose as a mandatory prison term a second-degree felony mandatory prison term. (e) If the amount of the drug involved equals or exceeds forty grams but is less than fifty grams, possession of a controlled substance analog is a felony of the first degree, and the court shall impose as a mandatory prison term a first-degree felony mandatory prison term. (f) If the amount of the drug involved equals or exceeds fifty grams, possession of a controlled substance analog is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term a maximum first-degree felony mandatory prison term. (9) If the drug involved in the violation is a

compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and marihuana, one of the following applies: (a) Except as otherwise provided in division (C)(9)(b) of this section, the offender is guilty of possession of marihuana and shall be punished as provided in division (C)(3) of this section. Except as otherwise provided in division (C)(9)(b) of this section, the offender is not guilty of possession of a fentanyl-related compound under division (C)(11) of this section and shall not be charged with, convicted of, or punished under division (C)(11) of this section for possession of a fentanyl-related compound. (b) If the offender knows or has reason to know that the compound, mixture, preparation, or substance that is the drug involved contains a fentanyl-related compound, the offender is guilty of possession of a fentanyl-related compound and shall be punished under division (C)(11) of this section. (10) If the drug involved in the violation is a compound, mixture, preparation, or substance that is a combination of a fentanyl-related compound and any schedule III, schedule IV, or schedule V controlled substance that is not a fentanyl-related compound, one of the following applies: (a) Except as otherwise provided in division (C)(10)(b) of this section, the offender is guilty of possession of drugs and shall be punished as provided in division (C)(2) of this section. Except as otherwise provided in division (C)(10)(b) of this section, the offender is not guilty of possession of a fentanyl-related compound under division (C)(11) of this section and shall not be charged with, convicted of, or punished under division (C)(11) of this section for possession of a fentanyl-related compound. (b) If the offender knows or has reason to know that the compound, mixture, preparation, or substance that is the drug involved contains a fentanyl-related compound, the offender is guilty of possession of a fentanyl- related compound and shall be punished under division (C)(11) of this section. (11) If the drug involved in the violation is a fentanyl-related compound and neither division (C)(9)(a) nor division (C)(10)(a) of this section applies to the drug involved, or is a compound, mixture, preparation, or substance that contains a fentanyl-related compound or is a combination of a fentanyl-related compound and any other controlled substance and neither division (C)(9)(a) nor division (C)(10)(a) of this section applies to the drug involved, whoever violates division (A) of this section is guilty of possession of a fentanyl-related compound. The penalty for the offense shall be determined as follows: (a) Except as otherwise provided in division (C)(11)(b), (c), (d), (e), (f), or (g) of this section, possession of a fentanyl related compound is a felony of the fifth degree, and division (B) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (b) If the amount of the drug involved equals or exceeds ten unit doses but is less than fifty unit doses or equals or exceeds one gram but is less than five grams, possession of a fentanyl-related compound is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (c) If the amount of the drug involved equals or exceeds fifty unit doses but is less than one hundred unit doses or equals or exceeds five grams but is less than ten grams, possession of a fentanyl-related compound is a felony of the third degree, and there is a presumption for a prison term for the offense. (d) If the amount of the drug involved equals or exceeds one hundred unit doses but is less than two hundred unit doses or equals or exceeds ten grams but is less than twenty grams, possession of a fentanyl-related compound is a felony of the second degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the second degree. (e) If the amount of the drug involved equals or exceeds two hundred unit doses but is less than five hundred unit doses or equals or exceeds twenty grams but is less than fifty grams, possession of a fentanyl-related compound is a 57 felony of the first degree, and the court shall impose as a mandatory prison term one of the prison terms prescribed for a felony of the first degree. (f) If the amount of the drug involved equals or exceeds five hundred unit doses but is less than one thousand unit doses or equals or exceeds fifty grams but is less than one hundred grams, possession of a fentanyl-related compound is a felony of the

first degree, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. (g) If the amount of the drug involved equals or exceeds one thousand unit doses or equals or exceeds one hundred grams, possession of a fentanyl-related compound is a felony of the first degree, the offender is a major drug offender, and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the first degree. (D) Arrest or conviction for a minor misdemeanor violation of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries about the person's criminal record, including any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness. (E) In addition to any prison term or jail term authorized or required by division (C) of this section and sections 2929.13, 2929.14, 2929.22, 2929.24, and 2929.25 of the Revised Code and in addition to any other sanction that is imposed for the offense under this section, sections 2929.11 to 2929.18, or sections 2929.21 to 2929.28 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (A) of this section may suspend the offender's driver's or commercial driver's license or permit for not more than five years. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If applicable, the court also shall do the following: (1) (a) If the violation is a felony of the first, second, or third degree, the court shall impose upon the offender the mandatory fine specified for the offense under division (B)(1) of section 2929.18 of the Revised Code unless, as specified in that division, the court determines that the offender is indigent. (b) Notwithstanding any contrary provision of section 3719.21 of the Revised Code, the clerk of the court shall pay a mandatory fine or other fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. (c) If a person is charged with a violation of this section that is a felony of the first, second, or third degree, posts bail, and forfeits the bail, the clerk shall pay the forfeited bail pursuant to division (E)(1)(b) of this section as if it were a mandatory fine imposed under division (E)(1)(a) of this section. (2) If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (F) It is an affirmative defense, as provided in section 2901.05 of the Revised Code, to a charge of a fourth degree felony violation under this section that the controlled substance that gave rise to the charge is in an amount, is in a form, is prepared, compounded, or mixed with substances that are not controlled substances in a manner, or is possessed under any other circumstances, that indicate that the substance was possessed solely for personal use. Notwithstanding any contrary provision of this section, if, in accordance with section 2901.05 of the Revised Code, an accused who is charged with a fourth degree felony violation of division (C)(2), (4), (5), or (6) of this section sustains the burden of going forward with evidence of and establishes by a preponderance of the evidence the affirmative defense described in this division, the accused may be prosecuted for and may plead guilty to or be convicted of a misdemeanor violation of division (C)(2) of this section or a fifth degree felony violation of division (C)(4), (5), or (6) of this section respectively. (G) When a person is charged with possessing a bulk amount or multiple of a bulk amount, division (E) of section 2925.03 of the Revised Code applies regarding the determination of the amount of the controlled substance involved at the time of the offense. 58 (H) It is an affirmative defense to a charge of possession of a controlled substance analog under division (C)(8) of this section that the

person charged with violating that offense obtained, possessed, or used one of the following items that are excluded from the meaning of "controlled substance analog" under section 3719.01 of the Revised Code: (1) A controlled substance; (2) Any substance for which there is an approved new drug application; (3) With respect to a particular person, any substance if an exemption is in effect for investigational use for that person pursuant to federal law to the extent that conduct with respect to that substance is pursuant to that exemption. (I) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to September 13, 2016, may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (I) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 132nd General Assembly File No. TBD, SB 201, §1, eff. 3/22/2019. Amended by 132nd General Assembly File No. TBD, SB 229, §1, eff. 3/22/2019. Amended by 132nd General Assembly File No. TBD, SB 1, §1, eff. 10/31/2018. Amended by 131st General Assembly File No. TBD, HB 171, §1, eff. 9/14/2016. Amended by 131st General Assembly File No. TBD, HB 110, §1, eff. 9/13/2016. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 129th General Assembly File No.189, HB 334, §1, eff. 12/20/2012. Amended by 129th General Assembly File No.43, HB 64, §1, eff. 10/17/2011. Amended by 129th General Assembly File No.29, HB 86, §1, eff. 9/30/2011. Effective Date: 01-01-2004; 05-17-2006; 2008 HB195 09-30-2008.

2925.12 Possessing drug abuse instruments.
(A) No person shall knowingly make, obtain, possess, or use any instrument, article, or thing the customary and primary purpose of which is for the administration or use of a dangerous drug, other than marihuana, when the instrument involved is a hypodermic or syringe, whether or not of crude or extemporized manufacture or assembly, and the instrument, article, or thing involved has been used by the offender to unlawfully administer or use a dangerous drug, other than marihuana, or to prepare a dangerous drug, other than marihuana, for unlawful administration or use. (B) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct was in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code. (C) Whoever violates this section is guilty of possessing drug abuse instruments, a misdemeanor of the second degree. If the offender previously has been convicted of a drug abuse offense, a violation of this section is a misdemeanor of the first degree. (D) (1) In addition to any other sanction imposed upon an offender for a violation of this section, the court may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to the effective date of this amendment may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar

municipal ordinance or law of another 59 state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (D)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Effective Date: 01-01- 2004; 05-17-2006

2925.14 Illegal use or possession of drug paraphernalia.

(A) As used in this section, "drug paraphernalia" means any equipment, product, or material of any kind that is used by the offender, intended by the offender for use, or designed for use, in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body, a controlled substance in violation of this chapter. "Drug paraphernalia" includes, but is not limited to, any of the following equipment, products, or materials that are used by the offender, intended by the offender for use, or designed by the offender for use, in any of the following manners: (1) A kit for propagating, cultivating, growing, or harvesting any species of a plant that is a controlled substance or from which a controlled substance can be derived; (2) A kit for manufacturing, compounding, converting, producing, processing, or preparing a controlled substance; (3) Any object, instrument, or device for manufacturing, compounding, converting, producing, processing, or preparing methamphetamine; (4) An isomerization device for increasing the potency of any species of a plant that is a controlled substance; (5) Testing equipment for identifying, or analyzing the strength, effectiveness, or purity of, a controlled substance; (6) A scale or balance for weighing or measuring a controlled substance; (7) A diluent or adulterant, such as quinine hydrochloride, mannitol, mannite, dextrose, or lactose, for cutting a controlled substance; (8) A separation gin or sifter for removing twigs and seeds from, or otherwise cleaning or refining, marihuana; (9) A blender, bowl, container, spoon, or mixing device for compounding a controlled substance; (10) A capsule, balloon, envelope, or container for packaging small quantities of a controlled substance; (11) A container or device for storing or concealing a controlled substance; (12) A hypodermic syringe, needle, or instrument for parenterally injecting a controlled substance into the human body; (13) An object, instrument, or device for ingesting, inhaling, or otherwise introducing into the human body, marihuana, cocaine, hashish, or hashish oil, such as a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe, with or without a screen, permanent screen, hashish head, or punctured metal bowl; water pipe; carburetion tube or device; smoking or carburetion mask; roach clip or similar object used to hold burning material, such as a marihuana cigarette, that has become too small or too short to be held in the hand; miniature cocaine spoon, or cocaine vial; chamber pipe; carburetor pipe; electric pipe; air driver pipe; chillum; bong; or ice pipe or chiller. (B) In determining if any equipment, product, or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, the following: (1) Any statement by the owner, or by anyone in control, of the equipment, product, or material, concerning its use; (2) The proximity in time or space of the equipment, product, or material, or of the act relating to the equipment, product, or material, to a violation of any provision of this chapter; (3) The proximity of the equipment, product, or material to any controlled substance; (4) The existence of any residue of a controlled substance on the equipment, product, or material; (5) Direct or circumstantial evidence of the intent of the owner, or of anyone in control, of the equipment, product, or material, to deliver it to any person whom the owner or person in control of the equipment, product, or material knows intends to use the object to facilitate a violation of any provision of this chapter. A finding that the owner, or anyone in control, of the equipment, product, or material, is not guilty of a violation of any other provision of this chapter does not prevent a finding that the equipment,

product, or material was intended or designed by the offender for use as drug paraphernalia. (6) Any oral or written instruction provided with the equipment, product, or material concerning its use; 60 (7) Any descriptive material accompanying the equipment, product, or material and explaining or depicting its use; (8) National or local advertising concerning the use of the equipment, product, or material; (9) The manner and circumstances in which the equipment, product, or material is displayed for sale; (10) Direct or circumstantial evidence of the ratio of the sales of the equipment, product, or material to the total sales of the business enterprise; (11) The existence and scope of legitimate uses of the equipment, product, or material in the community; (12) Expert testimony concerning the use of the equipment, product, or material. (C) (1) Subject to division (D)(2) of this section, no person shall knowingly use, or possess with purpose to use, drug paraphernalia. (2) No person shall knowingly sell, or possess or manufacture with purpose to sell, drug paraphernalia, if the person knows or reasonably should know that the equipment, product, or material will be used as drug paraphernalia. (3) No person shall place an advertisement in any newspaper, magazine, handbill, or other publication that is published and printed and circulates primarily within this state, if the person knows that the purpose of the advertisement is to promote the illegal sale in this state of the equipment, product, or material that the offender intended or designed for use as drug paraphernalia. (D) (1) This section does not apply to manufacturers, licensed health professionals authorized to prescribe drugs, pharmacists, owners of pharmacies, and other persons whose conduct is in accordance with Chapters 3719., 4715., 4723., 4729., 4730., 4731., and 4741. of the Revised Code. This section shall not be construed to prohibit the possession or use of a hypodermic as authorized by section 3719.172 of the Revised Code. (2) Division (C)(1) of this section does not apply to a person's use, or possession with purpose to use, any drug paraphernalia that is equipment, a product, or material of any kind that is used by the person, intended by the person for use, or designed for use in storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body marihuana. (E) Notwithstanding Chapter 2981. of the Revised Code, any drug paraphernalia that was used, possessed, sold, or manufactured in a violation of this section shall be seized, after a conviction for that violation shall be forfeited, and upon forfeiture shall be disposed of pursuant to division (B) of section 2981.12 of the Revised Code. (F) (1) Whoever violates division (C)(1) of this section is guilty of illegal use or possession of drug paraphernalia, a misdemeanor of the fourth degree. (2) Except as provided in division (F)(3) of this section, whoever violates division (C)(2) of this section is guilty of dealing in drug paraphernalia, a misdemeanor of the second degree. (3) Whoever violates division (C)(2) of this section by selling drug paraphernalia to a juvenile is guilty of selling drug paraphernalia to juveniles, a misdemeanor of the first degree. (4) Whoever violates division (C)(3) of this section is guilty of illegal advertising of drug paraphernalia, a misdemeanor of the second degree. (G) (1) In addition to any other sanction imposed upon an offender for a violation of this section, the court may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to the effective date of this amendment may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state

or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. 61 Upon the filing of a motion under division (G)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Amended by 129th General Assembly File No.131, SB 337, §1, eff. 9/28/2012. Effective Date: 01-01-2004; 05-17-2006; 07-01-2007.

2925.141 Illegal use or possession of marihuana drug paraphernalia.

(A) As used in this section, "drug paraphernalia" has the same meaning as in section 2925.14 of the Revised Code. (B) In determining if any equipment, product, or material is drug paraphernalia, a court or law enforcement officer shall consider, in addition to other relevant factors, all factors identified in division (B) of section 2925.14 of the Revised Code. (C) No person shall knowingly use, or possess with purpose to use, any drug paraphernalia that is equipment, a product, or material of any kind that is used by the person, intended by the person for use, or designed for use in storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body marihuana. (D) This section does not apply to any person identified in division (D)(1) of section 2925.14 of the Revised Code, and it shall not be construed to prohibit the possession or use of a hypodermic as authorized by section 3719.172 of the Revised Code. (E) Division (E) of section 2925.14 of the Revised Code applies with respect to any drug paraphernalia that was used or possessed in violation of this section. (F) Whoever violates division (C) of this section is guilty of illegal use or possession of marihuana drug paraphernalia, a minor misdemeanor. (G) (1) In addition to any other sanction imposed upon an offender for a violation of this section, the court may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to the effective date of this amendment may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (G)(2) of this section, the sentencing court, in its discretion, may terminate the suspension. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Added by 129th General Assembly File No.131, SB 337, §1, eff. 9/28/2012.

2925.37 Counterfeit controlled substance offenses.

(A) No person shall knowingly possess any counterfeit controlled substance. (B) No person shall knowingly make, sell, offer to sell, or deliver any substance that the person knows is a counterfeit controlled substance. (C) No person shall make, possess, sell, offer to sell, or deliver any punch, die, plate, stone, or other device knowing or having reason to know that it will be used to print or reproduce a trademark, trade name, or other identifying mark upon a counterfeit controlled substance. (D) No person shall sell, offer to sell, give, or deliver any counterfeit controlled substance to a juvenile. 62 (E) No person shall directly or indirectly represent a counterfeit

controlled substance as a controlled substance by describing its effects as the physical or psychological effects associated with use of a controlled substance. (F) No person shall directly or indirectly falsely represent or advertise a counterfeit controlled substance as a controlled substance. As used in this division, "advertise" means engaging in "advertisement," as defined in section 3715.01 of the Revised Code. (G) Whoever violates division (A) of this section is guilty of possession of counterfeit controlled substances, a misdemeanor of the first degree. (H) Whoever violates division (B) or (C) of this section is guilty of trafficking in counterfeit controlled substances. Except as otherwise provided in this division, trafficking in counterfeit controlled substances is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, trafficking in counterfeit controlled substances is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (I) Whoever violates division (D) of this section is guilty of aggravated trafficking in counterfeit controlled substances. Except as otherwise provided in this division, aggravated trafficking in counterfeit controlled substances is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (J) Whoever violates division (E) of this section is guilty of promoting and encouraging drug abuse. Except as otherwise provided in this division, promoting and encouraging drug abuse is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, promoting and encouraging drug abuse is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (K) Whoever violates division (F) of this section is guilty of fraudulent drug advertising. Except as otherwise provided in this division, fraudulent drug advertising is a felony of the fifth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. If the offense was committed in the vicinity of a school or in the vicinity of a juvenile, fraudulent drug advertising is a felony of the fourth degree, and division (C) of section 2929.13 of the Revised Code applies in determining whether to impose a prison term on the offender. (L) (1) In addition to any prison term authorized or required by divisions (H) to (K) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under this section or sections 2929.11 to 2929.18 of the Revised Code, the court that sentences an offender who is convicted of or pleads guilty to a violation of division (B), (C), (D), (E), or (F) of this section may suspend for not more than five years the offender's driver's or commercial driver's license or permit. However, if the offender pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or the law of another state or the United States arising out of the same set of circumstances as the violation, the court shall suspend the offender's driver's or commercial driver's license or permit for not more than five years. If the offender is a professionally licensed person, in addition to any other sanction imposed for a violation of this section, the court immediately shall comply with section 2925.38 of the Revised Code. (2) Any offender who received a mandatory suspension of the offender's driver's or commercial driver's license or permit under this section prior to the effective date of this amendment may file a motion with the sentencing court requesting the termination of the suspension. However, an offender who pleaded guilty to or was convicted of a violation of section 4511.19 of the Revised Code or a substantially similar municipal ordinance or law of another state or the United States that arose out of the same set of circumstances as the violation for which the offender's license or permit was suspended under this section shall not file such a motion. Upon the filing of a motion under division (L)(2) of this section,

the sentencing court, in its discretion, may terminate the suspension. (M) Notwithstanding any contrary provision of section 3719.21 of the Revised Code, the clerk of the court shall pay a fine imposed for a violation of this section pursuant to division (A) of section 2929.18 of the Revised Code in 63 accordance with and subject to the requirements of division (F) of section 2925.03 of the Revised Code. The agency that receives the fine shall use the fine as specified in division (F) of section 2925.03 of the Revised Code. Amended by 131st General Assembly File No. TBD, SB 204, §1, eff. 9/13/2016. Effective Date: 01-01-2004.

Alcohol Laws

4301.63 Purchase of beer or intoxicating liquor by persons under twenty-one prohibited.
Except as otherwise provided in this chapter, no person under the age of twenty-one years shall purchase beer or intoxicating liquor. Effective: July 31, 1987 4301.631 Purchase or consumption low-alcohol beverage by persons under eighteen prohibited. (A) As used in this section, "underage person" means a person under eighteen years of age. (B) No underage person shall purchase any low-alcohol beverage. (C) No underage person shall order, pay for, share the cost of, or attempt to purchase any low-alcohol beverage. (D) No person shall knowingly furnish any false information as to the name, age, or other identification of any underage person for the purpose of obtaining or with the intent to obtain any low-alcohol beverage for an underage person, by purchase or as a gift. (E) No underage person shall knowingly show or give false information concerning the person's name, age, or other identification for the purpose of purchasing or otherwise obtaining any low-alcohol beverage in any place in this state. (F) No person shall sell or furnish any low-alcohol beverage to, or buy any low-alcohol beverage for, an underage person, unless given by a physician in the regular line of his practice or given for established religious purposes, or unless the underage person is accompanied by a parent, spouse who is not an underage person, or legal guardian. No permit issued by the division of liquor control shall be suspended, revoked, or canceled because of a violation of this division or division (G) of this section. (G) No person who is the owner or occupant of any public or private place shall knowingly allow any underage person to remain in or on the place while possessing or consuming any low-alcohol beverage, unless the low-alcohol beverage is given to the person possessing or consuming it by that person's parent, spouse who is not an underage person, or legal guardian, and the parent, spouse who is not an underage person, or legal guardian is present when the person possesses or consumes the low-alcohol beverage. An owner of a public or private place is not liable for acts or omissions in violation of this division that are committed by a lessee of that place, unless the owner authorizes or acquiesces in the lessee's acts or omissions. (H) No underage person shall knowingly possess or consume any low-alcohol beverage in any public or private place, unless accompanied by a parent, spouse who is not an underage person, or legal guardian, or unless the low-alcohol beverage is given by a physician in the regular line of the physician's practice or given for established religious purposes. (I) No parent, spouse who is not an underage person, or legal guardian of an underage person shall knowingly permit the underage person to violate this section. Effective Date: 07-01-1997.

- 4301.633 Furnishing false information to obtain beer or intoxicating liquor for person under twenty-one.
- Except as otherwise provided in this chapter, no person shall knowingly furnish any false information as to the name, age, or other identification of any person under twenty-one years of age for the purpose of obtaining or with the intent to obtain, beer or intoxicating liquor for a person under twenty-one years of age, by purchase, or as a gift. Effective: July 31, 1987
- 4301.634 Furnishing false information to obtain beer or intoxicating liquor by person under twenty-one.

- Except as otherwise provided in this chapter, no person under the age of twenty-one years shall knowingly show or give false information concerning the person's name, age, or other identification for the purpose of purchasing or 64 otherwise obtaining beer or intoxicating liquor in any place in this state where beer or intoxicating liquor is sold under a permit issued by the division of liquor control or sold by the division. Effective Date: 07-01-1997.
- 4301.64 Prohibition against consumption of beer or intoxicating liquor in motor vehicle.
- No person shall consume any beer or intoxicating liquor in a motor vehicle. This section does not apply to persons described in division (D) of section 4301.62 of the Revised Code. Effective: July 14, 1995

South Carolina

Alcohol

Underage Possession: It's illegal for anyone under 21 to possess, consume, or purchase alcohol. Violators may face fines up to $200, 30 days in jail, or both. Additionally, a conviction can result in a suspension of driving privileges for 90 days.

Fake IDs: Using a fake ID to purchase alcohol is illegal. Penalties include fines up to $200 and possible jail time. The offender's driver's license may be suspended for 90 days to 6 months.

Social Host Liability: Adults who provide alcohol to minors may face civil liability if the minor injures themselves or others. Criminal penalties also apply, including fines up to $500 and up to 30 days in jail.

Driving Under the Influence (DUI):

- First Offense:
  - BAC 0.08% to 0.09%: Fines between $400 and $1,000, 48 hours to 30 days in jail (or community service), and a 6-month license suspension.
  - BAC 0.10% to 0.15%: Fines between $500 and $1,000, 72 hours to 30 days in jail, and a 6-month license suspension.
  - BAC above 0.15%: Mandatory ignition interlock device (IID) installation, in addition to the penalties mentioned.
- Second Offense:
  - Fines between $2,100 and $5,100, 5 days to 1 year in jail, and a 1-year license suspension. IID installation is mandatory.
- Third Offense:
  - Fines between $3,800 and $6,300, 60 days to 3 years in jail, and a 2-year license suspension. IID installation is mandatory.

Felony DUI: Causing great bodily injury or death while driving under the influence is a felony, punishable by up to 25 years in prison and fines up to $25,100.

Open Container Law:

- In Vehicles: Open containers of beer or wine are prohibited in the passenger area of a vehicle. Violators face a fine of up to $100 or 30 days in jail.
- In Public: Drinking alcohol in public places where it is not permitted can result in fines up to $500 and/or 30 days in jail.

Drugs

SECTION 44-53-10. General powers of Department of Health and Environmental Control regarding controlled substances.

The Department of Health and Environmental Control shall take cognizance of the interest of the public health as it relates to the sale of drugs and the adulteration thereof and shall make all necessary inquiries and investigations relating thereto. For such purpose it may appoint inspectors, analysts and chemists who shall be subject to its supervision and removal. The Department shall adopt such measures as it may deem necessary to facilitate the enforcement of this chapter. It shall prepare rules and regulations with regard to the proper method of collecting and examining drugs.

HISTORY: 1962 Code Section 32-1451; 1952 Code Section 32-1451; 1942 Code Section 5124; 1932 Code Section 5124; Civ. C. '22 Section 3451; Civ. C. '12 Section 2390; Civ. C. '02 Section 1578; 1898 (22) 804; 1972 (57) 2687.

SECTION 44-53-20. "Food" and "drug" defined.

The term "food" as used in Section 44-53-10 shall include every article used for food or drink by man, including all candies, teas, coffees and spirituous, fermented and malt liquors. The term "drug" as used in Section 44-53-10 shall include all medicines for internal or external use.

HISTORY: 1962 Code Section 32-1452; 1952 Code Section 32-1452; 1942 Code Section 5127; 1932 Code Section 5127; Civ. C. '22 Section 3454; Civ. C. '12 Section 2393; Civ. C. '02 Section 1581; 1898 (22) 804.

SECTION 44-53-30. Persons selling certain articles to furnish samples for analysis.

Every person offering or exposing for sale or delivering to a purchaser any drug or article of food or spirituous, fermented or malt liquor included under the provisions of Section 44-53-10, shall furnish to any analyst, or other officer or agent appointed hereunder who shall apply to him for the purpose and shall tender to him the value of the same, a sample sufficient for the purpose of analysis of any such drug, article of food or drink which is in his possession.

HISTORY: 1962 Code Section 32-1453; 1952 Code Section 32-1453; 1942 Code Section 5126; 1932 Code Section 5126; Civ. C. '22 Section 3453; Civ. C. '12 Section 2392; Civ. C. '02 Section 1580; 1898 (22) 804.

SECTION 44-53-40.

Obtaining certain drugs, devices, preparations, or compounds by fraud or deceit.

1. It is unlawful for a person to obtain or attempt to obtain a drug or device as defined by Section 39-23-20, or any pharmaceutical preparation, chemical, or chemical compound that is restricted in regard to its sale at retail by:
    a. fraud, deceit, misrepresentation, or subterfuge;
    b. forgery or alteration of a prescription;
    c. falsification in any manner of any record of sale required by law;
    d. use of a false name or the giving of a false address;
    e. concealment of a material fact; or
    f. falsely assuming the title of or representing himself to be a person authorized by the laws of this State to possess such drugs, pharmaceutical preparations, chemicals, chemical compound, or devices.
2. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than two years, or both

for a first offense. Conviction for a second or subsequent offense, is a felony and the person must be fined not more than two thousand dollars or imprisoned not more than five years, or both.

A person must not be convicted of a criminal offense under this section unless it is shown by clear and convincing evidence that the drug, pharmaceutical preparation, chemical, chemical compound, or device would not have been obtained but for the fraud, deceit, misrepresentation, subterfuge, forgery, alteration, falsification, concealment, or other prohibited act allegedly practiced by the accused.
HISTORY: 1962 Code Section 32-1453.2; 1973 (58) 768; 1976 Act No. 679, Section 1; 1993 Act No. 184, Section 73.

Narcotics and Controlled Substances

SECTION 44-53-110. Definitions.
As used in this article and Sections 44-49-10, 44-49-40, and 44-49-50:

1. "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:
    a. a practitioner (or, in his presence, by his authorized agent); or
    b. the patient or research subject at the direction and in the presence of the practitioner.
2. "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser, except that this term does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman, when acting in the usual or lawful course of the carrier's or warehouseman's business.
3. "Bureau" means the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice, or its successor agency.
4. "Commission" means the South Carolina Department of Alcohol and Other Drug Abuse Services.
5. "Confidant" means a medical practitioner, a pharmacist, a pharmacologist, a psychologist, a psychiatrist, a full-time staff member of a college or university counseling bureau, a guidance counselor or a teacher in an elementary school or in a junior or senior high school, a full-time staff member of a hospital, a duly ordained and licensed member of the clergy, accredited Christian Science practitioner, or any professional or paraprofessional staff member of a drug treatment, education, rehabilitation, or referral center who has received a communication from a holder of the privilege.
6. "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through V in Sections 44-53-190, 44-53-210, 44-53-230, 44-53-250, and 44-53-270.
7. "Controlled substance analogue" means a substance that is intended for human consumption and that either has a chemical structure substantially similar to that of a controlled substance in Schedules I, II, or III or has a stimulant, depressant, analgesic, or hallucinogenic effect on the central nervous system that is substantially similar to that of a controlled substance in Schedules I, II, or III. Controlled substance analogue does not include a controlled substance; any substance generally recognized as safe and effective within the meaning of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 301 et seq.; any substance for which there is an approved new drug application; or, with respect to a particular person, any substance if an exemption is in effect for investigational use for that person under Section 505 of the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 355.

8. "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who, in fact, manufactured, distributed, or dispensed such substance and which, thereby, falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser.
9. "Cocaine base" means an alkaloidal cocaine or freebase form of cocaine, which is the end product of a chemical alteration whereby the cocaine in salt form is converted to a form suitable for smoking. Cocaine base is commonly referred to as "rock" or "crack cocaine".
10. "Deliver" or "delivery" means the actual, constructive, or attempted transfer of a controlled drug or paraphernalia whether or not there exists an agency relationship.
11. "Department" means the State Department of Health and Environmental Control.
12. "Depressant or stimulant drug" means:
    a. a drug which contains any quantity of barbituric acid or any of the salts of barbituric acid, or any derivative of barbituric acid which has been designated as habit forming by the appropriate federal agency or by the department;
    b. a drug which contains any quantity of amphetamine or any of its optical isomers, any salt of amphetamine or any salt of any optical isomer of amphetamine, or any other substance which the appropriate federal agency or the department, after investigation, has found to be capable of being, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system; or
    c. lysergic acid diethylamide or mescaline, or any other substance which the appropriate federal agency or the department, after investigation, has found to have, and by regulation designates as having a potential for abuse because of its stimulant or depressant effect on the central nervous system or its hallucinogenic effect.
13. "Detoxification treatment" means the dispensing, for a period not in excess of twenty-one days, of a narcotic drug in decreasing doses to an individual in order to alleviate adverse physiological or psychological effects incident to withdrawal from the continuous or sustained use of a narcotic drug and as a method of bringing the individual to a narcotic drug-free state within this period.
14. "Director" means the Director of the Department of Narcotics and Dangerous Drugs under the South Carolina Law Enforcement Division.
15. "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for the delivery.
16. "Dispenser" means a practitioner who delivers a controlled substance to the ultimate user or research subject.
17. "Distribute" means to deliver (other than by administering or dispensing) a controlled substance.
18. "Distributor" means a person who so delivers a controlled substance.
19. "Drug" means a substance:
    a. recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them;
    b. intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man and animals;

c. other than food intended to affect the structure or any function of the body of man and animals; and
d. intended for use as a component of any substance specified in subitem (a), (b), or (c) of this paragraph but does not include devices or their components, parts, or accessories.

20. "Drug problem" means a mental or physical problem caused by the use or abuse of a controlled substance.
21. "Holder of the privilege" means a person with an existing or a potential drug problem who seeks counseling, treatment, or therapy regarding such drug problem.
22. "Imitation controlled substance" means a noncontrolled substance which is represented to be a controlled substance and is packaged in a manner normally used for the distribution or delivery of an illegal controlled substance.
23. "Immediate precursor" means a substance which the appropriate federal agency or the department has found to be and by regulation has designated as being, or can be proven by expert testimony as being, the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, or is a reagent, solvent, or catalyst used in the manufacture of controlled substances, the control of which is necessary to prevent, curtail, or limit such manufacture.
24. "Maintenance treatment" means the dispensing, for a period in excess of twenty-one days, of a narcotic drug in the treatment of an individual for dependence upon heroin or other morphine-like drugs.
25. "Manufacture" means the production, preparation, propagation, compounding, conversion, or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging, or labeling of a controlled substance:
    a. by a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or
    b. by a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.
26. "Manufacturer" means any person who packages, repackages, or labels any container of any controlled substance, except practitioners who dispense or compound prescription orders for delivery to the ultimate consumer.
27. (a) "Marijuana" means:
    i. all species or variety of the marijuana plant and all parts thereof whether growing or not;
    ii. the seeds of the marijuana plant;
    iii. the resin extracted from any part of the marijuana plant; or
    iv. every compound, manufacture, salt, derivative, mixture, or preparation of the marijuana plant, marijuana seeds, or marijuana resin.
27. (b) "Marijuana" does not mean:
    i. the mature stalks of the marijuana plant or fibers produced from these stalks;
    ii. oil or cake made from the seeds of the marijuana plant, including cannabidiol derived from the seeds of the marijuana plant;

iii. any other compound, manufacture, salt, derivatives, mixture, or preparation of the mature stalks (except the resin extracted therefrom), including cannabidiol derived from mature stalks;
iv. the sterilized seed of the marijuana plant which is incapable of germination;
v. for persons participating in a clinical trial or in an expanded access program related to administering cannabidiol for the treatment of severe forms of epilepsy pursuant to Article 18, Chapter 53, Title 44, a drug or substance approved for the use of those participants by the federal Food and Drug Administration; or
vi. for persons, or the persons' parents, legal guardians, or other caretakers, who have received a written certification from a physician licensed in this State that the person has been diagnosed by a physician as having Lennox-Gastaut Syndrome, Dravet Syndrome, also known as "severe myoclonic epilepsy of infancy", or any other severe form of epilepsy that is not adequately treated by traditional medical therapies, the substance cannabidiol, a nonpsychoactive cannabinoid, or any compound, manufacture, salt, derivative, mixture, or preparation of any plant of the genus cannabis that contains nine-tenths of one percent or less of tetrahydrocannabinol and more than fifteen percent of cannabidiol.

27. (c) For purposes of this item, written certification means a document dated and signed by a physician stating that the patient has been diagnosed with Lennox-Gastaut Syndrome, Dravet Syndrome, also known as "severe myoclonic epilepsy of infancy", or any other severe form of epilepsy that is not adequately treated by traditional medical therapies and the physician's conclusion that the patient might benefit from the medical use of cannabidiol.

27. (d) A physician is not subject to detrimental action, including arrest, prosecution, penalty, denial of a right or privilege, civil penalty, or disciplinary action by a professional licensing board for providing written certification for the medical use of cannabidiol to a patient in accordance with this section.

28. "Methamphetamine" includes any salt, isomer, or salt of an isomer, or any mixture or compound containing amphetamine or methamphetamine. Methamphetamine is commonly referred to as "crank", "ice", or "crystal meth".

29. "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

a. opium, coca leaves, and opiates;
b. a compound, manufacture, salt, derivative or preparation of opium, coca leaves, or opiates;
c. a substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in subitem (a) or (b). This term does not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine.

30. "Noncontrolled substance" means any substance of chemical or natural origin which is not included in the schedules of controlled substances set forth in this article or included in the federal schedules of controlled substances set forth in Title 21, Section 812 of the United States Code or in Title 21, Part 1308 of the Code of Federal Regulations.

31."Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled

under this article, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include racemic and levorotatory forms.

32. "Opium poppy" means the plant of the species Papaver somniferum L., except the seed thereof.

33. "Paraphernalia" means any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, manufacturing, or preparing a controlled substance and does not include cigarette papers and tobacco pipes but includes, but is not limited to:

a. metal, wooden, acrylic, glass, stone, plastic, or ceramic marijuana or hashish pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
b. water pipes designed for use or intended for use with marijuana, hashish, hashish oil, or cocaine;
c. carburetion tubes and devices;
d. smoking and carburetion masks;
e. roach clips;
f. separation gins designed for use or intended for use in cleaning marijuana;
g. cocaine spoons and vials;
h. chamber pipes;
i. carburetor pipes;
j. electric pipes;
k. air-driven pipes;
l. chilams;
m. bongs;
n. ice pipes or chillers.

34. "Peyote" means all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or extracts.

35. "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

36. "Practitioner" means:

a. a physician, dentist, veterinarian, podiatrist, scientific investigator, or other person licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a controlled substance in the course of professional practice or research in this State;
b. a pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a controlled substance in the course of professional practice or research in this State.

37. "Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled substance.

38. "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administration to an animal owned by him or a member of his household.

HISTORY: 1962 Code Section 32-1510.27; 1971 (57) 800; 1972 (57) 2621; 1973 (58) 289; 1974 (58) 2284, 2855; 1975 (59) 104; 1976 Act No. 672, Section 1; 1980 Act No. 361, Section 1; 1982 Act No. 400, Section 1; 1982 Act No. 427, Section 1; 1987 Act No. 128 Section 2; 1990 Act No. 604, Section

5; 2000 Act No. 355, Section 2; 2005 Act No. 127, Section 2, eff June 7, 2005; 2014 Act No. 221 (S.1035), Section 1, eff June 2, 2014.

SECTION 44-53-130. Coordination of law enforcement.
The State Law Enforcement Division shall formulate a plan to coordinate the controlled substance enforcement effort from the local to the State level.
HISTORY: 1962 Code Section 32-1510.24; 1971 (57) 800.

Texas

Alcohol
The full Texas alcohol beverage code for the state of Texas is located on the Texas Alcohol beverage commission website.
Drinking Examples of state law violations are listed below.

- Public Intoxication.
  - The minimum penalty is a fine not to exceed $500. The maximum penalty varies with age and number of offenses.
- Purchase of Alcohol by a Minor.
  - The minimum penalty is a fine not to exceed $500. The maximum penalty varies with age and number of offenses.
- Consumption or Possession of Alcohol by a Minor.
  - The minimum penalty is a fine not to exceed $500. The maximum penalty varies with the number of offenses. Purchasing for or Furnishing of Alcohol to a Minor. The minimum penalty is a fine not to exceed $4,000 or confinement in jail for a term not to exceed one year, or both. The maximum penalty is the same.
- Driving While Intoxicated (includes intoxication from alcohol, drugs, or both).
  - The minimum penalty is confinement in jail for a term of not more than 180 days nor less than 72 hours, and a fine of not more than $2,000. The maximum penalty is imprisonment for a term of not more than ten years nor less than two years, and a fine not to exceed $10,000.

Drugs
In addition to the Federal laws, the State of Texas has its own laws dealing with controlled substances.

- Offense: Manufacture of controlled substance
  - Minimum Punishment/Confinement in the Texas Department of Corrections for a term of not more than 10 years and not less than 2 years
  - Maximum Punishment/ Confinement in TDC for life or not less than 20 years and a fine of 500,000.00
- Offense: Possession of a controlled substance
  - Minimum Punishment/ Confinement of not more than 180 days and a fine of not to exceed 2000.00
  - Maximum Punishment/ Confinement in TDC for life or not less than 10 years and a fine of 100,000.00

Utah
Below are the Utah penalties for crimes related to the possession, use, or distribution of illegal drugs. (See UTAH CODE ANN. §§ 58-37-4.2, -37-8, -37b-4, 76-3-203, -204, -205, -301.)

Violation	Controlled Substance Category	Possible Penalty
Production, manufacture, dispensation, or distribution of (or possession with the intent to produce, manufacture, dispense, or distribute) a controlled or counterfeit substance; or agreeing, consenting, offering, or arranging to distribute a controlled or counterfeit substance; or engaging in a continuing criminal enterprise where the person commits or conspires to commit a felony violation of the Utah Controlled Substances Act, Utah Drug Paraphernalia Act, Imitation Controlled Substances Act, Utah Controlled Substance Precursor Act, or Clandestine Drug Lab Act, or engaging in a continuing criminal enterprise where the violation is part of a continuing series of two or more violations of the Utah Controlled Substances Act, Utah Drug Paraphernalia Act, Imitation Controlled Substances Act, Utah Controlled Substance Precursor Act, or Clandestine Drug Lab Act, on separate occasions that are undertaken in concert with five or more persons with respect to whom the violator occupies a position of organizer, supervisor, or any other position of management.	Schedule I or II (or a counterfeit thereof), a controlled substance analog, or gamma hydroxybutyric acid (Schedule III)	Second-degree felony—first conviction First-degree felony—second or subsequent conviction
	Schedule III or IV (or a counterfeit thereof), marijuana, or a controlled substance listed in Utah Code Ann. § 58-37-4.2	Third-degree felony—first conviction Second-degree felony—second or subsequent conviction
	Schedule V	Class A misdemeanor—first conviction Third-degree felony—second or subsequent conviction
Manufacture or distribution of (or possession with intent to distribute) an imitation controlled substance.	All imitation controlled substances	Class A misdemeanor
Committing one of the crimes listed in the previous two rows	N/A	If the base violation is a first-degree felony, the violation

Violation	Controlled Substance Category	Possible Penalty
of this table if the violation occurs: • in (or in an area within 100 feet of) a public or private elementary, secondary, vocational, or postsecondary school; • on (or in an area within 100 feet of) the grounds of a public or private elementary, secondary, vocational, or postsecondary school between 6 a.m. and 10 p.m.; • on (or in an area within 100 feet of) the property of a preschool or child-care facility during its hours of operation; • in (or in an area within 100 feet of) a public park, amusement park, arcade, or recreation center while the facility in question is open to the public; • on (or in an area within 100 feet of) the property of a house of worship; • on (or in an area within 100 feet of) library property while the library is open to the public; or • in the presence of a person under 18 years old, regardless of where the act occurs.		will remain a first-degree felony; however, the offender will not be eligible for probation. If the base violation is less than a first-degree felony, the violation will be raised by one degree.
Committing one of the crimes listed in the first two rows of this table for the purpose of enabling the distribution of a controlled substance to an inmate or on the grounds of a correctional facility.	N/A	If the base violation is a first-degree felony, the violation will remain a first-degree felony; however, the offender will not be eligible for probation. Violating this provision adds an extra year to the violator's imprisonment sentence and allows the court the option to add up to five years to the violator's imprisonment sentence.

Violation	Controlled Substance Category	Possible Penalty
		If the base violation is less than a first-degree felony, the violation will be raised by one degree. Violating this provision adds an extra year to the violator's imprisonment sentence and allows the court the option to add up to five years to the violator's imprisonment sentence.
Unlawful possession or use of a controlled substance or controlled substance analog.	Marijuana (100 lbs. or more)	Second-degree felony
	Schedule I or II, or a controlled substance analog	Class A misdemeanor—first or second conviction Third-degree felony—third or subsequent conviction
	Marijuana (less than 100 ibs.), a listed controlled substance found in Utah Code Ann. § 58-37-4.2, or any other controlled substance	Class B misdemeanor—first or second conviction Class A misdemeanor—third conviction Third-degree felony—fourth or subsequent conviction
Unlawful possession or use of a controlled substance or controlled substance analog while on the property of a correctional facility, public jail, or other place of confinement.	Marijuana (100 lbs. or more)	First-degree felony (plus an extra year of imprisonment, and with the court having the option to add up to five additional years of imprisonment)
	Schedule I or II, or a controlled substance analog	Third-degree felony (plus an extra year of imprisonment, and with the court having the option to add up to five additional years of imprisonment) —first or second conviction Second-degree felony (plus an extra year of imprisonment,

Violation	Controlled Substance Category	Possible Penalty
		and with the court having the option to add up to five additional years of imprisonment)—third or subsequent conviction
	Marijuana (less than 100 lbs.), a listed controlled substance found in Utah Code Ann. § 58-37-4.2, or any other controlled substance	Class B misdemeanor (plus an extra six months of imprisonment) —first or second conviction Class A misdemeanor (plus an extra six months of imprisonment) —third second conviction Third-degree felony (plus an extra six months of imprisonment)—fourth or subsequent conviction
Possession of an altered or forged prescription or written order for a controlled substance; or for an owner, tenant, licensee, or person in control of a building, room, tenement, vehicle, boat.	All controlled substances	Class B misdemeanor—first conviction Class A misdemeanor—second conviction
Aircraft, or other place, knowingly or intentionally permitting occupants to unlawfully possess, use, or distribute controlled substances in the location.	All controlled substances	Third-degree felony—third or subsequent conviction
Use of a license number that is fictitious, revoked, suspended, or issued to another person as part of the manufacture or distribution of a controlled substance; or representing oneself to be a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or of other authorized person for the	All controlled substances	Class A misdemeanor—first or second conviction Third-degree felony—third or subsequent conviction

Violation	Controlled Substance Category	Possible Penalty
purpose of obtaining a controlled substance.		
Obtaining possession of, obtaining a prescription for, procuring the administration of, or attempting to procure the administration of a controlled substance through misrepresentation, fraud, forgery, deception, subterfuge, alteration of a prescription or written order for a controlled substance, use of a false name or address, or failure to disclose receiving a controlled substance from another source; or dispensing or prescribing a controlled substance to someone known to be attempting to obtain possession of. Obtain a prescription for, or procure the administration of a controlled substance through misrepresentation, fraud, forgery, deception, subterfuge, alteration of a prescription or written order, use of a false name or address, of failure to disclose receiving a controlled substance from another source.	All controlled substances	Class A misdemeanor—first or second conviction Third-degree felony—third or subsequent conviction
Making a false or forged prescription or written order for a controlled substance. Veberally conveying any such false or forged prescription or order or altering a prescription or written order.	All controlled substances	Class A misdemeanor—first or second conviction Third-degree felony—third or subsequent conviction
Making, distributing, or possessing the means (e.g. a punch, die, plate, stone, etc.) of reproducing an identifying mark, imprint, or device onto a	All controlled substances	Third-degree felony

Violation	Controlled Substance Category	Possible Penalty
substance, container, of label in order to create a counterfeit controlled substance.		

- Class B Misdemeanor: Imprisonment not more than 6 months; fine not to exceed $1,000
- Class A Misdemeanor: Imprisonment not more than 364 days; fine not to exceed $2,500
- Third-Degree Felony: Imprisonment not more than 5 years; fine not to exceed $5,000
- Second-Degree Felony: Imprisonment not less than 1 year nor more than 15 years; fine not to exceed $10,000
- First-Degree Felony: Imprisonment not less than 5 years and which may be up to life; fine not to exceed $10,000

Below are some of the Utah penalties for crimes related to the unlawful possession, use, or distribution of alcohol.
(See UTAH CODE ANN. §§ 76-3-204, -205, -301.)

Category and Violation	Classification
Possession or Purchase by Minors — Possession, purchase, attempt to purchase (by themselves or by soliciting another), consumption, or having measurable levels of alcohol in their body by a person less than 21 years of age; or a minor misrepresenting their own age, or any other person misrepresenting the age of a minor, for the purpose of purchasing or obtaining an alcoholic product. (UTAH CODE ANN. §§ 32B-4-409(1)-(2), -4-304(1))	Class B misdemeanor[14]
Selling to Minors — Selling, offering to sell, or giving alcoholic products to persons less than 21 years of age. (UTAH CODE ANN. § 32B-4-403)	Class A misdemeanor—if the person who furnishes the alcohol knows the recipient is a minor Class B misdemeanor—if the person who furnishes the alcohol *negligently or recklessly* fails to determine the age of the recipient
Incorrect Proof of Age — Using a proof of age that contains false information with intent to procure an alcoholic product, gain admittance to a restricted area, or obtain employment otherwise prohibited by the Alcoholic Beverage Control Act. (UTAH CODE ANN. §§ 32B-1-101, -403(2), -4-411)	For minors: Class B misdemeanor—first offense For minors: Class A misdemeanor—second offense For minors: Class A misdemeanor with additional penalties—third or subsequent offense For all other violators: Class A misdemeanor

Category and Violation	Classification
Consumption in Public Places — Consuming liquor in a public building, park, or stadium. (UTAH CODE ANN. § 32B-4-421)	Class C misdemeanor
Intoxication — "A person is guilty of intoxication if the person is under the influence of alcohol, a controlled substance, or any substance having the property of releasing toxic vapors, to a degree that the person may endanger the person or another, in a public place or in a private place where the person unreasonably disturbs other persons." (UTAH CODE ANN. § 76-9-701)	Class C misdemeanor[15]
Unlawfully Permitting Intoxication — No person shall permit anyone to become intoxicated or allow an already intoxicated person to consume an alcoholic product as described above in any premises of which the person is the owner, tenant, or in a chartered bus or limo of which the person is the owner or operator. (UTAH CODE ANN. § 32B-4-419)	Class C misdemeanor
Unlawful Sale or Supply to Intoxicated Person — A person may not sell, offer to sell, or furnish any alcoholic product to any person who is actually or apparently intoxicated or to any person who, under the circumstances, the person knows or should know is intoxicated. (UTAH CODE ANN. § 32B-4-404)	Class B misdemeanor—if committed negligently or recklessly Class A misdemeanor—if committed knowingly
Unlawful Purchase by an Intoxicated Person — A person may not purchase an alcoholic product if the person is intoxicated. (UTAH CODE ANN. §§ 32B-4-412, -4-304(1))	Class B misdemeanor
Unlawful Transfer of Identification Card — It is unlawful for the owner of an identification card or other proof of age to transfer the proof of age to any other person in order to help that person (1) obtain alcoholic products, (2) gain admittance to a restricted area, or (3) obtain employment otherwise prohibited by the Alcoholic Beverage Control Act. (UTAH CODE ANN. § 32B-1-403(1))	Class B misdemeanor

Penalty for Class C Misdemeanor: Imprisonment not more than 90 days; fine not exceeding $750
Penalty for Class B Misdemeanor: Imprisonment not more than 6 months; fine not to exceed $1,000

Virginia

Selective Summary of Laws Governing Alcohol and Drugs Commonwealth of Virginia 2020
(Virginia Code sections referenced)

Alcohol

The minimum legal age in Virginia for the purchase, possession, or consumption of alcoholic beverages is 21 years of age.

Violation	Possible Penalty
Possession or consumption under 21 (4.1-305)	Misdemeanor; mandatory loss of driver's license for six months (up to 1 year) AND mandatory minimum $500 fine or 50 hours community service
Use of fraudulent driver's license ID to purchase alcoholic beverages (4.1-305)	Misdemeanor -- mandatory loss of driver's license for six months (up to 1 year) AND mandatory minimum $500 fine or 50 hours community service
Drinking in Public* (18.2-306) NOTE: The definition of a public place includes any sidewalk adjoining a public street. (4.1-100; 4.1-128)	Misdemeanor; fine not to exceed $250
Purchase of alcoholic beverages for intoxicated individuals (4.1-306)	Misdemeanor -- mandatory loss of driver's license for up to 1 year AND fine not to exceed $2500 and/or jail for up to 12 months

Violation	Possible Penalty
Purchasing, giving, or assisting in providing alcohol to person under 21 (4.1-306)	Misdemeanor -- mandatory loss of driver's license for up to 1 year AND fine not to exceed $2500 and/or jail for up to 12 months
Purchase, possession, use, selling, or offering for sale or use powdered or crystalline alcohol (4.1-302.2)	Misdemeanor -- mandatory loss of license for one year AND mandatory minimum $500 fine (up to $2500) or 50 hours community service; possible jail for up to 12 months
Consuming alcoholic beverages while driving motor vehicle (18.2- 323.1)	Misdemeanor; fine not to exceed $250
Driving after illegally consuming alcohol under age 21-.02% BAC or more constitutes a violation; requires no showing of impaired driving (18.2-266.1, 46.2-391.2)	Misdemeanor -- Suspension of driver's license for one year and either a mandatory minimum fine of $500 or performance of a mandatory minimum of 50 hours of community service.
Driving under the influence of alcohol or drugs (DUI); .08% BAC presumes alcohol intoxication, but can be convicted on lower	Misdemeanor -- fine not to exceed $2500 (mandatory minimum of $250 and/or jail for 12 months, and loss of driver's license for 1 year,

BAC; specified levels of certain drugs also presume intoxication (18.266-270, 36.2-391.2)	in addition to automatic, administrative 7-day license suspension upon arrest or refusal to take a breath test and immediate vehicle impound.
Driving on Restricted permit with BAC of .02 or more (18.2-272, 46.2- 389/391)	Misdemeanor; fine not to exceed $2500 and/or jail for 12 months, and loss of driver's license for 1-3 years.
Driving under the influence of alcohol with passenger age seventeen (17) or younger (18.2-270)	Misdemeanor; with additional fine of $500 to $1000 and mandatory minimum five days in jail, beyond penalties for DUI
Unreasonable refusal to take breath test (18.2-268.3/4)	Civil offense; loss of driver's license for 1 year, after first offense may petition the court for restricted license with certain conditions.
Maiming (i.e., causing serious bodily injury) of another resulting from driving while intoxicated (18.2-51.4)	Felony; 1 to 5 years prison OR 12 months jail and/or $2500 fine. Under egregious circumstances, penalties may be increased to 2-10 years in prison and up to $100,000 fine

*Note: Virginia law provides for arrest without warrant at any location within three hours of the occurrence of an accident if there is probable cause of driver intoxication.

Drugs

Violation	Possible Penalty
Tobacco, Nicotine Vapor, Hemp Intended for Smoking, and Alternative Tobacco Products Purchase, Use, or Possession by persons under age 21 (18.2-371.2)	1st Violation - Up to $100 fine and/or 20 hours of community service 2nd and Subsequent Violations - Up to $250 fine and/or 40 hours of community service
Tobacco, Nicotine Vapor, Hemp Intended for Smoking	1st Violation - Up to $100 fine 2nd Violation - Up to $200 fine
Alternative Tobacco Products Sale or Distribution to persons under age 21 (18.2-371.2)	3rd and Subsequent Violations - Up to $500 fine
Marijuana Possession (4.1-1100)	Generally lawful for adults 21 and older to possess up to 2 oz.; possession exceeding 2 oz. is subject to a civil penalty of up to $25, with greater criminal penalties for larger quantities. Different restrictions apply to persons under 21.
Marijuana Sale/Distribution (18.2-248.1)	1 ounce or less: Class 1 Misdemeanor; up to 12 months jail and/or $2500 fine. 1 ounce - 5 pounds: Class 5 Felony; 1 to 10 years prison and/or $2500 fine More than 5 pounds: Felony; 5 to 30 years prison
Cocaine Possession (small amount) (18.2-250)	Felony; 1 to 10 years prison OR 12 months jail and/or $2500 fine

Cocaine Sale/Distribution (and large amt. possession) (18.2-248)	Felony - 5 years to life in prison and $1,000,000 fine
Mushrooms (Hallucinogens)	Same as Cocaine
Cannabimimetic Agent Possession (18.2-250(a))	Misdemeanor; 12 months jail and/or $2,500 fine
Cannabimimetic Agent Manufacture/Sale/Gift/Distribution or Possession with Intent to Manufacture/Sell/Give/Distribute (18.2-248)	Felony -5 to 40 years in prison and $500,000 fine
Other Controlled Substances (Including imitation controlled substances and prescription medication not pursuant to a valid prescription for the user)	Same as Cocaine
Anabolic Steroids Sale/Distribution (18.2-248.5)	Felony -- 1 to 10 years prison OR 12 months jail and/or $20,000 fine
GHB (Date Rape Drug) Manufacture/Sale/Gift/Distribution of Possession with Intent to Sell (18.2-251.3)	Felony; 5 to 20 years prison and $100,000 fine
Inhalant Use	Misdemeanor; 12 months jail and/or $2,500 fine
Inhalant Inviting/Inducing use	Misdemeanor; 6 months jail and/or $1,000 fine
Sale/Distribution, or Possession with Intent to Sell, Give or Distribute, on or Near School Property (Imitation/Controlled Substances or any amount of Marijuana)	Felony -- 1-5 years prison and $100,000 fine
Paraphernalia Possession/Distribution (18.2-265.3,54.1-3466)	Misdemeanor; 12 months jail and/or $2500 fine

NOTE: § 18.2-251.03. (Effective until July 1, 2027) Arrest and prosecution when experiencing or reporting an overdose or act of sexual violence. B. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, involuntary manslaughter pursuant to § 18.2-36.3, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual (i) in good faith, seeks or obtains emergency medical attention (a) for himself, if he is experiencing an overdose, or (b) for another individual, if such other individual is experiencing an overdose; (ii) is experiencing an overdose and another individual, in good faith, seeks or obtains emergency medical attention for such individual, by contemporaneously reporting such overdose to a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, a law-enforcement officer, as defined in § 9.1-101, or an emergency 911 system; or (iii) in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual

experiencing an overdose while another individual seeks or obtains emergency medical attention in accordance with this subdivision;
2. Such individual remains at the scene of the overdose or at any alternative location to which he or the person requiring emergency medical attention has been transported until a law-enforcement officer responds to the report of an overdose. If no law-enforcement officer is present at the scene of the overdose or at the alternative location, then such individual shall cooperate with law enforcement as otherwise set forth herein;
3. Such individual identifies himself to the law-enforcement officer who responds to the report of the overdose; and
4. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining emergency medical attention or rendering emergency care or assistance.
C. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105.1, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:
1. Such individual, in good faith, seeks or obtains assistance for himself or another individual from emergency medical services personnel, as defined in § 32.1-111.1, a health care provider, as defined in § 8.01-581.1, or a law-enforcement officer, as defined in § 9.1-101, and seeks to report an act of sexual violence committed against himself or another individual;
2. Such individual identifies himself to the law-enforcement officer who responds to the report of the act of sexual violence; and
3. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining medical attention, rendering care or assistance, or reporting to law enforcement.
This subsection shall not apply to an individual who is alleged to have committed the act of sexual violence.
D. The provisions of this section shall not apply to any person who seeks or obtains emergency medical attention for himself or another individual, to a person experiencing an overdose or who has experienced an act of sexual violence when another individual seeks or obtains emergency medical attention for him, or to a person who renders emergency care or assistance to an individual experiencing an overdose or who has experienced an act of sexual violence while another person seeks or obtains emergency medical attention during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest.
E. This section does not establish protection from arrest or prosecution for any individual or offense other than those listed in subsection B or C. However, any individual immune to arrest or prosecution under this section shall not have his bail, probation, furlough,

supervised release, suspended sentence, or parole revoked for the behavior immune from arrest or prosecution under the provisions of this section.

F. No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution under this section.

§ 18.2-251.03. (Effective July 1, 2027) Arrest and prosecution when experiencing or reporting an overdose or act of sexual violence.

B. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105, involuntary manslaughter pursuant to § 18.2-36.3, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual (i) in good faith, seeks or obtains emergency medical attention (a) for himself, if he is experiencing an overdose, or (b) for another individual, if such other individual is experiencing an overdose; (ii) is experiencing an overdose and another individual, in good faith, seeks or obtains emergency medical attention for such individual, by contemporaneously reporting such overdose to a firefighter, as defined in § 65.2-102, emergency medical services personnel, as defined in § 32.1-111.1, a law-enforcement officer, as defined in § 9.1-101, or an emergency 911 system; or (iii) in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual experiencing an overdose while another individual seeks or obtains emergency medical attention in accordance with this subdivision;

2. Such individual remains at the scene of the overdose or at any alternative location to which he or the person requiring emergency medical attention has been transported until a law-enforcement officer responds to the report of an overdose. If no law-enforcement officer is present at the scene of the overdose or at the alternative location, then such individual shall cooperate with law enforcement as otherwise set forth herein;

3. Such individual identifies himself to the law-enforcement officer who responds to the report of the overdose; and

4. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining emergency medical attention or rendering emergency care or assistance.

C. No individual shall be subject to arrest or prosecution for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305, unlawful purchase, possession, or consumption of marijuana pursuant to § 4.1-1105, possession of a controlled substance pursuant to § 18.2-250, intoxication in public pursuant to § 18.2-388, or possession of controlled paraphernalia pursuant to § 54.1-3466 if:

1. Such individual, in good faith, seeks or obtains assistance for himself or another individual from emergency medical services personnel, as defined in § 32.1-111.1, a health care provider, as defined in § 8.01-581.1, or a law-enforcement officer, as defined in § 9.1-101, and seeks to report an act of sexual violence committed against himself or another individual;
2. Such individual identifies himself to the law-enforcement officer who responds to the report of the act of sexual violence; and
3. The evidence for the prosecution of an offense enumerated in this subsection was obtained as a result of the individual seeking or obtaining medical attention, rendering care or assistance, or reporting to law enforcement.
This subsection shall not apply to an individual who is alleged to have committed the act of sexual violence.
D. The provisions of this section shall not apply to any person who seeks or obtains emergency medical attention for himself or another individual, to a person experiencing an overdose or who has experienced an act of sexual violence when another individual seeks or obtains emergency medical attention for him, or to a person who renders emergency care or assistance to an individual experiencing an overdose or who has experienced an act of sexual violence while another person seeks or obtains emergency medical attention during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest.
E. This section does not establish protection from arrest or prosecution for any individual or offense other than those listed in subsection B or C. However, any individual immune to arrest or prosecution under this section shall not have his bail, probation, furlough, supervised release, suspended sentence, or parole revoked for the behavior immune from arrest or prosecution under the provisions of this section.
F. No law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution under this section.

Wisconsin

Alcohol
The laws of Wisconsin prohibit the sale of alcohol to anyone who has not reached the legal drinking age of 21, and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his/her premises. Wis. Stat.125.07(1)(a)(1). Repeated violation of this statute can result in imprisonment of up to 9 months and fine of $10,000. Wis. Stat.125.07(1)(b)(2)(d). It is against the law for an underage person to attempt to buy an alcoholic beverage, falsely represent his/her age, or enter a licensed premise. Violators of this law can be fined $1000, ordered to participate in a supervised work program, and have their driver's license suspended, Wis. Stat. 125.07(4).

Drugs
The laws of Wisconsin prohibit possession, manufacture, distribution and/or delivery of controlled substances through the Uniform Controlled Substances Act, Wis. Stat. 961. Manufacture, distribution or delivery of a schedule I or schedule II narcotic drugs is a Class E felony subject to up to 15 years in prison and a $50,000 fine, with exceptions. Wis. Stat. 961.41(1)(a). Manufacture, distribution or delivery of a schedule I, II or III non-narcotic drug is a Class H felony subject to 6 years in prison and a $10,000 fine, with exceptions. Wis. Stat. 961.41(1)(b). Additional sanctions vary based on the type of controlled substance, the amount of the controlled substance, whether the individual possessed, manufactured, distributed, delivered the controlled substance or intended to do so, and the number of previous offenses by the individual. For all penalties see Wis. Stat. 961.41, Wis. Stat. 961.42, and Wis. Stat. 961.43. For example, manufacture, distribution or delivery of more than 40 grams of cocaine is a Class C felony subject to 40 years in prison and fine of $100,000. Possession of cocaine without intent to manufacture, distribute or deliver is a Class I felony subject to 3 ½ years in prison and fine of $10,000. In addition to the stringent penalties, prison sentences can be increased when aggravating factors are present, such as when a person distributes a controlled substance to a minor, Wis. Stat. 961.46 (1).

Federal

Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to $10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an educational facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

Students who seek assistance in dealing with a possible substance abuse problem are encouraged to obtain a listing of agencies providing substance abuse assistance from the College administration. Arizona College has located resources which might assist students who find they are having difficulty with controlled substances or alcohol. If a student should find they are having such difficulties, he/she should notify student services immediately. The resources will assist in referral and/or treatment.

Physical Risks
Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest amounts may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

Substance
Alcohol (at .08 Blood Alcohol Concentration & Above) Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver

disorders-alcoholic hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is mental retardation).

Cannabis Marijuana Hash/Hash Oil THC Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

Cocaine (includes Crack Cocaine) Increased likelihood of risk taking; seizures; sleeplessness; paranoia; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

Depressants, Tranquilizers, Barbiturates, Methaqualone Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

Other Stimulants (Excluding Cocaine), Amphetamines, Methamphetamines Increased heart & respiratory rates; elevated blood pressure; decreased appetite; headaches; blurred vision; dizziness; sleeplessness; anxiety; amphetamine psychosis-violent behavior, hallucinations, delusions, paranoia; drug tolerance & dependency; mood swings; ulcers; mental confusion.

Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are "cut" with impurities; tolerance after (3-4 daily doses--higher doses are required to produce same effects).

Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes-AIDS, hepatitis B, endocarditis (infection in the heart); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, diabetes.

In addition to the physical risks associated with drug and alcohol abuse, there are many federal and state laws that may apply to drug- and alcohol-related offenses. Under current federal law, students with drug convictions may remain eligible for federal financial aid, provided they meet all other applicable eligibility requirements. However, certain individuals may be subject to restrictions on federal benefits, including federal student aid, if a court has imposed such restrictions under the Anti-Drug Abuse Act of 1988. Students are encouraged to consult with the Financial Aid Office regarding questions about their eligibility for federal financial assistance.

National Referral Resources

Al-Anon for Families of Alcoholics
1-888-425-2666

Alcoholics Anonymous
http://www.aa.org/

Alcohol Treatment Referral Hotline
1-800-ALCOHOL (1-800-252-6465)

National Council on Alcoholism and Drug Dependence, Inc
1-800-622-2255

The Substance Abuse and Mental Health Services Administration's (SAMHSA) Behavioral Health Treatment Services Locator
https://findtreatment.samhsa.gov/

Substance Abuse and Mental Health Service Administration (SAMHSA)
1-800-662-HELP (1-800-662-4357)

Narcotics Anonymous
https://www.na.org/

National Institute on Alcohol Abuse and Alcoholism
https://www.niaaa.nih.gov/

Arlington Campus

2800 Crystal Dr, Suite 600, Arlington, VA 22202

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Negligent Manslaughter	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Rape	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Fondling	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Incest	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Robbery	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Aggravated Assault	2025	*	*	*
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Motor Vehicle Theft	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Arson	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Arrests: Liquor Law Violations	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	*	*	*
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Stalking	2025	*	*	*
	2024	*	*	*
	2023	*	*	*
Hazing	2025	**	**	**
	2024	**	**	**
	2023	**	**	**

**Arlington Campus opened October 2026*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Atlanta Campus

8200 Roberts Drive, Suite 300, Sandy Springs, GA 30350

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Robbery	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arson	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Atlanta Campus opened 2025*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Aurora Campus

3131 South Vaughn Way, Suite 525, Aurora, CO 80014

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	1	0	0
	2024	0	0	0
	2023	0	0	13
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Chesapeake Campus

545 Belaire Avenue, Chesapeake, VA 23320

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Cincinnati Campus

11500 Northlake Drive, Suite 105, Cincinnati, OH 45249

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Cleveland Campus

3401 Enterprise Parkway, Suite 100, Beachwood, OH 44122

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Columbus Campus

445 Hutchinson Ave, Suite 400, Columbus, OH 43235

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Robbery	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arson	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Columbus Campus opened 2025*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Dallas Campus

8330 Lyndon B. Johnson Fwy, Suite B100, Dallas, TX 75243

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Falls Church Campus

3130 Fairview Park Drive, Suite 800, Falls Church, VA 22042

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Fort Lauderdale Campus

600 Corporate Drive, Suite 200, Fort Lauderdale, FL 33334

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Fort Worth Campus

6000 Western Pl, Suite 118, Fort Worth, TX 76107

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Robbery	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arson	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Fort Worth Campus opened 2025*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Glendale Campus

4425 West Olive Avenue, Suite 300, Glendale, AZ 85302

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	1	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	1
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Greenville Campus

150 Executive Center Drive, Suite 200, Greenville, SC 29615

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Robbery	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arson	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Greenville Campus opened 2024*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Hartford Campus

99 East River Drive, Suite 901, East Hartford, CT 06108

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Las Vegas Campus

8363 West Sunset Road, Suite 200, Las Vegas, NV 89113

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Melbourne Campus

100 Rialto Pl, Suite 100, Melbourne, FL 32901

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Robbery	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arson	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Melbourne Campus opened 2024*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Mesa Campus

163 North Dobson Road, Mesa, AZ 85201

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Milwaukee Campus

9000 W. Chester St, Suite 300, Milwaukee, WI 53214

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Negligent Manslaughter	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Fondling	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Incest	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Robbery	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Aggravated Assault	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Motor Vehicle Theft	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arson	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Arrests: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
VAWA Offenses: Stalking	2025	0	0	0
	2024	*	*	*
	2023	*	*	*
Hazing	2025	0	0	0
	2024	**	**	**
	2023	**	**	**

**Milwaukee Campus opened 2025*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "**" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Ontario Campus

3401 North Centre Lake Drive, Suite 430, Ontario, CA 91761

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Phoenix Campus

16404 North Black Canyon Highway, Suite 200, Phoenix, AZ 85053

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	1	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Salt Lake City Campus

434 West Ascension Way, Suite 500, Murray, UT 84123

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	1	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Sarasota Campus

8043 Cooper Creek Blvd, Suite 107, University Park, FL 34201

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Southfield Campus

26400 Lahser Road, Suite 400, Southfield, MI 48033

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

St. Louis Campus

1807 Park 270 Drive, Suite 500, Maryland Heights, MO 63146

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Tampa Campus

1411 North Westshore Blvd, Suite 200, Tampa, FL 33607

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Tempe Campus

1620 West Fountainhead Pkwy, Suite 110, Tempe, AZ 85282

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Tucson Campus

5285 East Williams Circle, Suite 1000, Tucson, AZ 85711

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Criminal Homicide: Murder & Non-Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Arizona College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Arizona College does not maintain residential facilities.

Appendix B: Pertinent Legal Definitions under California Law

Appendix B: Jurisdictional Definitions Rape (CA Penal Code Chapter 1 Section 261)

(a) Rape is an act of sexual intercourse accomplished under any of the following circumstances:

(1) (A) If a person is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. A person with a mental disorder or developmental or physical disability shall not be presumed to be unable to give legal consent to sexual intercourse due to that disability. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code) or the absence of voluntary supports as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (a) and (b) of Section 21000, the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. This paragraph does not preclude the prosecution of the person committing the act under any other paragraph of this subdivision or any other law.

(B) In determining whether the person is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, both of the following shall be considered, as applicable:

(i) Any mitigating measure in place, as defined in subdivision (n) of Section 11065 of Title 2 of the California Code of Regulations, as that regulation existed on January 1, 2025.

(ii) Any voluntary supports in place, as described in Division 11.5 (commencing with Section 21000) of the Welfare and Institutions Code, except subdivisions (a) and (b) of Section 21000.

(2) If it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

(3) If a person is prevented from resisting by an intoxicating or anesthetic substance or a controlled substance, and this condition was known, or reasonably should have been known by the accused.

(4) If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

(6) If the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
(7) If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
(b) For purposes of this section, the following definitions apply:
(1) "Duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim's relationship to the defendant, are factors to consider in appraising the existence of duress.
(2) "Incapable, because of a mental disorder or developmental or physical disability, of giving legal consent" means that a person is at the time of the intercourse either of the following:
(A) Unable to understand the nature of the act or transaction involved due to a mental disorder or developmental or physical disability.
(B) Unable to act freely and voluntarily due to a mental disorder or developmental or physical disability.
(3) "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.
(CA Penal Code Section 286)
(a) Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.
(b) (1) Except as provided in Section 288, any person who participates in an act of sodomy with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.
(b) (2) Except as provided in Section 288, any person over 21 years of age who participates in an act of sodomy with another person who is under 16 years of age shall be guilty of a felony.
(c) (1) Any person who participates in an act of sodomy with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.
(2) (A) Any person who commits an act of sodomy when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.
(2) (B) Any person who commits an act of sodomy with another person who is under 14 years of age when the act is

accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 9, 11, or 13 years.
(2) (C) Any person who commits an act of sodomy with another person who is a minor 14 years of age or older when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for 7, 9, or 11 years.
(3) Any person who commits an act of sodomy where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.
67 (d) (1) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person or where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for five, seven, or nine years.
(d) (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.
(d) (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of sodomy upon a victim who is a minor 14 years of age or older, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 7, 9, or 11 years.
(e) Any person who participates in an act of sodomy with any person of any age while confined in any state prison, as defined in Section 4504, or in any local detention facility, as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year.
(f) Any person who commits an act of sodomy, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: I. Was unconscious or asleep. II. Was not aware, knowing, perceiving, or cognizant that the act occurred. III. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. IV. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
(f) Except as provided in subdivision
(h), a person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the

act, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent. 68

(h) Any person who commits an act of sodomy, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for not more than one year. Notwithstanding the existence of a conservatorship pursuant to the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(i) Any person who commits an act of sodomy, where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for three, six, or eight years.

(j) Any person who commits an act of sodomy, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense,
or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for three, six, or eight years.

(k) Any person who commits an act of sodomy, where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(l) "Threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury, or death. Oral Copulation (CA Penal Code Chapter 1 Section 287)

(a) Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.

(b) (1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(b) (2) Except as provided in Section 288, any person over 21 years of age who participates in an act of oral copulation with another person who is under 16 years of age is guilty of a felony.

(c) (1) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years. 69

(c) (2) (A) Any person who commits an act of oral copulation when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.
(c) (2) (B) Any person who commits an act of oral copulation upon a person who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
(c) (2) (C) Any person who commits an act of oral copulation upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.
(c) (3) Any person who commits an act of oral copulation where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.
(d) (1) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting that other person, commits an act of oral copulation

(A) when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, or
(B) where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, or
(C) where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison for five, seven, or nine years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime described under paragraph

(3), that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.
(d) (2) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is under 14 years of age, when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 10, 12, or 14 years.
(d) (3) Any person who, while voluntarily acting in concert with another person, either personally or aiding and abetting that other person, commits an act of oral copulation upon a victim who is a minor 14 years of age or older,
when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions: I. Was unconscious or asleep. II. Was not aware, knowing, perceiving, or cognizant that the act occurred. III. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact. IV. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the oral copulation served a professional purpose when it served no professional purpose.
(g) Except as provided in subdivision
(h) Any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, shall be punished by imprisonment in the state prison, for three, six, or eight years. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris- Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
(h) Any person who commits an act of oral copulation, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act, and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.
(i) Any person who commits an act of oral copulation, where the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. 71
(j) Any person who commits an act of oral copulation, where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.
(k) Any person who commits an act of oral copulation, where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, “public official” means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(l) As used in subdivisions (c) and (d), “threatening to retaliate” means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

Bigamy, Incest, and the Crime against Nature (CA Penal Code Chapter 1 Section 285 and Section 289) Section 285 Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison. Section 289

(a) (1) (A) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.
(B) Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and
unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.
(C) Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.
(D) This paragraph does not preclude prosecution under Section 269, Section 288.7, or any other provision of law. 72 (2) Any person who commits an act of sexual penetration when the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat, shall be punished by imprisonment in the state prison for three, six, or eight years.

(b) Except as provided in subdivision (c), any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. Notwithstanding the appointment of a conservator with respect to the victim pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.
(c) Any person who commits an act of sexual penetration, and the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed and both the defendant and the victim are at the time confined in a state hospital for the care and treatment of the mentally disordered or in any other public or private facility for the care and treatment of the mentally disordered approved by a county mental health director, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving legal consent.

(d) Any person who commits an act of sexual penetration, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed, shall be punished by imprisonment in the state prison for three, six, or eight years. As used in this subdivision, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions: I. Was unconscious or asleep. II. Was not aware, knowing, perceiving, or cognizant that the act occurred. III. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact. IV. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
(e) Any person who commits an act of sexual penetration when the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.
(f) Any person who commits an act of sexual penetration when the victim submits under the belief that the person committing the act or causing the act to be committed is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief, shall be punished by imprisonment in the state prison for a period of three, six, or eight years.
(g) Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official, shall be punished by imprisonment in the state prison for a period of three, six, or eight years. As used in this subdivision, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
(h) Except as provided in Section 288, any person who participates in an act of sexual penetration with another person who is under 18 years of age shall be punished by imprisonment in the state prison or in a county jail for a period of not more than one year.
(i) Except as provided in Section 288, any person over 21 years of age who participates in an act of sexual penetration with another person who is under 16 years of age shall be guilty of a felony.
(j) Any person who participates in an act of sexual penetration with another person who is under 14 years of age and who is more than 10 years younger than he or she shall be punished by imprisonment in the state prison for three, six, or eight years.
(k) As used in this section: I. "Sexual penetration" is the act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object. II. "Foreign object, substance, instrument, or device" shall include any part of the body, except a sexual organ. III. "Unknown object" shall include any foreign object, substance, instrument, or device, or any part of the body, including a penis, when it is not known whether penetration was by a penis or by a foreign object, substance, instrument, or device, or by any other part of the body.
(l) As used in subdivision (a), "threatening to retaliate" means a threat to kidnap or falsely imprison, or inflict extreme pain, serious bodily injury or death.
(m) As used in this section, "victim" includes any person who the defendant causes to penetrate the genital or anal opening of the defendant or another person or whose genital or anal opening is

caused to be penetrated by the defendant or another person and who otherwise qualifies as a victim under the requirements of this section.

Fondling (CA Penal Code Chapter 9. Section 243.4, Assault and Battery)
(a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).
(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).
(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).
(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars ($2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars ($10,000).
(e)(1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Civil Rights Department for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of 75 Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two

thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.
(e) (2) As used in this subdivision, “touches” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.
(f) As used in subdivisions (a), (b), (c), and (d), “touches” means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.
(g) As used in this section, the following terms have the following meanings: I.“Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female. II. “Sexual battery” does not include the crimes defined in Section 261 or 289. III.“Seriously disabled” means a person with severe physical or sensory
disabilities. IV.“Medically incapacitated” means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication. V.“Institutionalized” means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital. VI.“Minor” means a person under 18 years of age.
(h) This section shall not be construed to limit or prevent prosecution under any other law which also proscribes a course of conduct that also is proscribed by this section.
(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.
(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars ($10,000). Statutory Rape (CA Penal Code, Chapter 1, Section 261.5)

(a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.
(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. 76
(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.
(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

<u>Incest (CA Penal Code, Chapter 1, Section 285)</u>
Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison. Abuse: (CA Family Code, 6203 (definitions) and 6211)
(a) For purposes of this act, “abuse” means any of the following:

I. To intentionally or recklessly cause or attempt to cause bodily injury.

II. Sexual assault.
III. To place a person in reasonable apprehension of imminent serious bodily injury to that person or to another.
IV. To engage in any behavior that has been or could be enjoined pursuant to Section 6320.
V. Abuse is not limited to the actual infliction of physical injury or assault.

"Domestic violence" is abuse perpetrated against any of the following persons:
I. A spouse or former spouse.
II. A cohabitant or former cohabitant, as defined in Section 6209.
III. A person with whom the respondent is having or has had a dating or engagement relationship.
IV. A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
V. A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
VI. Any other person related by consanguinity or affinity within the second degree.

Domestic Violence/Dating Violence (CA Penal Code, Chapter 2, Section 273.5 and Section 243)
(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision
(b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars ($6,000), or by both that fine and imprisonment.
(b) Subdivision (a) shall apply if the victim is or was one or more of the following: I. The offender's spouse or former spouse.
II. The offender's cohabitant or former cohabitant.
III. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.
IV. The mother or father of the offender's child. CA Penal Code 243(e) (1) When a battery (willful and unlawful use of force or violence upon the person of another) is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship, the battery is punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment.

Stalking: CA Penal Code, Chapter 2, Section 646.9
Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars ($1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Stalking: CA Penal Code, Chapter 2, Section 653m
(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith.
(b) Every person who, with intent to annoy or harass, makes repeated telephone calls or makes repeated contact by means of an electronic communication device, or makes any combination of calls or contact, to another person is, whether or not conversation ensues from making the telephone call or contact by means of an electronic communication device, guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith or during the ordinary course and scope of business.

Consent to Sexual Activity (CA Penal Code, Chapter 1, section 261.6 and section 261.7)
a) Consent is positive cooperation in act or attitude pursuant to an exercise of free will. The Person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.
b) A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under section 261, 286, 287, or 289, or former section 262 or 288a
c) This section shall not affect the admissibility of evidence or the burden of proof on the issue of consent. In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

Addendum

Revised 11.05.2026

P 3: Added Arlington Campus to Campus Locations

P 6-7: Updated Incident Commanders Contact Information

P 16-49: Updated Title IX Policy

P 49-51: Updated Deputy Coordinators Contact Information

P 53: Added Arlington Local Authority Contacts

P 174: Added Arlington Campus Crime Statistics