# TABLE OF CONTENTS

## Introduction
- Director’s Letter
- Crime Statistics Disclosure
- Mission, Values, and Goals
- Commissioned University Police
- Location of University Police

## Campus Safety Information
- How to Report a Crime
- Student Privacy (FERPA)
- Access to Safety Escorts
- Code Blue Stations
- Timely Warnings
- Access to On Campus Housing

## Policies, Procedures, and Guidelines
- University and Community
- Weapons on Campus
- Weapons Storage
- Alcohol on Campus
- Drugs on Campus
- Student Conduct Code
- Sex Offender Registration
- Workplace Violence

## Missing Student Notification
- Purpose
- Missing Person
- Student Disclosures
- Confidential Contacts
- Reporting
- Investigation and Response
- Notification
- Campus Communication

## Sexual Assault, Harassment, Misconduct, and Information
- Sexual Assault
- Sexual Harassment
- Classification/Definitions of Sexual Misconduct
- Disciplinary Procedures
Educational Component
Rights of the Victim
Rights of the Accused
EWU Police Sexual Assault Response Commitment

Security Report
Definitions of Clery Crimes
Crime Statistics Information
Crime Statistics for 2008-2010
Local Agencies Crime Statistics 2008-2010
EWU Citations 2008-2010
Distant Learning Locations and Fire/Safety Reports
Clery Map of Reportable Areas

Fire Report
Fires in Student Housing Facilities on Campus
Fire Details
Fire Safety Systems
Fire Drills Held
Fire Policy
Student Housing Evacuation Procedures
Reporting Fires
Future Plans for Improvements of the Fire Safety Systems

Additional Information
Notes and Additional Recommended Resources
Important Numbers
Questions
Director's Letter

Dear University Community:

Welcome to Eastern Washington University. As the Director of Public Safety and Chief of Police, I am very involved with the safety and security of our students and staff here at Eastern.

Nationally, the safety and security of all university campuses has become a priority and EWU is no exception. We are very proactive in our efforts to keep students, faculty, and staff safe and secure from possible threats. Safety and security is overseen by the Eastern Washington University Police Department. Our police department has 12 commissioned police officers who are sworn to enforce all federal, state, and local laws. Our department’s primary jurisdiction is the 325 acre campus, which includes a population of over 10,000 students and more than 1,300 staff members.

Over the past year, we have initiated new programs designed to enable our students and staff to be more informed, aware and active in the safety and security aspect of our campus community life. The E2Campus (EWU Alerts) program sends emergency text messages to cell phones and emails to students, parents or staff. We also provide staff and students with training programs that teach personal safety methods and techniques that may be helpful if faced with an emergency on or off campus.

Our university continues to utilize other safety/security programs that have been successful in the past, such as: the 911 Code Blue Light Stations, the escort services for students and staff, the vehicle unlock program, the vehicle battery jump program and the anonymous tip line telephone number 509.359.4286, just to list a few. If you have an emergency, call 911. If you need a police officer immediately, at any time, day or night, the police can be reached at the following dispatch telephone number: 509.535.9233. The University Police administration office is open during normal business hours Monday thru Friday, and can be contacted by dialing 509.359.6310.

I invite you to review this Annual Safety Report/Clery Act Report very carefully. It is filled with information that will be helpful to anyone who may need safety and security resources during their time here at Eastern Washington University. It also provides our annual crime statistics.

If you have any questions or concerns regarding safety or security during your time here at EWU, I encourage you to contact the EWU Police Department and speak to either myself or my staff, who are dedicated to serving our community.

Learn Well and Be Safe,

Tim Walters

Director of Public Safety/Chief of Police
Eastern Washington University Police Department
Introduction

Crime Statistics Disclosure
This crime statistics information is provided in accordance with State of Washington Senate Bill 66.26 and the federal “Right to Know: Student Campus Security Act” 20 U.S.G. Section 1092 known as the Clery Act.

Per Federal Regulations (34 CFR Part 668), it is required that a copy of Eastern Washington University’s Clery Act otherwise known as the Annual Security and Fire Report be provided to each employee and student. This report includes statistical information for the past three years concerning reported crimes which occurred on EWU’s campus; certain off-campus buildings or properties owned or controlled by EWU and on public property within, or immediately adjacent to and accessible from, EWU’s campus. The report also includes institutional policies concerning campus security issues, such as policies concerning sexual assault, alcohol use and other matters. You can obtain a copy of this report by contacting the EWU University Police at 509.359.6300, or by accessing the following web site: http://access.ewu.edu/Police/Annual-Safety-and-Fire-Report---Clery-Act.xml.

Mission, Values, and Goals
Mission - The Eastern Washington University Police Department shall serve the public by providing assistance, coordination, and the delivery of law enforcement and support services for the safety and protection of life and property.

Values - The Eastern Washington University Police Department has been entrusted with the duties and responsibilities to assist, protect, preserve, and defend the social order of the University community. This public trust mandates that all members exemplify the highest standard of conduct while on and off duty.

Goal - To serve the University community by protecting life and property. To ensure all persons are treated fairly and with respect, while preserving state and federal laws. To encourage unity, the tolerance of cultural and racial diversity for all members of the University community.

Commissioned University Police
EWU Police is a fully commissioned Law Enforcement Police Department. As commissioned state officers, we have authority to arrest, the ability to act upon probable cause, conduct search and seizures, and to investigate criminal activity. As a law enforcement agency, we have access to state and federal criminal history records and criminal intelligence. This enhances our ability to provide a greater level of protection. Having a dedicated police department allows us to better serve the University as a community by partnering with local, state, and federal agencies to keep informed on current trends and criminal activity, with an emphasis on public service.
As part of our emphasis on public service to our community, we provide other services such as vehicle unlocks, vehicle jumps, weapons storage, lost and found, non-criminal fingerprinting and other public services. To assist our commissioned officers, we have a student cadet program that helps in patrolling the campus at night. They check campus property, secure buildings, walk through parking lots, and when available, escort students on campus. The EWU Police Department has the following personnel:

Department Personnel
Administration
  Director of Public Safety/Chief of Police 1
  Deputy Chief 1
  Administrative Assistant 1
Commissioned Officers
  Supervisor Sergeants 2
  Detective/Investigator 1
  Corporal 1
  Officers 6

Location of University Police

The Eastern Washington University Police Department is located in the Red Barn at 820 Washington Street in Cheney. The Red Barn administrative operations are conducted during normal business hours, Monday-Friday. At other times, police assistance can be obtained by calling 509.535.9233. EWU police can also be reached toll-free from Spokane by calling this same number. For emergency situations, please call 911.

Campus Safety Information

How to Report a Crime

If you are the victim of a crime on campus, report it immediately. Call 911 if it is an emergency or EWU Police at 509.535.9233 or 509.359.6300, by selecting option 1 of the automated menu. Identify yourself as the victim of a crime; the dispatcher will then take all of the information and will be able to help you. Remember that a crime that is not reported helps no one, not you or the next victim. If you see a crime in progress, remain calm, locate the nearest telephone and call 911 or EWU Police at 509.535.9233 or 509.359.6300, selecting option 1 of the automated menu. Identify yourself as a witness to a crime,
describe what you saw, where, and when. Remember that details are very important. This includes the exact location, descriptions of the clothing worn by the suspect(s) and their direction of travel. Be as accurate as possible. Your information may assist the police in making an arrest or aiding with the saving of a life and the recovery of property. You may remain anonymous when reporting a crime, if you so choose.

**Student Privacy (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) of 1974, also known as the Buckley Amendment, helps protect the privacy of student records. FERPA applies to all institutions that are the recipients of federal funding. FERPA is enforced by the Family Policy Compliance Office of the US Department of Education in Washington D.C. All information regarding FERPA, is located on the EWU Office of Records and Registration’s webpage at [http://access.ewu.edu/Records-and-Registration/Student-Records/FERPA.xml](http://access.ewu.edu/Records-and-Registration/Student-Records/FERPA.xml) or by calling the Office of Records and Registration at 509.359.2321.

**Access to Safety Escorts**

Before calling for an escort, please seek assistance from a friend, roommate or colleague. This service is limited to the availability of cadet patrols or police officers. If returning home or to your residence hall after dark, it is best to preplan your departure. Avoid secluded areas, call home or your destination to let someone know you are leaving and the route you are taking, and always try to walk in groups or pairs.

The program’s intent is to get students, faculty and/or staff safely to their destinations on campus or within a close proximity of the campus during the hours of darkness. To receive this service, call the Eastern Washington University Police at 509.359.6300, selecting option 1 on the automated menu or by calling dispatch directly at 509.535.9233. The dispatcher will check with the shift supervisor to determine if there is a cadet patrol or police officer available for the escort. If there is, the caller will be told who the escort will be and receive instructions as to where and when to meet him or her.
Code Blue Stations

There are Code Blue stations located at key areas around the campus. For their locations, check the campus website map below or at:
http://www.ewu.edu/Documents/Locations/Cheney/CampusMapNew.pdf.

These stations are for your protection; they can help you summon help or report crimes. There are Code Blue public emergency telephone stations with on campus calling capabilities to request an escort. When you activate a Code Blue unit, this is a direct call to 911. If possible, stay at the unit and give information to the operator until help arrives. If you leave the area before talking to the operator, it will delay our ability to assist you. Each station is equipped with a light that readily identifies your location. Remain calm, give the information into the speaker and follow instructions given by the operator. Help will arrive as soon as possible. False reporting by activating a Code Blue station is a crime and will be treated accordingly.
**Timely Warnings**

In the event that a situation arises, either on or off campus that, in the judgment of the University President or the Director of Public Safety, constitutes a serious or continuing threat, a campus wide ‘timely warning’ will be issued. Actions relative to timely warning notices will depend on the particular circumstances of the crime or other emergency as determined by the Director of Public Safety or designated authority. Anyone with information warranting a timely warning should report the circumstances to the University Police Department. The EWU Alerts/Campus Emergency Mass Notification System can be found at: [http://access.ewu.edu/Police/Emergency-Notification/EWU-Alerts.xml](http://access.ewu.edu/Police/Emergency-Notification/EWU-Alerts.xml).

**General**

The Director of Public Safety is responsible for ensuring distribution of timely warning notices to the university community. Timely warnings may be issued through several means of communication, such as: the snow line (509) 359-7669, campus-wide email, and the EWU Alerts System. Additionally, depending on the circumstances, warnings may also be issued through any or all of the following:

- Notice posted on the campus website at [http://www.ewu.edu/timelywarning](http://www.ewu.edu/timelywarning)
- Voicemail system at Eastern Washington University
- Written notice through inter-campus mail systems
- Classroom announcements by faculty
- Notices posted in university facilities and other public places

**Procedures**

(a) Timely warnings are issued by the Director of Public Safety once pertinent information is made available. The Director will decide the method(s) that will be used for the timely warning.

(b) The decision to issue a timely warning is decided on a “case by case” basis, in light of the facts surrounding a crime, including factors such as the nature of a crime, continuing danger to the campus community and the possible risk of compromising possible law enforcement efforts.

(c) All Timely Warnings should include, at a minimum, the listed items of information, if available and/or appropriate.
- What the reported offense is,
- Description and Name of Suspect(s) if known,
- Description of what happened including such things as location, date(s), time of day/night, behavior of suspects, etc.
- Cautions of Drugs being passed within the community and the effects (i.e., Date Rape Drugs)

(d) Family Education Rights and Privacy Act (FERPA): The Clery Act does not require confidential reporting of crimes. Although personally identifiable information is generally precluded from disclosure, this information may be released in an emergency situation. FERPA does not preclude an institution’s compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA.

(e) Crimes that are exempt from the timely warning requirements: The University is not required to provide a timely warning for crimes reported to a pastoral or professional counselor. There are no other exemptions.

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

(2) Professional counselor: A person whose official responsibilities include providing mental health counseling to members of the campus community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the University, but are under contract to provide counseling at the University.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Office of Public Safety may also post a notice on the campus website under University Police-Emergency Notification and Timely Warnings at:  
http://access.ewu.edu/Police/Emergency-Notification/Timely-Warning-Log.xml
Anyone with information warranting a timely warning should report the circumstances to the University Police, by contacting police dispatch at: 509.535.9233, the University Police Department at: 509.359.6300, or if this is an emergency dial 911.

Campus safety information for students at the Riverpoint Campus is available at http://spokane.wsu.edu/campusalert/. All other distant learning locations have separate notification processes, please see their campus’ websites or contact those locations for the appropriate information regarding emergency notification, these numbers can be found on pages 49-51.

Access to On-Campus Housing

All residence halls are locked 24-hours a day. Guests are required to identify themselves when they enter halls after hours. Residence halls check-in desk is open: Thursday and Sunday, 9 p.m.-1 a.m., and Friday and Saturday, 9 p.m.-2 a.m. In addition to residence halls, there are on-campus student apartment complexes with individual managers. The occupant regulates access to each apartment.

Policies and Procedures

University and Community

The University has an obligation to uphold the laws of the community of which it is a part of. While activities covered by the laws of the community and those covered by the University's rules may overlap, the community's laws and the University's rules operate independently and do not substitute for each other. The University may pursue enforcement of its own rules whether legal proceedings are under way or being considered, and may use information from third-party sources, such as law enforcement agencies and courts, to determine whether University rules have been broken. The University will make no attempt to shield members in the University community from the law. Membership in the University community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by all of the University’s regulations. All policies can be found on the EWU website or at this location:

http://www.ewu.edu/About/Administration/President/Policies.xml.
Weapons on Campus

Weapons are not allowed on campus per WAC 172-122-120, listed below. Violations of the subsections of this section are subject to appropriate disciplinary or legal action.

WAC 172-122-120

(1) Possession, carrying, or discharge of any explosive, firearm, chemical weapon (or dangerous chemical) or other weapon; including shotguns, pistols, air guns, pellet guns, and paint ball guns, whether loaded or unloaded; is prohibited on property owned or controlled by Eastern Washington University.

(2) Only people who are authorized to carry firearms or other weapons as duly appointed and commissioned law enforcement officers in the state of Washington, or commissioned by agencies of the United States government, shall possess firearms or other weapons issued for their possession by their respective law enforcement agencies while on campus or other university-controlled property, including residence halls. A law enforcement agent must notify the university police of his or her presence on campus on arrival.

(3) Other than the people referenced in subsection (2) of this section, members of the campus community and visitors who bring firearms or other weapons to campus must immediately place the firearms or weapons in the university-provided storage facility, located at the Red Barn. The storage facility is controlled by the university police department and is accessible twenty-four hours per day throughout the year.

(4) Anyone seeking to bring a firearm or other weapon onto campus for display or demonstration purposes directly related to a class or other educational activity must obtain prior authorization from the university police department. The university police department shall review any such request and may establish conditions to the authorization.

(5) Firearms owned by the institution for use by special interest groups such as university-sponsored gun clubs, ROTC, or intercollegiate shooting teams, must be stored in a location approved by the
university police department. These firearms must be checked out by the club advisor or coach and are to be used by legitimate members of the club or team in the normal course of the club or team’s related activity.

**Weapons Storage**

Weapons as defined within RCW Chapter 9.41 that are legal to possess are required to be registered and stored with the University Police. Weapons will be checked against the appropriate authority’s databases for the weapons and owner's status. (Sections RCW 9.41.010, 9.41.040, 9.41.300, 9.41.250 and 9.41.280.)

EWU residents may store up to two weapons at the Red Barn. Weapons brought into the Red Barn are to be unloaded; the weapon will be checked prior to acceptance. We do not accept ammunition at the Red Barn. You may transport your weapon(s) in your vehicle to and from the Red Barn and your destination. Weapons must be secured in the trunk of your vehicle, unloaded with the ammunition stored in a separate location.

Concealed weapons are not to be carried on University property. Concealed weapons permit holders will notify University Police for instructions and information about the temporary weapons storage. For further information on the possession and storage of dangerous weapons, contact EWU Police at the Red Barn or call (509) 359-6300, option 3 on the automated menu.

**Student Conduct Code**

The following are defined as offenses that are subject to disciplinary action by the University. The University has the authority to promulgate additional or more specific rules supplementary to the offenses listed in this section for more information on the Student Conduct Code please visit the following website [http://access.ewu.edu/osrr.xml](http://access.ewu.edu/osrr.xml)

WAC 172-121-200 Violations. The following are defined as offenses which are subject to disciplinary action by the university.
(1) **Acts of academic dishonesty.** University policy regarding academic dishonesty is governed by the university academic integrity policy. However, repeated violations, as described in the academic integrity policy, are subject to action under the student conduct code. Academic dishonesty includes, but is not limited to, any of the following activities:

(a) Plagiarism: Representing the work of another as one's own work;
(b) Preparing work for another that is to be used as that person's own work;
(c) Cheating by any method or means;
(d) Knowingly and willfully falsifying or manufacturing scientific or educational data and representing the same to be the result of scientific or scholarly experiment or research;
(a) Knowingly furnishing false information to a university official relative to academic matters.

(2) **Acts of social misconduct.**

(a) **Violence/threats/abuse/endangerment.**
   (i) Abuse or harm of others. Conduct which causes physical abuse, harm, threats, intimidation, coercion, detention, and/or other conduct which threatens or endangers the health or safety of any person.
   (ii) Reckless endangerment. Engaging in conduct that creates an unreasonable risk of harm to another person or property.

(b) **Sexual misconduct.** Sexual misconduct is any sexual activity with another person that is unwanted and nonconsensual. Sexual misconduct includes, but is not limited to:
   (i) Unwanted verbal (including telephone), written (including electronic media), pictorial or physical conduct of a sexual nature which a reasonable person would consider to be harassing, intimidating, hostile, offensive and/or which adversely affects the learning or living environment of the campus;
   (ii) Unwanted, forceful, sexual contact. The use of force may include, but is not limited to use of body weight, pushing or hitting, coercion, threats, or intimidation;
   (iii) The use of force (body weight, hitting or pushing, use of a weapon, threats to kidnap or kill, for example) to overcome earnest resistance to engaging in sexual intercourse. Earnest resistance may be verbal, physical or both;
(iv) Sexual intercourse which occurs without consent whether force is used or not. Consent requires actual words or conduct demonstrating freely given agreement to the sexual activity. Sexual activity is nonconsensual when the victim is incapable of consent by reason of mental incapacity, drug/alcohol intoxication, illness, unconsciousness or physical helplessness. Silence and passivity do not constitute consent;
(v) Voyeurism. Voyeurism occurs when an individual, for the purpose of arousing or gratifying his/her sexual desire, knowingly views, photographs, or films another person, without that person’s knowledge or consent, while the person being viewed, photographed, or filmed is in a place where he or she has a reasonable expectation of privacy;
(vi) Charges of sexual harassment may be adjudicated under the university sexual harassment policy in addition to any processing under this student conduct code.

(c) Harassment. Harassment of any sort is prohibited. Conduct (physical, verbal, graphic, written, or electronic) that is sufficiently severe, pervasive, or persistent to have the purpose or effect of unreasonably interfering with an individual’s ability to work, study, or participate in his/her regular life or university activities. Examples of harassment include, but are not limited to the following:
(i) Cyberstalking;
(ii) Unwanted telephone calls;
(iii) Unwanted text messaging; and/or
(iv) Unwanted conversation.

(d) Stalking. Any repeated conduct directed specifically at another person that causes that person to fear for his/her health and safety. Such behaviors and activities may include, but are not limited to the following:
(i) Nonconsensual communication or contact, including face-to-face, telephone calls, voice messages, electronic mail, instant messaging, written letters, unwanted gifts, etc.;
(ii) Harassment, either by the individual or through a third party;
(iii) Use of threatening or obscene gestures;
(iv) Pursuing or following;
(v) Surveillance or other types of observation;
(vi) Use of electronic devices or software to track or obtain private information;
(vii) Trespassing;
(viii) Vandalism; and
(ix) Nonconsensual touching.

(e) Unauthorized use of electronic or other devices: Making an audio or video record of any person while on university premises without his or her prior knowledge, or without his or her effective consent when such a recording is of a private conversation or of images taken of a person(s) at a time and place where she or he would reasonably expect privacy and where such images are likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom, but does not include taking pictures of persons in areas which are considered by the reasonable person to be open to public view.

(3) Property violations. Theft from, or damage to, or misuse of university property or the property of any person on or off campus are subject to university disciplinary action.

(4) Weapons. No individual shall have on his/her person, in his/her vehicle or otherwise in his/her possession any gun, pistol, or firearm or explosives, dangerous chemicals or other dangerous weapons or instruments on the university campus or other university premises except as follows:

(a) Authorized law enforcement officers are permitted to carry arms while on duty and engaged in their regular duties;
(b) Activities requiring use of the prohibited items may be conducted on approval of the activity by the board of trustees;
(c) Persons are permitted to have firearms in their possession directly en route to or from campus firearm storage facilities where such possession is incidental to approved on or off campus possession or use of such firearms;
(d) Examples of weapons under this section include, but are not limited to: Shotguns, rifles, pistols, air guns, BB guns, pellet guns, longbows, hunting bows, throwing weapons, any item that can be used as an object of intimidation and/or threat, replica or look-a-like weapons, etc.

(5) Disobedience. Disobedience, interference, resistance, or failure to comply with direction of an
identified university official or other authority acting in the line of duty, including:

(a) Failure to comply with lawful and/or reasonable directions of university officials or law enforcement officers acting in performance of their duties on campus or affecting conduct on campus;
(b) Failure to identify oneself to university officials in their course of duty, refusal or failure to appear before university officials or disciplinary bodies when directed to do so, or the violation of sanctions imposed after such proceedings;
(c) Failure to attend any medical treatment or evaluation program when directed to do so by the dean of students, the self-harm prevention team, or other authorized university official.

(6) Trespassing/unauthorized use of keys.

(a) Trespass. The unauthorized entry into or onto, or the unauthorized remaining in any building or facility or on any property.
(b) Unauthorized use of keys and unauthorized entry. Unauthorized possession, duplication, or use of keys to university premises or unauthorized entry to or use of university premises.

(7) Deception, forgery, fraud, unauthorized representation.

(a) Knowingly furnishing false information to the university.
(b) Forgery, alteration, or misuse of university documents, records, or instruments of identification. This includes situations of identity theft where a person knowingly uses or transfers another person’s identification for any purpose.
(c) Forgery or issuing a bad check with intent to defraud.
(a) Unauthorized representation. The unauthorized use of the name of the university or the names of members or organizations in the university community.

(8) Safety.

(a) Intentionally activating a false fire alarm.
(b) Making a bomb threat.
(c) Tampering with fire extinguishers, alarms, or safety equipment.
(d) Tampering with elevator controls and/or equipment.
(e) Failure to evacuate during a fire, fire drill, or false alarm.

(9) **Alcohol, drugs, and controlled substances.**

(a) Alcohol and substance violations. Use, possession, distribution, or sale of alcoholic beverages (except as permitted by university policy and state law) is prohibited. Under no circumstances may individuals under the age of twenty-one use, possess, distribute, manufacture or sell alcoholic beverages. Public intoxication is also prohibited.
(b) Illegal drugs and paraphernalia. Use, possession, distribution, manufacture, or sale of drug paraphernalia and/or illegal drugs, including marijuana, narcotics or other controlled substances, is prohibited except as authorized by federal or state law. Being under the influence of an illegal substance, while on property owned or operated by the university, is prohibited. Being under the influence of a controlled substance is also prohibited while on property owned or operated by the university, except when legally prescribed by a licensed medical practitioner.

(10) **Hazing.** Any action required of or imposed on current or potential members of an organization or group which, regardless of location of the incident or consent of the participant(s):

(a) Produces or is reasonably likely to produce bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, humiliation or ridicule; or
(b) Compels an individual to participate in any activity which is illegal, perverse or publicly indecent or contrary to university rules, regulations or policies, or which is known by the compelling person(s) to be contrary to the individual’s moral or religious beliefs.

(11) **Disruptive conduct/obstruction.**

(a) Disruptive conduct. Conduct which disrupts or obstructs teaching, research, administration, disciplinary proceedings, freedom of movement or other lawful activities.
(b) Disorderly conduct. Conduct that is disorderly, lewd, indecent or a breach of peace.
(a) Obstruction. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university-sponsored or university-supervised events.
(d) Demonstration. Participation in a campus demonstration which violates the university regulations governing campus assembly and peaceful demonstration.

(12) Violations of other laws, regulations and policies.

(a) Violation of a local, county, state, or federal law.
(b) Violation of other university policies or regulations.

(13) Assisting. Soliciting, aiding, abetting, concealing, or attempting conduct in violation of this code. Conduct involving being an accessory to any person who violates this code.

(14) Acts against the administration of this code.

(a) Initiation of a complaint or charge knowing that the charge was false or with reckless disregard of its truth.
(b) Interference with or attempt to interfere with the enforcement of this code, including but not limited to, intimidation or bribery of hearing participants, acceptance of bribes, dishonesty, or disruption of proceedings and hearings held under this code.
(c) Knowing violation of the terms of any disciplinary sanction or attached conditions imposed in accordance with this code.

(15) Other provisions:

(a) Responsibility for guests. A student, student group or student organization is responsible for the conduct of guests on or in university property and at functions sponsored by the university or sponsored by any recognized university organization.
(b) Students studying abroad. Students who participate in any university sponsored or sanctioned foreign country study program shall observe the following rules and regulations:
   (i) The laws of the host country;
(ii) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying; and

(iii) Any other agreements related to the student’s study program in the foreign country.

(c) Student organization and/or group offenses. Clubs, organizations, societies or similarly organized groups in or recognized by the university and/or ASEWU are subject to the same standards as are individuals in the university community. The commission of any of the offenses in this section by such groups or the knowing failure of any organized group to exercise preventive measures relative to violations of the code by their members shall constitute a group.

Sex Offender Registration Information

The Eastern Washington University Police Department considers the protection of our community from sex offenders of significant importance. The objective of the 1990 Community Protection Act was to provide adequate notice to the community concerning sex offenders who are, or will be attending, working or residing on the campus, and to assist our community members in developing constructive plans to prepare themselves and their children for residing near released sex offenders.

Sex Offender Registration information is maintained by the Spokane County Sheriff's Office:

For information on registered sex offenders located at Eastern Washington University:
http://access.ewu.edu/Police/Student-Guidelines/Sex-Offenders.xml

Alcohol on Campus

Possession or consumption of alcohol by persons under the age of 21 is not permitted on campus. Selling or furnishing alcoholic beverages to persons under the age of 21 is also not permitted on campus. University alcohol policies and guidelines must be met before any alcohol-related event may be permitted. No kegs or “keg-quantities” of alcohol are allowed in the residence halls.

Minor in possession of alcohol is a misdemeanor offense; if convicted, it may have a negative effect on certain job requirements or opportunities. http://cfweb.ewu.edu/policy/policyfiles/wac_172_64.pdf.
Alcohol: Revised Code of Washington (RCW) 66.44.270

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of twenty-one years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, ‘premises’ includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

(2)(a) It is unlawful for any person under the age of twenty-one years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter 9A.20 RCW.

(b) It is unlawful for a person under the age of twenty-one years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (2)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (4) or (5) of this section.

(3) Subsections (1) and (2)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of twenty-one years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter 66.24 RCW.

(4) This section does not apply to liquor given for medicinal purposes to a person under the age of twenty-one years by a parent, guardian, physician, or dentist.

(5) This section does not apply to liquor given to a person under the age of twenty-one years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

(6) Conviction or forfeiture of bail for a violation of this section by a person under the age of twenty-one years at the time of such conviction or forfeiture shall not be a disqualification of that person to acquire a license to sell or dispense any liquor after that person has attained the age of twenty-one years.
Drugs on Campus

The use or sale of any illegal or controlled substance is prohibited. EWU has a zero tolerance policy in regard to any drug-related issue.

The following is a partial list of illicit drugs considered to be controlled substances by the state of Washington (RCW 69.50): Narcotics (opium and cocaine, and all drugs extracted, derived, or synthesized from opium and cocaine, including crack cocaine and heroin); marijuana; methamphetamine; barbiturates; and hallucinogenic substances (LSD, peyote, mescaline, psilocybin, PCP, THC, MDA, STP).

A. State Penalties for Illegal Sale of Controlled Substances
   The illegal sale of any controlled substance is punishable by up to 10 years in prison, $500,000 fine, or both.

B. State Penalties for Illegal Manufacture or Delivery of Controlled Substances
   Narcotics: up to 10 years in prison, $25,000 fine, or both. Non-narcotics: up to five years in prison, $10,000 fine, or both.

C. State Penalties for Possession of Controlled Substances
   Possession of any controlled substance is punishable by up to five years in prison, a $10,000 fine, or both. Possession of less than 40 grams of marijuana and possession of drug paraphernalia are misdemeanors in the state of Washington. More severe penalties are provided for persons convicted of providing controlled substances to minors and for repeat offenses. Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than five years but not more than 20 years and a fine up to $250,000 or both if:

   a) it is a first conviction and the amount of crack possessed exceeds 5 grams;
   b) it is a second conviction and the amount of crack possessed exceeds 3 grams; or
   c) it is a third or subsequent crack conviction and the amount exceeds 1 gram.

   Civil penalties of up to $10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

Workplace Violence

Eastern Washington University is committed to providing a community where students, faculty, staff and visitors are safe from violence. This policy establishes university standards for prevention of
workplace violence and prescribes standard measures and procedures for responding to acts or complaints of violent behavior. Through a combination of emphasis, accountability, training, and systematic response, EWU intends to deter violent behavior and to provide for timely and forceful response measures when incidents of violence occur.

Policy

Eastern Washington University will not tolerate violent behavior directed toward any member of the university community or to any person on university property. For the purposes of this policy, violent behavior includes any criminal behavior, either direct or indirect, that:

1. Threatens or causes bodily harm
2. Harasses or intimidates others
3. Interferes with an individual’s legal rights of movement or expression
4. Disrupts the workplace, academic environment or the University’s ability to provide service to the public.

Applicability

All faculty, staff, students, vendors, contractors, consultants, and others who do business with the University, whether in a University facility or off-campus location where University business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the University, such as former employees, former students, and visitors.

Responsibilities

University Police

The University Police Department will:

a. Respond to all incidents of violence in the workplace and intervene as necessary to protect the safety of all persons and property;

b. Immediately log and fully document all workplace violence incidents;

c. Notify appropriate university officials. When an incident of workplace violence occurs which involves an employee of the University, the UPD will notify the employee’s supervisor. When an incident involves a student, the UPD will notify the Dean of Students;

d. Maintain an internal tracking system of all threats and incidents of violence;

e. Submit annual reports on workplace violence to the university president. Reports will detail the number and description of workplace violence incidents and the disposition of each incident. Annual reports will also describe any recommended policies, training issues, or
security procedures that were or should be implemented to maintain a safe working and learning environment;

f. Maintain a record of any Orders of Protection for faculty, staff, and students when informed of such protection orders;

g. Maintain appropriate confidentiality when notified by a student or employee of situations of domestic violence or personal matters that may result in situations of workplace violence;

h. Ensure that faculty and staff receive appropriate training;

i. Disseminate this policy to all faculty and staff annually;

j. Post this policy throughout the campus and ensure that it is posted on the University website; and

k. Ensure all University Police Department Officers are trained in workplace violence awareness and prevention, nonviolent crises intervention, conflict management, and dispute resolution.

When issues of workplace violence involve university employees, university police officers will coordinate university response measures with the Division of Human Resources, consistent with University policies, rules, procedures and applicable labor agreements.

Supervisors

Supervisors are responsible for implementing this policy within their area of jurisdiction. Supervisors will:

a. Contact the University Police Department immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

b. Promptly report all situations of workplace violence to the University Police Department, including:
   (1) any complaint of workplace violence received,
   (2) incidents of workplace violence known to the supervisor, and/or
   (3) incidents of workplace violence that the supervisor reasonably believes to exist.

c. Inform their immediate supervisor promptly about any complaints, acts, or threats of violence – even if the situation has been addressed and resolved.

d. Maintain confidentiality. After reporting any issue of workplace violence to the University Police Department and immediate supervisor, the supervisor will keep the matter confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings. Likewise, supervisors will maintain confidentiality as appropriate when notified by an employee of situations of domestic violence or personal matters that may result in situations of workplace violence.
Faculty and Staff

a. Faculty and Staff will:
   (1) report workplace violence, as defined above, to their supervisor;
   (2) report immediately to the University Police Department any incident of workplace violence reported to them by a student; and,
   (3) notify their supervisor and the University Police Department of any Orders of Protection that include any University location as a protected area.

b. Faculty and Staff are strongly encouraged to:
   (1) bring to the attention of the University Police Department:
      i. recurring or persistent workplace violence that the employee reasonably believes is not being addressed satisfactorily;
      ii. violence that is, or has been, engaged in by the employee’s supervisor.
   (2) notify their supervisor or the University Police Department when:
      i. they are victims of domestic violence and believe the violence may extend into the workplace;
      ii. they believe that domestic or other personal matters may result in their being subject to violence extending into the workplace.

Human Resources

a. The offices of Human Resource Services will:
   (1) assist University Police and supervisors in responding to workplace violence;
   (2) facilitate appropriate responses to reported incidents of workplace violence;
   (3) notify the University Police of workplace violence incidents reported to their office; and,
   (4) consult with, as necessary, University Counseling Services and/or EAP to secure professional intervention.

b. For new employees, the offices of Human Resource Services will provide each new employee with a copy of this policy.

Records and Registration

The Office of Records and Registration will ensure each student is provided with workplace violence awareness information (including information regarding counseling services) upon registration each year by including such information in annual catalogs and/or quarterly course announcements.

Students

Students are a vital part of university efforts to prevent workplace violence.

a. Students who witness violence, learn of threats, or are victims of violence by employees, students, visitors, or supervisors should report the incident immediately to the University Police.
b. If there is no imminent danger, students should report threatening incidents by employees, students or others as soon as possible to the University Police and the Dean of Students.

Workplace Violence Violations

General

This policy pertains to violent or threatening actions or behaviors that constitute criminal acts. These acts or behaviors can include, but are not limited to: physical acts including sexual acts; repeated oral or written statements, harassing email messages, other forms of electronic media, harassing telephone calls; stalking, gestures and expressions or behaviors that may result in physical, psychological or emotional injury or otherwise places one's safety or productivity at risk.

Acts and Behaviors Not Covered

Complaints of sexual harassment that do not constitute criminal violations are covered under university discrimination policies. Complaints of abusive, unfair or inappropriate behaviors or actions that do not constitute criminal violations are not covered by this policy. Such behaviors or actions should be reported to the supervisor, management, faculty, Dean of Students, or Human Resource Services for resolution or investigation as specified in the Collective Bargaining Agreements, as appropriate.

Reporting and Prevention

General Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence by any member of the University community should be promptly reported to an appropriate University official as described in chapter 2. Additionally, faculty, staff and students are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. It is important that all members of the University community take this responsibility seriously to effectively maintain a safe working and learning environment.

Reporting Incidents

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to University Police.

a. Imminent or Actual Violence: Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911.

b. All other acts of violence: All other incidents of suspected criminal violence should be reported to the University Police Department as soon as possible. This applies to both victims of and witnesses to suspected acts of criminal violence. Alternatively, students may report such
incidents to the Dean of Students at extension 2292 or to the Office of Student Rights and Responsibilities at extension 6960

Campus Alerts

All communications to the University community and outside entities regarding incidents of workplace violence with campus safety implications will be made through the Chief of Police or his/her designee.

False Reports

Members of the University community who knowingly, deliberately or willfully make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

Incident Reports

The University will report incidents of workplace violence consistent with the University Policies for Incident Reporting under the Campus Security Policy and Statistical Act (Clery Act).

Authority to Restrict Access

The University, at the request of an employee or student, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee or student on University property unless necessary to transact University-related business. This policy particularly applies in cases where the employee or student suspects that an act of violence will result from such an encounter.

Violence Training and Assistance

Required Training

Upon hiring, and annually thereafter, faculty and staff will receive training and a copy of this policy. Additionally, the policy will be posted on the University Web-site and throughout the campus. Faculty and staff will be held accountable for compliance with this policy.

Additional Training

Any university office or department and any person who would like to arrange for additional training in the areas of violence prevention and control should contact the University Police Department.

Victim Assistance

a. Violence Prevention Victim Advocate (VPVA): The Violence Prevention Victim Advocate is a resource for students, faculty and staff who have been victimized by sexual assault, intimate partner violence or stalking. The VPVA will privately offer support and provide information on the various
options available: how to obtain an order for protection, working with the police and filing a report, help with contacting professors, addressing housing issues and referrals to counselors on and off campus. The VPVA is available to accompany and support victims during criminal or civil trials and University disciplinary hearings. The VPVA is located in URC 201, or phone 509.359.6429.

b. First Responders: Students, faculty and staff who have concerns, for self or others, around violence against women can talk with staff and faculty members who have been trained as First Responders. First Responders are qualified to listen to stories of victimization or fear and discuss options, including referring victims to support and services they might need. A current list of First Responders is available through the Office of Student Life, Student Rights and Responsibilities web site.

Missing Student Notification

Purpose

This policy establishes university standards and procedures for notifying law enforcement, parents or guardians, and student identified contacts when a student, who resides in university housing, is reported as missing or has been determined to be missing. This policy applies to students who reside in campus housing, including off-campus apartment units leased by the university for student residents. The statutory authority for this policy is Section 488 of the Higher Education Opportunity Act of 2008.

Missing Person

For purposes of this policy, a student may be considered to be a “missing person” if the person’s absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare. EWU Policy 603-07 • January 29, 2010

Student Disclosures

Prior to occupying university housing, students will be informed of the following:

(1) Students may identify a person to be contacted if they are determined to be missing (section 1-4);
(2) The university will notify the University Police Department if a student is reported missing (section 2-1b); and,

(3) The university is required to notify a custodial parent or guardian if a student, who is under 18 years of age and not an emancipated individual, is determined to be missing (section 2-3).

Confidential Contacts

Students may register an individual to be contacted if the student is determined to be missing. Prior to occupying university housing, students will be given the opportunity to designate an individual or individuals to be contacted by the university in the event that the student is determined to be missing (per chapter 2). A designation will remain in effect until changed or revoked by the student. The emergency contact information provided will be treated as confidential. Only authorized campus officials, and law enforcement officers in furtherance of a missing person investigation, may have access to the confidential contact information and it may not be disclosed to others.

Reporting

(a) Any individual on campus who has information that a residential student may be a missing person should immediately notify a university official from the list below:

1. University Police Officer / Department
2. Dean of Students
3. Professional Residential Life Staff Member
4. Academic Department Chair
5. College Dean
6. Office of Student Affairs
7. Office of Academic Affairs
8. Human Resources Department
9. University President’s Office
10. Chief Housing Officer

(b) Any university official receiving such a report must immediately notify the University Police Department. The University Police Department must be notified regardless of whether the student has registered a contact person.

Investigation and Response

Upon receipt of a report that a student may be missing, the University Police Department will investigate. If University Police determine that the student has been missing for more than 24 hours and has not returned to campus, they will initiate the notification procedures described in section 2-3. University Police will also initiate the notification procedures when a student has been missing for less than 24 hours, if circumstances clearly indicate that the student is a missing person (e.g., witnessed abduction).

Notification

Within 24 hours after determining that a student is missing, the University Police Department will notify the registered contact(s) for the student. If the student is under 18 years old and not emancipated, the University Police Department will also notify the student’s custodial parent or guardian within the same 24 hours.

Campus Communications

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by the University Police Department, who may consult with the university’s Marketing and Communications department. All inquiries to the university regarding missing students, or information provided to any individual at the university about a missing student, shall be referred to the University Police Department.

Prior to providing the community with any information about a missing student, the Marketing
and Communications department shall consult with the University Police Department to ensure that communications do not hinder the investigation.

**Sexual Assault, Harassment, Misconduct, and Information**

**Classifications/Definitions of Sexual Misconduct**

Sexual misconduct includes but is not limited to the following: Rape, which includes any act of sexual intercourse that takes place against a person's will or that, is accompanied by physical coercion or the threat of bodily injury. Unwillingness may be expressed verbally or physically. Rape may also include intercourse with a person who is incapable of expressing unwillingness or is prevented from resisting, as a result of conditions including, but not limited to, those caused by the intake of alcohol or drugs. Rape includes not only unwilling or forced vaginal intercourse, but may also include the sexual penetration of any bodily orifice with a body part or other object. Sexual assault includes any unwanted touching or fondling of a sexual nature.

**Note on consent:** Because sexual misconduct between persons often occurs in the context of the use of alcohol or other controlled substances, it is important to stress the critical significance of clear communication and levels of responsibility for behavior while under the influence. Individuals are responsible for their behavior when they are drinking, and drinking is never an excuse for unacceptable behavior. However, lack of consent can exist if a person is too intoxicated to freely agree to sexual intercourse or sexual contact.

**Disciplinary Procedures**

A campus judicial hearing is an administrative hearing, not a criminal one, and therefore it need not use criminal court procedures as a model. The primary consideration in any campus disciplinary hearing is fundamental fairness. To meet this standard of fairness, a hearing must, at a minimum, involve the following three components: Notice, opportunity to be heard, and a decision made on the record. Victims of sexual misconduct are strongly encouraged to report the incident to the Dean of Students and to Campus Police as soon as possible. Also, any member of the University community can, with permission of the victim, file a third-party report to Campus Police detailing an incident involving sexual misconduct. The University cannot initiate University judicial action against the alleged perpetrator based on a third-party report. The report is encouraged, nonetheless, as it can provide useful information for protecting the community at large and connecting similar reports while protecting the victim's anonymity. It should be clearly understood that a victim of sexual misconduct always has legal recourse outside the University. Victims have the option to be assisted by campus
authorities in notifying proper law enforcement authorities, including University police and local police. It is the victim’s right, at all times, to decide whether or not to pursue a complaint, whether in or out of the University system. Any student committing sexual assault can be prosecuted under Washington criminal codes and disciplined under the University’s student conduct code. Even if the criminal justice authorities choose not to prosecute, the University may pursue disciplinary action. Sexual assault can greatly affect the social and academic environment of a college or university, even if it occurs outside the physical boundaries of the campus. The University reserves the right to pursue disciplinary action in the case of an off-campus incident, if that incident occurs between members of the University community and occurs at any building or property owned or controlled by a student organization recognized by the institution or if that incident occurs in any building or property controlled by the institution, but owned by a third party.

Educational Component

Eastern Washington University is committed to providing effective education on preventing, coping with, and responding to sexual assault and rape for all members of the University community. Prevention training and education will include workshops, seminars, one-hour programs and written literature that inform the students of the sociological underpinnings of sexual violence. Workshops, training and seminars will also be held on how to respond caringly to victims and community resources. Eastern Washington University has a student group called CARE (College Awareness of Rape Education), whose purpose is peer education around acquaintance rape issues. Because rape affects such a large portion of people – up to one-third of women and one-eighth of men – and because graduates and faculty in all fields will interact with victims and survivors, it is important that graduates of Eastern Washington University be informed on the issue of rape and that the issue of rape be covered in the academic setting of the different schools. Eastern Washington University continues to offer the Gender and Sexual Assault course through Social Work and Women’s Studies. The course is specifically aimed at sexual assault. As required by federal law, literature discussing campus crime statistics will be distributed to all current and prospective students and employees by direct mailing through the U.S. Postal Service or campus mail. Eastern Washington University will continue to have an Acquaintance Rape Awareness Week once during the academic year, provide educational programs during April of each year for Sexual Assault Awareness Month and provide the opportunity for sexual assault and acquaintance rape awareness during new student orientation.
Rights of the Victim

1. The right to an explanation of the options available to the victim.
2. The right to an explanation of the campus judiciary hearing process.
3. The student may request a change in housing if such change is reasonably available.
4. The right to request a restraining order from district or superior court.
5. The right to a hearing within a reasonable time.
6. The right to challenge any member of the hearing panel on conflicts of interest.
7. The right to have someone accompany them through the disciplinary proceeding as long as participants comply with rules of procedure.
8. The right to know ahead of time the names of witnesses to be called in the hearing.
9. The right to inquire about and be informed of the status of the case at any point during the judicial process.
10. The right not to have irrelevant past sexual history discussed during the hearing.
11. The right to remain present for the entire proceeding.
12. The right to be informed in a timely manner about the outcome of the hearing.
13. The right to make a victim impact statement if the accused has been found to violate the student conduct code and to state what sanctions the victim would like to see imposed.
14. The right to appeal the decision of the judicial hearing board based on procedure and evidence, not outcome.

Rights of the Accused

1. The right to an explanation of the charges.
2. The right to an explanation of the campus judiciary hearing process.
3. The right to a hearing within a reasonable time.
4. The right to challenge the hearing panel on conflicts of interest.
5. The right to have someone accompany them through the disciplinary proceeding as long as participants comply with rules of procedure.
6. The right to know ahead of time the names of witnesses to be called in the hearing.
7. The right to know the status of the case at any point during the judicial process.
8. The right to remain present for the entire proceeding.
9. The right to remain silent. This does not mean that other evidence will not be used.
10. The right to testify on their own behalf.
11. The right to be informed in a timely manner of the outcome of the hearing.
12. The right to appeal the decision of the judicial hearing board based on procedure and evidence, not outcome.
The disciplinary proceeding outcome may include one or more of the following: dismissal, suspension, probation, fines, restitution, community service, evaluation, censure, warning or admonition.

Compliance with the rights to know of the outcome of the proceeding does not violate the Family Educational Rights and Privacy Act.

**EWU Police Sexual Assault Response Commitment**

Sexual assault, including date/acquaintance rape, is a very serious concern of this police department. If you feel you are a victim of a sexual assault on campus, the Department of Public Safety and Police Services will guarantee the following:

- We will meet with you privately, at a time and local place of your choice, to take your report.
- We cannot and will not notify your parents without your consent.
- We will treat you and your particular case with courtesy, sensitivity, dignity, understanding and professionalism.
- Our officers will not prejudge you, and you will not be blamed for what occurred.
- We will assist you in arranging for any necessary hospital treatment or other medical needs. We will also assist in emergency housing if needed.
- If you would feel more comfortable talking with a friend or advocate of your choice present, we will do our best to accommodate your request.
- We will fully investigate your case and will help you to achieve the best outcome. This may involve the arrest and full prosecution of the suspect responsible. You will be kept up-to-date on the progress of the investigation and/or prosecution.
- We will assist you in privately contacting counseling and other available resources.
- We will continue to be available to answer your questions, to explain the system and process involved (prosecutor, courts, etc.), and to be a listening ear if you wish.
- We will consider your case seriously, regardless of your gender or the gender or status of the suspect.

If you feel you are a victim of sexual assault, call your Department of Public Safety and Police Services at 509.535.9233 (any time of day or night) to privately make a complaint. You may also contact the Violence Prevention Victims Advocate at 509.359.6429.
Security Report

Definition of Clery Crimes

1. Criminal Homicide

These offenses must be separated into two categories: Murder and Non-Negligent Manslaughter, and Negligent Manslaughter.

**Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** is defined as the killing of another person through gross negligence.

2. Sex Offenses

Sex offenses are separated into two categories: forcible and non-forcible. Include attempted sex offenses, but do not include in your Clery statistical disclosures any sex offenses other than the four types of Forcible Sex Offenses and the two types of Non-forcible Sex Offenses described below.

**Sex Offenses—Forcible** is defined as any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. There are four types of forcible sex offenses:

- **Forcible Rape** is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
- **Forcible Sodomy** is oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender’s genitalia. Examples are a finger, bottle, handgun, stick, etc.
• **Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses—Non-forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:

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

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

3. **Robbery**

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

4. **Aggravated Assault**

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

5. **Burglary**

Burglary is the unlawful entry of a structure to commit a felony or a theft.

6. **Motor Vehicle Theft**

Motor vehicle theft is the theft or attempted theft of a motor vehicle.

7. **Arson**

Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
Hate Crimes

The second category of statistics you must disclose after criminal offenses is hate crimes. A **hate crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. **Bias** is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Ethnicity/national origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

For Clery purposes, hate crimes include any offense in the following list that is motivated by bias.

- Murder and Non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft
Simple assault
Intimidation
Destruction/damage/vandalism of property

Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

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

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

Destruction/Damage/Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it. Do not classify as Destruction/Damage/Vandalism of Property if the incidents of burning that willfully or maliciously destroy, damage or deface property. Classify such incidents as Arson.

Before an incident can be classified as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias. While no single fact may be conclusive, facts such as the following, particularly when combined, are supportive of a finding of bias:

a. The offender and the victim were of a different race, religion, disability, sexual orientation and/or ethnicity/national origin. For example, the victim was black and the offender was white.

b. Bias-related oral comments, written statements or gestures were made by the offender which indicate his or her bias. For example, the offender shouted a racial epithet at the victim.

c. Bias-related drawings, markings, symbols or graffiti were left at the crime scene. For example, a swastika was painted on the door of a synagogue.

d. Certain objects, items or things which indicate bias were used. For example, the offenders taped a photo of a burning cross to the door of the victim’s dorm room.

e. The victim is a member of a racial, religious, disability, sexual-orientation or ethnic/national origin group which is overwhelmingly outnumbered by other residents in the student housing facility where the victim lives and the incident took place. This factor loses significance with the passage of time (i.e., it is most significant when the victim first moved into the facility, and becomes less and less significant as time passes without incident).
f. Several incidents occurred in the same location at or about the same time, and the victims were all of the same race, religion, disability, sexual orientation or ethnicity/national origin.

g. A substantial portion of the campus community where the crime occurred perceived that the incident was motivated by bias.

h. The victim was engaged in activities promoting his or her race, religion, disability, sexual orientation or ethnicity/national origin. For example, the victim was a member of the NAACP or participated in gay rights demonstrations on campus.

i. The incident coincided with a holiday or a date of particular significance relating to a race, religion, disability, sexual orientation or ethnicity/national origin (e.g., Martin Luther King Day, Rosh Hashanah).

j. The offender was previously involved in a similar Hate Crime or is a hate group member.

k. There were indications that a hate group was involved. For example, a hate group claimed responsibility for the crime or was active on the campus.

l. An historically established animosity existed between the victim’s and the offender’s groups.

m. The victim, although not a member of the targeted racial, religious, disability, sexual orientation or ethnic/national origin group, was a member of an advocacy group supporting the precepts of the victim group.

Additional considerations in determining whether an incident is a hate crime:

Need for a case-by-case assessment of the facts. The aforementioned factors are not all-inclusive of the types of objective facts which evidence bias motivation. Therefore, examine each case for facts which clearly provide evidence that the offender’s bias motivated him or her to commit the crime.

Misleading facts. Be alert to misleading facts. For example, the offender used an epithet to refer to the victim’s race, but the offender and victim were of the same race.

Feigned facts. Be alert to evidence left by the offenders that is meant to give the false impression that the incident was motivated by bias. For example, students of a religious school, hoping that they will be excused from attending class, vandalize their own school, leaving anti-religious statements and symbols on its walls.

Offender’s mistaken perception. Even if the offender was mistaken in his or her belief that the victim was a member of a racial, religious, disability, sexual-orientation or ethnic/national origin group, the offense is still a Hate Crime as long as the offender was motivated by bias against that group. For example, a non-gay student leaving a publicized gay rights meeting in a noncampus fraternity house, is followed back to campus and attacked behind a dorm by six teenagers who mistakenly believed the victim is gay. Although the offenders were mistaken, the offense is a Hate Crime because it was motivated by the offenders’ anti-gay bias.
Remember, it is the perception of the offender, not the perception of the victim, that determines whether a crime is classified as a Hate Crime. Also, knowing that an offender is prejudiced is not enough to classify a crime as a Hate Crime. There must be evidence that the offender was motivated by that prejudice to commit the crime.

Arrests or Disciplinary Referrals for Illegal Weapons Possession and Substance Law Violations

The third category of crime statistics you must disclose is the number of arrests and the number of persons referred for disciplinary action for the following law violations:

Arrest for Clery Act purposes is defined as persons processed by arrest, citation or summons.

Referred for Disciplinary Action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

1. Illegal weapons possession;

   **Illegal Weapons Possession** is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

2. Drug abuse violations;

   **Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics—manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

3. Liquor law violations.

   **Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
Crime Statistics Information

Crimes reported in the residential facilities column are also included in the on-campus category. Mutual Aid Agreements between local jurisdictions and EWU are available through the EWU Police Department. Remember that some of these buildings are located in a downtown urban setting, normal precautions for your personal safety should be followed.
Crime Statistics: January 1, 2010 through December 31, 2010

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<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residential Facility</th>
<th>Non-Campus</th>
<th>Public Property</th>
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## Crime Statistics: January 1, 2009 through December 31, 2009

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<tr>
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<th>Non-Campus</th>
<th>Public Property</th>
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 Crime Statistics for Local Agency City of Cheney/Cheney Police Department:

January 1, 2008 through December 31, 2010

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Citations Issued by EWU Police Department:

January 1, 2008 through December 31, 2010

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Clergy Map – EWU Cheney Campus

The map below shows the Clergy reportable areas on the EWU Cheney Campus, otherwise known as EWU main campus. The EWU main campus is reported as On-Campus, Residential Facilities, or Public Property depending on the location of the crime. The Non-Campus locations will only be the yellow highlighted areas located between 1st & 3rd Street and College Ave. & H Street. Please note the EWU property owned on and around Badger Lake is not shown on the map, although it is a Non-Campus location for reporting purposes. The EWU Cheney Campus has a few Public Property locations. These locations are all the City of Cheney roadways located within the yellow area on the map below.
Additional Information for Crime Statistics

There was a reported sexual assault that happened in 2009 with an unknown location, this statistic is not included in the crime statistics for 2009, but it was reported.

There was one drive by shooting that occurred in 2010. This incident did not meet Clery reporting requirements, although it did involve EWU students and was in close proximity to a Non-Campus location.

Fire Report

Fires in Student Housing Facilities on Campus

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<td>0</td>
</tr>
<tr>
<td>Dryden Hall</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Louise Anderson Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Morrison Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pearce Hall</td>
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<td>0</td>
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</tr>
<tr>
<td>Streeter Hall</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Student Family Housing</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Holter House</td>
<td>0</td>
<td>0</td>
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</tr>
</tbody>
</table>

Fire Details

There was one reported fire in 2009. The fire was in the Student Family Housing located at 620 W. 7th Street, Cheney, WA 99004, on 11/21/09. The cause of the fire was a grease fire, with $1,200.00 worth of damage and no deaths and no injuries to report.

Fire Safety Systems

<table>
<thead>
<tr>
<th>On-Campus Housing Facility</th>
<th>EST3 Signature Fire Alarm Systems</th>
<th>Single Station Detectors</th>
<th>Sprinkler Systems</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anna Maria Apartments</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Dressler Hall</td>
<td>Yes (common areas)</td>
<td>Yes (sleeping rooms)</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Dryden Hall</td>
<td>Yes (with audio)</td>
<td>No</td>
<td>Yes (mechanical rooms only)</td>
<td>N/A</td>
</tr>
<tr>
<td>Louise Anderson Hall</td>
<td>Yes (common areas)</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Morrison Hall</td>
<td>Yes (with audio)</td>
<td>No</td>
<td>Yes (mechanical rooms only)</td>
<td>N/A</td>
</tr>
<tr>
<td>Pearce Hall</td>
<td>Yes (common areas)</td>
<td>Yes (sleeping rooms)</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Streeter Hall</td>
<td>Yes (with audio)</td>
<td>No</td>
<td>Yes (mechanical rooms only)</td>
<td>N/A</td>
</tr>
<tr>
<td>Student Family Housing</td>
<td>No</td>
<td>Yes</td>
<td>Yes (sleeping rooms)</td>
<td>N/A</td>
</tr>
<tr>
<td>Holter House</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>N/A</td>
</tr>
</tbody>
</table>
All EST3 systems are networked through the campus Fireworks life safety system and monitored 24 hours a day by local dispatch center.

The university takes the welfare of its students very seriously and wherever possible the best fire and life safety systems are implemented. As EWU moves forward, systems are installed that meet and exceed current code requirements. Currently, there are five buildings undergoing system upgrades to included perimeter locking, fire alarm detection and notification, and emergency mass notification. The university standards are constantly being raised and with each new construction project the welfare of our populace is improved.

## Fire Drills Held

<table>
<thead>
<tr>
<th>On-Campus Housing Facility</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
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</thead>
<tbody>
<tr>
<td>Anna Maria Apartments</td>
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<tr>
<td>Dressler Hall</td>
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<tr>
<td>Dryden Hall</td>
<td>6</td>
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</tr>
<tr>
<td>Louise Anderson Hall</td>
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<td>6</td>
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</tr>
<tr>
<td>Morrison Hall</td>
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<td>6</td>
<td>6</td>
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<tr>
<td>Streeter Hall</td>
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<td>6</td>
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</tr>
<tr>
<td>Student Family Housing</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Holter House</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

## Fire Polices

### Fire Alarms and Drills

Fire drills are conducted at least twice each quarter. The drills are to familiarize each resident with the safe and proper exiting procedure and route to evacuate the building promptly. All occupants will leave the building. Anyone not exiting will be referred for disciplinary action.

### Fire Equipment

Injuring or tampering with fire alarm apparatus or equipment – sounding false alarm of fire (CFR 9.40.100) is prohibited and punishable by disciplinary action, fines, and/or possible legal action. Disciplinary action will be taken on individuals who sound a false fire alarm. Fire extinguishers are strategically located throughout each residence hall. Carefully follow the instructions on the extinguisher and use them ONLY in the event of a fire. Exit signs are considered fire equipment.
Fire Safety

Hallways and exits must be kept free of furniture or other objects such as floor rugs. Fire doors are not to be blocked open for any reason. They are designed to prevent the spread of smoke and flames in case of fire. Decorative materials for general use or holiday decoration should be nonflammable. Do not cover hallway light fixtures and fire exit signs. Posters and flyers should not be posted in the elevators.

Electrical appliances can be fire hazards. Do not leave coffee pots, etc., unattended, even for a short time. Do not leave stoves unattended while cooking. Remember to turn off the stove and unplug irons before leaving the kitchen and laundry rooms. Barbecuing is not allowed on the balconies. Open flame devices present an unacceptable risk in a residence hall setting. Therefore, university policy prohibits the use of candles, incense, simmering potpourri, solid fuel devices, kerosene lamps, open burning elements (tabletop stoves), toasters and other open flame devices in the residence halls. Decorative candles are discouraged and must not be used. Furthermore, torchiere halogen lamps and five light floor lamps are also prohibited. Both lamps reach very high temperatures and can ignite nearby combustible materials. Students will be asked to remove these items. Refusal to comply with reasonable requests to remove these items or repeated violation of this policy may result in disciplinary action or fines.

Student Housing Evacuation Procedures

When the fire alarm sounds, follow these instructions:

- Wear a coat and shoes.
- Leave lights on.
- Close window.
- Close and lock door.
- Exit by emergency stairway only. If you encounter smoke, stay low. Oxygen is near the floor.
- Knock on doors on your way to the fire exit to alert neighbors.
- Do not use the elevator.
- Do not re-enter the building until you are directed to do so by a staff member.

Because fire alarms need to be taken seriously, it is important that everyone leave the building during an alarm. There is a fine and possible disciplinary charges for failure to evacuate the building. If you have any questions about the fire drill procedure, consult with your CA or RLC/GCD. Propping of any doors may result in a fine.
Reporting Fires
All fires or possible fires must be reported to the Eastern Washington University Police Department. This can be done by calling 911 in the event of an emergency or dispatch at 509.535.9233. In addition to the Eastern Washington University Police Department, fires may also be reported to the on-call RLC’s, Chief Housing Officers – Josh Ashcroft, Dean of Students – Dr. Stacey Foster, and apartment managers – Wade & Ericka Neilsen or Secret & Ahren Reinhardt.

Future Plans for Improvements of the Fire Safety Systems
The university takes the welfare of its students very seriously and wherever possible the best fire and life safety systems are implemented. As EWU moves forward, systems are installed that meet and exceed current code requirements. Currently, there are five buildings undergoing system upgrades to included perimeter locking, fire alarm detection and notification, and emergency mass notification. The university standards are constantly being raised and with each new construction project the welfare of our populace is improved.

Distant Learning Locations
Eastern Washington University has numerous Distant Learning Locations for the students to attend. To find the Annual Safety and Fire Report for locations other than EWU Cheney main campus, please see those individual schools or follow the links provided.

WSU/EWU Riverpoint Campus
665 N. Riverpoint Blvd.
Spokane, WA 99202
http://spokane.wsu.edu/services/Facilities/Safety_Security/security.html

Clark College
1933 Ft. Vancouver Way
Vancouver, WA 98663
http://www.clark.edu/about_clark/security/annual_crime_report.php

Shoreline Community College
16101 Greenwood Ave. North
Shoreline, WA 98133

Pierce College
1601 39th Ave. Southeast
Puyallup, WA 98374
http://www.pierce.ctc.edu/studentlife/safety/reports
Bellevue Community College
3000 Landerholm Circle SE
Bellevue, WA 98007
http://bellevuecollege.edu/publicsafety/reports/

South Seattle Community College
6000 16th Ave. SW
Seattle, WA 98106

Walla Walla School District
364 S. Park Street
Walla Walla, WA 99362
509.527.3000

Moses Lake High School
803 E. Sharon Ave.
Moses Lake, WA 98837
509.766.2666

Kent School District
12033 SE 256th Street
Kent, WA 98030
253.373.7000

WSU Vancouver
14204 NE Salmon Creek Ave.
Vancouver, WA 98686
http://admin.vancouver.wsu.edu/clery-act/annual-security-report-clery-act

Everett Community College
2000 Tower Street
Everett, WA 98201

Yakima Valley Community College
16th & Nob Hill Blvd
Yakima, WA 98907
http://www.yvcc.edu/FutureStudents/Resources/ParkingSecurity/Pages/PublicCriminalInformation.aspx

Walla Walla Community College
500 Tausick Way
Walla Walla, WA 99362
http://www.wwcc.edu/CMS/index.php?id=3009
North Seattle Community College
9600 College Way North
Seattle, WA 98103
https://northseattle.edu/safety/safety-security-nscc#2

Knolls Vista Elementary School
454 W. Ridge Road
Moses Lake, WA 98837
509.766.2652

Frontier Middle School
517 W. 3rd Street
Moses Lake, WA 98837
509.766.2662

Lake Washington Institute of Technology
11605 132nd Ave. NE
Kirkland, WA 98034

Notes and Additional Recommended Resources
Eastern Washington University Student Handbook; Office of Admissions, 101 Sutton Hall.
Residential Living Guide; Residential Life, 122 Showalter Hall.
Alcohol, Drugs, and the University Campus; EWU Substance Abuse Prevention Center, 122 Showalter Hall
Substance Abuse Prevention Center; 122 Showalter Hall.
Acquaintance/Date Rape Education and Prevention; EWU Women’s Center, 207 Monroe Hall.
Important Numbers

Emergency 911
EWU Police 509.535.9233
Automated Answering System 509.359.6300
Police Dispatch Option 1
Police Officer Assistance Option 2
Police Administration/Records Option 3
EWU Rape Information 24-hour Line 509.359.RAPE
EWU Violence Prevention-Victim Advocate 509.359.6429
Spokane Sexual Assault Center 509.624.RAPE
Counseling and Psychological Services 509.359.2366
EWU Substance Abuse Prevention/CARE/Student Health 509.359.4279
EWU Women’s Studies Center 509.359.2847
Poison Center (toll-free) 800.732.6985
Poison Center (toll-free) TDD 800.572.0638

The Employee Assistant Program (EAP) is available for EWU staff that needs assistance. Check the EWU website for the contact information or contact Human, Resources, Rights, and Risk at 509.359.2381.

Questions

For any questions regarding the Annual Crime and Fire Report please contact the EWU Police Department at 509.359.6300. If you would like a copy of this report go to the link provided http://access.ewu.edu/Police/Annual-Safety-and-Fire-Report---Clery-Act.xml or you can contact the EWU Police Department for a hard copy.