

LOYOLA LAW SCHOOL

Campus Safety 2018



PREPARATION OF THE ANNUAL SECURITY REPORT & DISCLOSURE OF CRIME STATISTICS

Loyola Law School (LLS) is the graduate school of law of Loyola Marymount University. This report compiles information gathered from local law enforcement and throughout our community from all divisions and all faculty and staff defined in the Clery Act as "Campus Security Authorities." It shows the commitment of Loyola Law School (LLS) to provide our campus community with policies, practices and outreach that support the safest community possible for all to live, work and learn.

This report provides university policies regarding campus safety and security. Additionally, the report provides statistics for the previous three calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by LLS.

NON-DISCRIMINATION STATEMENT

LLS prohibits unlawful discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, legally protected medical condition, marital status, sex, age 40 or over, military or veteran status, sexual orientation, genetic information or any other bases protected by federal, state or local law.

See Non-Discrimination Statement: https://my.lls.edu/system/files/hr/final_lls_statement_of_non-discrimination.2016.04.01.pdf

LLS does not discriminate on the basis of sex in its educational programs or employment opportunities. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. LLS issues this statement of policy to inform the community of our comprehensive plan addressing sexual and interpersonal misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and whether it is reported to a University official. LLS prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community. Written information respecting services available on and off campus for crime victims, accommodation options and reporting procedures is available for faculty and staff through LLS Human Resources and for students through Student Affairs. For more information see the following policies:

- [Discriminatory Harassment and Complaint Process](#)
- [Reporting Child Abuse](#)
- [Reporting Sexual Misconduct](#)
- [Student on Student Interpersonal Misconduct Policy and Protocol](#)
- [Loyola Law School and Community Sexual Assault and Interpersonal Misconduct Resources Contact List](#)

Campus Safety at Loyola Law School

Loyola Law School is located in downtown Los Angeles, one of the most important and dynamic social, cultural and educational centers of the world. Students, faculty and staff at LMU have the opportunity to visit and partake of the city's varied cultural institutions. Please be aware that, like any other of the world's major metropolitan centers, care and caution are required when you explore Los Angeles' many riches and attractions.

The population of Loyola Law School consists of approximately 400 faculty and staff and 1150 students. In compliance with federal regulations, the Safety and Security Department maintains a crime log at the parking structure security desk of all crimes investigated or reported to the Department for the most recent 60-day period. This log is available to the public for viewing during normal business hours of 8 a.m. – 5 p.m., Monday – Friday or at this link: [Loyola Law School Crime Statistics](#) Entries older than 60 days can be obtained by request and will be available within two business days.

Loyola Law School Public Safety Authority

Loyola Law School security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the Law School. Security Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty and staff. Security officers are non-sworn personnel and do not possess arrest power. Criminal incidents are referred to local law enforcement agencies that have jurisdiction on campus. The Safety and Security Department maintains a highly professional working relationship with the Rampart Division of the Los Angeles Police Department (LAPD), Loyola Law School and LAPD have entered into a written Memorandum of Understanding (MOU) establishing the respective duties of Loyola Law School and LAPD relating to the investigation and reporting of crimes on and around campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Safety and Security Department and local law enforcement agencies. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Incident and Emergency Reporting Procedures

LLS provides the community with various methods to report criminal and suspicious activity. Any individual wishing to report an incident or other emergency occurring on campus may do so by contacting Allied Universal Security at 213 736-1121. Additionally, individuals wishing to report incidents anonymously can do so by going to this link: <http://www.lmu.edu/about/contact/ethicsreporting/>

Confidentiality of complaints and parties will be preserved to the greatest extent possible, understanding that LLS may have an obligation to take some action even if the Complainant is reluctant to proceed. LLS encourages accurate and prompt reporting of all crimes to Safety and Security and the appropriate law enforcement agencies, when the victim of a crime elects to, or is unable to, make such a report. University pastoral and professional counselors, if and when they deem it appropriate, inform persons they are counseling to report crimes on a voluntary, confidential basis.

LLS will respond to and investigate all reports of on-campus criminal incidents. If appropriate, incidents will subsequently be assessed and shared with key administrators, Human Resources, and Student Affairs. For all emergencies in progress, please dial 213 736-1121 immediately.

Emergencies

Security:	213.736.1121
Campus phones:	Ext. 1121
Los Angeles Police Department:	911

Any person or member of the campus community should report suspected criminal actions or suspicious activity and other emergencies on campus by dialing the special emergency numbers listed above at any time.

Emergency Phones

For immediate communication with Loyola Law School Security, use one of the yellow emergency call boxes located on campus or the call boxes in the parking structure. The boxes work like radios – just press the red button to activate. The blue light will flash and a security officer will respond verbally. Give the officer your location and personnel will be dispatched immediately. If possible, tell the dispatcher the nature of the emergency.

Call Box Locations

- Loading dock near cafeteria entrance door
- Rains Library at the base of the wheelchair ramp
- Parking Structure outside the Security Office
- Parking Structure interior – all levels (blue lights)
- Parking Structure stairwells – all levels

Student Counseling Services

Dr. Michael Douglas
Casassa Building, C503
213-736-1122

Student Psychological Services (SPS) is located on the 5th floor of the Casassa building, room C502. Office Hours are Mondays 9am-1pm. Tuesdays 2pm-6pm and Thursdays 10am-6pm. Students are seen by appointment only.

Campus Access and Patrolling

All Law School community members are required to have an ID card. The ID card must be carried at all times while on campus. If for any reason a university official requests that you present your ID card for identification, you must do so. Your ID card is the only readily positive means of identifying you as a member of the Law School community.

The Safety and Security Department provides security coverage for all Law School related functions as deemed necessary by the Manager of Safety and Security.

Students, faculty and staff have access to academic, recreational and administrative facilities on campus. The general public may attend educational, cultural, recreational and special events at specified locations on the Law School campus. Please note that members of the general public should contact the Los Angeles Law Library: <http://www.lalawlibrary.org/> for legal resources and services. Computer lab use is restricted to use by students, faculty and staff only.

Public or commercial access to any campus location must be cleared in advance with the appropriate campus official.

Parking on campus is restricted and controlled 24 hours a day. Parking cards may be obtained in the Campus Operations office in Founders Hall Room 118. Click here: <https://my.lls.edu/campusplanning/parkingandtransportation/parking> for further information on parking regulations.

Los Angeles Police Department and Los Angeles County Sheriff's Department

LAPD Rampart Division
1401 West 6th St.
Los Angeles, CA 90017
1.213.484.3400

Los Angeles County Sheriff Station
5019 East 3rd Street
Los Angeles, CA 90022
1.323.264.4151

Loyola Law School maintains an excellent liaison with the local law enforcement agencies, including cooperating in crime prevention strategies and, in accordance with LLS' law enforcement MOU, exchanging information. The police also help to maintain a safer campus by providing extra campus patrols for special events that attract large crowds. Additionally, LLS relies on its close working relationships with LAPD and LASD to receive information about incidents involving students or any member of the LLS Community, and will actively investigate crime information it receives concerning or involving a member of the campus community. If LLS is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Campus Safety Alert, detailing the incident and providing tips so that other community members may avoid similar incidents.

The Department of Safety and Security also regularly confers with the captain(s) of local law enforcement division(s) regarding any police activity at this location. The Department of Safety and Security seeks cooperation of local law enforcement agencies in collecting crime statistics pursuant to the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act").

In addition, a list of registered sex offenders in California is available at the Los Angeles Police Department and Los Angeles County Sheriff's Department, or online at <http://www.meganslaw.ca.gov/>.

Loyola Law School Emergency Medical Response

Security
Parking Garage x1121
213.736.1121

Loyola Law School has staff and security personnel trained in first aid and CPR. If a medical emergency occurs, Security should be contacted immediately. Security will administer first aid for minor non-life-threatening injuries. If the injury is serious, life threatening or the injured party requests it, Security will summon the paramedics by calling 911.

Lost and Found

Information & Support Services
Burns Building, 1st Floor
213.736.1001

Loyola Law School does its best to return everything that is found on campus to its rightful owner. For lost or misplaced items, contact Information & Support Services. If your Loyola Law School ID or parking card is missing, report the loss to the Campus Operations office as soon as possible.

Buildings and Grounds

Campus Operations
Founders Hall, Room 118
213.736.8391

The Campus Operations Department maintains law school buildings and grounds with a concern for safety and security. The Security Department patrols the buildings and grounds and informs Physical Plant of potential safety and security hazards, such as broken windows and locks and poorly lighted areas.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Timely Warning Crime Alert Information

When a violent crime or crime listed in the Clery Act is reported, it is the consistent practice of Loyola Law School to notify the Department of Safety and Security, and/or designee, who then confers, as necessary and applicable, with administrators, Student Affairs, legal counsel and law enforcement agencies, to determine if the circumstances and facts represent an on-going or continuing threat to the Loyola Law School community. Once a determination is reached that a continuing threat exists, the Deans' Office in conjunction with the Marketing & Communications Office will arrange to disseminate "timely warning" crime alert information through LLS Alert, Student Affairs and/or the campus-wide email system to ensure all members of the community are likely to have access to the information. Such alerts shall be provided to students, faculty and staff in a manner that is timely, that withholds as confidential the names and other identifying information of victims and that will aid in the prevention of similar occurrences.

Emergency Response and Evacuation Procedures Statement

Emergency management, including preparedness, response, recovery, mitigation and protection are priorities on our campus. Emergency management efforts are overseen by the Campus Operations Department with significant guidance from the Loyola Marymount University Department of Public Safety.

One of the goals of our Emergency Management efforts is to empower our community to protect themselves during and immediately following an emergency. Loyola Law School maintains a comprehensive Emergency Operations Plan, which is coordinated and maintained by the Campus Planning Department. The plan includes the expectations of executive administrative staff, volunteer LLS Emergency Response Team staff, volunteer Emergency Operations Center staff and the Law School's Allied Baron security personnel during an emergency; department operational responsibilities; the process for establishing incident priorities; Incident Command Structure for field response; and Emergency Operations Center (EOC) procedures and protocols. Throughout the plan, clear assignment of responsibilities established for specific Administrative staff and volunteer staff positions. The law school practices and tests the Emergency Operations Plan and response procedures through drills, tabletop and functional exercises, and tests of the emergency notification system.

All members of the Loyola Law School community are notified that they can report to the Department of Safety and Security any situation that may threaten the health or safety of community members. Reports can be filed by calling 213.736.1121 (x1121 from a campus phone) or by visiting the Security office in the parking garage.

Notification to the Loyola Law School Community about an Immediate Threat

Loyola Law School responds to, investigates and documents those situations that are dangerous or may cause a significant emergency. To facilitate this, leaders throughout campus have been trained in the implementation of the Incident Command System. When a significant emergency or dangerous incident is reported to the Department of Safety and Security (such as earthquake, structure fire, hazardous materials leak, or similar major incident), Security personnel will respond to the location (if safe to do so) and will report their findings to the Deans' Office. As necessary, Loyola Law School personnel will coordinate a response with the Los Angeles Police Department and the Los Angeles Fire Department in addition to other local agencies, depending on the nature of the event.

The Deans' Office works in conjunction with the Marketing & Communications Office to draft emergency response messaging and select the appropriate medium or media. Loyola Law School will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate its notification system, unless doing so would compromise efforts to mitigate the emergency. Loyola Law School has multiple channels of communication for use during emergency situations, including the LLS Alert system broadcast via Blackboard Connect (using mass-distributed emails, text messages, and phone calls), public address announcements on campus speakers, social media postings and an emergency hotline phone number (1-866-456-9652/1-866-4LOYOLA) with recorded information. Other local means of communication include use of the campus digital signage, printed signage at highly visible areas and localized use of bullhorns and other small scale announcement tools. The Marketing & Communications Office will also post updates online at www.lls.edu. All registered students are required to enroll in LLS Alert, which includes automated email, text message, and phone calls to personal devices. Other members of the community, including faculty and staff can register and update their LLS Alert contact information at www.lls.edu/alert.

In determining the scope of any emergency notification, LLS administrators will take into account the potential community impact. Loyola Law School will notify the entire campus community if there is a potential that the whole campus or a large segment of the community may be threatened by an incident. Loyola Law School may also choose to notify only a segment of the population if the nature of the incident and/or the potential impact is confined.

Procedures for Testing Emergency Response and Evacuation

Loyola Law School tests emergency response and evacuation procedures in all buildings every year to educate and train building occupants on evacuation procedures, emergency exits, the sound of fire alarms and the location of safe refuge areas. All evacuation drills are conducted by the Department of Safety and Security with support from the designated building leaders and floor wardens, Campus Planning, Physical Plant and Housekeeping.

Following all drills, participants are convened at the Safe Refuge Areas to debrief and/or receive additional tips and information. At least one campus-wide evacuation drill is conducted annually. Loyola Law School practices earthquake preparedness annually on the California designated Great Shakeout dates. The most recent evacuation drill was conducted on October 19, 2017 and the most recent earthquake drill was conducted on October 20, 2017.

Emergency drills and exercises are documented, including the date, time, description, whether it was announced or unannounced, and the location. All drill and exercise records are retained by the Department of Safety and Security.

CRIME PREVENTION, EDUCATION AND AWARENESS

Crime prevention is a high priority at Loyola Law School. Living in a large city requires students, faculty and staff to practice sound crime prevention techniques when walking at night, riding public transportation, safeguarding property or the like. The Safety and Security Manager or Security Supervisor follows up on all reports of criminal activity by contacting the complainant to ensure that a thorough investigation is conducted. Where appropriate, local law enforcement referrals are made. The Department of Safety and Security also offers support in the event a community member must report a crime to local law enforcement agencies and will assist with such a report.

The Law School provided mandatory online training for Active Shooter awareness for staff, faculty and students during the first two weeks of March, 2017.

Loyola Law School held two Crime Prevention Awareness sessions on November 21, 2017 with Rampart Division LAPD officers who discussed crime prevention strategies with LLS community attendees.

November 3, 2017 Loyola Law School welcomed Orion Juarez of the Los Angeles LGBT Center for a special training on how staff and faculty can help create a more inclusive community for our students. The discussion focused on gender neutral pronouns, when to use them, and how to gauge identities of people when they do not present on the binary.

March 1, 2018 Brenda Gutierrez a pivotal leader of the #me too movement presented to the campus on the movement, her experiences, and helped promote awareness, prevention, and involvement surrounding sexual misconduct and violence.

April 25, 2018 - For the past 19 years, Peace Over Violence has organized its Denim Day campaign in April in honor of Sexual Violence Awareness Month. The Law School participated by organizing a message via emails & posters encouraging students to wear denim as a visible means of protest against the misconceptions that surround sexual assault. The campaign was originally triggered by a ruling by the Italian Supreme Court where a rape conviction was overturned because the justices felt that since the victim was wearing tight jeans she must have helped her rapist remove her jeans, thereby implying consent. The following day, the women in the Italian Parliament came to work wearing jeans in solidarity with the victim. Denim Day was developed in response to this case and wearing jeans during this annual event has become a symbol of protest against erroneous and destructive attitudes about sexual assault.

Think About It: Graduate Students – In order help foster a safe environment for students, beginning in the Fall 2016, all students were required to complete *Think About It: Graduate Students*. And, all incoming students are required to complete the *Think About It* training during an annual Orientation. *Think About It: Graduate Students* is an online course from CampusClarity.com which provides sexual assault and sexual harassment awareness training tailored to graduate student needs.

PREVENTING THEFT

The prevention of theft is the responsibility of all members of the Loyola Law School community. Bear in mind your own safety is worth much more than your property. Never take any personal risk that you can avoid.

Precautions in buildings and common areas

Never leave your belongings unattended. Make sure you keep your bag, digital device(s) or purse where you can see it, not on the floor by your feet or on the back of your chair. Do not keep valuable items in your coat pockets. Report any suspicious persons to the Safety and Security Department immediately at 213-736-1121 (x1121).

Protecting your vehicle or bicycle

Park your car or bicycle in well-lit and busy areas. If you park in a commercial lot or garage with valet attendants, leave only the ignition key with the attendant. Always lock your car, even when you leave it briefly. Do not leave luggage, packages or other valuables inside that might tempt a thief. If your vehicle is equipped with an alarm system, utilize it. If it does not, consider purchasing one.

Always lock your bicycle. A key operated, steel U-shaped lock is recommended. Be sure to use your lock to secure at least your back wheel and frame to a bicycle rack or similar immobile object. On campus, use only authorized bicycle racks. Never lock your bicycle by the front or back wheel alone. Also, lock your bicycle in a well-lit area where pedestrian traffic will discourage theft.

Physical security for computers

Help prevent computer theft by getting your computer secured. Universal notebook security cables and computer recovery software is recommended.

Digital security

Always protect your digital information located on your computer or mobile device by using a strong password that only you know. Never share your password with anyone.

PERSONAL SAFETY

800 S. Figueroa Street, 11th Floor

Please note this location was vacated by Loyola School on July 31, 2017.

Loyola Law School operates the Downtown Public Interest Law Center and Justice Entrepreneur Initiative, an off-campus site located at 800 S. Figueroa St., Suites 1140 and 1160, Los Angeles, CA 90017. Loyola Law School has no security presence at this location; security is provided 24/7 by the building owner, Fair Oaks Management. Loyola Law School is responsible for maintaining records of any Clery Act crimes committed within these two adjacent 11th floor suites. Faculty, staff and students should report any crimes or security issues directly to Fair Oaks Management and/or their security contractor, or contact LAPD by dialing 911. Loyola Law School staff should know and understand the building's security and emergency procedures and make sure that all students are informed about them.

All security systems are controlled and monitored by the building security staff. A card access system is provided for off-hours access by authorized faculty and staff only. The building elevators have a floor lockout feature that only allows card access to authorized occupants for that floor. If you experience problems accessing your floor, notify the security staff in the building lobby. Report any unauthorized persons exhibiting unusual behavior immediately to building security. Do not leave valuables, purses, wallets or cash on your desk unattended. You should report lost or stolen keys and access cards to building security and your LLS supervisor. Supervisors should then inform Campus Planning so it can order replacement keys/cards from Fair Oaks Management.

On the Street

Try not to walk alone after dark. If walking alone, always be aware of your surroundings. Walk in well-lit areas, and avoid quiet side-streets or alleys. Do not carry more cash than you need. If you must carry a purse, keep it close to your body and do not resist if it is snatched. If your wallet is stolen, cancel your credit cards and your checking account at once, and report the incident to the local law enforcement agencies.

Los Angeles maintains beautiful parks. When entering remote areas in parks, be alert and avoid potentially dangerous situations.

If someone is following you on foot, remain alert. Look behind you, cross the street and ask for help. If you are being followed by car, turn around and walk in the opposite direction. Try to get the license plate number and call the police. If a driver stops to ask directions, do not approach his or her car. Do not worry about appearing rude.

When using automatic bank teller machines (ATMs), always be aware of the people around you. Be especially careful if the ATMs are located directly on the street. Try to use ATMs during the daylight hours. If you are suspicious of any person near the ATM, do not continue the transaction. Try to have a friend accompany you to ATMs.

Public Transportation

If you are traveling by public transportation, have your payment ready before you go to the stop. Try to stay near people at all times and pick a bus that is occupied by other passengers. If you are suspicious of anyone, notify the driver. Plan your route before you leave. Taxis are the safest, though most expensive, way to travel at night. When you are dropped off at your destination, have the driver wait for you to enter your building.

FIRE SAFETY

What to Do in Case of Fire

If you discover a fire, immediately pull the nearest fire alarm. There is a fire alarm box on every floor of most buildings on campus near the exits. Report the fire to Security at x1121 (213-736-1121). They will contact the Fire Department. Be aware that transmitting a false alarm is a criminal offense that endangers the lives of both building occupants and emergency personnel. It is also an offense to prop open fire doors, tamper in any way with alarm equipment, electromagnetic locks or other safety and security devices or to block or obstruct paths of exits.

If the fire is small and not spreading quickly, and you have been appropriately trained, you may try to extinguish the fire yourself with the extinguishers located throughout campus. Do this only after you have sounded the fire alarm. If you are not completely certain about how to operate the extinguisher, do not attempt to put out a fire yourself. Leave the area, closing all doors behind you. Most buildings have automatic fire-detection equipment that sounds an alarm and transmits it to a monitoring company who notifies the Fire Department. If you hear an alarm sounding in your building, do not assume that it is a drill or test. All building alarm systems are tested as required by law, but these tests are announced in advance. Treat every alarm as an emergency unless you have received advanced notification otherwise.

If an alarm sounds, exit the building immediately and follow instructions from the Emergency Team, Security, firefighters, if present, and any PA system announcement. Feel doors with the back of your hand before opening them to be sure that there is no fire danger on the other side. If you must enter a smoke-filled room or hallway, cover your nose and mouth with a wet towel and crawl to the nearest exit, keeping your head near the floor. Never use an elevator during a fire emergency; instead, use fire stairs. If you are injured or disabled, stay in your room and make your presence known to other occupants and to Security by telephone. Emergency Team members will assist you in leaving the building.

Fire Safety Precautions

Keep doorways, corridors and stairwells clear and unobstructed. Keep fire doors closed. Make sure that all extension cords are in good condition and UL approved. Use fuse-protected multi-outlet power strips when necessary. Do not overload electrical circuits.

ALCOHOL AND OTHER DRUG USE POLICY

The possession, use, sale or the furnishings of alcohol on the law school campus is governed by Loyola Law School's Alcohol Policy and California state law. The enforcement of alcohol laws on-campus is the primary responsibility of the Office of Student Affairs. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal law and prohibited by the Law School's Standards of Conduct. Such laws are strictly enforced by Loyola Law School.

Violators are subject to university disciplinary action, criminal prosecution, fine and/or imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession or use of alcohol by anyone under 21 years of age is illegal. It is a violation of the Loyola Law School Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior approval. Individuals, organizations or groups violating alcohol/drug use policies or laws may be subject to sanctions and/or criminal prosecution, fine and imprisonment. More information is available in the Student Handbook. https://my.lls.edu/system/files/student_affairs/docs/jd_handbook_2018_2019.pdf and <https://my.lls.edu/studentaffairs/drugfreecampuspolicy0>

Alcohol and Other Drug Abuse Information

Loyola Law School has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students, faculty and staff. The program provides services related to drug use and abuse including dissemination of informal materials, educational programs, counseling services, referrals and university disciplinary actions. <https://my.lls.edu/studentaffairs/drugfreecampuspolicy0>

Alcohol and Other Drug Education

The Employee Assistance Program provides confidential service by experienced, master's degree and doctoral level clinicians. They can help faculty/staff members and their household members deal with issues such as depression, marital and family issues and substance abuse.

The On Campus Psychological Counseling Office provides confidential counseling assistance provided by a licensed clinician. They can help students deal with issues such as depression, marital and family issues and substance abuse. Group counseling with immediate family members is also available.

University Disciplinary Actions

A violation of any law regarding alcohol and other drug use or possession is a violation of the Law School's Student Conduct Code and a violation of state and federal law and will be treated as a separate disciplinary matter by the Law School.

STUDENT-ON-STUDENT SEXUAL & INTERPERSONAL MISCONDUCT POLICY & PROTOCOL

Student-on-Student Sexual & Interpersonal Misconduct Policy & Protocol

I. INTRODUCTION

Loyola Law School ("LLS" or law school) recognizes the significant, unacceptable and nationwide existence of sexual and interpersonal misconduct on college and graduate school campuses. LLS is dedicated to the prevention of such misconduct and to providing a caring, supportive and effective response when such misconduct occurs. Accordingly, LLS encourages students and law school community members to report such misconduct so that the law school can take appropriate responsive action.

Title IX of the Education Amendments of 1972 ("Title IX") is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Under Title IX, discrimination on the basis of sex can include Student-on-Student Sexual Harassment or Sexual Assault including sexual violence, rape, sexual battery, sexual coercion, sexual exploitation and unwelcome intrusion into another's sexual seclusion or privacy, as well as interpersonal misconduct including Dating Violence, Domestic Violence and Stalking. The law school has established this Student-on-Student Sexual & Interpersonal Misconduct Policy & Protocol to assist and respond to complaints of student-on-student sexual and interpersonal misconduct.

Students should report all forms of sexual misconduct (student-on-student; student and non-student; faculty/staff-on-student) and interpersonal misconduct by filing a report with Campus Safety and Security at 213-736-1121 (x1121 on campus).

In addition, a case for alleged student-on-student sexual misconduct or interpersonal misconduct will be initiated and adjudicated according to Section VIII of this policy, and not according to the process articulated in the law school Discipline Code specified in Student Handbook Section 12.0.

Sexual or interpersonal misconduct involving a Student and any non-student in the LLS community is governed by and adjudicated under the LLS Discriminatory Harassment and Complaint Process.

All persons, including law school faculty and staff, are prohibited from taking any retaliatory action against any other member of the law school community including, but not limited to, the Complainant, Respondent or witnesses to an alleged incident of sexual or interpersonal misconduct. Any student engaging in any retaliatory action(s) will be subject to discipline under the Standards of Conduct and the Discipline Code and appropriate sanctions for determined violations may include dismissal from the Law School. Retaliation by non-students will be adjudicated and determined in accordance with the LLS Discriminatory Harassment and Complaint Process. Any Student who believes that they have been retaliated against for having filed, or being named in, a complaint for sexual or interpersonal misconduct or having participated in the investigation of such a complaint, should promptly notify the Campus Safety and Security at 213-736-1121 (x1121 on campus). Alleged retaliation by a faculty or staff member should also be reported to Deputy Title IX Coordinator.

For additional information on sexual and interpersonal misconduct awareness, prevention and training, including bystander intervention, please visit the LMU CARES office online: <http://studentaffairs.lmu.edu/lmucares/> or contact Loyola Law School's Deputy Title IX Coordinator.

Sara Trivedi, LMU Title IX Coordinator, (310) 568-6105

Matthew Riojas, Loyola Law School Deputy Title IX Coordinator, 213.736.8152

II. POLICY

Under Title IX, Sexual Harassment is broadly defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature including sexual violence. This policy applies to all students, regardless of sexual orientation or gender identity. Under this policy, Sexual Misconduct includes all forms of sexual harassment under Title IX including sexual violence, such as rape, sexual assault, sexual battery and sexual coercion. Interpersonal misconduct includes Dating Violence, Domestic Violence and Stalking. All forms of sexual and interpersonal misconduct are unacceptable and will not be tolerated, including acts that occur off campus. Any allegation that a student has participated in Sexual Misconduct or interpersonal misconduct will be adjudicated through the process described in Section VIII of this policy. Any student found to have violated this policy will be subject to disciplinary action as set forth in the Student Handbook, including disciplinary warnings through suspension or dismissal from the Law School. If a Complainant chooses not to participate in the Law School conduct process, the Law School reserves the right to initiate that process.

A. Adjudication of alleged incidents under this policy.

All alleged incidents of student-on-student sexual and interpersonal misconduct will be adjudicated in accordance with this policy, utilizing the preponderance of the evidence standard. These proceedings pursuant to this policy shall be prompt, fair and impartial and adjudicated by officials who have received regular training regarding incidents of this nature ("Trained Judicial Officers").

B. Interim Measures To Ensure Well-Being of Students.

In cases alleging sexual and interpersonal misconduct the Associate Dean for Student Affairs or a designee may take interim measures, including, but not limited to, academic, residential, transportation and/or employment accommodations, intended to ensure the well-being of the Complainant, the Respondent, the investigatory process and/or the law school community while the complaint is being investigated and prior to the determination on the charge. Any such interim measures shall not be referred to or offered as evidence at the hearing on the underlying charge. Any such interim measures shall be designed and implemented in a manner intended to achieve their purpose while at the same time limiting, to the extent practicable, any adverse effect to the Complainant's and/or Respondent's educational program. Any such interim measures shall remain confidential to the extent practicable to achieve the measure. Both Complainant and Respondent will receive written notification of their access to interim measures.

C. Notice.

Both Complainant and Respondent will receive written notification of their rights and options in regards to the Student Conduct Process. Both Complainant and Respondent will also receive written notification of available on and off campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services offered by the University and other local organizations.

D. No Contact Orders.

No Contact Orders (NCO) will also be utilized by Campus Safety and Security both during the investigation and through the completion of the disciplinary process. Both parties will be expected to sign a document stating their

awareness of the NCO and the stipulations of no contact. Safety and Security will provide information about available community resources.

E. Disclosure of Underage/Excessive Consumption of Alcohol or Possession of Illegal Substances.

Except as required by law, including without limitation, disclosure to licensing boards and agencies, violations of the Discipline Code regarding underage or excessive consumption of alcohol or use or possession of illegal substances will not be utilized to commence disciplinary proceedings against a Complainant if the information is divulged through the process of reporting sexual or interpersonal misconduct. The law school reserves the right to refuse to grant amnesty to reporters under certain extenuating circumstances. Criminal investigations and other police action may still occur at the discretion of the law enforcement agency responding to the incident.

F. Special Training for Investigation and Disciplinary Proceedings.

Disciplinary proceedings regarding alleged incidents of sexual and interpersonal misconduct will be coordinated by an Associate Dean who is regularly trained in the adjudication of these types of incidents. The investigative process will involve individual meetings with both parties and witnesses regarding the alleged violation(s). Students will not be permitted to cross-examine each other or witnesses through these proceedings.

All Judicial Officers receive training regarding the adjudication of allegations of sexual and interpersonal misconduct.

G. Prior Sexual History.

Prior sexual history of Complainant or Respondent with people outside of each other will not be utilized as evidence in these disciplinary proceedings.

H. Determination of Notification. Once a determination of the charges has been made, a determination notification letter will be concurrently sent to Complainant and Respondent.

I. Complainants are encouraged to report all instances of sexual or interpersonal misconduct regardless of the amount of time that has passed since the alleged misconduct occurred. The University reserves the right to take disciplinary action regarding allegations involving current LMU students irrespective of the length of time since the alleged misconduct occurred.

J. Student Conduct Code proceedings are independent from criminal or civil proceedings and will normally proceed without regard to the pendency or potential pendency of criminal or civil proceedings.

III. DEFINITIONS

A. Sexual Assault.

For purposes of this policy, **Sexual Assault** is defined as engaging in sexual intercourse, or any of the sexual activities listed below, with another person without that person's consent. Sexual Assault includes, but is not limited to, rape, sexual battery, anal intercourse, oral copulation or penetration of a body cavity by a foreign object. Sexual intercourse includes the penetration, however slight, of the vagina or anus with any object or body part and of the mouth with a body part and/or object in a sexual manner.

B. Sexual Harassment.

Sexual Harassment is defined as unwelcome conduct of a sexual nature including, without limitation, unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal, nonverbal, auditory, visual, recording, transmission or display of sexual matters or materials or physical conduct of a sexual nature. A sexually hostile environment exists when Sexual Harassment is so continuous and pervasive that it interferes with or limits a student's ability to participate in, or benefit from, the law school's educational program.

Sexual Harassment also includes the act of making sexual contact with the intimate body part of another person without that person's consent, including as the result of sexual coercion. Intimate body parts include the mouth, the sex organs, the anus, the groin or buttocks of any person, and/or the breasts.

For purposes of this policy, **Sexual Harassment** includes, but is not limited to, invasion of sexual privacy, audio or video recording or photographing of any type (webcam, camera, Internet exposure, etc.) without knowledge and consent of all persons, going beyond the boundaries of consent (such as letting another person hide and watch you have consensual sex without the knowledge of the other party), engaging in unconsented voyeurism, exposing one's

genitals in non-consensual circumstances, coercing another against their will to expose their genitals or breasts and prostituting another person.

C. Sexual Exploitation.

For purposes of this policy, **Sexual Exploitation** is defined as sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her benefit or for the benefit of anyone other than the exploited party; and that behavior does not otherwise constitute Sexual Assault. Examples of sexual exploitation include, but are not limited to, invasion of sexual privacy, audio or video recording or photographing of any type (webcam, camera, Internet exposure, etc.) without knowledge and consent of all persons; going beyond the boundaries of consent (such as letting another person hide and watch you have consensual sex without the knowledge of the other party), engaging in unconsented voyeurism, exposing one's genitals in non-consensual circumstances; coercing another against their will to expose their genitals, and prostituting another person.

D. Consent.

a) **Consent** is defined as the unambiguous and willing participation or cooperation in act, behavior or attitude that is commonly understood to be consistent with the exercise of free will. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other(s) to engage in the sexual activity. Consent requires participants who are lawful adults, fully conscious, equally free and legally competent to act, have clearly communicated their willingness, cooperation or permission to participate in the specific sexual activity engaged in, are positive and clear about their desires and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with clear gestures, body language or attitude. Lack of protest or resistance does not mean consent, nor does silence mean consent. Prior sexual history between the Complainant and Respondent, by itself, does not constitute Consent, nor does consenting to sexual activity with one person imply consent to sexual activity with another person.

b) Consent is not freely given if:

- I. It is obtained through the use of force, through the fear of or the threat of force, through the abuse of a power position over another (such as employment status or position within an organization) or by kidnap; or
- II. A reasonable person, in the position of the alleged perpetrator at the time the alleged conduct occurred, should have known that the other person was unable to give consent for any of the following reasons:
 - a) The individual is unable to make an informed decision as a result of the use of alcohol, drugs or other substances (including but not limited to predatory drugs or prescribed medications); or
 - b) The individual is unable to consciously respond for whatever reason including lack of consciousness, sleep, illness or shock; or
 - c) The individual is under the age of eighteen and therefore legally incapable of giving consent; or
 - d) The individual is known by reason of impairment, mental condition or developmental or physical disability to be reasonably unable to consent.
 - e) The individual has acted or spoken in a manner which expresses a lack of consent or a refusal to consent.
 - f) The following are invalid excuses for failing to obtain affirmative consent from the Complainant:
 - g) The Respondent's believe in affirmative consent arose from the intoxication or recklessness of the Respondent; or
 - h) The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

E. Domestic Violence.

In accordance with the reauthorization of the Violence Against Women Act, **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under California law or by any other person against an adult or youth victim who is protected from that person's acts under California law.

F. Dating Violence.

For purposes of this policy and in accordance with the reauthorization of the Violence Against Women Act, **Dating Violence** is defined as violence committed by a person:

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

3. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

(There is no California statutory equivalent definition.)

G. Stalking.

For purposes of this policy and in accordance with the reauthorization of the Violence Against Women Act **Stalking** means engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person under similar circumstances and with similar identities to the Complainant to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

For purposes of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

For the purpose of this definition, *substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

H. Complainant.

Complainant means the individual(s) who files(s) a Discipline Code complaint with the University. In some instances the law school may initiate proceedings on behalf of the Complainant. Complainants of sexual and interpersonal misconduct are not required to be members of the LLS community; they may be third parties, or others unaffiliated with the University. Outcomes related to sexual and interpersonal misconduct cases run the full spectrum as outlined in Section 12.1 of the Discipline Code and include disciplinary probation through suspension or expulsion from the Law School.

I. Hostile Environment.

Hostile Environment is defined as any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it limits, interferes with or denies educational benefits or opportunities, from both a subjective (the Complainant's) and an objective (reasonable person's) viewpoint.

J. Respondent means the individual(s) against whom a Discipline Code complaint is made.

K. "Retaliation" means any adverse, non-permitted action taken against a person who reports a violation of this policy, assists someone with a report of a violation of this policy, or participates in any manner in an investigation or resolution of a report of a violation of this policy. Retaliation can include but is not limited to: threats, intimidation, coercion, harassment, reprisals, spreading negative information about an individual, exclusions from academic and non-academic programs, and/or adverse actions related to employment.

IV. CALIFORNIA LAW

The following excerpts are only partially explanatory of certain California laws pertaining to sexual and interpersonal misconduct. These excerpts are not intended to be an exhaustive description or list of California laws pertaining to Sexual Misconduct, inappropriate or criminal sexual behaviors or interpersonal misconduct.

A. Excerpts from Sections 11165.1 and 261 of the California Penal Code:

Sexual assault includes rape, statutory rape, rape in concert, incest, sodomy, oral copulation, sexual penetration, lewd or lascivious acts upon a child, child molestation and the following:

1. Penetration, however slight, of the vagina or anal opening of one person by the penis or another person whether or not there is emission of semen. Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person.
2. Intrusion by one person into the genitals or anal opening of another person, including the use of an object for this purpose, except that it does not include acts performed for a valid medical purpose.
3. The intentional touching of the genitals or intimate parts, including the breasts, genital area, groin, inner thighs and buttocks, or the clothing covering them, of a child, or of the perpetrator by a child, for purposes of sexual arousal or gratification, except that it does not include acts which may reasonably be construed to be normal caretaker responsibilities; interactions with, or demonstrations of affection for, the child; or acts performed for valid medical purpose.
4. The intentional masturbation of the perpetrator's genitals in the presence of a child.

Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator under any of the following circumstances:

1. Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent and this is known or reasonably should be known to the person committing the act
2. Where it is accomplished against a person's will by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the person or another

3. Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused
4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused
As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets one of the following conditions:
 - a) Was unconscious or asleep.
 - b) Was not aware, knowing, perceiving or cognizant that the act occurred.
 - c) Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
 - d) Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
5. Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense or concealment practiced by the accused, with the intent to induce the belief.
6. Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate," means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury or death.

California law also states that "The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime" (Penal Code section 263). California law further defines both marital rape (Penal Code section 262) and "statutory rape" (Penal Code section 261.5). Though laws vary from state to state, intercourse in which consent was not obtained or was obtained under coercive conditions will usually be considered rape.

B. Excerpts from Section 67386 of the California Education Code:

University policies concerning sexual assault, domestic violence, dating violence and stalking shall include an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

C. Excerpts from Section 261.6 and 261.7 of the California Penal Code:

In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, "consent" shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

D. Excerpts from Section 646.9 of the California Penal Code:

Any person who willfully, maliciously and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by:

1. Imprisonment in a county jail for not more than one year, or
2. A fine of not more than \$1,000, or
3. by both that fine and imprisonment, or by imprisonment in the state prison.

For the purposes of this section, "harasses" means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose.

E. Excerpts from Section 13700 of the California Penal Code and 6211 of the California Family Code:

"Domestic Violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, person with whom the suspect has had a child or is having, has had a dating or engagement relationship, a child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected or any other person related by consanguinity or affinity within the second degree.

For the purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

1. Sexual relations between the parties while sharing the same living quarters.
2. Sharing of income or expenses.

3. Joint use or ownership of property.
4. Whether the parties hold themselves out as husband and wife.
5. The continuity of the relationship.
6. The length of the relationship.

V. Complainant/Respondent

A. Complainants and Respondents in a sexual or interpersonal misconduct case have the right to:

1. Access to an advisor, if they do not have one of their own, to assist with the conduct process;
2. Receive a written notification of available on and off campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available as well as notification of the procedures for institutional disciplinary action and their rights and options as defined in sexual and interpersonal misconduct cases;
3. Make a complaint to Campus Safety and Security;
4. File a police report and take legal action separate from and/or in addition to filing a complaint seeking disciplinary action pursuant to this policy;
5. Be informed of the disciplinary finding (responsible or not responsible) in writing;
6. Present material witnesses to the alleged incident;
7. Appeal rights as outlined in the in this policy;
8. Refuse any/all of the above.

VI. TITLE IX

Under Title IX, LLS has a responsibility to respond promptly and equitably to address Sexual Harassment, sexual violence and interpersonal misconduct. If LLS knows or reasonably should know about Sexual Harassment, sexual violence or interpersonal misconduct that creates a hostile environment, LLS must take action to eliminate the Sexual Harassment, sexual violence or relationship misconduct, prevent its recurrence and address its effects.

LLS has a Deputy Title IX Coordinator and Loyola Marymount University has a Title IX Coordinator.

LLS encourages prompt reporting of crime to Campus Safety and Security and/or law enforcement. A criminal investigation into allegations of Sexual Harassment or sexual violence does not relieve LLS of its duty under Title IX to resolve complaints promptly and equitably. Even if a Student elects not to file a complaint pursuant to this policy, does not request that LLS take any action on the Student's behalf or is unable to make a report to LLS and/or law enforcement, if LLS knows or reasonably should know about possible Sexual Harassment, sexual violence or interpersonal misconduct, it must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. In appropriate circumstances, LLS may report crimes to law enforcement when a victim decides not to report or cannot report the crime.

Questions about Title IX or this policy may be directed to the Human Resources Department or the Deputy Title IX Coordinator. The Deputy Title IX Coordinator is notified of reported incidents of sexual and interpersonal misconduct and monitors the Law School's response to such misconduct. If you believe that Loyola Law School does not respond appropriately to your allegations of sexual assault, harassment, or misconduct after you have filed a report with Campus Safety and Security or gone through the adjudication process, you have the option to file a complaint with the Office of Civil Rights.

1. You may file a complaint in person, online, or by mail
 - a. In person: via telephone (800) 421-3481.
 - b. Online: via email: OCR@ed.gov; or
 - c. By mail: write letter to: U.S. Department of Education Office for Civil Rights,
Lyndon Baines Johnson Department of Education Building,
400 Maryland Avenue, S.W., Washington, D.C. 20202-1100.
2. For more information about filing a complaint please visit:
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

VII. REPORTING MISCONDUCT.

A. Reporting Misconduct.

The Law School and LMU encourage prompt reporting of crime to Campus Safety and Security, the Office of Student Affairs and/or law enforcement. Even if a Student elects not to file a Discipline Code complaint, does not request that the Law School or LMU take any action on the Student's behalf or is unable to make a report to the Law School and/or law enforcement, if the Law School knows or reasonably should know about possible Sexual Harassment, sexual violence or interpersonal misconduct, the Law School must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. In appropriate circumstances, the Law School may report crimes to law enforcement when a victim decides not to report or cannot report the crime. The law school encourages students to report sexual harassment, sexual misconduct or interpersonal misconduct so that the law school can investigate and respond effectively. Once the law school receives a report, it must investigate.

B. Confidentiality.

Title IX requires all universities to identify "responsible employees" as those who are obligated to report all details of an incident, including the identities of those involved, to Campus Safety and Security whenever that information

is brought forward to the employee. Responsible employees include faculty, administrative staff and some student staff. Responsible employees do not include the following:

Professional, licensed counselors, such as Dr. Michael Douglas in the Student Affairs Counseling Office (502 Casassa, 213-736-1122), are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Safety and Security, the Title IX Coordinator or any other reporting body, without consent from the student.

Pastoral counselors, such as Catholic priests and women religious, are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Safety and Security, the Title IX Coordinator or any other reporting body, without consent from the student provided they receive the information in performance of their pastoral duties.

**Resource Advisor (CRA)*, whose names can be found on the Student-on-Student Sexual and Interpersonal Misconduct Policy website, may speak with students regarding incidents of sexual and interpersonal misconduct without automatically triggering a University investigation into the matter. These individuals may have time and place reporting responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), but are not obligated to report identifying information of the Complainant. If the Respondent's name is presented to a Community Resource Advisor, they will be obligated to report that information to the Deputy Title IX Coordinator. Reports by the Community Resource Advisor will not trigger a University investigation unless the Deputy Title IX Coordinator in consultation with the Associate Dean for Student Affairs or designee determines that an investigation is necessary because:

- a. The Respondent has known prior allegations of sexual or interpersonal misconduct and a potential for a campus safety risk exists; or
- b. The location in which the alleged incident occurred is a location where previous complaints of sexual or interpersonal misconduct occurred creating the potential for a unsafe environment for the LLS community; or
- c. A threat to the campus community at large has been identified; or
- d. A frequency or pattern is detected that suggests an unsafe environment exists for the LLS community or an LLS community member; or
- e. The Sexual or interpersonal misconduct was perpetrated with a weapon; or
- f. The Victim is a minor; or
- g. Some combination of the above factors exists.

C. Law School Employees Are Obligated to Inform Campus Safety and Security.

Any law school employee (other than the confidential resources or Community Resource Advisor identified in the Resources listing) who receives a report is required to inform Campus Safety and Security about the report they have received. Campus Safety and Security and the law school will follow up on any report it receives about possible misconduct, whether from a student, other member of the community or an anonymous source, including informing the Deputy Title IX Coordinator of any reports of Sexual or Interpersonal Misconduct.

Before a student reveals information, University employees will try to ensure that the student understands the employee's reporting obligations—and, if the student wishes to maintain confidentiality, direct the student to confidential resources. A student may choose to make a full report or request confidentiality as he or she determines.

D. Student Requests for Confidentiality.

A complainant may report misconduct pursuant to this section and request that the law school not disclose his or her identity to anyone else, including the person who allegedly committed the misconduct. While such a request may limit the law school's ability to investigate and respond to the reported misconduct, the Deputy Title IX Coordinator, in consultation with appropriate school officials, will consider the request in light of LLS' commitment to provide a safe and non-discriminatory environment for all students and will honor the request, provided such accommodation can be made consistent with LLS' duties to protect the law school community from sexual and interpersonal misconduct. The Community Resource Advisor with whom the complainant met will promptly notify the complainant making the request whether the law school will be presently able to honor it.

Whether or not LLS is able to grant a request to keep the complainant's identity confidential, law school personnel will reveal information about investigations and disciplinary proceedings related to sexual harassment, sexual misconduct or interpersonal misconduct only to those who need to know in order to carry out their duties and responsibilities.

E. Advisor.

At any time prior to or during proceedings regarding an allegation of sexual or interpersonal misconduct governed by this policy, Complainants and Respondents may choose an advisor of their choice to accompany them during

the investigative process or any related meeting that is part Sexual and Interpersonal Misconduct investigative and adjudicative proceedings. An advisor is any individual who provides the complainant or respondent support, guidance, or advice. This advisor may be a parent, a community advocate, or any other person. The advisor's role is purely supportive; the advisor may not speak on behalf of the complainant or respondent.

VIII. VIOLATIONS OF THIS POLICY.

All allegations of student-on-student sexual harassment, sexual misconduct, or interpersonal misconduct as defined in this policy will be reviewed, and action taken as warranted, according to the process delineated in this section. Proceedings shall be prompt, fair and impartial. Like the Discipline Code, the proceedings defined in this section do not, and are not intended to, emulate the criminal justice system, its processes and/or procedures.

A. Investigation and Adjudication.

Once a report has been received, the law school will initiate an investigation.

1. The investigation shall be conducted by an Associate Dean.
2. The law school will notify the respondent in writing that a report of sexual and/or interpersonal misconduct has been made. The notice will generally describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Associate Dean to review the Policy and these Procedures. The parties shall have the right to present any relevant evidence in support of or in opposition to the allegations of misconduct in the report. Should either party request, s/he may review, in the office of the Associate Dean, the report of misconduct and any information or evidence submitted in support of or in opposition to the report.
3. The Associate Dean conducting the investigation will have successfully completed required University training and may also employ the services of a qualified private consultant investigator (or team of investigators) to assist in the fact-gathering portion of the investigation.
4. The law school's investigation and adjudication of any reports will continue during any law enforcement proceeding. The Associate Dean conducting the investigation may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after s/he learns that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.
5. The Associate Dean and/or the investigator (or team of investigators) assisting the Associate Dean will gather pertinent documentary materials (if any) and other information. The Associate Dean will determine the manner of the investigation, but it will typically involve talking to the complainant, the respondent, other involved or observing parties, and reviewing other relevant information, such as emails, voicemail messages, text messages, photographs, on and off campus conduct, etc.

B. Determination of Discipline.

1. The Associate Dean conducting the investigation will review all evidence regarding the report and make a determination of whether the policy has been violated. Using the preponderance of evidence standard, the Associate Dean will determine whether this policy or any of the Standards of Conduct have been violated.
2. If the Associate Dean concludes that either this policy or the Standards of Conduct have been violated, the Associate Dean will determine the appropriate sanction, pursuant to Section 12.1 of the Student Handbook. Sanctions may include, but are not limited to, expulsion, indefinite suspension, suspension until a specified date, formal censure, oral censure, academic penalty, disciplinary probation, and revocation of the degree.
3. The Associate Dean shall notify the complainant and the respondent of his/her conclusion in writing. Either the complainant or the respondent will have the right to appeal the decision.

C. Appeal.

1. Once written notification of the resolution has been provided, the complainant and the respondent will have the opportunity to appeal the outcome, including any discipline or corrective measure imposed, and/or the issue of whether there has been a Policy violation.
2. Any appeal must be submitted in writing to the Deputy Title IX Coordinator within ten (10) calendar days of being notified of the outcome of the investigation or hearing.
3. Appeals will be heard *de novo*.
4. Appeals will be considered by a hearing board consisting of two members of the law school's Student Conduct Committee. The Deputy Title IX Coordinator will refer the appeal to the chair of the Student Conduct Committee.

IX. RESOURCE ADMINISTRATOR

Prior to the commencement of proceedings regarding an allegation of sexual or interpersonal misconduct governed by this policy, both the Complainant and the Respondent will be assigned Advisors by the Associate Dean for Student Affairs or designee to assist the students as they progress through the process outlined in this policy. Students are not required to utilize their appointed Advisors, and may select a different Advisor. In the unique instance of an incident involving Sexual Harassment/Sexual Misconduct and interpersonal misconduct, Complainants and Respondents may choose an Advisor of their choice.

If the Student chooses an Advisor for incidents involving sexual and/or interpersonal misconduct, the student should inform the Judicial Officer in writing or via e-mail at least two (2) days prior to the scheduled date of the hearing.

What Should You Do if You Experience Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence or Stalking?

A. Go to a safe place as soon as you can

B. Preserve all physical evidence

Do not wash your face or hands, bathe, brush your teeth, drink or eat, douche or change clothes. If you do change your clothes, put all clothing you were wearing at the time of the assault in individual paper bags (not plastic). It is important to preserve as much evidence as possible for investigation and processing of criminal and/or disciplinary charges.

C. Contact LLS Campus Safety & Security at 213-736-1121 (x1121). Public Safety can assist you in reporting a crime that occurred off-campus to the appropriate authorities. You may decline to report your experience to such authorities.

D. Seek immediate or prompt medical treatment (typically within 72 hours)

It is important to seek immediate or prompt and necessary follow-up medical attention for several reasons:

1. To assess and treat any physical injuries you may have sustained.
2. To determine the risk of sexually transmitted diseases or pregnancy and take appropriate medical measures.
3. If you choose, you may have evidence collected and preserved to aid in the investigation and processing of criminal and/or disciplinary prosecution.

It is best for any physical evidence to be collected within the first 24 hours following the incident. (The quality and quantity of evidence collected later than this may be substantially diminished.)

E. Visit the Rape Treatment Center at Santa Monica-UCLA Medical Center – (310) 319-4000 and/or utilize the other resources in closer proximity to LLS, as listed on our website.

The Rape Treatment Center can provide general medical treatment and, if you choose, collection of evidence. A medical exam could include treatment of any physical problems; evaluation of risks; various lab tests for sexually transmitted diseases and pregnancy; appropriate treatment; identification and collection of physical evidence of any Sexual Assault.

A specially trained nurse will perform the evidence collection exam. A Sexual Assault advocate or a support person of your choice may be present throughout the procedure.

The Rape Treatment Center hospital emergency department follows national standards for victim care, Sexual Assault exams and evidence collection procedures. If the decision is made to conduct an evidence collection exam, the anonymous evidence may be held for six months or longer. This means you do not have to decide immediately whether or not you want to press charges.

The Rape Treatment Center also provides long term counseling support for victims of Sexual Assault and Sexual Violence, as well as advocacy and accompanying services.

F. Schedule non-emergency medical treatment

Even if you choose not to go to the hospital or to seek immediate medical attention, it is still important to get medical attention to treat any physical problems and to conduct various lab tests for sexually transmitted diseases and pregnancy. Please consult the list of local resources on the website.

G. Utilize counseling services

LLS's Counseling Office (Dr. Michael Douglas, 213-736-1122, 502 Casassa) is available for students in crisis. Dr. Douglas will quickly make an appointment to see you if you have an emergency.

Loyola Law School and Community Sexual and Interpersonal Misconduct Resource Contact List

The following resources are available to Students and other members of the Loyola Law School community for information and support concerning Sexual and interpersonal misconduct:

LLS RESOURCES

Loyola Law School Security
Al Taylor
(213) 736-1121

Office of Student Affairs
(213) 736-8151

LMU Cares
<http://studentaffairs.lmu.edu/lmucares/>

Community Resource Advisors

Graham Sherr, Assistant Dean 213.736.1489
Jill Myers, Assistant Director 213.736.8309
Kelly Greer, Associate Director 213.736.8128

Student Psychological Services
Casassa 503
(213) 736-1122
Psychological support, information and resource referral

Student Health Center at LMU
Westchester Campus
Burns Recreation Center
(310) 338-2881
Medical and information resource

Campus Chaplain
Burns 230
Fr. Bryan Pham
(213) 736-8193
Pastoral counseling

LLS Deputy Title IX Coordinator
Founders Hall 106
Matthew D. Riojas
(213) 736-8152

Sara Trivedi
Title IX Coordinator
Loyola Marymount University
University Hall 1900
310-568-6105

COMMUNITY RESOURCES

Rape Treatment Center at Santa Monica-UCLA Medical Center
1250 16th Street
Santa Monica, CA
(310) 319-4000

Peace Over Violence Sexual Assault Treatment Center
605 W. Olympic Blvd., Ste 400
LA CA 90015
213-626-3396

Hospital of the Good Samaritan
1225 Wilshire Blvd.
Los Angeles, CA 90017
(213) 977-2121

St. Vincent Medical Center
2131 W. 3rd Street
Los Angeles, CA 90057
General Information: 213-484-7111
<http://stvincent.dochs.org/>

Los Angeles Police Department
Rampart Division
1401 W. 6th St.
Los Angeles, CA 90017
(213) 484-3400 (station phone)
9-1-1 (life threatening emergencies);
(626) 793-3385 (LAPD Rape Hotline)

Los Angeles County Sheriff's Department
East Los Angeles Station
5019 E. 3rd St.
East Los Angeles, CA 90022
(323) 264-4151

Legal Aid Foundation of Los Angeles
1550 W. 8th St.
Los Angeles, CA 90017
(213) 640-3881

State Bar of California
Lawyer Referral Services
(866) 442-2529

Office of Civil Rights
U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530
1-877-292-3804 education@usdoj.gov

***Community Resource Advisor (CRA)**, whose names can be found on the Student-on-Student Sexual and Interpersonal Misconduct Policy website, may speak with students regarding incidents of sexual and interpersonal misconduct without automatically triggering a Law School investigation into the matter. These individuals may have time and place reporting responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), but are not obligated to report identifying information of the Complainant. If the Respondent's name is presented to a Community Resource Advisor, they will be obligated to report that information to the Deputy Title IX Coordinator. Reports by the Community Resource Advisor will not trigger a Law School investigation unless the Deputy Title IX Coordinator in consultation with the Associate Dean for Student Affairs or designee determines that an investigation is necessary because:

- a. The Respondent has known prior allegations of sexual or interpersonal misconduct and a potential for a campus safety risk exists; or
- b. The location in which the alleged incident occurred is a location where previous complaints of sexual or interpersonal misconduct occurred creating the potential for a unsafe environment for the LLS community; or
- c. A threat to the campus community at large has been identified; or
- d. A frequency or pattern is detected that suggests an unsafe environment exists for the LLS community or an LLS community member; or
- e. The Sexual or interpersonal misconduct was perpetrated with a weapon; or
- f. The Victim is a minor; or
- g. Some combination of the above factors exists.

Annual Disclosure of CLERY ACT Crime Statistics

The Campus Operations Department prepares the Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

This report is prepared in cooperation with the local law enforcement agencies near our campus and the Office of Student Affairs. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act. The crimes reported are not necessarily committed against a member of the law school community. Crimes that may have occurred on off-campus locations are not included in the university's statistics, excepting crimes that occur at the Downtown Public Interest Law Center located at 800 S. Figueroa Street, 11th Floor. The definition of each crime may differ from the definition of comparable crimes under the California Penal Code or university discipline policies. In addition, the Clery Act also requires reporting of hate crimes in certain categories where prejudice on account of race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability was a factor.

The following statistics, which include crimes on campus and crimes in adjacent public areas, are collected by the Safety and Security Department and are based on crimes reported directly to that department and information provided by local law enforcement agencies. In preparation for the annual reporting, persons within each school of the university with significant responsibility for student and campus affairs, including disciplinary affairs, are surveyed for knowledge of crimes that may not have been reported to Safety and Security or local law enforcement agencies. These individuals include the Associate Dean for Student Affairs, heads of student groups, certain student group advisors and Student Affairs personnel. Counseling and Psychological Services and Campus Ministries are not surveyed for knowledge of certain crimes because the law does not impose a reporting obligation on persons with counseling or pastoral obligations. If a campus official has knowledge of a reportable crime that was not reported for investigation or disciplinary action and he or she informs Safety and Security, that occurrence will be included in these statistics.

By October 1 of each year, the law school distributes an email notification to all enrolled students, current faculty and staff that provides the intranet website address to access this report. A paper copy of this report will be provided to any person upon request and can be obtained by calling 213-736-8391.

The information presented in this Annual Security Report is believed to be accurate as of January 2018

Definitions

- A. **On-Campus** includes all buildings owned or controlled by Loyola Law School within the same reasonably contiguous geographic area and used by LLS in direct support of, or in a manner related to, its educational purposes.
- B. **Public Property** includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to and accessible from the campus.
- C. **Non-Campus** includes all buildings owned or controlled by Loyola Law School used in direct support of, or in a manner related to, its educational purposes, frequently used by students and not within the same reasonably geographic area the LMU campus.
- D. **Murder/Non-Negligent Manslaughter** is the willful (non-negligent) killing of one human by another.
- E. **Negligent Manslaughter** is the killing of another person through gross negligence.
- F. **Forcible Sex Offense** is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent. Includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.
- G. **Non-Forcible Sex Offense** is unlawful, non-forcible sexual intercourse, including incest and statutory rape.
- H. **Robbery** is taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- I. **Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
- J. **Burglary** is the unlawful entry of a structure to commit a felony or theft.
- K. **Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.
- L. 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.
- M. **Domestic Violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under California law, or any other person against an adult or youth victim who is protected from that person's acts under California law.
- N. **Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
- O. **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.
- P. **Hate Crime** is any of the above criminal offenses and any other crime involving bodily injury, theft, intimidation, assault or destruction/damage/vandalism 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, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

Crime Statistics: Clery Data Reported to LLS Safety and Security



CRIME REPORT (COMBINATION OF CAMPUS SAFETY, LAPD & LASD)

CATEGORY (* Violent Crime)	VENUE	Total 2015	Total 2016	Total 2017
CRIMINAL HOMICIDE: Murder & Non-Negligent Manslaughter	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Negligent Manslaughter	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
SEX OFFENSES: Forcible	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Non-Forcible	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
ROBBERY: AGGRAVATED ASSAULT Includes Hate Crimes**	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0

CATEGORY (Arrests- Selected Violations)	VENUE	Total 2015	Total 2016	Total 2017
ARREST FOR: Liquor law violations	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Drug-related violations	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Weapons possession	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
DISCIPLINARY REFERRALS: Liquor law violations	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Drug-related violations	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
Weapons possession	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0

CATEGORY (*Violent Crime)	VENUE	Total 2015	Total 2016	Total 2017
DOMESTIC VIOLENCE	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
DATING VIOLENCE	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
STALKING	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0

CATEGORY (Property Crimes)	VENUE	Total 2015	Total 2016	Total 2017
BURGLARY	-On Campus	1	1	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	3	0	0
ARSON	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0
MOTOR VEHICLE THEFT	-On Campus	0	0	0
	-In Dormitories or other residential facilities	0	0	0
	-In or on a non-campus building or property	0	0	0
	-On public property	0	0	0

Hate Crimes: There were no reported hate crimes for the years 2014, 2015 and 2016.

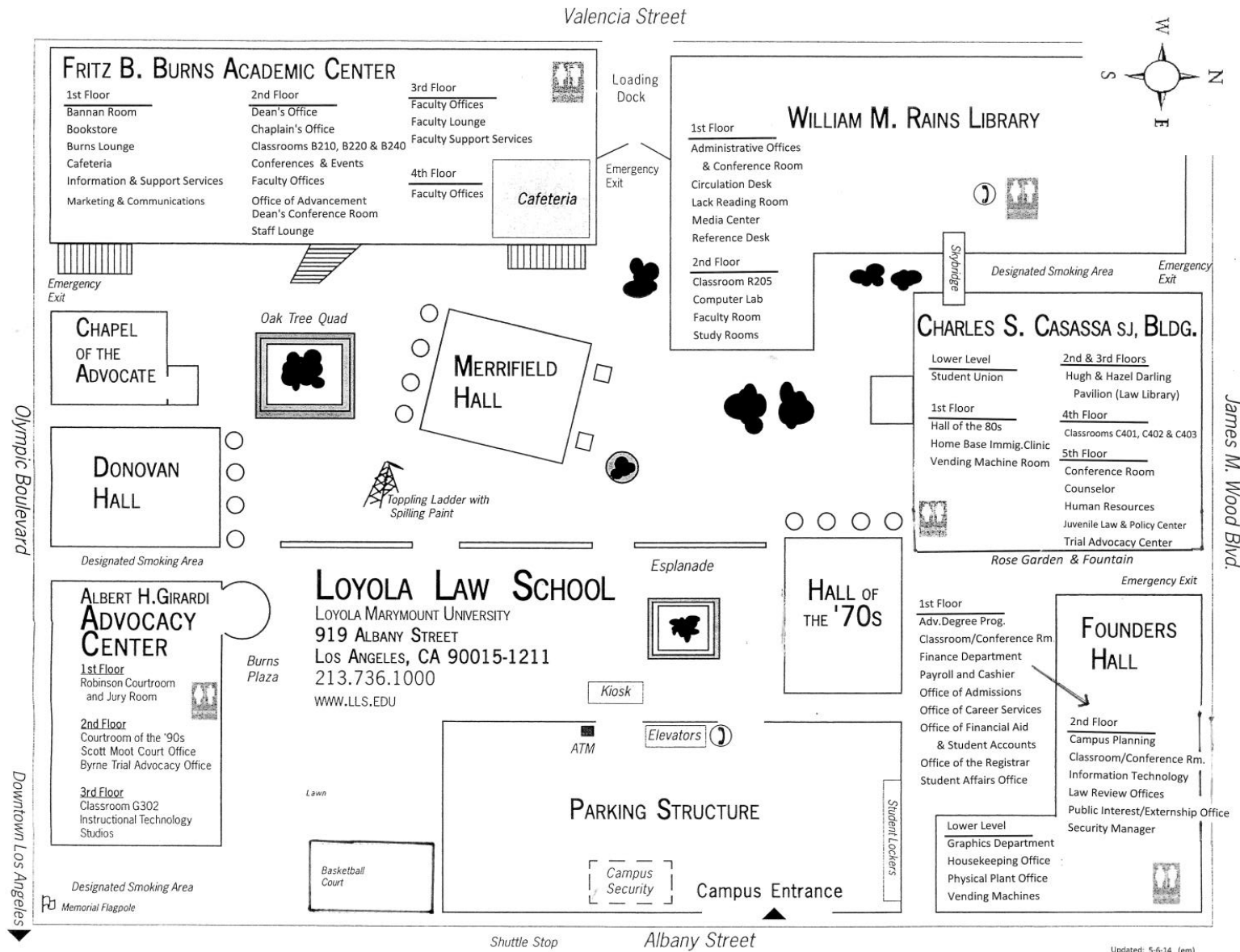
*Violent Crimes are defined by the Federal Bureau of Investigation's *Uniform Crime Reporting Handbook* (UCR) as murder, forcible rape, robbery, and aggravated assaults as required by the *Clery Act* regulations. LLS has no dormitories or residential facilities.

****KEY TO HATE CRIMES NOTATIONS**

Type of Bias or Prejudice - Race=r, Gender=g, Gender Identity=gi, Religion=re, Sexual Orientation=s, Ethnicity=e, National Origin=no, Disability=d.

Unfounded Crimes: There were no reported unfounded crimes for the years 2014, 2015 and 2016.

NOTE: **A.** With the 1998 amendments the Student-Right-to-Know and Campus Security Act was formally renamed the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" more simply "The Jeanne Clery Act." **B.** This report includes statistics from the L.A. Sheriff's Department, LAPD and Law School statistics.



Updated: 5-6-14 (em)