



Drake State Community and Technical College Annual Security Report 10/1/2024

FOR REPORTING CLERY CRIMES, CALL:

Chief of Police..... (256) 701-3588

Director of Operations (256) 426-5047

Dean of Instruction..... (256) 551-5226

Dean of Students. (256) 551-3129

Executive Dir. Of Fiscal Affairs & Admin..... (256) 551-3130

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DRAKE STATE COMMUNITY AND TECHNICAL COLLEGE CAMPUS SECURITY REPORT FOR CALENDAR YEAR 20234

POLICY

It is the policy of the J.F. Drake State Community and Technical College (Drake State) to comply fully with the following Acts and Laws:

- Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act
- 34 CFR 668.46, Institutional Security Policies and Crime Statistics
- Violence Against Women Reauthorization Act of 2013
- Published mandates of the Student Right-to-Know & Campus Security Act (Public Law 101-542)
- Higher Education Technical Amendments of 1991 (Public Law 102- 26)
- Higher Education Amendments of 1992 (Public Law 102-325)

Note: Each operating unit of the College prepares and follows procedures to satisfy the stipulations of the above Acts and Laws. Working in partnership with the community, the College is committed to providing the highest quality of service to students, faculty, staff, and visitors by maintaining community peace, safety, and quality of life.

THE CAMPUS SECURITY ACT - LEGAL REQUIREMENTS

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by 1 October that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the Main Campus and Public Property immediately adjacent to the Main Campus, as well as facilities deemed Non-Campus. The statistics are gathered from Campus Police, local law enforcement, and other

The Director of Operations, Chief of Police, Dean of Instruction, Dean of Students, Director of Financial Aid, Human Resources, and the Student Success Specialist are responsible for preparing this report by making updates based on applicable federal and state laws and policies. The Director of Operations and Chief of Police

MAIN CAMPUS MAP

The following map illustrates the Main Campus, which consists of nine buildings. The location shaded in yellow is deemed public property in accordance with Department of Education guidelines.

parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

BUILDING 800

REPORTING OF EMERGENCIES OR CRIMINAL INCIDENTS

Drake State Police Department (Campus Police) are located on the Main Campus 24 hours a day, 7 days a week and can be contacted for any campus emergency. It is also the policy of Drake State that anyone (i.e. students, faculty, staff, visitors and guests) who experiences or witnesses a major crime or life-threatening medical emergency on the Main Campus is strongly encouraged to immediately report the crime to Campus Police, and then contact a college official in the descending order:

1. Campus Police Building 200, Room, 202A; Office - (256) 551-5223
2. Chief of Police-Building 200, Room 202 C; Office (256) 551-5239
3. Director of Operations - Building 200, Room 202C; (256) 426-5047
4. Dean of Instruction - 551-5226
5. Dean of Students - 205; (256) 551-3129
6. Exec. Dir. of Fiscal Affairs & Admin Modular/Trailer; (334) 354-4494

All crimes that occur on the Main Campus will be reported to the Campus Police at (256) 551-5223. Campus Police will respond and investigate. The appropriate administration will be contacted when necessary. Emergency notifications will be made to immediately notify the campus community upon the confirmation of a significant emergency or danger to the health or safety of the students and/or employees on the Main Campus. Timely warnings will also be issued for reporting crimes that represent serious or continuing threats to students and employees.

Drake State Police Department work in conjunction with

CAMPUS SECURITY AUTHORITIES

CONFIDENTIAL REPORTING PROCEDURES

Drake State is committed to providing opportunities for victims or witnesses to report crimes on a voluntary, confidential basis, even if the information must be included in the

Incidents will be reported to one of the following, without revealing the identity of the victim:

1. 9-1-1.
2. Drake State Police Department (Campus Police) 256-551-5223
3. Huntsville Police Department (HPD); (256) 722-7100.
4. Madison City Police Department (MCPD); (256) 772-7190.
5. Madison County Police Department; (256) 772-5689.
6. Crisis Services Center of North Alabama; (256) 716-1000.
7. Sexual Assault Response Team (SART); 1-800-691-8426.
8. Title IX Coordinator; (256) 551-5214.

If you are the victim of a crime and do not want to pursue action within the College System or the criminal justice system, you may still want to consider making a confidential report. The Title IX Coordinator or a designee of the Campus Police Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure your safety.

The College keeps an accurate record of the number of incidents involving students, determines where there is a pattern of a crime regarding a particular location, method or

EMERGENCY NOTIFICATIONS & TIMELY WARNINGS

In accordance with the requirements of the Higher Education Opportunity Act of 1965 as amended and 34 CFR 668.46, the College has comprehensive communications procedures used to provide prompt emergency notifications and/or timely warnings to the campus community. Campus Police, in concert with the Director of Operations will determine the content and notification, based on the scope of the situation or emergency, or whether or not the event is occurring only on the campus or is posing an imminent threat to the entire campus or just a portion of it, and will make a recommendation to the College President, if time permits.

Emergency Notifications

Emergency notifications are issued upon the confirmation of any significant emergency or dangerous situation that may pose an immediate threat to health or safety and only involves a specific segment of the campus (i.e., a section of the campus or building) or a smaller group of people. In these cases, the decision will be made on how to make specific notifications to just the areas or people impacted.

Timely Warnings – Crime Alerts

In an effort to provide timely notices to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community (can extend notify the campus community of the incident and provide information that may enable college community members to protect themselves from similar incidents. The College will generally issue Crime Alerts whenever the following criteria are met: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of the crime.

The College President will generally make the determination, in consultation with the Chief of Police, if a Crime Alert is required. However, in extreme emergencies, the Chief of Police, the Director of Operations or another college administrator having supervisory oversight may authorize a Crime Alert.

These alerts will generally be issued for the following crimes: 1) Arson, 2) Aggravated assault, 3) Criminal homicide, 4) Robbery, 5) Burglary, and 6) Sexual assaults. A timely warning may also be issued for other crimes as deemed appropriate.

website. Such warning(s) may include but are not limited to the following information: 1) Type of crime, 2) Date, 3) Time and location of crime, 4) Protective measures, and 5) Any available suspect information.

Timely warnings involving incidents of crimes that occur off-campus will be issued on the advice from HPD, MCPD and the Madison County Police Department, in order to prevent compromising law enforcement efforts.

SECURITY SERVICES

Drake State has a fully operational police department with state certified officers, and a contract security firm that performs regular security patrols for the Main Campus 24 hours a day, 7 days a week.

All officers are armed. Any criminal incidents on campus requiring apprehension and subsequent arrest are referred to Campus Police.

UNFOUNDED CRIMES

The Chief of Police will make the final decision if a crime is deemed unfounded. 34 CFR 668.46 states,

from its statistics when sworn or commissioned law enforcement personnel have fully investigated the reported crime and have made a formal determination that the crime report is f

However, the College will still be responsible for disclosing in the Annual Crime and Safety Report and reporting to the U.S. DOE statistics that include the total number of crimes that were investigated and

of the three most recent calendar years. Previously, these incidents were not required to be reported.

SAFETY AND MAINTENANCE CONSIDERATIONS

Drake State is committed to ensuring facilities and grounds are safe for faculty, staff, students and visitors. Exterior lighting and landscaping are critical aspects of this commitment. The Director of Operations conducts periodic inspections to ensure campus lighting is adequate and the landscape is appropriately controlled. Officers also conduct routine checks of lighting and security inspections of offices, classrooms and buildings during rounds and reports findings to the Director of Operations. Any person who has a concern about campus safety and physical security should contact the Director of Operations at (256) 426-5047 or the Campus Police Chief at (256) 701-3588. Maintenance personnel are also available to respond to calls for service regarding unsafe facility conditions or personal safety and property protection.

CAMPUS ESCORT

Campus Police is available to escort any person leaving the campus and is concerned for his/her security or safety to their vehicle by contacting the Security Office at (256) 683-2303.

STUDENT FEEDBACK ON CAMPUS SAFETY AND SECURITY

Student surveys are conducted on a regular basis. The College can also provide voluntary, confidential opportunities for students to provide information. The primary goal of these surveys is to identify areas of the campus that may present vulnerabilities assess services rendered by Campus Police and to alert these vulnerabilities to the , Chief of Police, or the Director of Operations. Security, safety and d Administrative Council meetings or directly to the Chief of Police or the Director of Operations.

I.D. CARDS AND BADGES

To further ensure the security of faculty, staff, and students, Drake State issues I. D. badges to staff and faculty and students. Additionally, there are signs posted throughout the campus directing visitors to the Business Office. Campus Police or any Drake State College official have the authority to ask persons for identification and to determine whether they have a legitimate need to be on the campus before providing access to campus facilities.

CRIME PREVENTION AND SAFETY EDUCATION AND AWARENESS

In order to promote campus safety, the College encourages students, faculty and staff to adhere to the following tips for preventing crime on campus:

Do not leave valuables unattended at any time on the campus. Keep laptops, backpacks, purses, IPODs and other valuables with you at all times

Always lock the doors of your vehicle

Avoid studying in secluded areas; try to find a location where you can still have privacy, but someone can see you

Wear your campus I.D. badge or have an I.D. card in your possession while on the campus

know

Report any suspicious behavior to Campus Police at 256-551-5223

As indicated above, Campus Police is available to escort anyone to their vehicle, if needed, at any time

Report crimes to Campus Police at (256) 551-5223

Officers from HPD are available to visit the campus periodically and hold seminars addressing crime prevention, as is the ACCS Chief Safety and Security Officer. Published reading material will also be on display throughout the campus for students regarding campus crime prevention throughout the campus.

FIREARMS POLICY

Act 2013-

dated 4/13/2016, prohibits firearms on campus or on any other facility operated by the institution. According to Code of Alabama 16-60-111.4; Act 2022-133, the following are exceptions to this policy:

1. Law enforcement officials legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties.
2. An instructional program in which firearms are required equipment.
3. Individuals not otherwise prohibited from possession of a firearm by state or federal law

motor vehicle while parked or operated on the grounds of the institution; provided, that the individual satisfies all of the following conditions: (a) If the firearm is a pistol, the individual is not generally prohibited from possession of a pistol by state or federal law. (b) If the firearm is any firearm legal for use for hunting in Alabama other than a pistol: (1) The individual possesses a valid Alabama hunting license. (2) The firearm is unloaded at all times while on the grounds of the institution. (3) It is during a season in which hunting is permitted by Alabama law or regulation. (4) The individual has never been convicted of any crime of violence. (5) The individual has no documented prior incidents on the grounds of the institution involving the threat of physical injury or which resulted in physical injury to another. (c) The motor vehicle is operated or parked in a location where it is otherwise permitted to be. (d) The firearm is either of the following: (1) In a motor vehicle attended by
ehicle. (2)

In a motor vehicle unattended by the individual, kept from ordinary observation and locked

Fall Semester

DAAPP Release of Information (Student Letter) Before October 1st Dean of Students

DAAPP Release of Information (Employee Letter) Office of Human Resources

New Horizons Open Session (Students and Employees)

S/tter)

CRIMES REPORTABLE TO THE DEPARTMENT OF EDUCATION

The following are the crimes that are reportable to the U.S. DOE along with definitions:

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

Hate Crime - A criminal offense that manifests evidence that the victim was intentionally
Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin and Disability)

Dating Violence - (See Definition on page 22).

Domestic Violence - (See Definition on page 22).

Stalking - (See Definition on pages 22).

Weapons: Carrying, Possessing, Etc. - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: manufacture, sale or possession of deadly weapons

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)

regularly offers sexual assault, domestic violence, dating violence and stalking prevention workshops. For more information, contact the Director of Operations, Dean of Instruction, Dean of Students, Assistant Dean of Instruction or the Student Success Specialist for details.

DEFINITION OF CONSENT

participants to engage in

(no matter how indecisive) or resistance (no matter how passive) constitutes the lack of consent.

There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. It also means that at the time of sexual contact, words or conduct indicate freely given approval or agreement, without coercion by both participants in the sexual contact. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

An individual is unable to give consent if he or she is:

Substantially physically or mentally impaired by alcohol or drugs (including so-

Forced or threatened

Physically incapable of resisting assault, or is asleep or unconscious

LOCAL/STATE SEX OFFENSE POLICIES OR CODES

The on-going prevention and awareness campaign for students and employees generally commences during the Fall Semester with an annual disclosure and the distribution of the Annual Security Report by October 1, handbook distribution, activities throughout the year, year-round orientation and a biennial evaluation.

The biennial review report and supporting documents are maintained by the Office of the Dean of Students and are made available to the U.S. DOE upon request.

Awareness Programs - Individual goals, activities and/or information targeted to faculty, staff and students with the purpose of developing knowledge of dating violence, domestic violence, sexual assault and stalking (e.g. Oakwood University Police Department visited the campus and provided a presentation to faculty on Sexual Assault Prevention).

Bystander Intervention - Information, training and strategies to provide bystanders with the resources they need to safely intervene and/or report dating violence, domestic violence, sexual assault and stalking (e.g. calling the campus or local counseling/crisis center for support and

Failure to comply with the authority of college officials acting within the capacity of their positions or any other activity or conduct not specifically stated herein which impairs or endangers any person or property of the College is considered to be in violation of college rules and regulations.

The College is committed to assuring its employees and students work and learn in an environment free from discrimination and/or sexual harassment.

Discrimination means making a difference in treatment in any service, program, course or facility for Drake State on the basis of race, color, creed, gender (*including gender identity*), religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

Harassment means the use of verbal or physical conduct which does the following:

1. Has the purpose or effect of creating an intimidating, hostile or offensive academic or employment environment;
2. Has the purpose or effect of unreasonable interference with an academic or employment performance;
3. Otherwise adversely affects academic or employment progress.

sexual advances, unwelcomed physical contact of a sexual nature, unwelcomed requests for sexual favors and other verbal or physical conduct of a sexual nature (including, but not limited to the deliberate repeated making of unsolicited gestures or comments or the deliberate or repeated display of sexually graphic materials which are not necessary for educational purposes), when the following conditions exist:

Submission to such conduct is made either explicitly or implicitly a term

NONDISCRIMINATION POLICY STATEMENT

sexual activities or comments into the workplace or learning environment. While sexual harassment may involve relationships among equals, it often involves relationships of unequal power, giving rise to elements of coercion centered on sexual activity for opportunities of benefit such as improved job or academic status.

Each employee of the College is responsible for the enforcement of this policy and for setting an example with respect to conduct. The exploitation of institutional, academic or supervisory authority to sexually harass students, faculty or staff is a form of illegal sex-based discrimination. Violation of this policy is a violation of Title IX of the Education Rights Act of 1972 and Title VII of the Civil Rights Act of 1964. Further, violation of this policy can lead to suspension or termination of employment or student status, liability for the College and civil or criminal liability for the harassing employee.

Individuals or any class of individuals who believe that they have been subjected to discrimination prohibited by Titles VI, VII, IX or Section 504 may
Title IX Coordinator (Students) at (256) 551-

INITIAL STEPS TO RESOLVE A COMPLAINT

Informal Complaint Referral Chart

Issue	1 st Response - Level I	2 nd Response - Level - II
Academic Instructor Concerns	Instructor	Division Chair
Grade Appeals	Instructor	Division Chair
Academic Probation/Suspension	Admission Records	Registrar/Director of Financial Aid
Admissions Application Process	Admissions	Director of Admissions/Enrollment Services
Assessment/Testing Center	Testing Center Coordinator	Dean of Students
Academic Advising	Instructor	Division Chair
Canvas Technical Assistance	IT Help	IT Coordinator
Bookstore	Chief Accountant	Executive Director of Fiscal Affairs & Administrative Services
Campus Tours	Recruiter/Enrollment Advisor	Director of

Assurance of alternative class or working arrangements
Suggestion of alternative housing arrangements
Availability of counseling services
Access to Sexual Assault and Response Team (SART) Advocates
Availability of medical services
Academic support services (e.g. Tutoring)
Arrangement for course withdrawal (without penalty) or adverse changes to an academic record

Written Explanation of Rights

(located in the Dean of Students office) for students and staff were designed to provide students, faculty and staff with access for information, whether the incident occurred on the campus or not. The handbook includes information on local counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, bystander intervention, student financial aid and other services available for victims both within the institution and in the community. The handbook also includes the availability of changes to the academic, living, transportation and working situations and whether or not the incident should be reported to law enforcement.

INSTRUCTIONS FOR VICTIMS OF SEXUAL ASSAULTS

In the event you or another person becomes a victim of sexual assault, it is to remember specific details to follow. The single most important thing to do is to tell someone (law enforcement, friend, medical professional, etc.). The following are recommended procedures to follow:

1. Do not shower, wash or change your clothes.
2. Do not brush your teeth.
3. Preserve any evidence such as clothing, used condoms, towels, tissue or other items which may be useful for investigative purposes.
4. If the incident occurs on campus, contact Campus Police at (256-551-5223). If the incident occurs at one of the non-campus locations, dial 911.
5. Immediately seek medical attention.
6. Seek counseling to assist with mental and emotional trauma.

BYSTANDER INTERVENTION

Bystanders play a critical role in the prevention of sexual prevention of sexual and

or do

(located in the Dean of Students office) for students and staff provides information on bystander intervention. The following link also provides useful information to help bystanders make informed decisions: <https://www.nsvrc.org/bystander-intervention-online-learning-opportunities>.

VICTIM CONFIDENTIALITY

Drake State recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports ultimately made to HPD, including if criminal prosecution is pursued, may be made public and shared with the accused when criminal charges are filed. Reports made to college officials will be kept mostly confidential and identifying information about the complainant shall not be made public. Reports made to medical professionals and licensed mental health counselors will not be shared with third parties except in cases of imminent danger to the complainant or a third party. The College will not

accommodation or protective measure will be confidential unless it interferes with the

DUE PROCESS

The College is committed to ensuring an environment for all employees and students which is fair, humane and respectful. The College assures each student that no action will be taken on grounds that are not supported by policies and procedures. Emphasis will be placed upon achieving an equitable resolution to problems rather than seeking to emphasize guilt or punishment.

Survivors will be provided "rape shield" protections and are not required to divulge any

6. The accuser, accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.

colleges. The Chancellor is assisted in these duties by the staff of the System Office, formerly known as the Alabama Department of Postsecondary Education. Consumer and student complaints that are not resolved at the institutional level are thus arbitrated at the state level by the ACCS System Office.

ACCS is committed to respecting and supporting the work of its member institutions and to providing a quality educational experience for all students. The objective of the student complaint process is to ensure that the concerns and complaints of students are addressed fairly and are resolved promptly. ACCS requires each institution to establish its own procedures to address student grievances and complaints. A student must exhaust his/her

6. the
completion of any required corrective action.
7. The regional office of the Office of Civil Rights of the U.S. Department of Education within 180 days of the discriminatory act;
8. The Equal Employment Opportunity Commission within 180 days of the discriminatory act.

SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS COMMISSION (SACSCOC) FEDERAL REQUIREMENT 12.4

Student Complaints Statement of Compliance

In compliance with SACSCOC accreditation Federal Requirement 12.4, the College recognizes that in order to efficiently and effectively carry out its mission, its students must feel confident that any valid complaint a student makes will be promptly addressed by the appropriate authorities. With its student-centered focus, Drake State is very sensitive to the fair and professional treatment of student issues, whether those issues involve complaints, academic issues or disciplinary matters.

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. Records of student complaints are also maintained and can be accessed upon request from SACSCOC. To date, having adequate procedures for addressing written student complaints and demonstrating that Drake State follows those procedures when resolving student complaints has not been challenged.

Contact the Southern Association of Colleges and Schools Commission on Colleges directly at 1866 Southern Lane, Decatur, GA 30033, Phone: (404) 679-4500 for questions about the accreditation of J.F. Drake State Community and Technical College.

GRIEVANCE AND APPEALS – EMPLOYEES

Employees follow ACCS Policy 620.01, Employee Grievance dated 4/10/2019, and ACCS Policy 620.02, Employee Complaint dated 11/10/2020, (see pages 40-41 of this ASR). This information is also Employee Handbook.

7. Complaints or Reports concerning sexual harassment should be made, processed and addressed under Policy 620.03 - Sexual Harassment Complaint Procedures.

ACCS Policy 620.01: Employee Grievance, Effective April 10, 2019

This policy is intended to cover grievances between and amongst employees of an ACCS entity about general workplace issues, conduct, or professionalism. This policy does not apply and cannot be used against a President. This policy is not intended to cover complaints regarding discrimination, harassment, hostile work environment, ethical concerns, or other legal-related matters, which are covered under Policy 620.02.

Any employee who claims a grievance (or who is reporting an

activities of the student. Any conduct in violation of this code while on probationary status may result in the imposition of further action.

Discrimination -Making a difference in treatment in any service, program, course or facility for Drake State on the basis of race, color, creed, gender, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

Domestic Violence - A felony or misdemeanor crime of violence committed by; (1) A current or former spouse or intimate partner of the victim; (2) A person with whom the victim shares a child in common; (3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; and (5) Any other person against an adult or youth victim

religion, ethnicity, national origin, gender identity, sexual orientation or disability.

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

Liquor Law Violations - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification are the following: (1) The manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; (2) Bootlegging; (3) Operating a still; (4) Furnishing liquor to a minor or intemperate person; (5) Underage possession; (6) Using a vehicle for illegal transportation of liquor; (7) Drinking on a train or illegal possession or use

**ALABAMA TITLE 13 A - CRIMINAL CODE, ARTICLE 4-SEXUAL
OFFENSES**

Section 13A-6

(3) He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.

(b) Rape in the first degree is a Class A felony.

Section 13A-6-62 Rape in the second degree.

(a) A person commits the crime of rape in the second degree if:

(1) Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.

(2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally

Section 13A-6-130 Domestic violence - First degree.

(a) A person commits the crime of domestic violence in the first degree if the person commits the crime of assault in the first degree pursuant to Section 13A-6-20 or aggravated stalking pursuant to Section 13A-6

(c) The minimum term of imprisonment imposed under subsection (a) shall be double without consideration of probation, parole, good time credits, or any reduction in time if the offense was committed in the presence of a child under the age of 14 years at the time of the offense, if the victim was the parent or legal guardian of the child. For purposes of this subsection, "in the presence of a child" means in the physical presence of a child or having knowledge that a child is present and may see or hear the act.

Section 13A-6-132 Domestic violence -

(2) SUFFOCATION. Intentionally causing asphyxia by depriving a person of air or by preventing a person from breathing through the inhalation of toxic gases or by blocking or obstructing the airway of a person, by any means other than by strangulation.

(b) ~~Strangulation~~ ~~Whittell~~ ~~(18~~ ~~(in~~ ~~Section~~ ~~13A-6-70~~ ~~by~~ ~~17~~ ~~92~~ ~~re~~ ~~W~~ ~~*n~~ ~~BT~~ ~~/~~ ~~F~~ ~~5~~ ~~12~~ ~~.~~ ~~96~~ ~~Tf~~ ~~1~~ ~~0~~ ~~0~~ ~~1~~ ~~251~~ ~~.~~ ~~69~~ ~~618~~ ~~.~~ ~~94~~ ~~7~~ or she commits an assault with intent to cause physical harm or commits the crime of menacing pursuant to Section 13A-6-23, by strangulation or suffocation or attempted strangulation or suffocation against a victim, as the term is defined in Section 13A-6-139.1.

(c) Domestic violence by strangulation or suffocation is a Class B felony punishable as provided by law.

Section 13A-6-70 Lack of consent.

(a) Whether or not specifically stated, it is an element of every offense defined in this article, with the exception of subdivision (a) (3) of Section 13A-6-65, that the sexual act was committed without consent of the.00000912 0 612 792 reW*nBT/F5 12.96 Tf1 0 0 1 251.69 618.94 7

reasonable fear of death or serious bodily harm is guilty of the crime of stalking in the first degree.

(b) The crime of stalking in the first degree is a Class C felony.

Section 13A-6-90.1 Stalking in the second degree.

(a) A person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct is guilty of the crime of stalking in the second degree.

(b) The crime of stalking in the second degree is a Class B misdemeanor.

Section 13A-6-91 Aggravated stalking in the first degree.

(a) A person who violates the provisions of Section 13A-6-90(a) and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the first degree.

(b) The crime of aggravated stalking in the first degree is a Class B felony.

Section 13A-6-91.1 Aggravated stalking in the second degree.

(a) A person who violates the provisions of Section 13A-6-90.1 and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the second degree.

(b) The crime of aggravated stalking in the second degree is a Class C felony.

Section 13A-6-92 Definitions.

As used in this article, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise.

(a) **COURSE OF CONDUCT.** A pattern of conduct composed of a series of acts over a period of time which evidences a continuity of purpose.

(b) **CREDIBLE THREAT.** A threat, expressed or implied, made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the

threat to fear for his or her safety or the safety of a family member and to cause reasonable mental anxiety, anguish, or fear.

(c) **HARASSES.** Engages in an intentional course of conduct directed at a specified person which alarms or annoys that person, or interferes with the freedom of movement of that person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress and must actually cause substantial emotional distress. Constitutionally protected conduct is not included within the definition of this term.

RESOURCES

Alcoholics Anonymous.....	(256) 885-0323
Bradford Health Services Huntsville Regional Office	(256) 895-3848
Student Success Specialist	(256) 551-7265
Crestwood Medical Center Behavioral Health	(256) 429-5480
Crestwood Medical Center	(256) 429-4000
Crisis Services Center of North Alabama	(256) 716-1000
Dean of Instruction.....	(256) 551-5226
Dean of Students	(256) 551-3129
Director of Operations	(256) 426-5047
Campus Police	(256) 551-5223
Executive Director of Fiscal Affairs & Administrative Services	(256) 551-3130
Emergency (24 hours).....	911
Huntsville Hospital	(256) 265-1000
Huntsville Police Department (HPD)	(256) 722-7100
Madison City Police Department (MCPD).....	(256) 772-7190
Madison County Police Department (MCPD)	(256) 772-5689
Madison Hospital	(256) 265-2012
Campus Police	(256) 551-5223
Narcotics Anonymous.....	(800) 230-5109
New Horizon Recovery Center	(256) 532-4141

College President (256) 551-3117
Sexual Assault Response Team (SART) (800) 691-8426
Substance Abuse and Mental Health Services (800) 662-4357