

# **BISHOP STATE**

## **COMMUNITY COLLEGE POLICE DEPARTMENT**



### **2023 Annual Security & Fire Safety Report**



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Bishop State Community College is a state-supported, open-admission, urban community college located in Mobile, Alabama. The College consists of three city campuses and several educational sites, dedicated to serving the residents of Mobile and Washington counties in southwest Alabama. The College is part of the Alabama Community College System, the state-supported network of two-year community, junior, and technical colleges that serves the residents of Alabama. Bishop State offers university transfer programs for students wanting to continue their education at a four-year school, or for those who seek to start careers right away, the College's one and two-year career programs can put students on the fast track to rewarding jobs. Bishop State instructors are in touch with labor-market trends and job requirements, so their students can be assured they will get the education they need for success.

It is the College's mission to provide its students with a quality and affordable education that equips them with the skills and knowledge needed to successfully enter the workforce and thrive.

This is why Bishop State is ***Mobile's Community College!***

### **Our Vision**

Bishop State Community College will be a comprehensive learning institution that equips students and the community with the skills, knowledge, and ability to achieve real-world success.

### **Our Mission**

Bishop State Community College promotes career pathways through open access to an affordable, quality education in a diverse and inclusive environment.

## Welcome

It is my distinct privilege on behalf of The Bishop State Community College Police Department to welcome you to our campus. We desire to be an integral part of the Bishop State campus community. Whether you are a student, faculty, staff, or guest to Bishop State, we strive to make your stay on campus a safe and pleasant experience.

Bishop State Community College Police Department publishes the Annual Crime and Safety report which includes crime and fire statistics and outlines security and fire safety policies and procedures. We are committed to safety, security, and fair and impartial treatment of all. Please take the time to familiarize yourself with this report so you can become an informed member of our community and contribute to the College's efforts to create and maintain a safe environment in which we all can live, study, work, and play.

The members of the Bishop State Community College Police Department are committed to providing high-quality public safety services with a strong emphasis on customer service.

### To accomplish this goal

- We pledge to honor the spirit and letter of the laws we are charged to uphold.
- We will dedicate full attention to our duties to promote a safe environment while earning and maintaining the public's trust.
- We will endeavor to continually enhance our professional skills and knowledge.
- We will hold each other accountable for demonstrating professional and ethical behavior.
- We will actively identify and pursue opportunities to improve our department and the way we serve the campus community.

The hallmark of our service is a constant dedication to the principles of honesty, integrity, fairness, courage, and courtesy. Please let us know how we can best serve you.

Don't hesitate to contact Bishop State Community College Police Department whenever you need assistance or more information about the services we provide.



**Tonikos L Vandiber, Chief of Police**

## Bishop State Community College Police Department Mission Statement

The Bishop State Community College Police Department is committed to improving campus safety. We strive to create a safe campus community by utilizing technology and working collaboratively with campus wide partners. We strive to develop and implement innovative community policing and crime prevention strategies. These strategies have the intent to create safe learning environments that promote career pathways through open access to an affordable, quality education in a diverse and inclusive environment.

## Bishop State Community College Police Department Vision Statement

To provide high quality solutions to meet the changing needs of our campus community.

<b>Bishop State Campus Police Contact Information</b>	
<b>Main Campus Police</b>	(251) 405-7060
<b>Central Campus Police</b>	(251) 331-0328
<b>Carver Campus Police</b>	(251) 331-1815
<b>Southwest Campus Police</b>	(251) 331-1175
<b>Theodore Offsite</b>	(251) 405-7060
<b>Truck Driving Locations</b>	(251) 405-7060
<b>Campus Police e-mail</b>	<a href="mailto:campuspolice@bishop.edu">campuspolice@bishop.edu</a>

## Police Department Directory

<b>Name</b>	<b>Email</b>	<b>Number</b>	<b>Role/Title</b>
Tonikos Vandiber	<a href="mailto:tvandiber@bishop.edu">tvandiber@bishop.edu</a>	251-405-7062	Chief of Police
Anthony Patton	<a href="mailto:apatton@bishop.edu">apatton@bishop.edu</a>	251-405-7056	Police Officer
Karen Harris	<a href="mailto:kharris@bishop.edu">kharris@bishop.edu</a>	251-665-4085	Police Officer
Prendis Sullivan	<a href="mailto:psullivan@bishop.edu">psullivan@bishop.edu</a>	251-662-5399	Police Officer
Nathaniel James	<a href="mailto:njames@bishop.edu">njames@bishop.edu</a>	251-405-7060	Police Officer
Halbert Clark II	<a href="mailto:Hclarkii@bishop.edu">Hclarkii@bishop.edu</a>	251-405-7060	Police Officer
Venita Warmack	<a href="mailto:vwarmack@bishop.edu">vwarmack@bishop.edu</a>	251-405-7069	Dispatcher

## The Bishop State Campus Police Department

True to its mission of providing a safe learning, teaching, and working environment, the Bishop State Campus Police Department requires its personnel to exercise the highest degree of discretion, human relations, and community problem-solving skills.

The Department exists to protect life and property, manage emergencies, maintain a successful parking and traffic system, prevent crime, and be a general service to the college community. We strive to fulfill these responsibilities in a professional manner.

### **Law Enforcement Authority of Bishop State Campus Police**

In 1999, Bishop State Community College initiated its own Campus Police Department that consists of APOST (Alabama Peace Officers Minimum Standards and Training) certified police officers with full arrest powers. Campus Police officers receive their powers and authority from the Code of Alabama 1975 as amended 16-22-1, 16-22-2. These police officers are vested with all the powers, authority, and responsibilities of any state law enforcement officer. Campus Police will be on campus any time the campus is open for business. Campus Police is supported by contract security officers as needed. Contract security officers do not have the power of arrest.

### **Working Relationship with Local Law Enforcement**

All Bishop State campuses are located geographically within the City of Mobile, Alabama. Bishop State Community College Campus Police has jurisdiction over criminal matters occurring within the campuses of Bishop State, but when the situation dictates, campus police personnel will call outside agencies for assistance, which could assume primary investigative responsibility, upon request of the campus chief of police for certain major crimes that would likely exhaust the capabilities of the college. Our campus police department works closely with all local, state, and federal law enforcement agencies and Emergency Management Agency (EMA).

The prosecution of all criminal offenses committed on a campus is conducted, depending on the classification of the offense as a federal offense, a state felony or misdemeanor, municipal ordinance, in the federal district court of South Alabama, the state circuit or district court of Mobile County, or the Mobile municipal court. The Bishop State Police Department maintains a cooperative working relationship with other state and surrounding local law enforcement agencies and participates in both state and national campus law enforcement associations.

The Bishop State Police Department prepares and submits reports regarding criminal offenses to the Federal Bureau of Investigation to which all authorized law enforcement agencies report statistical data. Additionally, "real-time" information is made available to other local, state, and federal law enforcement agencies on arrests and serious crime. Information regarding reported stolen vehicles, property, and wanted individuals are

shared through the National Crime Information Center (NCIC) through which Mobile Police Department maintains a 24-hour computerized link.

## **Other Services**

The Bishop State Police Department also provides safety and general support services tailored to meet the needs of the campus community. These services include but are not limited to the following:

- Assisting campus motorists with minor vehicle problems
- Prepare reports on motor vehicle accidents.
- Patrol campus streets and parking areas to enforce Bishop State parking regulations and state and local traffic laws.
- Coordinate security for college sponsored campus events.
- Provide crime prevention and safety presentations.
- Maintain a Lost and Found repository.
- On-campus safety escorts.
- Conducting criminal investigations to prepare cases to submit to district attorney and grand jury.

## **Reporting On Campus Crimes and Other Emergencies**

It is the policy of the College to strongly encourage students, employees, and visitors to Bishop State to promptly contact the college police, or 911 about any criminal activities, accidents or medical emergencies occurring on-campus. Reporting a crime does not mean an individual must take legal action - it may, however, help law enforcement stop further incidents as well as help them keep the community informed about criminal activity. We also urge students, employees, and visitors to inform campus police of any restraining orders or protection from abuse orders issued on their behalf. Informing campus police will allow for appropriate enforcement of those court orders. **To make a report by phone, call 251-405-7060** and report the situation to the Campus Police. In emergency situations, including fires and medical emergencies, call 911. All 911 calls made from Bishop State will be responded to by the Mobile Police Department and Bishop State Police.

## **What is the Annual Security and Fire Safety Report?**

In compliance with the 1998 amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, (formerly known as the Crime Awareness and Campus Security Act of 1990) and Department of Education regulations, the Bishop State Community College Police Department publishes crime statistics for the three most recent calendar years and Bishop State Community College security-related policies and procedures. This information is distributed each year to enrolled students and current employees and is also made available to prospective



employees and students. *The Annual Security and Fire Safety Report* informs prospective and current students, faculty, and staff to the general procedures for reporting crimes both on- and off-campus and includes tips on preventing theft of property and crimes of violence, including physical and sexual assaults.

- 1) general criminal offenses,
  - 2) hate crimes by category of prejudice against the victim,
  - 3) Violence Against Women's Act (VAWA) offenses and
  - 4) the reporting of violation arrests and referrals for campus disciplinary action.
- The 2023 Annual report includes crime statistics for the following categories of crimes, as reported to the Bishop State Community College Police Department and other Bishop State Community College Campus Security Authorities, and local law enforcement: homicide (murder, non-negligent and negligent manslaughter); sex offenses (forcible, non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; and arson.
  - The Annual Security and Fire Safety Report reports statistics for the following categories of violation arrests and referrals for campus disciplinary action: liquor law violations, drug law violations, and illegal weapons possession violations. New reporting requirements beginning 2014 included the addition of domestic violence, dating violence and stalking as defined by the VAWA amendments to the Clery Act reporting requirements for universities. These incidents are permanent additions to the Bishop State Community College Annual Security and Fire Safety Report.

### **What is a campus security authority?**

The Clery Act designates members of the campus community as campus security authorities (CSAs). When these individuals become aware of a crime that occurred on or around campus, they have an obligation under federal law to report the information to the Bishop State Community College Police Department, the Title IX Office, or the Clery Compliance Manager. CSAs play a key role in ensuring the safety of the Bishop State community by delivering information to the necessary offices, which in turn helps to ensure that the campus remains informed and that individuals have access to the support and resources they deserve.

Non-certified law enforcement CSAs do not need to investigate a crime but simply need to report information in an accurate and timely manner as our institution has a responsibility to notify the campus community about crimes that pose a serious or ongoing threat to the community.

### **Who is the campus security authority?**

The designation of campus security authority includes:

1. A campus police department or a campus security department of an institution.
2. Any individual who has responsibility for campus security but who does not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

Examples of campus security authorities include but are not limited to:

- All members of the Bishop State Community College Police Department
- Title IX Coordinator, Deputy Title IX Coordinators, and Title IX liaisons
- Coaches and athletic trainers
- Front desk receptionists responsible for limiting access to buildings or areas.
- Building Managers and those with the ability to access buildings or rooms for others.
- Anyone supervising students outside of a classroom environment, including:
  - Student worker supervisors
  - Faculty or staff advisors to student groups/organizations
  - Individuals traveling with students domestically or overseas.
- Individuals who investigate and adjudicate student or employee conduct matters.
- Student/Victim Advocates
- Student Activities Directors
- Anyone to whom a department or the University instructs individuals to report crimes.

**Faculty members who only teach and have no other duties do not need to be classified as CSAs. However, anyone who has significant responsibility for student activities and/or campus activities is considered a CSA.**

The only individuals that are expressly exempt from being CSAs under the Clery Act are professional or pastoral counselors while operating within the scope of their license. However, Bishop State does collect reportable crimes for inclusion in our annual report from our community health partners. The reports received from these areas do not contain any identifying information regarding the victims or reporting party, as that information is not required for Clery Act compliance.

**Why am I a campus security authority?**

You were identified by a school, department, organization, or program as meeting the definition of a campus security authority. CSAs are identified and notified each semester to ensure they know how to report Clery Act Crimes of which they become aware.

Your role as a CSA is important not only because it is a federal obligation, but also because you are in a position in which someone is likely to come to you with such information and trusts you will be able to provide them with helpful guidance and direction.

### **Bishop State Clery Categories and Geography Maps**

All statistical categories and data are broken down by geographic area as they relate to Bishop State Community College: On-Campus, Non-Campus Building Property, and Public Property.

Bishop State works with the Mobile Police Department, Jackson Police Department, Mobile County Sheriff’s Office, and Alabama Law Enforcement Agency for crime statistics taken from public property areas within campus or adjacent to campus to be included in the Annual Campus Safety and Fire Report.

### **Bishop State Community College Campus Locations and Campus Maps**

[Bishop State Campus Maps 2022](#)

<b>Campus/Site</b>	<b>Address</b>
Main	351 North Broad Street, Mobile, AL 36603
Southwest	925 Dauphin Island, Pkwy Mobile, AL 36605
Carver	414 Stanton Rd, Mobile, AL 36617
Truck Driving (Mobile, AL)	4551 Halls Mill Rd, Mobile, AL 36693
Truck Driving (Jackson, AL)	2405 Coffeerville Rd, Jackson, AL 36545
Theodore	5808 US-90, Mobile, AL 36582

Agency	Number / Services/ Campus Service Area
Mobile Police Department	Emergency in area 911  Non-emergency 251-208-7211  Law Enforcement / Main Campus/ Carver/ Southwest/ Truck Driving (Mobile)
Mobile Fire & Rescue	Emergency in area 911 / Fire and Medical/ Main Campus/ Carver/ Southwest / Truck Driving Mobile
Mobile County Sherriff's Office	Emergency in area 911  Non-emergency 251-574-2423  Law Enforcement/ Theodore Offsite
Theodore Dawes Fire and Rescue	Emergency in area 911 / Fire and Medical/ Theodore Offsite Non-emergency 251-662- 1244
Jackson Police Department	Emergency in area 911  Non-Emergency 251-246-4484  Truck driving Jackson, Al
Jackson Fire & Rescue	Emergency in area 911  Non- Emergency  251-246-2461

**Clery Geography Definitions**

**On-Campus** – Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct

support of, or in a manner related to, the institution's educational purposes, including residence halls, and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**Non-Campus Building Property** – Any building or property owned or controlled by a student organization recognized by the institution; or any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes; is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.

### **Availability of the Annual Security and Fire Safety Report**

Each year, an email notification is sent to all enrolled students, faculty, and staff, informing them of the exact address (URL) of the website where the report is posted. The notification includes a statement that a paper copy of the Annual Security and Fire Safety Report is available upon request.

A printed copy of this report may be obtained by request at the Bishop State Community College Police Department, located inside of the Delchamps Student Life Complex Room 103 Suite C; or by email at tvandiber@bishop.edu; or by writing:

Bishop State Community College Police Department  
Attn: Chief of Police  
351 North Broad Street  
Mobile, Alabama 36603

### **Preparation of the Annual Security and Fire Safety Report**

Bishop State issues an Annual Security and Fire Safety Report of criminal reports made to Campus Security Authorities (CSAs) and law enforcement agencies for property or facilities.

The Annual Security and Fire Safety Report includes reported crimes alleged to have occurred on the campus and facilities owned or leased by Bishop State Community College and/or recognized student organizations. It includes the following reports of crime: Murder and non-negligent Manslaughter, Manslaughter by negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Hate Crimes, VAWA Offenses (Dating Violence, Domestic Violence, Stalking), Weapons Violations, Drug Abuse Violations, and Liquor Law Violations. Information and statistics obtained from the UPD, Student Affairs, Office of Student Conduct, Title IX and CSAs are forwarded to the Chief of Police. The results are then tabulated and entered the Department of Education's website as required by law. The ASFSR is then compiled from this data.

## **Bishop State Response to a Crime Report**

Once you report a crime to the Bishop State Community College Police Department, an officer will meet with you, listen to what happened, and, if necessary, make a preliminary report. Next, an officer serving as investigator will review the report and conduct a follow-up investigation. If a suspect is found, and you decide to press charges, information will be presented to a warrant magistrate or may be presented to a grand jury, who decides if there is legal reason to arrest the suspect. If a legal reason is founded for arrest, Bishop State officers will assist you throughout the process. A court date will be set, and you may have to be present to testify.

## **Voluntary Confidential Reporting**

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.

With your permission, the Chief of Police, or a designee of the 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 the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. Under the law, campus pastoral and professional counselors, when acting as such, are not considered CSAs and are not required to report crimes for inclusion in the annual disclosure of campus crime statistics. As a matter of policy, however, Bishop State Community College Police Department encourages counselors, if and when they deem it appropriate, to inform counseled victims of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Crimes reported to counselors at Student Counseling Services are not included unless the victim chooses to report separately to a CSA.

## **Emergency Notifications, Evacuation Procedures, and Timely Warnings**

It is the policy of Bishop State Community College to quickly inform the campus community of conditions posing a threat to life, safety, security, and/or property, so appropriate precautionary measures may be taken. To carry out this policy, the college has developed procedures to facilitate notice to and, if appropriate, evacuation of members of the campus community in the event of a confirmed active emergency posing an immediate threat or a potential emergency posing a reasonably likely threat. Regarding "Timely Warnings" the names of victims will be withheld from any statement issued to the campus community.

The campus employs an emergency notification system commonly known as "Wildcat Alert" to provide emergency warnings and follow-up information to the campus community. Wildcat Alert will ensure that this information is automatically delivered to the campus community at the e-mail address and phone numbers (by voice and/or text message) that have been provided within moments of any such alert being sent by the college.

Certain college officials have been granted authority by the College President to authorize emergency notifications. These officials are referred to as Responsible Authorizers.

The activation process is initiated when a report of an emergency posing an immediate or reasonably likely threat is made to the Bishop State Police or to another Responsible Authorizer. The Responsible Authorizer is to confirm that such a threat does exist and approve the wording and content of the message, considering pre-approved message templates, the nature of the impacted population on campus, and the actions the impacted population should take.

Finally, the Responsible Authorizer is to direct that notification be provided through activation of Wildcat Alert. These actions are to be taken without delay, unless issuing a notification will, in the professional judgment of the Responsible Authorizer, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The Wildcat Alert system is tested during the fall, spring, and summer semesters. Also, building fire drill evacuations and other evacuation exercises are held at least annually. Tests and drills may be announced to the campus community beforehand or may be unannounced. After action reports are prepared to document the nature of the test or drill, its date/time, whether it was announced or unannounced and evaluative observations regarding system and personnel performance. If criminal incidents occur on campus that do not pose an immediate danger to the community, but the possibility of reoccurring or similar incidents exists, timely warnings describing those incidents will be made and disseminated to all faculty, staff, and students.

For assistance with receiving emergency notifications, please contact Campus Police at (251) 405-7060.

## Emergency Procedures

Reporting Emergency Situations Medical, Fire, and Non-Emergency		
Department	Contact Information	Website
Bishop State Police	(251) 405-7060 tvandiber@bishop.edu	<a href="https://www.bishop.edu/about-us/campus-safety">https://www.bishop.edu/about-us/campus-safety</a>

Title IX Office	(251) 655-4169 cbumpers@bishop.edu	<a href="https://www.bishop.edu/student-services/title-ix">https://www.bishop.edu/student-services/title-ix</a>
ADA Office	(251) 405-7156 adaoffice@bishop.edu	<a href="https://www.bishop.edu/student-services/ada-accommodations">https://www.bishop.edu/student-services/ada-accommodations</a>
Food & Hygiene Pantry	(251) 405-7017 smcdonald@bishop.edu	<a href="https://www.bishop.edu/student-services/wildcat-care">https://www.bishop.edu/student-services/wildcat-care</a>
Counseling	(251) 405-7088 counseling@bishop.edu	<a href="https://www.bishop.edu/student-services/counseling-services">https://www.bishop.edu/student-services/counseling-services</a>

**Reporting Off-Campus Emergency Situations Medical, Fire,  
and non-Emergency**

Department	Number	Website	Physical Location
Mobile Police Department	(251) 208-1700	<a href="https://www.mobilepd.org">https://www.mobilepd.org</a>	2460 Government Blvd Mobile, AL 36606
Mobile Fire & Rescue	(251) 208-5818	<a href="https://www.cityofmobile.org/fire/">https://www.cityofmobile.org/fire/</a>	701 St Francis St Mobile AL 36602
Mobile County Sheriff's Office	(251) 574-2423	<a href="https://www.mobileso.com/">https://www.mobileso.com/</a>	510 South Royal St Mobile, AL - 36603
Alabama Law Enforcement Agency	(251) 660-2530	<a href="https://www.alea.gov/">https://www.alea.gov/</a>	3400 Demetropolis Road, Mobile, AL 36693
Lifeline Counseling	(251) 602-0909	<a href="http://www.lifelinesmobile.org/">http://www.lifelinesmobile.org/</a>	705 Oak Cir Dr E, Mobile, AL 36609

### 1.Criminal Acts

- A. The Campus Police Department has primary jurisdiction for response, and investigation of all criminal actions on campus property.
- B. To report a crime, notify Campus Police at the appropriate campus.

### 2. Suspicious Acts

- A. Call the campus police (251) 405-7060
- B. Provide the following information:
  - a. Your name and contact information.
  - b. The time and location of the suspicious activity.
  - c. A description of a suspicious activity.
  - d. If possible, provide a license plate number or other identifying information about the person or vehicle involved.
- C. Stay calm and be as detailed as possible.



D. Do not approach suspicious people or activity.

### 3. Medical Emergencies

- A. **Call 911 immediately.** This is the most important step. The sooner medical help arrives, the better the chances of the person recovering.
- B. Stay with the person and provide first aid if you are trained to do so. If you are not trained, do not move the person unless they are in immediate danger.
- C. Direct others to call 911 or help with first aid. If you are alone with the person, ask someone to call 911 and stay with you until help arrives.
- D. Provide the dispatcher with the following information:
  - a. The location of the emergency.
  - b. The nature of the emergency.
  - c. The condition of the person.
  - d. Any other relevant information.
- E. Stay calm and reassure the person until help arrives. This can be difficult, but it is important to stay calm and focused in order to help the person.
- F. Here are some additional tips for responding to a medical emergency on campus:
- G. If the person is unconscious, check for a pulse and breathing. If they are not breathing, start CPR.
- H. If the person is bleeding heavily, apply pressure to the wound with clean clothes.
- I. If the person is having a seizure, do not try to restrain them. Just stay with them and make sure they do not hurt themselves.
- J. If the person is having an allergic reaction, call 911 immediately and give them their EpiPen or other FDA approved epinephrine autoinjector if they have one.

### 3. Fire

- A. **Evacuate the building immediately.** This is the most important step. If you are in a building and a fire alarm sounds, evacuate the building as quickly as possible. Do not use elevators. Use the stairs to exit the building.
- B. Close doors behind you as you evacuate. This will help to contain the fire.

- C. Go to the designated safe assembly area outside of the building. This area will be designated by signs.
- D. Wait at the safe assembly area until the fire department arrives and gives the all-clear to return to the building.
- E. Here are some additional tips for evacuating a building during a fire:
- F. Stay calm and do not panic.
- G. Help others evacuate if they are unable to do so themselves.
- H. Be aware of your surroundings and watch out for obstacles.
- I. Do not re-enter the building until the fire department gives the all-clear.
- J. If you are unable to evacuate the building due to a disability or other reason, you should shelter-in-place. This means staying in the room where you are and closing the door. Seal any cracks around the door with a towel or blanket. Call 911 and let them know where you are.
- K. Here are some additional tips for sheltering-in-place during a fire:
- L. Stay calm and do not panic.
- M. Close all windows and doors.
- N. Turn off the air conditioning and fans.
- O. Stay low to the ground where the air is cleaner.
- P. Cover your mouth and nose with a wet cloth.
- Q. Call 911 and let them know where you are.

#### **4. Building Evacuation**

- A. Stop your work and shut down equipment that could become unstable or present a hazard.
- B. Leave the building through the nearest door with an EXIT sign. Do not use elevators.
- C. Report to your designated assembly area.
- D. Wait for instructions from emergency responders.
- E. Take valuables with you but leave large bags behind.

- F. Use the stairs.
- G. If you cannot use the stairs, use an Area of Rescue Assistance.
- H. Wait to re-enter the building until you're cleared to do so by emergency responders.
- I. Assess any damage and modify your evacuation plan for future emergencies.

## **5.Tornado Warning**

- A. If you are indoors, go to the nearest designated tornado shelter or the safest available location. This could be a basement, interior room on the lowest level of a building, or a closet. Stay away from windows and doors.
- B. If you are outdoors, take shelter in a sturdy building. If you cannot find a building, lie down in a ditch or low-lying area and cover your head with your arms.
- C. Do not try to drive through a tornado. Pull over to the side of the road and stay in your car with your seatbelt on.
- D. Stay tuned to local radio or TV stations for updates.
- E. Here are some additional tips for staying safe during a tornado warning:
- F. If you have a disability or other reason that makes it difficult to evacuate, let someone know where you are and what your plan is.
- G. Bring a battery-powered radio with you so you can stay informed of the situation.
- H. Have a plan for how you will communicate with your family and friends in the event of a tornado.
- I. Keep a first-aid kit and other emergency supplies in your home or car.

## **6.Hurricane**

- A. Stay informed. Listen to local radio or TV stations for updates on the hurricane.
- B. Follow the instructions of campus officials. They will be the ones to make the decisions about whether to evacuate or shelter-in-place.
- C. Evacuate if instructed to do so. This is the best way to protect yourself from the hurricane's winds and storm surge.

- D. If you stay on campus, shelter-in-place in a safe location. This could be a basement, interior room on the lowest level of a building, or a closet. Stay away from windows and doors.
  
- E. Bring supplies with you if you evacuate. This includes food, water, medications, a first-aid kit, and other essentials.
  
- F. Check on your neighbors, especially those who are elderly or have disabilities. Make sure they have what they need to stay safe.
  
- G. Do not drive through flooded areas. It is dangerous and could result in your car being swept away.

Here are some additional tips for staying safe during a hurricane:

- Have a plan for how you will communicate with your family and friends in the event of a hurricane.
- Keep a first-aid kit and other emergency supplies in your home or car.
- Secure your home and belongings before the hurricane arrives.
- Be prepared to lose power and water.
- Stay calm and do not panic.

## **7. Bomb Threat**

- A. Stay calm and do not panic. This is important, as panic can lead to confusion and make it more difficult to keep yourself and others safe.
- B. If you receive a bomb threat, report it immediately to campus police. Do not try to investigate the threat yourself.
- C. If you are in the building where the bomb threat was made, evacuate the building immediately. Do not use elevators. Use the stairs to exit the building.
- D. If you are outside the building, stay away from the building. Do not go near the building until the bomb threat has been cleared.

Here are some additional tips for responding to a bomb threat on campus:

- If you see something, say something. If you see anything suspicious, report it to campus police immediately.
- Do not touch or move anything that could be a bomb.

- If you are in a building where a bomb threat has been made, do not leave your belongings behind.
- If you are evacuated from a building, do not return until campus police gives the all-clear.

## 8. Active Shooter

- A. **Run, Hide, Fight.** This is the acronym used to remember the three options you have when faced with an active shooter.
- a. Run: If you can safely evacuate the area, do so. This is your best option if you are able to get away from the shooter.
  - b. Hide: If you cannot evacuate, find a place to hide where the shooter is less likely to find you. This could be a closet, under a desk, or in a bathroom. Silence your phone and turn off any other electronics.
  - c. Fight: As a last resort, fight back if you are able to do so without putting yourself in more danger. Use whatever you have available to you, such as a fire extinguisher, chair, or book.
- B. Here are some additional tips for responding to an active shooter:
- C. Stay calm and do not panic. This is important, as panic can lead to confusion and make it more difficult to keep yourself and others safe.
- D. Be aware of your surroundings and watch out for the shooter. If you see the shooter, do not make eye contact or draw attention to yourself.
- E. If you are hiding, do not make noise or move around. The shooter may not know where you are if you stay still and quiet.
- F. If you are fighting back, do not give up. Fight until the shooter is no longer a threat.

## 9. Physical Self-Defense

- A. Run. This is the best option if you can safely evacuate the area.
- B. Hide. If you cannot evacuate, find a place to hide where the attacker is less likely to find you.
- C. Fight back. As a last resort, fight back if you are able to do so without putting yourself in more danger. Use whatever you have available to you, such as a fire extinguisher, chair, or book.
- D. Yell for help. This can attract attention and help you get away from the attacker.
- E. Use your surroundings. If you are in a public place, try to use objects around you to your advantage, such as tables or chairs.

- F. Be aware of your surroundings. This will help you avoid being attacked in the first place.
- G. Trust your instincts. If you feel like something is wrong, it probably is. Don't be afraid to leave a situation or walk away from someone who makes you feel uncomfortable.

It is important to remember that there is no one-size-fits-all approach to self-defense. The best technique for you will depend on the specific situation. If you are interested in learning more about emergency response self-defense, there are many resources available online and in your community.

Here are some additional tips for emergency response self-defense:

- Take a self-defense class. This is a great way to learn the basics of self-defense and how to use different techniques.
- Practice regularly. The more you practice, the more confident you will be in your ability to defend yourself.
- Be aware of your surroundings. This will help you avoid being attacked in the first place.
- Trust your instincts. If you feel like something is wrong, it probably is. Don't be afraid to leave a situation or walk away from someone who makes you feel uncomfortable.

## **10. Sexual Assault**

- A. Stay calm and assess the situation. If you are in immediate danger, call 911 or your local emergency number. If you are not in immediate danger, try to find a safe place to go.
- B. If you are with someone who has been sexually assaulted, stay with them and offer support. Do not pressure them to talk about what happened, but let them know that you are there for them.
- C. Seek medical attention. Even if you do not think you were injured, it is important to get checked out by a doctor.
- D. Report the assault to the police. This is important even if you do not want to press charges. The police can collect evidence and investigate the assault.
- E. Seek counseling. Talking to a therapist or counselor can help you to process what happened and start to heal.

Here are some additional resources that you can refer to:

- Lifeline Counseling 251-602-0909

- The National Sexual Assault Hotline: 1-800-656-HOPE
- The Rape, Abuse & Incest National Network (RAINN): 1-800-656-HOPE You can also get help online at RAINN's website: <https://www.rainn.org>
- The National Domestic Violence Hotline: 1-800-799-SAFE (7233)

## **Prompt and Accurate Reporting of Crimes**

As noted in the section Reporting Crimes and Other Emergencies, the Bishop State Police Department encourages anyone with knowledge of a crime on- or off-campus to report it promptly. To maximize safety on-campus and aid in prompt investigations, we ask that you report any crime to the Bishop State Police Department, including those defined by the Clery Act. Clery Act crime definitions are in the Clery Data Definitions of this report.

## **Submission of Bishop State Crime Statistics to Federal Agencies**

Bishop State Police Department submits crime statistics online to the Department of Education. Annually, we contribute crime statistics to the *Uniform Crime Report* published yearly by the Federal Bureau of Investigation by submitting data to the Alabama Criminal Justice Information Center. This detailed statistical report is available each year at academic and public libraries.

## **Daily Crime Logs/Summary of Criminal Incidents**

Bishop State Community College Police Department maintains summaries of each day's crime reports made to the Bishop State Police Department. The crime log summaries include each incident's location, type, date, time, and disposition of the complaint. Bishop State Community College crime logs are available for public viewing. An updated copy is also available at the Bishop State Community College office during business hours, located in the Delchamps Student Life Complex Room 103 Suite C.

Bishop State Community College has a working relationship with the Mobile Police Department Dispatch Center which forwards a Calls for Service report to Bishop State Community College which includes the nature of calls for service as well as the address of calls for service that occur within the college's jurisdiction.

## **Security of and Access to Campus Facilities**

Bishop State Community College is committed to providing a healthful, safe, and secure environment for all members of the campus community. This commitment is evidenced by the fact the college employs a Police force which is on duty anytime the school is open for business.

Campus facilities are locked and unlocked by the Campus Police according to the normal operational hours of the college and scheduled facilities usage. Normal operational hours are:

### **Main Campus**

7:30 a.m. - 10:00 p.m. Monday - Thursday

7:30 a.m. - 2:30 p.m. Friday

### **Carver Campus**

6:00 a.m. - 10:00 p.m. Monday - Thursday

6:00 a.m. - 2:30 p.m. Friday

### **Southwest Campus**

7:00 a.m. - 10:00 p.m. Monday - Thursday 7:00 a.m. - 2:30 p.m. Friday

### ***(Buildings not scheduled for classes or a special event are closed.)***

As a rule, no one should be in college buildings after normal operational hours. The Campus Police have been instructed not to open buildings or allow people to remain in campus buildings after hours.

### **Crime Prevention**

With the exercise of due caution, students and employees can reduce their chances of becoming a victim of crime. The College crime prevention efforts are premised upon the dual concepts of eliminating or minimizing criminal opportunities, whenever possible, and encouraging individuals to be responsible for their own security and the security of others. The cooperation and involvement of students and employees in a campus safety program is necessary. Students and employees must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common-sense precautions. For example, although campus facilities and areas are lighted during normal class hours, it is always prudent for students, female, or male, to be accompanied by a friend to their vehicle on campus late at night. Valuable items such as stereos, cameras, and televisions should be marked or engraved with the serial number or a personal code. This number should then be kept in a safe place so that it is available should the item be stolen. Bicycles, when left unattended, should be secured with a sturdy lock. Students with cars must park them in the authorized parking areas with a current Bishop State hangtag and should keep them always locked. Valuable items like backpacks, electronics, books, and sporting equipment should be locked in the trunk.

Campus Police will provide the following training upon request:

- Personal Safety & Crime Prevention
- New Student Emergency Operation Briefing
- New Employee Emergency Operation Briefing
- Annual Employee Emergency Operation Plan Briefing
- Defense Tactics



## Risk Reduction Tips

With no intent to blame victims, and in recognizing that only abusers are responsible for the abuse they perpetrate, the following are some strategies to reduce one's risk of sexual assault.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
5. Make sure your cell phone is with you and charged, and that you have money.
6. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
7. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
8. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
9. Trust your instincts. If you feel unsafe or uncomfortable in any situation or location, go with your gut-it probably isn't the best place to be. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
11. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
12. Watch out for your friends, and vice versa. If a friend seems out of it, is too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

13. If you suspect you or a friend has been drugged, contact law enforcement immediately. Local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

14. If you need to get out of an uncomfortable or scary situation try these suggestions: Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.

- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

15. Try to think of an escape route. How would you try to get out of the room? Where are the doors and windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

16. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Protection from Abuse Orders**

Bishop State Community College complies with Alabama law in recognizing protection from abuse orders. Any member of the campus community that obtains such order should notify the Campus Police Department (251-405-7060). The Campus Police will assist the complainant with developing a Safe Action Plan. The purpose of this plan is to reduce the risk of harm to the complaint while on campus or traveling to and from campus.

Should you need assistance in obtaining a protection from abuse order, please see any member of the Campus Police.

### **Domestic Violence, Dating Violence, Sexual Assault, and Stalking Policy**

Bishop State Community College is dedicated to the total development of students. Therefore, the College has the responsibility for protecting individual rights, both academic and personal, including the rights of students and employees.

Therefore, it is the policy of Bishop State Community College that no student or employee may threaten the health and safety of a member of the College community, of any person on college property, or at a college sponsored or supervised activity, through the commission of or the attempt to commit domestic violence, dating violence, sexual assault, rape, acquaintance rape, and stalking.

Employees and students who are found in violation of this policy shall be subject to disciplinary action by the College, up to and including permanent expulsion, from any property owned or controlled by the College, or off campus at any function which is authorized, sponsored, or conducted by the College or in parking lots adjacent to areas or buildings where College functions are being conducted. Criminal charges may also be filed.

A student or employee of Bishop State who is the victim of sexual assault, domestic violence, dating violence, or stalking has the right to notify and seek the help of the Campus Police, local police authorities, or a Campus Security Authority. Telephone numbers for contacting authorities are listed at the end of this report. A Campus Security Authority will, upon request, assist the student in contacting the police. Notifying campus or local law enforcement authorities does not mean that criminal charges must be filed. Immediate notification will, however, permit authorities to conduct a timely investigation and to collect and preserve evidence, which is essential for any subsequent prosecution. It may also help prevent assaults by the offender upon other victims.

A victim should be cautious not to destroy evidence including:

- Do not change clothes or have them cleaned
- Do not take a shower or brush teeth
- Do not remove items from where the incident occurred
- Do not discard, erase, or delete any document or electronic transmission which may contain threatening or intimidating messages

Counseling and other assistance for victims of sexual assault, domestic violence, dating violence, or stalking will be made available through Rape Crisis Center. The College also encourages the reporting by employees and students of conditions on campus (such as lighting, landscaping, etc.) that may contribute to the risk of sexual assault, so that appropriate action may be taken. Bishop State Community College does not discriminate on the basis of sex in its education programs and activities. This includes discrimination affecting employees of the college and applicants for employment, students and applicants for admission, or members of the public. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others, whether on college premises or at any College owned off campus location and while participating in any educational

program or activity of the College.

Sexual harassment, which includes sexual misconduct and sexual assault, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972 and the Violence Against Women Act. This policy is intended to reaffirm the College's commitment to address sexual harassment and take steps to prevent its reoccurrence and preserve or restore equal access to the College's education programs and activities. Dating violence, domestic violence, and stalking may also be considered forms of sexual discrimination.

Due to the seriousness of these offenses, the College has adopted specific policies and procedures, outlined in the Student Handbook, employment policies, and webpage, to address alleged instances of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, and stalking.

College believes that no person should bear the effects of sexual harassment alone. When such conduct occurs, the College's paramount concern is for the safety and well-being of those impacted. To support and assist students, the College provides a range of resources that include a trained counselor.

Under Title IX, individuals reporting allegations related to sexual harassment and/or sexual violence, have the right to a resolution of their complaint, to have the college conduct a prompt, thorough and impartial investigation, and to receive supportive measures to ensure the safety and wellbeing of the individuals involved and the college community.

When allegations of sexual harassment and/or sexual violence in any form are brought to the attention of the Title IX Coordinator, and if a responding party is found to have violated this policy, serious sanctions will be used to prevent its reoccurrence. Bishop State Community College does not tolerate or condone retaliation. Individuals wishing to report sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:

**Mrs. Kenya Parrish-Onokwuli**

**Director, Human Resources**

**351 North Broad Street**

**Mobile, AL 36603**

**Phone: 251-405-7052**

**Email: [konukwuli@bishop.edu](mailto:konukwuli@bishop.edu)**

**Mr. Claude Bumpers**

**Director of Institutional Research & Development & Title IX Coordinator**

**351 North Broad Street**

**Mobile, AL 36603**

**Phone: 251-665-4139**

**Email: [cbumpers@bishop.edu](mailto:cbumpers@bishop.edu)**

and/or

**Assistant Secretary**

**U.S. Department of Education**

**Office for Civil Rights**

**Lyndon Baines Johnson Department of Education Building**

**400 Maryland Avenue, SW**

**Washington, DC 20202-1100**

**Telephone: 800-421-3481**

**Fax: 202-453-6012; TDD: 800-877-8339**

**Email: [OCT@ed.gov](mailto:OCT@ed.gov) (mailto: [OCR@ed.gov](mailto:OCR@ed.gov))**

Information regarding the Title IX Coordinator and their role will be provided to all faculty, staff, students, applicants for admissions, and applicants for employment. Also, this information is available on the College website at [www.bishop.edu](http://www.bishop.edu) under the Title IX webpage.

## **POLICY**

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

## **Sexual Assault Elimination Act**

Enacted in March 2013, the Campus Save Act is the most recent, and far reaching, in a long line of laws that protect students from sexual violence and harassment. The act requires students, faculty, and staff to be trained in the appropriate response to sexual violence and harassment. These programs will include a discussion of what constitutes sexual harassment and sexual violence, the school's policies and disciplinary procedures, and the consequences of violating these policies.

## **Student Bill of Rights**

1. Complainants have the right to assistance by all faculty and staff in reporting allegations of harassment, abuse, physical violence, sexual violence, or intimidation.
2. Complainants have the right to choose the way the complaint is filed.
  - a. The complainant may report the crime to law enforcement.
  - b. The complainant may request a school disciplinary inquiry.
  - c. The complainant may choose both options.
  - d. The complainant may choose not to report the incident.
3. Complainants have the right to confidentiality when reporting allegations of harassment, abuse, physical violence, sexual abuse or intimidation
4. Complainants have the right to a thorough and professional investigation that protects the rights of both the accused and the accuser.
5. Complainants have the right to know that criminal sanctions include probation, fines, imprisonment, or counseling.
6. Victims have the right to know that school disciplinary sanctions include probation, suspension, expulsion, counseling, termination of employment and ban from college property.
7. Complainants have the right to assistance in obtaining orders of protection, no contact orders and restraining orders by the Campus Police concerning offenses that occur on campus, when requested and when probable cause exists.
8. Complainants have the right to know that there will not be a monetary charge for filing criminal or school disciplinary complaints.

## **Additional Instructions for Sexual Assault Victims**

In the event you or another person is the victim of sexual assault, it is important to remember details, follow procedures and notify the proper departments. The single most important thing a victim of rape or sexual assault can do is tell someone - the police, a friend, a medical professional, etc. Rape or sexual assault, whether by a stranger or someone you know, is a violation of your body, your trust and your right to choose. The following are recommended procedures to follow:

- A. Do not shower, wash, or change your clothes.
- B. Do not brush your teeth.

C. Preserve any evidence such as clothing, used condoms, towels, tissue or other items which may be useful for investigation purposes.

D. If the incident occurs on campus, contact the Campus Police at (251) 405-7060. If the incident occurs off campus, contact 911.

E. Seek medical attention immediately. Contact Campus Police at (251) 405-7060 can assist in seeking medical attention. Also, local emergency medical services can be contacted by dialing 911.

F. Seek counseling to assist with mental and emotional trauma. Information concerning counseling services available through various agencies can be obtained from the Bishop State Community College Police Department.

### **Resources for Sexual Assault Victims in Mobile County**

Mobile County Crisis Center (Rape Response) is available for victims of sexual abuse 24 hours a day, 7 days a week. Services provided by Rape Response include mental health counseling and evidence collection. Services are available to victims whether or not the victim decides to contact law enforcement. All services are free and confidential. Phone number: 251-323-7777

Address: 2315 Costarides Street, Mobile, Al 36617

### **Bishop State Campus Police Department will provide the following training upon request:**

- Prevention and Response to Dating Violence
- Prevention and Response to Domestic Violence
- Prevention and Response to Sexual Assault
- Prevention and Response to Stalking

### **Bystander Intervention:**

A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting an **EMS, Bishop State Campus Police**, etc.), or intervening when someone is being belittled, degraded or emotionally abused (walking victim away from abuser, contacting others for help, like counseling center or Dean).

### **How to be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. A bystander is defined as an "individual who observes or witnesses' conditions that

perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” Bishop State Community College want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do in the event we want to help. The link below provides useful information to help bystanders make informed decisions: <https://www.nsvrc.org/bystander-intervention-online-learning-opportunities>.

- A. ➤ If you or someone else is in immediate danger, dial 911. This could be when a person is yelling or being physically abusive toward another person and it is not safe for you to interrupt.
- B. ➤ Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- C. ➤ Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- D. ➤ Speak up when someone discusses plans to take sexual advantage of another person.
- E. ➤ Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

### **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) Code of Alabama 1975 Section 13A-6-65, that the sexual act was committed without consent of the victim.

(b) Lack of consent results from: (1) Forcible compulsion or

(2) Incapacity to consent or

(3) If the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct

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A person is deemed incapable of consent if he/she is:

- a) • Less than 16 years old or
- b) • Mentally defective or
- c) • Mentally incapacitated or
- d) • Physically helpless



## **Victim's Rights Information**

- In Alabama, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:
- Within 72 hours after a victim files a crime report, the campus police shall provide the victim with the following:
- A list of local emergency and crisis services
- Name and phone number of the officer and the agency handling the report
- Name and phone number of the prosecuting attorney
- The procedural steps in a criminal prosecution
- The availability of victim's' compensation benefits
- A listing of rights as a victim including a form including victims' rights
- The existence and eligibility requirements of restitution and compensation
- A recommended procedure if someone is subject to threats or intimidation as a victim

### **A crime victim also has a right to:**

- Notification of all criminal proceedings and charges filed against the defendant, with the exception of initial appearance, and the right to be present at all proceedings
- Necessary information regarding the appropriate agencies from which he/she may request information
- An explanation of the pre-sentence report and the right to make a written or oral statement to the probation officer, and a right to review the pre-sentence report
- Notification of the time and place of any sentencing hearing and to make a written or oral statement, or present any information at a sentencing proceeding or any other proceeding as authorized by law
- Information regarding the return of any property taken

- The date of conviction, acquittal, or dismissal of charges against the defendant and the sentence imposed
- Refuse an interview or other communication with the defendant, his/her attorney or anyone acting on his/her behalf
- The status and results of any post-conviction appeal
- Be provided a waiting area separate from the defendant, relatives, and defense witnesses if available and practical
- Information regarding collection of restitution
- Any release opinion by the Alabama Department of Mental Health
- Notification of any Pardon and Parole Board hearings and the right to be present and hear such hearings.

### **Victim's Option to Report**

Students and employees who are victims of crime including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking, are encouraged by the College to report but do have the option not to report the incident to campus law enforcement, local law enforcement or campus security authorities.

In those cases, the victim may still seek assistance confidentially from Rape Crisis Center or any other victim service agency of their choosing. Bishop State Community College will provide an office for a member of Rape Crisis Center to avail themselves to any student who needs assistance. Rape Crisis Center can be reached on the 24-hour crisis line at (251) 473-7273 or 1-800-718-7273.

### **Anonymity and Confidentiality**

Victims who report a criminal act to law enforcement or a campus security authority (CSA) may wish to remain anonymous or have their name excluded from any publicly-available report or document created by the College. The College will meet this request to the extent permissible by law. If the college while in the performance of conducting an investigation and obligation to take measures to protect other students and employees, may need to reveal the name of the victim in order to complete a thorough investigation. In this case, the College will inform the reporting party and discuss available options and concerns before proceeding with the investigation or disciplinary procedures.

If the reporting party requests confidentiality or asks that the complaint not be pursued, the school will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a reporting party insists that his or her name or other identifiable information not be disclosed to the alleged responding party, the College will inform the reporting party that its ability to respond may be limited. The reporting party will be assured the College will take reasonable steps to prevent retaliation but also take strong responsive action if it occurs.

If the reporting party continues to ask that his or her name or other identifiable information not be revealed, the College should evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, the school may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the reporting party's age; whether there have been other harassment complaints about the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained by the school as an "education record" under the Family Educational Rights and Privacy Act (FERPA).

The College should inform the reporting party if it cannot ensure confidentiality. Even if the College cannot take disciplinary action against the alleged harasser because the reporting party insists on confidentiality, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

### **Information Concerning Registered Sex Offenders**

The Federal Campus Sex Crimes Prevention Act requires that sex offender information be made available to members of that campus community. Students and employees at Bishop State may obtain this information by searching the Mobile County Sheriff's Office web page at: [www.mobileso.com](http://www.mobileso.com). To obtain sex offender registration information for the area surrounding the Bishop State Campus go to [www.mobileso.com](http://www.mobileso.com)

### **Sex Offender Registry**

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000 and the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. Information about sex offenders in Alabama can be found at: <https://www.alea.gov/node/270>

## **Illegal Drugs and Alcohol Policy**

Bishop State policy forbids the possession, use, or sale of alcoholic beverages or drugs not prescribed by a physician anywhere on college property.

Additionally, any violation of federal, state, or local drug or alcohol laws, including those pertaining to underage drinking, is contrary to institutional policy and can subject the offender to arrest and criminal prosecution and or disciplinary action by the college. A student is subject to disciplinary action by the college, up to and including permanent expulsion.

Bishop State Community College has options available for students and staff members who need to address alcohol and other drug abuse issues. The college has an agreement with a local community health organization, Mobile Mental Health, to provide, at discounted rates, counseling for students and staff members through referrals through the Heads-Up Program. The program serves as a counseling referral service, but it also has a primary goal to address underage drinking and binge drinking among the Bishop State community.

## **Drug and Alcohol-Free Campus**

As required by Code of Alabama 1975 Section 22 the Drug Free Schools and Communities Act of 1989 (Public Law 101-226) and in recognition of this institution's responsibility to serve as a beneficial influence on its students, its employees, and the community at large, Bishop State Community College is designated as a drug and alcohol-free campus and will comply with all the provisions of Public Law 101-226:

1) Bishop State Community College prohibits the unlawful or unauthorized manufacture, distribution, dispensation, possession, use or sale of alcoholic beverages, controlled substances, and illegal drugs on campus. The impairment by alcohol or drugs of any student or employee while participating in the academic or workplace setting is also prohibited. Bishop State College employees, students and visitors are required to abide by all federal and state laws, local ordinances, and other related state and federal requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs.

2) Bishop State Police Department can provide classes upon request in the following areas:

- Illegal use and abuse of controlled substances
- Alcohol abuse prevention

Bishop State Community College strives to remain in compliance with the requirements of the Drug-Free Schools and Communities Act. The college has adopted and implemented programs to prevent the abuse of alcohol and use or distribution of illicit drugs both by students and employees both on its premises and as a part of any of the college's activities. Bishop State Community College distributes drug and alcohol

policies to students during orientation courses through access to the online College Catalog/Student Handbook. These contain:

Standards of conduct that prohibit unlawful possession, use or distribution of illicit drugs and alcohol on its property or as a part of its activities.

A description of the health risks associated with the use of illicit drugs and abuse of alcohol.

A description of applicable legal sanctions under local, state or federal law.

A description of counseling or treatment programs.

A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.

### Campus Crime Statistics

The Federal Jeanne Clery Act requires colleges and universities to collect and report annually certain information regarding criminal incidents. The statistics reported below are presented pursuant to that obligation.

Campus crime, arrest, and disciplinary referral statistics are based on information reported to Bishop State Campus Police, Mobile County Sheriff's Office, Mobile Police Department, and Dean of Students.

The Bishop State campus encompasses all buildings and property owned or controlled by the institution that are within the same reasonably contiguous geographic area and that are used to support its educational mission. The tables below display the number of reported criminal offenses occurring on Bishop State campuses for the period January 1, 2020, through December 31, 2022.

### Crime Statistics for Reporting Periods

Main Campus Type of Clery Crimes	On Campus			Non-Campus			Public Property			Unfounded Cases		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	1
Burglary	0	0	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												

Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrest</b>												
Liquor / Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing, etc.	0	0	1	0	0	0	0	0	0	0	0	0
<b>Campus Disciplinary Referrals</b>												
Liquor / Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing Etc.	0	0	0	0	0	0	0	0	0	0	0	0

<b>Carver Campus</b>	On Campus			Non-Campus			Public Property			Unfounded Cases		
<b>Type of Clery Crimes</b>	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	1
Burglary	0	0	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												
Domestic Violence	0	0	0	0	1	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrest</b>												
Liquor/ Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	1	0	0	0	0	0	0
Weapons, Carrying, Possessing Etc.	0	0	0	0	0	0	0	0	0	0	0	0
<b>Campus Disciplinary Referrals</b>												
Liquor / Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0	0	0	0

<b>Southwest Campus</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>			<b>Unfounded Cases</b>		
<b>Type of Clery Crimes</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	1
Burglary	0	0	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrest</b>												
Liquor/ Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing Etc.	0	0	0	0	0	0	0	0	0	0	0	0
<b>Campus Disciplinary Referrals</b>												
Liquor / Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0	0	0	0

<b>Carver Campus</b>	<b>On Campus</b>			<b>Non-Campus</b>			<b>Public Property</b>			<b>Unfounded Cases</b>		
<b>Type of Clery Crimes</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Murder/ Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrest</b>												
Liquor/ Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0

Weapons, Carrying, Possessing Etc.	0	0	0	0	0	0	0	0	0	0	0	0
<b>Campus Disciplinary Referrals</b>												
Liquor / Alcohol Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0
Weapons, Carrying, Possessing, etc.	0	0	0	0	0	0	0	0	0	0	0	0

## Hate Crimes

Hate Crimes – Includes all of the crimes listed under reportable crimes that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:

Larceny/Theft – Includes pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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

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

Destruction/Damage/Vandalism to Property (except Arson) – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

The categories of Bias included in Hate Crime reporting include: race, gender, gender identity, religion, sexual orientation, ethnic / national origin, and disability.

2020: No hate crimes were reported.

2021: No hate crimes were reported.

2022: No hate crimes were reported.



## **Notification to Victims of Crime of Violence**

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

According to Section 16 of title 18 of the United States Code, the term “crime of violence” means:

- 1) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
- 2) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used while committing the offense.
- 3) the result of a disciplinary proceeding means – only the institutions final determination with respect to the alleged sex offense and any sanctions that is imposed against the accused.

## **Definitions**

The following definitions clarify the College's policy prohibiting sex based discrimination:

Sexual abuse in the first degree

(a) A person commits the crime of sexual abuse in the first degree if:

- (1) He subjects another person to sexual contact by forcible compulsion; or
- (2) He subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.

(b) Sexual abuse in the first degree is a Class C felony.

Sexual abuse in the second degree

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

- (1) He subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or
- (2) He, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.

(b) Sexual abuse in second degree is a Class A misdemeanor, except that if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony.

#### Rape in the first degree

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

(1) He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or

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

#### 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 defective.

(b) Rape in the second degree is a Class B felony.

#### Sodomy in the first degree

(a) A person commits the crime of sodomy in the first degree if:

(1) He engages in deviate sexual intercourse with another person by forcible compulsion; or (2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being physically helpless or mentally incapacitated; or (3) He, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old.

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

#### Sodomy in the second degree

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

(1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.

(2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being mentally defective.

(b) Sodomy in the second degree is a Class B felony.

#### Domestic Violence:

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. In Alabama, domestic violence includes felony and misdemeanor crimes of violence committed by a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant (Code of Alabama 1975 Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees),

#### Dating Violence:

Means violence committed by a person -

(a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(b) Where the existence of such a relationship will be determined based on a consideration of the

following factors:

(1) The length of the relationship

(2) The type of relationship

(3) The frequency of interaction between the persons involved in the relationship

In Alabama, dating violence is covered under Alabama Code 1975 Section 13A, Article 7 Domestic Violence

in 1st, 2nd, and 3rd Degrees.

#### Stalking:

Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to - a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress. In Alabama, stalking is when a person intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm (13A-6-90 Stalking in the first degree) or 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 (Code of Alabama 1975 **Section** 13A-6-91 Stalking in the second degree).

#### Bystander Intervention:

A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting an EMS, Bishop State Campus Police, etc.), or intervening when someone is being belittled, degraded or emotionally abused (walking victim away from abuser, contacting others for help, like counseling center or Dean).

#### 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) Code of Alabama 1975 Section 13A-6-65, that the sexual act was committed without consent of the victim.

(b) Lack of consent results from:

(1) Forcible compulsion or

(2) Incapacity to consent or

(3) If the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct A person is deemed incapable of consent if he/she is:

- Less than 16 years old or
- Mentally defective or
- Mentally incapacitated or
- Physically helpless

#### **Federal Drug Offenses and Penalties**

**Possession of Controlled Substances:** Federal drug possession penalties generally consider only the drug violation history of the offender. With one exception (when the possession is for personal use for which a civil penalty up to \$10,000 may be imposed if first offense), federal penalties for a person convicted of possession of any type or amount of a controlled substance can be:

- up to one year in prison and a minimum fine of \$1,000 for a first offense;
- a minimum of 15 days and a maximum of two years in prison and a minimum fine of \$2,500 for a second drug offense; and
- a minimum of three months and a maximum of three years in prison and a minimum fine of \$5,000 for a third drug offense.

Persons convicted of possession of certain amounts of a mixture or substance containing cocaine base such as crack cocaine face much stiffer penalties under mandatory minimum sentencing, including at least five years in prison, not to exceed 20 years and fined a minimum of \$1,000 or both, if:

- a) first conviction and the amount of crack possessed exceeds five grams;
- b) second crack conviction and the amount of crack possessed exceeds three grams; or
- c) third or subsequent crack conviction and the amount of crack possessed exceeds one gram (21 U.S.C. 844(a)).

**Federal Drug Trafficking:** Federal drug trafficking penalties consider the type and amount of the drug involved, the offender's drug violation history, and other factors. The US Drug Enforcement Administration (DEA) maintains a list of penalties for federal trafficking offenses, a copy of which is incorporated below. Generally, for each drug, there is a threshold amount that brings the offender under the mandatory minimum sentencing structure. When death or serious bodily injury results from use of the drugs, first time offenders are subject to a sentence of 20 years to life, and repeat offenders are subject to a mandatory life sentence. A first offense of distributing to persons under age 21 may be punishable by twice the maximum sentence, and three times for second offenses (21 U.S.C. §859). If the trafficking is on premises in which a person under age 18 is present or resides, an additional penalty up to 20 years' imprisonment may be imposed (21 U.S.C. § 860a). Persons convicted of trafficking within 1,000 feet of a school or college face penalties twice as high as the maximum penalties, with a mandatory one- year prison sentence for first offenses, and three times as high for second offenses (21 U.S.C. § 860).

**Drug Paraphernalia:** Any person who sells, offers to sell, transports, exports or imports drug paraphernalia is subject to three years' imprisonment (21 U.S.C. § 863).

**Other Penalties:** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and professional and commercial licenses for up to one year for a first offense and up to five years for subsequent offenses (21 U.S.C. § 862). Federal drug *trafficking* convictions may result in denial of federal benefits for up to five years for a first conviction; *possession* convictions may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions (21 U.S.C. § 862). In addition, for crimes punishable by more than one year in prison, the person will forfeit

personal or real property related to the violation, including houses, cars, and other personal belongings (21 U.S.C. § 853 (a)(2) & 881(a)(7)), or vehicles, boats, or other conveyance used to transport or conceal controlled substances (21 U.S.C. § 881(a)(4)). Finally, persons convicted are ineligible to receive or purchase a firearm (18 U.S.C. 922(g)).

**FEDERAL TRAFFICKING PENALTIES FOR SCHEDULES I, II, III, IV, and V  
(EXCEPT MARIJUANA)**

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life.	Cocaine 5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
	Fentanyl Analogue 10-99 grams mixture	Fine of not more than \$5 million if an individual, \$25 million if not an individual.	Fentanyl Analogue 100 grams or more mixture	Fine of not more than \$10 million if an individual, \$50 million if not an individual.
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture	<b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	LSD 10 grams or more mixture	<b>Second Offense:</b> Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	

Substance/Quantity	Penalty
Any amount of other Schedule I & II substances	<b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual.
Any drug product containing Gamma Hydroxybutyric Acid	<b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.
Flunitrazepam (Schedule IV) 1 Gram	
Any amount of other Schedule III drugs	<b>First Offense:</b> Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.
Any amount of all other Schedule IV drugs (other than one gram or more of Flunitrazepam)	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Any Amount of all Schedule V drugs	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

**FEDERAL TRAFFICKING PENALTIES FOR MARIJUANA, HASHISH AND HASHISH OIL, SCHEDULE I SUBSTANCES**

<p>Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants</p>	<p><b>First Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. <b>Second Offense:</b> Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
<p>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</p>	<p><b>First Offense:</b> Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual. <b>Second Offense:</b> Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
<p>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</p>	<p><b>First Offense:</b> Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
<p>Hashish More than 10 kilograms</p>	
<p>Hashish Oil More than 1 kilogram</p>	
<p>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants</p>	<p><b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
<p>Hashish 10 kilograms or less</p>	
<p>Hashish Oil 1 kilogram or less</p>	



## STATE OF ALABAMA DRUG OFFENSES AND PENALTIES

A list of Alabama statutes regarding controlled substances, marijuana and drug paraphernalia is incorporated below. Crimes involving controlled substances range from Class A to Class C felonies, punishable by substantial prison terms and/or fines, with enhanced penalties if controlled substances are sold to persons under 18 years of age or within a three-mile radius of campus boundaries of a college or school. Possession of marijuana for personal use is a Class A misdemeanor for the first offense but elevated to a Class C felony for a second offense. Possessing drug paraphernalia is a Class C misdemeanor but elevated to a more serious Class B felony if sold to a person under 18 years of age.

The Department of Public Safety may suspend a driver's license for six months for persons convicted of a drug offense.

A drug conviction under state or federal law may make a student ineligible for federal financial aid (loans, grants, work study). **For more information, see <https://studentaid.ed.gov/eligibility/criminal-convictions#drug-convictions>**

STATE OF ALABAMA CONTROLLED SUBSTANCES/MARIJUANA VIOLATIONS AND PENALTIES		
VIOLATION	PENALTIES*	AL CODE §
<b>CONTROLLED SUBSTANCES</b>		
<i>Trafficking</i> : Knowingly sells, manufactures, delivers or brings into state cannabis (in any of its forms), cocaine, heroin, morphine, opium, methaqualone, hydro morphine, methylenedioxy amphetamine, phencyclidine, lysergic acid diethylamide, methamphetamine, or LSD	<i>Class A Felony</i> . Imprisonment & fines dependent on amounts Prison: Ranges from 3 years to mandatory life in prison without parole. Fine: Ranges from \$50,000 - \$250,000	13A-12-231
Sale of controlled substance by person over 18 to person under 18	<i>Class A Felony</i> . Not eligible for suspended sentence or probation Prison: 10-99 years or life Fine: Not more than \$60,000	13A-12-215
Sale of controlled substance that is on the campus or within a 3- mile radius of campus boundaries of any public or private school, college, university or other educational institution or of public housing	<i>Class A Felony</i> .  Prison: Add five years to penalty	13A-12-250  13A-12-270
Engages in a criminal enterprise, in connection with 5 or more persons, to <i>traffic</i> in illegal drugs	<i>Class A Felony</i> . Prison: 25 years to life w/o eligibility for parole; Fine: Not more than \$500,000; 2 <sup>nd</sup> offense: Prison: mandatory life Fine: \$150,000 - \$1,000,000	13A-12-233
<i>Manufacturing</i> controlled substance if 2 or more of following conditions are present: possession of firearm, use of booby trap, use of clandestine lab within 500 feet of a residence or school, the presence of someone under 17 years of age during the manufacturing process	<i>Class A Felony</i> . Not eligible for suspended sentence or probation  Prison: 10-99 years or life Fine: Not more than \$60,000	13A-12-218

Manufacture of a controlled substance	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-217
Distribution of controlled substances (furnished, sold, given away, manufactured, delivered or distributed)	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-211
Possession or receipt of controlled substances	<i>Class C Felony</i> . Prison: 1-10 years Fine: Not more than \$15,000	13A-12-212
Person convicted of attempt, criminal solicitation & criminal conspiracy to commit controlled substance crime	Punishable the same as the crime itself	13A-12-202 (c); -203(c);-204(c)
<b>MARIJUANA &amp; DRUG PARAPHERNALIA</b>		
Possession of marijuana in first degree (other than personal use or previously convicted of possession in second degree)	<i>Class C Felony</i> . Prison: 1-10 years Fine: Not more than \$15,000	13A-12-213
Possession of marijuana in second degree (for personal use only)	<i>Class A Misdemeanor</i> . Jail: Not more than 1 year; Fine: Not more than \$6,000	13A-12-214
Use, possession, delivery, or sale of drug paraphernalia	<i>Class B Felony for sale to one under 18 by one over 18</i> . Prison: 2-20 years; Fine: Not more than \$30,000 <i>Class C Felony for sale</i> . Prison: 1-10 years; Fine: Not more than \$15,000 <i>Class C Misdemeanor for possession</i> . Jail: Not more than 3 months; Fine: Not more than \$500	13A-12-260

## STATE ALCOHOLIC BEVERAGE LAWS AND PENALTIES

Alcohol consumption is strictly prohibited on all campus properties. Various Alabama statutes address alcohol-related laws and penalties. Most offenses expose an individual to 30 days to six months in jail and a fine no greater than \$500.

Penalties for DUI increase with the number of offenses, with the fourth DUI exposing a person to a felony charge, with imprisonment from 1-10 years and fine from \$4,100 to \$10,100. Significantly, the fourth DUI results in mandatory revocation of the person's driver's license for five years. Adults who authorize a party at a residence they control and allow the party to continue with persons under age 21 illegally possessing or consuming alcohol without taking reasonable action to prevent it expose themselves to a \$3,000 fine and up to six months in jail.

Finally, in addition to criminal penalties, civil monetary damages are available through the Alabama Civil Damages Act and/or Alabama Dram Shop Act if injuries are caused by a minor who has consumed alcohol.

## HEALTH RISKS ASSOCIATED WITH USE OF CONTROLLED SUBSTANCES AND ABUSE OF ALCOHOL

Substance abuse and drug dependency are problems of staggering proportions in our society today. They are the leading causes of preventable illness, disability, and death in the U.S. and afflict millions of Americans. This number increases dramatically when one considers the harm done to the families of substance abusers as well as to those injured or killed by intoxicated drivers or in drug-related work accidents. Alcoholism can develop in anyone. It tends to appear first between the ages of 20 and 40 and to be more prevalent in people with a family history of alcoholism.

## **ALCOHOL**

Alcoholism is a disorder that has profound psychological, biological, and societal effects. Directly, it affects over 18 million people; indirectly, it affects another 56 million. It is usually characterized by one of three different patterns:

1. Regular daily intoxication.
2. Drinking large amounts of alcohol at specific times; or
3. Periods of sobriety interspersed with periods of heavy daily drinking.

Alcoholism is usually progressive, and physical dependence can develop; if this happens, serious, sometimes life-threatening symptoms can develop when alcohol is withdrawn. Short term effects of alcohol use can include depression, gastritis, liver disease, automobile accidents, and domestic violence. Chronic alcohol abuse can produce irreversible health changes, including dementia, sexual impotence, cirrhosis of the liver, and heart disease. Death can occur either as a complication of one of these chronic problems, or acutely, secondary to alcohol intoxication by poisoning or to aspiration of vomitus, or as the result of any automobile accident while driving intoxicated.

## **MARIJUANA (CANNABIS)**

Though physiological consequences do depend on frequency, duration, and quantity of use, marijuana use has been linked to impairment of short-term memory, concentration, judgment, perception, and fine motor skills. Therefore, the use of this drug increases the risk of machinery or motor vehicle accident and injury for four to six hours after ingestion. Impairment of memory may last for three to six months, even if use of the drug is discontinued completely. The active chemical in marijuana (THC) remains stored in body fat cells long after ingestion. Marijuana use is associated with chronic anxiety, depression, and paranoid feelings. It can exacerbate or increase significantly underlying emotional problems. Frequent and/or ongoing use by children and adolescents

may have long term developmental consequences resulting in lack of motivation, apathy, and difficulty managing current stresses and responsibilities, as well as making appropriate plans for the future. Pregnant women who use marijuana may be at a higher risk for giving birth to children with developmental or birth defects.

## **HALLUCINOGENS**

This category includes drugs such as lysergic acid diethylamide LSD, also known as "acid"), mescaline, psilocybin (also known as mushrooms) and peyote. These drugs cause delusions, hallucinations, and impaired perception of time and space. Phencyclidine (PCP, or "angel dust") and amphetamine variants known as "ecstasy" are included in this category, though they rarely cause hallucinations in the true sense. They are, however, potent drugs that have mind-altering effects and impair perception and cognition. Hallucinogens can produce a "bad trip" with anxiety, agitation, hallucinations, and paranoia leading to impulsive behavior. After a "bad trip" the person can be subject to "flashbacks," which are recurrences of the experiences of the "bad trip" without taking any more of the drug. Psychosis and impaired thinking may result after long-term use.

## **COCAINE**

The use of cocaine, an illegal stimulant drug, has risen dramatically in the United States. Other names for this drug are code, C., lady, and snow. Cocaine is a white powder that is snorted, injected into veins, or smoked freebase or as "crack." Crack is a crystalline form of cocaine that is also known as "rock", from its small, white rock-like appearance. "Speed balls" are cocaine mixed with heroin, which is a particularly dangerous combination. Crack produces the most intense cocaine high; addiction can occur after using it only once or twice. Cocaine highs are characterized by feelings of extreme happiness and a sense of limitless power and energy. However, the physical effects include high blood pressure and heart palpitations. A cocaine "crash" follows the high and includes symptoms of depression, dullness, great irritability, and paranoia. Serious medical complications occur with cocaine use, such as heart attacks (even in young people), seizures, and strokes due to high blood pressure. The psychological effects of cocaine use include violence, paranoia, and personality changes as well as symptoms such as depression, anxiety, and confusion. Pregnant women using cocaine have increased risk of miscarriages and stillbirths. Newborns addicted to cocaine are irritable, unresponsive, they are prone to have malformed kidneys and genitals, and to have heart attacks and strokes. Addiction to cocaine controls aspects of the user's life, impinges on the lives of

those closest to the user, and occurs in people of all ages, classes, and educational levels.

## **AMPHETAMINES, METHAMPHETAMINE AND OTHER STIMULANTS**

In addition to cocaine, a number of other drugs stimulate the nervous system and are very addictive. Most of them belong to the amphetamine family of drugs. Dexedrine (present in "diet" pills) may at times be prescribed by a physician, but its use as a legitimate medication is now infrequent. Street drugs of the amphetamine group include "ecstasy" and "ice." Ice is a smokable amphetamine compound that is very potent, and the effects are long-lasting and devastating. The health risks of these and other stimulants are similar to those of cocaine use.

## **NARCOTICS, INCLUDING HEROIN**

Various medications are taken to relieve pain. Most non-prescription pain relievers (such as aspirin, Tylenol, Motrin, and Nuprin) are not considered addictive. However, there is a class of stronger pain relievers, available by prescription only, which are referred to as narcotics and most of which are opiates. Examples of these drugs include morphine, codeine, Tylenol No. 3, Darvon, Darvocet, Percocet, Percodan, Demerol, and certain prescription cough medicines. These drugs differ from non-prescription pain relievers in their potential for abuse and dependence. With close medical supervision, these drugs may be safely used in specific medical circumstances for a limited time. However, addiction may occur, and the person may not want to stop the drug even when the pain has stopped. Tolerance to the drug is shown by an increase in the amount of drug necessary to relieve pain. This becomes progressive and leads to the craving or need for larger and larger doses, without which the person becomes extremely uncomfortable and physically ill. The time may come when the person "needs" such a large dose of the drug that it is poisonous or lethal. Under these circumstances, coma, suffocation, and death may ensue. The malignant course of this problem is similar to that of addiction to heroin. Although heroin is not available by prescription, it is a narcotic which belongs to the same chemical family as the above drugs. The use of heroin is mainly by injection into a vein, which carries the additional medical dangers of contracting AIDS and hepatitis from unclean needles and syringes.

## **SEDATIVES AND TRANQUILIZERS**

Barbiturates and benzodiazepines are two of the most commonly used classes of sedatives. Barbiturates (such Phenobarbital, Seconal, and Amytal) are highly addictive and can be fatal if taken in excess. Although they still have medical uses, they have largely been replaced by benzodiazepines, used for relief of

anxiety and to promote sleep. Benzodiazepines include such drugs as Valium, Librium, Ativan, Xanax, Dalmane, Halcion, and Restoril. While safe and effective at moderate doses for short periods of time (weeks), all benzodiazepines have a potential for physical and psychological dependence if used at higher doses for longer periods of time. Frequently, benzodiazepines are abused by adults who become dependent on them because of their anti-anxiety effects. Other tranquilizers which may be abused include methaqualone (Quaaludes), Doriden, and Equanil. Intoxication may result from benzodiazepine use and resembles alcoholic drunkenness. Drowsiness, slurred speech, unsteady gait, and lack of coordination are common signs. The effects of benzodiazepines (barbiturates and other sedatives) add to those of alcohol; taken together, they can lead to coma and even death. Withdrawal from benzodiazepines resembles alcohol withdrawal and is most apparent if the drugs are stopped abruptly. Withdrawal takes place within hours to days of stopping the drug. Once a person is addicted to benzodiazepines, a physician should supervise the plan for gradually stopping them, to minimize serious effects of withdrawal.

## **IMPACT OF SUBSTANCE ABUSE ON FAMILIES**

Families are often gravely affected by a substance-abusing member. This can occur on many levels. As a very direct, physiological consequence, the infants of alcohol and cocaine-abusing mothers often have low birth weight and may suffer from malformations and a variety of developmental problems. In addition, abusers often affect the economic well-being of their families as their inability to hold down a job or, in some instances, their stealing from relatives, reduces the family's financial means and stability. In many cases substance abuse leads to violence at home. Substance abuse takes an emotional toll on the functioning of individual members and the family. Family members may actively deny the problem, may become symptomatic in an effort to deflect attention from the substance-abusing member, or may assume the abuser's responsibilities at home and even at work. On the other hand, very often the family's intervention with the user is an essential step in getting the abusing member to seek treatment. Support groups or family members, such as Al-Anon, Nar-Anon or COC-Anon, as well as family therapy can provide needed assistance to families as they confront the destructive effects of the user's addiction.

## **RECOGNIZING SIGNS AND SYMPTOMS OF ALCOHOL AND SUBSTANCE ABUSE**

Everyone occasionally has days when they exhibit behavior not normally associated with an educational or work environment nor characteristic of himself or herself. Unusual behavior during times of stress can be understood and accepted. However, when unusual behavior is displayed on a gradually

increasing scale accompanied by general decline in work habits over a period of time, it indicates that an individual needs professional help. Below are some of the more common signs or symptoms of unusual behavior.

## **ABSENTEEISM AND TARDINESS**

- Arriving late and leaving early
- Absences before and after payday or holidays
- Sporadic but significant use of sick time
- Taking frequent breaks
- Unexplained absences
- Friday and Monday absences
- Absences due to accidents both on and off the work site

## **IMPAIRED JOB PERFORMANCE**

- Increasing operating errors
- Lost time on the job
- "Putting things off"
- Irresponsibility in completing tasks
- Faulty decision making
- Increased accident rates
- Wasted materials or damaged equipment
- High performance that slowly declines over time
- Job performance that becomes focused on a specialized, repetitious activity (rather than the entire array of job duties)
- Irregular or non-existent office hours
- Sudden, extreme gaps in performance (missing a grant deadline, unexpected missing of final exams)

## **UNUSUAL INTERPERSONAL INTERACTIONS**

- Sudden emotional outburst including anger, tears, laughter
  - Mood swings, especially early or late in the work day
  - Overreactions to criticism
  - Blaming others for poor performance
  - Making inappropriate statements
  - Rambling or incoherent speech
  - Isolation from co-workers or increasing social withdrawal
- DECLINING PHYSICAL**

#### APPEARANCE (SUDDEN OR GRADUAL)

- Poor personal hygiene (e.g. body odor or dirty hair, nails, and skin)
- Less interest in dress and appearance (or a noticeable decline from previous meticulousness)
- Glazed or red eyes
- Slurred speech
- Poor coordination, staggering
- Tremors, poor eye-hand coordination
- Frequent gastrointestinal distress
- Deterioration of oral hygiene
- Legal problems, such as arrest for driving under the influence (DUI)
- Domestic situation, including children's drug use (children of alcoholics sometimes have drug abuse problems)
- Financial concerns, such as high debt load, bad loans, wages garnished, unusual spending patterns

### **Communication**

To ensure all employees are aware of their critical roles in this, they receive a summary of the Alcohol- and Drug-Free Workplace policy, to the complete document, health risks, and legal implications during the annual notification of policies. Bishop State Community College will make good faith efforts to have and maintain an alcohol and drug-free workplace.

### **Future improvement plans**

Bishop State Community College is committed to the safety and security of our campus community. In 2023, Bishop State Community College made a significant investment in safety technology, including upgrades to surveillance cameras and the addition of a safety app. The college also hired additional state-certified law enforcement officers and strengthened relationships with local, state, and federal law enforcement partners.

The Bishop State Police Department will continue to conduct safety assessments, campus surveys, and provide additional safety services to our community. The college will also continue to provide resources to its officers to provide them with advanced law enforcement training and the tools and equipment they need to keep our campus safe.

The goals for the upcoming years are to provide high-quality service and protection to our community and to increase the number of safety-related drills and training.





