

# Wallace Community College Selma



## Annual Security Report

2021

Published by Charles J. Dysart II

Wallace Community College Selma works to help maintain public safety and to protect lives and property by providing law enforcement and security functions through the Wallace Community College Selma Campus Police. By providing the campus of WCCS with a full-time police department and educating our inhabitants, we can work together to reduce the chances of becoming victims of crime and avoid misfortunes. We believe that an informed community is a safe community. Therefore, Campus Police makes available the Annual Security Report which includes crime statistics and outlines WCCS's policies and procedures. As a department we encourage students, faculty, staff and patrons to take time and familiarize themselves with the Annual Security Report. Campus Police takes pride in providing law enforcement services to the community. We strive to create a safe environment in which anyone can study, work, and raise a family. Remember, safety first always and you may contact campus police whenever our services or assistance are needed.

Best Regards,

*Charles J. Dysart II*

Chief Charles J. Dysart II  
Chief of Police

### **Wallace State Community College Campus Locations**

#### **Selma Campus**

3000 Earl Goodwin Parkway  
Selma, Alabama 36702  
(334) 876-9227

#### **Demopolis Campus**

186 Field of Dreams Drive  
Gallion, Alabama 36742  
(334)876-9402

### **Wallace State Police Department Authority and Arrest Powers**

The Wallace State Selma Police Department provides full police service to the campus community. The police officers are vested with all the powers, authority, and responsibility of any police officer of the state on property owned or operated by the college, or in any circumstance in which an arrest by a police officer without a warrant is authorized by law. (Code of Alabama 16-47-10). Sworn officers assigned to the Selma Campus wear a dress uniform consisting of: Royal Blue Polo Style shirt with a Wallace State Community College Selma Badge and navy blue pants and are easily identified as police officers.

Non-Sworn Security wear red polo style shirt with security on the back and khaki pants. They do not have powers of arrest

## Wallace State's Relationship with Federal, State, and Local Law Enforcement Agencies

Wallace State Police Department works regularly with federal, state, and local law enforcement agencies regarding a variety of criminal investigations.

### Reporting Criminal Actions or Other Emergencies

We encourage all victims to promptly and accurately report all crimes or emergencies to the Campus Police.

To report a crime at the Selma Campus please call: (334) 375-6036

To report a crime at the Demopolis Campus please call: (334) 289-3073

When reporting crimes to Campus Police, please provide the following:

- Location
- Call Back Phone Number
- Type of Incident
- Information Relating to immediate dangers
- Descriptions of offender(s)

### Non-Law Enforcement Campus Security Officials

**Victims that do not want to report crimes to law enforcement may contact the following Campus Security Officials:**

Selma Campus		
Name	email	Phone
Dr. Donitha Griffin	Donitha.griffin@wccs.edu	(334)876-9295
Shuntelra Logan	Shuntelra.logan@wccs.edu	(334)876-9295

Demopolis Campus		
Danielle Edwards	Danielle.edwards@wscs.edu	(334)876-9402
Ernest Taylor	Ernest.taylor@wscs.edu	(205)213-8235

Please note that a CSA is not responsible for determining authoritatively whether a crime took place- that is the function of Campus Safety and/or law enforcement personnel. A CSA should not try to apprehend the alleged perpetrator of the crime. This is the responsibility of law enforcement. It is also not the responsibility of a CSA to try to convince a victim to contact law enforcement if the victim chooses not to do so.

## **Confidential Reporting of Pastoral and/or Professional Counselors**

Under the law, pastoral and campus professional counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of campus crime statistics. As a matter of policy, however, the campus police department encourages all parties to inform potential victims, when appropriate, of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All verified and unverified confidential reports made of sexual offenses that meet the reporting criteria are included in WCCS's campus crime statistics.

## **Reporting Emergencies on Campus**

It is the policy of Wallace Selma State Community College that any criminal act or threat of violence, injury, destruction of college or personal property, traffic accident or other situation that occurs on college property and that may constitute an emergency, a danger to the health, safety, or property of any person, or a threat to public order be reported immediately. An emergency is hereby defined as any event that is disruptive to the normal affairs of the college. Members of the campus community should be alert to emergency situations and make immediate reports as outlined below. In reporting an emergency, the caller must: (a) state name; (b) state type of emergency; (c) state location of emergency; and (d) remain in the area until assistance arrives.

### **1. Reporting of Emergencies – Selma Campus**

- A. **Medical Emergencies: In the case of major injury or serious illness,**
  - (a) call the paramedics at 911;
  - (b) call the Campus Police at (334)375-6036
  
- B. **Fire /Explosion/Hazardous Material Spill: In the case of fire, explosion or hazardous material spill,**
  - (a) activate the fire alarm or otherwise notify occupants to vacate the building;
  - (b) call the fire department at 911;
  - (c) call the Campus Police at (334) 375-6036
  - (d) call maintenance at (334)876-9279
  
- C. **Criminal Acts:** In case of criminal acts including murder, rape, robbery, aggravated assault, burglary or motor vehicle theft, call the Campus Police at (334)375-6036.
  
- D. **Maintenance Emergencies:** In case of maintenance emergencies, (a) call maintenance at (334) 876-9279.

### **2. Reporting of Emergencies – Demopolis Campus**

- A. **Medical Emergencies: In the case of major injury or serious illness,**
  - (a) call the paramedics at 911;
  - (b) call the Campus Police at (334)289-3073.

- B. **Fire /Explosion/Hazardous Material Spill: In the case of fire, explosion or hazardous material spill,**
  - (a) activate the fire alarm or otherwise notify occupants to vacate the building;
  - (b) call the fire department at 911;
  - (c) call the Campus Police at (334)289-3073.
  - (d) call maintenance at (334) 375-6070
- C. **Criminal Acts:** In case of criminal acts including murder, rape, robbery, aggravated assault, burglary or motor vehicle theft, call the Campus Police at (334) 289-3073.
- D. **Maintenance Emergencies:** In case of maintenance emergencies, (a) call maintenance at (334) 375-6075.

## Emergency Procedures

1. **Criminal Acts**
  - A. The Campus Police Department has primary jurisdiction for response, and investigation of all criminal actions on campus property. The Campus Police Department will coordinate with federal, state and local agencies in complex investigations.
2. **Medical Emergencies**
  - A. Call 911 to summon emergency medical assistance.
  - B. Call Campus Police
  - C. Campus Police have access to AED's
3. **Fire**
  - A. Call 911 to report a fire.
  - B. Fire Extinguishers are located in common areas on all floors of campus buildings.
4. **Emergency Procedures - Building Evacuation**

In the event it becomes necessary to evacuate a building, all occupants are expected to vacate the facility as directed by the signage located in each building. During fire events, do not use elevators. Stair chairs have been deployed in buildings with more than two floors for the purpose of evacuating individuals with disabilities. In the event of a building evacuation, a rally point will be identified in the emergency evacuation warning.
5. **Emergency Procedures - Tornado Warning**
  - A. Campus Police will send Patriot Alert emergency notifications when a tornado warning is issued by the National Weather Service.
  - B. All members of the campus community should take shelter in the lowest floor of the building, away from windows and doors.
  - C. When the tornado threat is over, the all-clear will be given by the Campus Police and normal activities will resume.
  - D. Do not send people home during a tornado warning.

## Reporting Off-Campus Crimes and Other Emergencies

Victims and witnesses to criminal activity occurring off campus should contact the appropriate agency for the jurisdiction:

- Selma Police Department – (334)874-2530
- Dallas County Sheriff’s Office (334)874-2530
- Alabama State Troopers (334)874-8234
- Demopolis Police Department (334)289-3073
- Marengo County Sheriff’s Department (334)295-4208

**Emergency Operation Training and Drills**

**General Emergency Information**

Wallace State Community College has a well-developed process for significant emergencies or dangerous situations involving an immediate threat to the health and safety of students, employees, and visitors. The process is detailed in the Wallace State Community College Emergency Operations Plan (EOP), which includes information about the College’s operating status parameters; incident priorities; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. The EOP is designed to take an all- hazards approach to both natural and human caused hazards. Divisions, departments, offices and individuals are encouraged regularly to familiarize themselves with information in this plan.

The College conducts emergency response exercises each year, which may include one or more activities, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Wallace State Campus Police staff have received training in the Incident Command System and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the Campus Police Department will be the first to respond. Additional resources from a variety of local, state and federal agencies will be requested as needed. The Campus Police Department trains with a variety of local, state and federal agencies annually to enhance their response capabilities.

Type Drill	Campus	Date	Was Campus notified before the drill?

**Wallace State Selma Police Department Response to Crime**

Victims of crime are encouraged to report offenses to the Campus Police. Our officers will conduct a complete and thorough investigation of the event. If the victim desires to press charges, information will be presented to a magistrate, who determines if there is probable cause to issue a warrant. Wallace State Selma Police Officers will assist the victim in obtaining the warrant. Additionally, a Wallace State Selma Police officer is available to assist the victim during all stages of the court process.

Victims also have the option of filing a Code of Conduct violation if the alleged offender is a student. Code of Conduct violations may be filled in place of or in addition to criminal charges. Code of Conduct violations may be submitted to the following:

Dr .Donitha Griffin Dean of Students	All Campuses	(334)876-9295
Lonzy Clifton	Selma Campus	(334)876-9295
Blain Hathcock	Demopolis Campus	(334)876-9402

### **Code of Conduct Process for Students**

Upon receipt of a code of conduct complaint, the Dean of Student Services may assign the case to an investigator to gather additional facts. If there is probable cause to believe that a violation of the Wallace State Community College Code of Conduct has occurred, then the case will proceed to an informal adjudication stage. In this stage a resolution can occur when the terms of the agreement is deemed appropriate by the Dean of Student Affairs, The Code of Conduct is designed to eliminate the conduct at issue, prevent its recurrence and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the campus community. If the case cannot be settled with an informal adjudication, the case will move to the hearing stage. After a verdict is rendered from the hearing, the decision may be appealed to the President for review. The Presidents' decision is final.

For more information concerning Code of Conduct actions, see [www.wccs.edu/handbook](http://www.wccs.edu/handbook)

### **Complaint Process for Employees**

In circumstances in which the offender is a school employee, victims may file a complaint with Human Resources in place of or in addition to criminal charges. These complaints may be submitted to:

Colleen Dixon, Director of Human Resources, ( 334)876-9373.

The victim of a crime who does not want to pursue action within the College's judicial system or the criminal justice system may still consider making a report to a Campus Security Authority. A student or employee can notify any Campus Security Authority about a crime and they can file an internal report without revealing their identity.

The College cannot guarantee confidentiality; but does guarantee privacy. The purpose of a confidential report is to comply with the reporting individual's wish to keep the matter confidential, while taking steps to ensure their future safety and the safety of others. Further options will be discussed with the reporting party. With such information, the college can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to

potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College.

## **Title IX Policy**

### **Title IX Sexual Harassment Complaint Procedures**

#### **A. INTRODUCTION**

Wallace Community College Selma is committed to providing a workplace and campus community free of sexual misconduct and harassment. As required by Title IX of the Education Amendments of 1972, the 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. The 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. Wallace Community College Selma does not tolerate or condone retaliation. Individuals wishing to report reporting sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:



Letti Hasberry  
Title IX Coordinator  
Wallace Community College Selma  
Student Center Building, Human Resources Suite  
3000 Earl Goodwin Parkway  
Selma, Alabama 36701  
Phone: 334-876-9319  
Email: [letti.hasberry@wccs.edu](mailto:letti.hasberry@wccs.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: [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 <https://wccs.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."

#### B. DEFINITIONS RELATING TO SEXUAL HARASSMENT

Many terms are used in the context of sexual harassment. The following will provide some common definitions and examples.

**Actual knowledge:** The notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College shall be deemed actual knowledge on the part of the College.

**Complainant:** is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. For the purposes of this procedure a Complainant may be an individual applying for

admission or employment, an employee, a student or an individual otherwise participating in or attempting to participate in the College's education programs and activities.

Respondent: is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Formal complaint: is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. Note: At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an educational program or activity of the College at which the formal complaint is filed.

Consent: "Consent" must be informed, voluntary, and mutual and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

Incapacitation: An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation include sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntarily consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not be able to give consent to sexual contact.

Sexual Misconduct: Committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined below or under Alabama state law.

Harassment: The striking, shoving, kicking, or otherwise touching or making physical contact in regard to another for the purpose of harassing, annoying or alarming; and/or directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming. Example: Making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person's safety is in jeopardy.

Sexual harassment: Conduct on the basis of sex that satisfies one or more of the following:

- A school employee conditioning education benefits on participating in unwelcome sexual conduct (i.e. quid pro quo);
- Unwelcomed conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Stalking, dating violence, or domestic violence.

**Definitions of Sexually Based Offenses 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 (Alabama Code 13A-6-66).

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 (Alabama Code 13A-6-67).

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

(b) Rape in the first degree is a Class A felony (Alabama Code 13A-6-61).

**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 (Alabama Code 13A-6-62).

**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 (Alabama Code 13A-6-63).

**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 (Alabama Code 13A-6-64).

**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 (34 U.S.C.12291(a)(8)). 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 (Alabama Code 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:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship (34 U.S.C.12291(a) (10)).

In Alabama, dating violence is covered under Alabama Code 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 34 U.S.C.12291(a) (30). 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 (Section 13A-6-91 Stalking in the second degree).

**Sexual assault:** Means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting systems of the Federal Bureau of Investigation 20 U.S.C.1092 (f)(6)(A)(v). Victims 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, or local law enforcement. In those cases, the victim may still seek assistance confidentially from any other victim service agency of their choosing.

## **Formal Complaint Process**

### **A. INITIAL STEPS**

Any student or employee of the College or applicant for employment or admission who has a complaint against a student or a member of the College faculty, staff, or administration concerning sexual harassment (Title IX of the Educational Amendments of 1972) or has knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned by the College or controlled by the College should report the complaint to the campus Title IX Coordinator <https://wccs.edu>. An educational program or activity of the College includes, but is not limited to locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.

**B. REPORTING A COMPLAINT** Any individual may report sexual harassment incident to Title IX Coordinator in person, by email, by telephone, or in writing. The report must include the names of the Complainant(s) and Respondent(s), approximate date of incident, facts of the incident, and contact information for the person submitting the complaint. The Title IX Coordinator will respond in writing to the person submitting the complaint as soon as practicable, but not exceeding five (5) business days. If the person submitting the complaint is not the Complainant, the Title IX Coordinator will also contact the Complainant within five (5) business days. If after a discussion with the Complainant, the Title IX Coordinator determines that the complaint does not qualify as a Title IX Complaint, the Title IX Coordinator will notify the Complainant in writing and may redirect the Complaint to the appropriate committee. If after a discussion between the Complainant and the Title IX Coordinator, the Title IX Coordinator determines that the complaint meets the criteria of a Title IX Complaint and the Complainant requests to file a formal complaint, the Title IX Coordinator will initiate the formal complaint process.

**C. SUPPORTIVE MEASURES** Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Supportive measures will be offered to the Complainant within five (5) business days of receipt of the complaint. Supportive measures will be offered to the Respondent simultaneously with the Notice of Allegations.

D. Standard of Evidence for Determining Responsibility For the purposes of College Title IX procedures, the College will use a “preponderance of evidence” standard for determining responsibility. Preponderance of the Evidence means evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is evidence which as a whole show that the fact sought to be proved is more probable than not. E. FORMAL COMPLAINT PROCESS A formal complaint must be submitted in electronic (email) or written format to the Title IX Coordinator and must be signed by the Complainant. In the event that under the circumstances a formal complaint should be pursued notwithstanding a Complainant’s desire not to file a formal complaint, the Title IX Coordinator may sign the complaint.

The complaint must include the following:

- the date of the original complaint,
- names of Complainant and Respondent,
- facts and description of the complaint, and
- the request to investigate complaint.

A Complainant must be participating in or attempting to participate in a College sponsored program or activity at the time the complaint is filed.

#### **F. DIMISSAL OF FORMAL COMPLAINT**

The College may dismiss a formal complaint or allegations therein if:

- the Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the formal complaint or allegations therein,
- the Respondent is no longer enrolled or employed by the school, or
- specific circumstances prevent the school from gathering sufficient evidence to reach a determination. The College must dismiss a formal complaint or allegations therein if:
  - the allegations do not meet the definitions of sexual harassment
  - the alleged conduct did not occur within the United States, or
  - the alleged conduct did not occur within a College sponsored program or activity.

If the College determines the formal complaint or allegations therein will be dismissed, the Title IX Coordinator will provide written notice to both parties of the dismissal of allegations, and the reason for dismissal within five (5) business days of the decision to dismiss the complaint.

#### **G. NOTICE OF ALLEGATIONS**

The Title IX Coordinator will provide simultaneous written notice of allegations, including sufficient details, and intent to investigate to the Complainant and Respondent no later than ten (10) calendar days after receipt of the formal complaint. The Title IX Coordinator will also provide both parties with the formal complaint, grievance and appeal process, possible sanctions and remedies, and availability of advisors. The written notice shall include a statement that the respondent is presumed not responsible for the alleged conduct, that the parties and their advisors may review and inspect evidence, and advise the parties of the provisions of the

College Code of Conduct relating to making false statements or submitting false information during the grievance process. The Title IX Coordinator will additionally notify the Title IX investigator of the pending investigation and provide a copy of the formal complaint.

## **H. ADVISORS**

In addition to providing the Complainant and Respondent with written notice of allegations and intent to investigate, the Title IX Coordinator will inform the parties of the availability of advisors. Both parties shall have the right to retain, at the respective party's own cost, the assistance of legal counsel or other personal representative advisor. In the alternative, either or both parties may also request an advisor provided by the College. Only an advisor may conduct cross-examination during the live hearing. Neither party may dismiss a College appointed advisor.

## **I. INVESTIGATION PROCEDURE**

The Title IX investigator is responsible for conducting an investigation of the submitted formal complaint. The Title IX investigator will have received Title IX investigator training within the current academic year. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties. The Title IX investigator will notify the Complainant and Respondent in writing of the intent to investigate within five (5) business days of receipt of the formal complaint and will commence interviews within ten (10) business days of receipt of the formal complaint. The Title IX investigator will notify the Complainant and Respondent and their respective advisors in writing of all individuals the investigator intends to interview. Either party may identify other witnesses with relevant information for interview or other evidence for review by the investigator. The Title IX investigator will conduct a factual investigation of the formal complaint and shall research applicable statutes, regulations, and/or policies, if any. The Title IX investigator will notify any interviewees in writing of the intent to interview. Interviewees will have at least five (5) business days' notice of an interview. Notice will include the participants, date, place, purpose, and time of the interview. The College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Creditability determinations may not be based on a person's status as a complainant, respondent or witness. The College will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the College may establish restrictions regarding the extent to which the advisor may participate in proceedings, as long as the restrictions apply equally to both parties. The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. Prior to the completion of the investigative report, the Title IX investigator will submit all reviewed evidence to the Title IX Coordinator. The Title IX Coordinator

will provide copies of all evidence reviewed during the investigation to the Complainant, Respondent, and their respective advisors. All parties will have ten (10) business days to review the evidence and respond in writing to the Title IX Coordinator. Subsequent to the ten (10) business day review period, the Title IX Coordinator will direct any responses from the Complainant, Respondent, or their respective advisors to the Title IX Investigator for additional review. The Title IX Investigator will submit a final report and the reviewed evidence to the Title IX Coordinator. At least 10 days prior to the live hearing, the Title IX Coordinator will simultaneously provide the Complainant, Respondent, their respective advisors, with the final report and all reviewed evidence for their review and written response.

The President will select a Hearing Officer to conduct the live hearing. The Hearing Officer shall be provided a copy of the investigative report and reviewed evidence.

## **J. LIVE HEARING PROCEDURE**

Upon receipt of the final investigative report, the Hearing Officer will convene a Decision Maker panel and schedule a live hearing. The panel will consist of three (3) individuals selected by the Hearing Officer who have completed Decision Maker training during the current academic year. The Hearing Officer will designate one of the Decision Makers as Primary Decision Maker. Hearing Officer will notify the Complainant, Respondent, their respective advisors, Title IX Coordinator, Title IX Investigator, witnesses named in the final report, and the Decision Makers of the live hearing date within five (5) business days of receipt of the final investigative report. The live hearing date must provide the Complainant, Respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence. The hearing must be a live, recorded hearing with the opportunity for both advisors to conduct cross-examinations. The hearing shall be recorded by either a court reporter or on audio or video tape or by other electronic recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record. Upon request, the Complainant and Respondent may participate in the hearing via on-campus video conferencing provided that all parties, including the Decision Making Panel, are able to see and hear the party or witness answering questions in real-time. The Hearing Officer, Decision Makers, Complainant, Respondent, and their respective advisors will attend the hearing. The Title IX investigator, Title IX Coordinator and witnesses will be called to provide testimony if requested by the Decision Makers, parties or their respective advisors. If a party does not have an advisor present at the live hearing, the College shall provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney. The hearing process will consist of:

- Opening statement by Hearing Officer
- Review of hearing procedures, formal complaint and notice of allegations by Hearing Officer
- Review of potential hearing outcomes and sanctions by Hearing Officer
- Complainant Testimony • Cross-examination of Complainant by Respondent advisor
- Testimony of Witnesses of Complainant • Cross-examination of Complainant Witnesses by Respondent advisor
- Respondent Testimony
- Cross-examination of Respondent by Complainant advisor
- Witnesses of Respondent Testimonies
- Cross-examination of Respondent Witnesses by Complainant advisor



- Decision Maker inquiries
- Review of appeal process by Hearing Officer
- Closing statement by Hearing Officer
- Dismissal of parties
- Decision Maker deliberations

At the hearing, the Hearing Officer shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Hearing Officer concludes opening statements, the Complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to Complainant testimony, the Respondent advisor may conduct cross-examination. The Decision Makers may question the Complainant after the cross-examination.

The Complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The Respondent advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination. The Respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the Respondent's defense against the formal complaint. Subsequent to Respondent testimony, the Complainant advisor may conduct cross-examination. The Decision Makers may question the Respondent after the cross examination. The Respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The Complainant advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination. Only relevant cross-examination and other questions may be asked of a party or witness. During cross-examination, the advisor will pose each question orally to the Primary Decision Maker. The Primary Decision Maker will determine if the Complainant, Respondent, or witnesses may respond to the question. If the Primary Decision Maker chair determines that the question is not relevant, the Primary Decision Maker will explain the rationale for dismissing the question. Rape shield protection is provided for Complainants which deems irrelevant questions and evidence about a Complainant's prior sexual behavior unless offered to prove that someone other than the Respondent committed the alleged misconduct or if the questions and evidence concern specific incidents of Complainant's prior sexual behavior with respect to the Respondent and offered to prove consent. If a witness or party is not available or declines cross-examination, the decision makers must not rely on any statement of that witness in reaching a determination regarding responsibility; provided, however, that the decision makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Upon conclusion of the presentation of the evidence and cross-examinations, the Hearing Officer shall read the appeal process and closing statements. The Complainant, Respondent, their respective advisors and all witnesses shall be dismissed. The Decision Makers will deliberate to determine if the Respondent is deemed responsible and submit a written hearing report which contains:

- identification of the allegations potentially constituting sexual harassment;
- a description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site

- visits, methods used to gather other evidence, and hearings held; • findings of fact supporting the determination;
- conclusions regarding the application of the College's code of conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
- the College's procedures and permissible bases for the complainant and respondent to appeal.

The Primary Decision Maker will submit the hearing report to the Hearing Officer within ten (10) business days of the live hearing. The Hearing Officer will submit the hearing report simultaneously to the Title IX Coordinator, Complainant, Respondent, and their respective advisors within three (3) business days of receipt of the hearing report. The College must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator will retain the recording of the hearing, the hearing report, the investigative report, and all evidence obtained during the investigation and all evidence offered at the hearing.

## **K. APPEAL PROCEDURE**

Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds:

- (1) procedural irregularity that affected the outcome of the matter;
- (2) new evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made, that could affect the outcome; and/or (
- 3) the Title IX Coordinator, Investigator, or a Decision Maker had a conflict of interest or bias that affected the outcome.

The President of Wallace State Community College or his/her designee shall be the appeal authority in upholding, rejecting, or modifying the recommendations of the Decision Maker Panel.

The President or his/her designee shall not be bound in any manner by the recommendation(s) of the Decision Maker Panel, but shall take it (them) into consideration in rendering his/her decision. Either party may file a written request with President requesting that the President review the decision of the Decision Maker Panel. The written request must be filed within ten (10) business days following the party's receipt of the hearing report. If the appeal is not filed by the close of business on the tenth (10th) business day following the party's receipt of the report, the party's opportunity to appeal shall have been waived. As to all appeals, the College will:

- notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

- ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.
- ensure the decision-maker(s) for the appeal complies with the standards set for in 34 C.F.R. § 160.45(b)(iii);
- give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- issue a written decision describing the result of the appeal and the rationale for the result; and
- provide the written decision simultaneously to both parties.

A decision on a party's appeal shall be rendered within 30 calendar days of the initiation of the appeals process. The time for decision may be extended for exigent circumstance or as may be otherwise agreed by the parties. If the Respondent is also an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act. Informal Resolution. The College may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the College may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the College does the following: (i) provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; (ii) obtains the parties' voluntary, written consent to the informal resolution process; and (iii) does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

#### **L. RETALIATION PROHIBITED.**

Neither the College nor other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated in any manner an investigation, proceeding, or hearing conducted under this policy. Complaints alleging retaliation may be filed according to the grievance procedures included in the formal complaint process. The College shall keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as may be permitted by FERPA statute, 20 U.S.C. 1232g or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Range of Possible Sanctions – On final determination of responsibility the following sanctions may be imposed against a respondent:

**For Students:**

1. Disciplinary Suspension: This excludes a student from the College for a designated period of time, usually not more than two terms. While on suspension, a student will not be allowed to take any courses at the College. At the end of the designated period of time, the student must make formal reapplication for admission.
2. Area Suspension: A student may be suspended from a specified college area for improper or disruptive behavior. Suspensions generally will be for a period of time not to exceed the remainder of the term.
3. Disciplinary expulsion: This is the strongest disciplinary action. This category of severe penalty generally indicates the recipient may not return to the College.
4. A no trespass may be issued for individuals who have been accused and or found in violation of sexual harassment.

**For Employees:**

In addition to any criminal or civil actions which may be pending or in process, the College reserves the right to pursue separate disciplinary action against perpetrators of sexual assault. Persons found responsible for sexual assault should expect disciplinary actions up to and including permanent expulsion or termination from the College. For Individuals other than employees or student: A no trespass may be issued for individuals who have been accused and or found in violation of sexual harassment. At any time in the grievance process the College may impose a temporary delay or limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities. Neither the College assigned Investigator or Decision Makers and any person who facilitates an informal resolution process shall require, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. The College's Title IX Coordinators, Investigators, Decision Makers shall all have received training for their respective roles prior to participating in a Title IX Complaint or grievance process. All materials used to train the Title IX Coordinators, Investigators, Decision Makers and any person who facilitates an informal resolution process may be found on the College's website at <https://www.wccs.edu>.

**Crisis and Other Urgent Communications**

**Clery Timely Warning Notices** are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a serious crime has been reported and/or may be repeated--so that campus community members can protect themselves or their property. The Clery Act identifies specific crimes that require a timely warning notice to be issued. When crimes are reported to a CSA or the police and the reported crime(s) are believed to have occurred on campus, in or on non-campus buildings or property, or on public property immediately contiguous to the campus.

## **Emergency Notifications**

If a potentially life-threatening emergency exists that necessitates an urgent notification to the campus community, such as a tornado warning or active shooter, the institution's Patriot Alert Emergency Notification System will be used. This message will be promulgated through text messages, and emails. The way an individual gets Patriot Alert Campus messages, is entirely their decision. Emergency notifications can be sent by the Police Department Dispatcher when deemed appropriate.

## **Security of Personal Property**

The college cannot be responsible for personal property, nor can the college assume responsibility for the protection of vehicles or their contents. The campus police recommend that students conceal books, supplies, and other valuables in the trunks of their cars or keep valuables in their possession at all times. Items such as purses, handbags, book bags, and knapsacks should not be unattended.

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

Wallace 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:

### **Selma Campus**

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

7:30 a.m. – 12:00 p.m. Friday

### **Demopolis Campus**

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

7:30 a.m. – 12:00 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. Students, faculty, or staff who access to campus facilities outside of the hours scheduled above need must secure written authorization from the appropriate cost center head or administrator. An approved Request for After-Hour Building Usage form must be submitted to the campus police during normal office hours Monday through Friday. In the event of an unforeseen emergency, please contact the Campus Police for assistance.

## **Security considerations used in the maintenance of campus facilities**

Campus police coordinates with the maintenance department regarding maintenance issues related to safety and security.

1. Electronic Alarm Systems: A computer-based electronic monitoring system is located on campus to monitor security and fire alarm activations.
2. Camera systems are installed throughout college.
3. The Director of Facility and Safety provides input into the design of new and renovated campus facilities as it relates to physical and electronic security systems.
4. WCCS personnel routinely conduct surveys and reviews of perimeter security to campus owned buildings. Anyone who needs to report a security lighting issues may contact WCCS at 334-876-9248.

### **Safety and Security Programs**

Safety and Security programs are provided by Campus Police when requested. To request a class, please contact Chief of Police at (334)876-9248. Types of classes include: Sexual Harassment and Rape Prevention (SHARP), Emergency Operation Response, Stop the Bleed, Don't be a Victim and other classes as requested.

### **Campus Crime Statistics Disclosure**

Wallace State is required under Section 668.46(b) of the Campus Security Act to publish and distribute an annual security report. The Campus Crime and Security Survey as required by the United States Department of Education is available at <http://ope.ed.gov/security>. The offenses for which the Campus Security Act requires statistical reporting are defined in accordance with the FBI Uniform Crime Reporting (UCR) System, as modified by the Hate Crimes Statistics Act. Victims or witnesses of crimes may report crimes confidentially for inclusion in the annual disclosure of crime statistics.

### **Crime Prevention**

The potential for crime exists everywhere in society: on campus is no exception. There are two elements for crime to happen, motive and opportunity. Motive can't be controlled, but you can reduce opportunity.

**On Campus** -- after hours of darkness, don't walk alone in unlit or dimly lit areas. If you are attending evening classes, park your car in well-lit areas of the parking lot. Keep your car locked and check the back seat before getting in the vehicle. Have your key in your hand as you approach your vehicle. Don't study or work alone. Request an escort from the Campus Police.

**Traveling** – keep your car in good running condition, and always have more than enough gas to get to your destination and back. Keep your car doors locked with the windows up, and always check the back seat (including the floor) before entering your vehicle. At night, park as close as possible to lights and activity. When returning to your car, get friends to go with you. Don't stop for hitchhikers or broken down vehicles. To help a stranded driver, go to a phone and call the police. If you think someone is following you, don't head home. Keep your hand near the horn and drive to the nearest police or fire station, open gas station, or other business that is open. If your car runs out of gas or breaks down, raise the hood. Tie a white cloth to the antenna or door handle to alert the police. Keep doors locked and windows up until the police arrive. If anyone stops, ask him or her to phone for help

## **Daily Crime Log**

Campus Police compiles statistical information from reports filed with our agency and surrounding agencies. A copy of the Daily Crime Log is available at each campus police office.

## **Crime Statistics**

### **Monitoring Campus, Non-Campus and Public Property for Criminal Activity**

The annual security report for WCCS includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings, or property owned/controlled by WCCS and on public property within, or immediately adjacent to and accessible from the campus. In accordance with mandated reporting requirements, information concerning the monitoring and recording of any criminal activity in which students engaged, at off campus locations and/or within student organizations that are officially recognized by the College, are gathered from local police agencies. These agencies include any City, County, State, or Federal agencies that may have relevant information and the statistics are published in this disclosure. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters. The Campus Police Department is aware that crimes may go unreported to law enforcement and encourages employees of WCCS, who have significant responsibility for students and student activities, to report any crimes that they are aware of to the Campus Police.

We take your safety seriously! To ensure the continued health and safety of WCCS students and employees, we must all consider our own security, as well as the security of others, a priority when on campus. Should a crime occur on campus, WCCS strongly encourages you to report this crime immediately to the Campus Police Department by calling 334-876-9248 or 9227.

In an effort to promote awareness and enhance safety, we would like to inform you of our campus crime statistical disclosure report for 2016. We hope this information is helpful to you. Should you have any questions or suggestions regarding campus safety or security, please contact Chief Charles J. Dysart II at 334-876-9248.

The following are statistics relating to incidents occurring on the main campus of, any branch or, or any other site operated by Wallace Community College Selma for the academic years, 2014-16. For the purposes of this report, the definitions on the following page shall apply. These definitions are consistent with those used by the U.S. Department of Justice in the Uniform Crime Reports published by the Federal Bureau of Investigation.

The classification by the college of any criminal offense which occurs on campus shall be based on its designation by determination of a court, medical examiner, coroner, jury, or other judicial body.

### **Definitions:**

#### **Murder and Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another

## **Negligent Manslaughter**

The killing of another person through gross negligence

## **Forcible Sexual Offenses/Rape**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- **Forcible Rape** □ The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- **Forcible Sodomy** □ Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** □ The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

## **Non-Forcible Sex Offenses**

Unlawful, non-forcible sexual intercourse. A. Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. B. Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

## **Robbery**

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

## **Aggravated Assault**

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

## **Stalking**

Intentionally and repeatedly following or harassing another person while making a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking.



**Burglary**

The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

**Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

**Arson**

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

**Other Offenses Included with Hate Crimes**

Included in this category is all applicable offenses involving hate crimes such as intimidation/harassment, simple assault, and vandalism/criminal mischief of property.

**Fondling**

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

**Incest**

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

**Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

**Rape**

The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

***Arrest Statistics Relating to Alcohol, Drugs, and Weapons******Definitions:***

*Arrest is the process of taking a person into custody, by a duly appointed law enforcement officer for the violation of a criminal offense.*

*A Liquor Law Violation is an act or omission committed in violation of an ordinance or statute designed to control the possession, sale, distribution, or usage of alcoholic beverages.*

*A Drug Law Violation is an act or omission committed in violation of an ordinance or statute designed to control the possession, sale, distribution, or usage of those items categorized as illicit drugs, controlled substances, or illegal drug paraphernalia.*

*A Weapons Violation shall be the illegal possession or control of an item designated as a weapon by ordinance, statute, or case law.*





## 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.**

Campus	Year	Offense	Number of Offenses	Bias
None reported in 2020				

## Notification to Victims of Crime of Violence

WCCS 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:

- a. 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
- b. 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 in the course of committing the offense.
- c. The results 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.

## **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>

## **Sexual Offenses**

Wallace State places a high priority on the safety of all students, employees and visitors. Any type of sexual misconduct is strictly forbidden at Jefferson State. Both college disciplinary procedures and criminal charges may be applied to sexual offenses.

### **1. Educational Programs**

Education programs aimed at making the Wallace State community free from sex offenses are administered by the Campus Police and the Office of Recruiting/Student Activities. These programs include but are not limited to:

- A. Presentations at orientation by Campus Police.
- B. Presentations by Campus Police as requested.
- C. Brochures available in the offices of Campus Police and Office of Recruiting/Student Activities which describe the prevention of sexual assault.
- D. Posters throughout the campus community to heighten awareness of sexual assault.

### **2. Sanctions**

Upon determination that a student or employee has committed rape, acquaintance rape or another sexual offense, the following sanctions are available:

- Criminal charges
- Probation
- Suspension from college and / or employment
- Expulsion from college
- Termination of employment
- Ban from College Property

## **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.

## **Policy**

Wallace State places a high priority on the safety of all students, employees and visitors. Any type of harassment, abuse, physical violence or intimidation is forbidden. Both college disciplinary procedures and criminal charges may be applied to these offenses.

## **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 in choosing the manner in which 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.
9. Complainants have the right to a prompt, fair, and impartial investigation, conducted by properly trained individuals conducted by officials who receive annual training.
10. Accusers and accused have the right to simultaneous written notification of outcome at each stage in the process.
11. Accusers and the accused both have the right to appeal code of conduct decisions.
12. Complainants have the right to assistance with accommodations regarding academic and work scheduling when requested and reasonably available; whether or not the offense was reported to law enforcement. The location of the offense does not affect this right.
13. Wallace State Community College will not allow any form of retaliation against a complainant for making an allegation of harassment, abuse, physical violence, or intimidation.

## **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. If the incident occurs off campus, contact 911.
- E. Seek medical attention immediately. Campus Police can assist you 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 in the Office of Campus Police.

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

Bystanders play a critical role in the prevention of sexual and relationship violence. A bystander is defined as a “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.” Jefferson 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>.

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.

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.

Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

Speak up when someone discusses plans to take sexual advantage of another person.

Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

## **Risk Reduction**

With no intent to victim blame and recognize that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)).

### **Protection from Abuse Orders**

Wallace State Community College complies with Alabama law in recognizing protection from a abuse orders. Any member of the campus community that obtains such order should notify the Campus Police Department. 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.

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

As required by Section 22 of 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, Wallace 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. Wallace State Community College Selma 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. Wallace 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. Wallace State Community College Selma Police Department will provide individual education to students, faculty and staff concerning drug and alcohol education and prevention of abuse. The Human Resources Department also provides periodic group programs that have been designed to respond to the needs and empower the wellness of all members of the college community. The program includes a continuum of activities and services, which can be categorized into the three areas listed below:
  - a. Prevention/Education—increase awareness, knowledge, skills and practice of healthier alcohol and other drug choices.
  - b. Policy and Procedures—review and revise college policies and procedures regarding alcohol and other drug (AOD) use and abuse, to ensure fair and consistent implementation supportive of the mission of the college as well as federal, state and local guidelines
  - c. Alcohol Abuse Prevention Programs
    1. Alcohol Awareness - information on the physical/mental effects of alcohol; driving under the influence (DUI) and its possible consequences; binge drinking and its possible consequences.
    2. Date Rape Drugs - drug names and effects; informing victims on the ways drugs can be administered without the victim's knowledge.
    3. Dangers of Parties - addresses safety issues related to parties.
    4. driving under the influence of drugs or alcohol
    5. public intoxication
    6. violation of the city's open beverage container ordinance
    7. violation of the laws prohibiting a minor from being in possession of alcohol



8. and prohibiting the sale of alcohol to a minor  
violation of the law prohibiting adults to allow minors to consume possess alcohol at an open house party

### 3. Resources

**The following resources are available for drug and alcohol addiction**  
**5th Tradition Group**

Address: 504 Cahaba Road Selma, AL

Phone: (334) 264-4122

**Cahaba Center for Substance Abuse Services**

Address: 912 Jeff Davis Avenue Selma, AL

Phone: (334) 874-2600

**First Step Serenity Group**

Address: 1203 Voeglin Ave Selma. AL

Phone: (866) 985-0008

**Lighthouse Rehab & Healthcare**

Address: 2911 Earl Goodwin Pkwy, Selma, AL 36703

Phone: (334) 875-1868

**Selma Dallas Prevention**

Address: 1 Bell Rd, Selma, AL 36701

Phone: (334) 526-2500

**Mental Health Center West Alabama**

1215 South Walnut Avenue

Demopolis, AL 36732

Phone: 1-800-239-**2901**

**West Alabama Mental Health Center – Springhill Home**

1206 Old Springhill Road #B

Demopolis, 36732

Phone: (334)-287-2805

**TAME Addiction and Mental Health**

7921 Poplar Springs, Drive

Meridian, Mississippi 39305

Phone: (601)482-5253

### **Student Possession, Use and Sale of Alcoholic Beverages**

Wallace State Community College Selma promotes a drug-free campus. The college has a vital interest in maintaining a safe, healthy, and productive work and academic environment for its employees, students, and the public. As such, Wallace State complies with the federal Drug Free Schools and Communities Act, the Drug Free Schools and Campuses Regulations, the Drug Free Workplace Act, the Controlled Substances Act, the drug regulations mandated by the federal highway administration of the US Department of Transportation, and other applicable federal state and local laws and regulations. Wallace State prohibits the unlawful manufacture, distribution, dispensation, possession, use and/or sale of any controlled substance, including illicit drugs, marijuana, of any kind or any amount.

Employee's that violate this policy are subject to the following disciplinary action upon completion of due process hearings:

- Probation
- Suspension from college
- Expulsion from college
- Criminal Prosecution
- Ban from college property
- Recognized Student Organizations

### **Employee Possession, Use of Alcohol and Drugs at Wallace State Community College**

Wallace State Community College promotes a drug-free campus. The college has a vital interest in maintaining a safe, healthy, and productive work and academic environment for its employees, students, and the public. As such, Wallace State complies with the federal Drug Free Schools and Communities Act, the Drug Free Schools and Campuses Regulations, the Drug Free Workplace Act, the Controlled Substances Act, the drug regulations mandated by the federal highway administration of the US Department of Transportation, and other applicable federal state and local laws and regulations. Jefferson State prohibits the unlawful manufacture, distribution, dispensation, possession, use and/or sale of any controlled substance, including illicit drugs, marijuana, of any kind or any amount.

Employee's that violate this policy are subject to the following disciplinary action upon completion of due process hearings:

- Probation
- Suspension
- Termination of employment
- Criminal Prosecution
- Ban from college property

### **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.  <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.	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.  Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <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.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
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	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
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	
<b>Substance/Quantity</b>		<b>Penalty</b>		
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.		

**Second Offense:** 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 Hashish More than 10 kilograms Hashish Oil More than 1 kilogram</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>Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants Hashish 10 kilograms or less Hashish Oil 1 kilogram or less</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>

## **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**

<b>VIOLATION</b>	<b>PENALTIES*</b>	<b>AL CODE §</b>
<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
<i>Sale of controlled substance by person over 18 to person under 18</i>	<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
<i>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>	<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
<i>Manufacture of a controlled substance</i>	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-217
<i>Distribution of controlled substances (furnished, sold, given away, manufactured, delivered or distributed)</i>	<i>Class B Felony</i> . Prison: 2-20 years Fine: Not more than \$30,000	13A-12-211
<i>Possession or receipt of controlled substances</i>	<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**

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 persons 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 diethylamino (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 still-births. 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 as 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, along with a link to the complete document, health risks, and legal implications during the annual notification of policies. Jefferson State Community College will make good faith efforts to have and maintain an alcohol and drug-free workplace.

**WALLACE COMMUNITY COLLEGE SELMA**

**ADMINISTRATIVE OFFICERS**

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*President*

Dr. Donitha Griffin

*Dean of Students/Executive to the President*

Dr. Tammie Briggs

Dean of Instruction

Dr. Rosa Spencer

*Dean of Business and Finance*

Mrs. Veronica Brown

*Associate Dean of Institutional Effectiveness & Faculty*

*Development Mr. Corey Bowie*

*Director of Talent Search/Gear Up*

Ms. Anessa Kidd

*Director of Financial Aid*

Dr. Sarah Davis

*Director of Health Services*

Dr. Herbert Thomas Jr.

*Director of Student Support Services*

Ms. Minnie Carstarphen

*Library Director/Learning Resource Center*

Ms. Lula Snowden

*Director of Adult Education*

Mr. Robby Bennett

*Director of Technology & Information Services*

*Mr. Blaine Hathcock*

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*Ms. Danielle Edwards*

*Demopolis Campus Secretary/Cashier*

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*Director of AMSTI*

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*Director of E-Learning*

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