**Crime Report Form**

 **Please complete and forward this report to:**

 **Michael Masters/Public Safety -** **mmasters@daltonstate.edu**

CSA: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Crime reported by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Classification (see definitions): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date incident occurred: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Location of Incident (building name or address): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Description of the incident: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the crime occur in a building or on the street?

Building: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Did the crime occur on school owned, controlled, or leased property? **Yes** **[ ]  No** **[ ]**

Did the crime occur at a College-sponsored activity or event? **Yes [ ]  No [ ]**

\*This form is used when an incident is reported by a Dalton State College official, and victim declined contact with law enforcement.

\*Provide the Victim with a copy of their rights and options (Attached)

***Classifications***

***Murder/Non-Negligent Manslaughter:*** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

***Negligent Manslaughter*:** the killing of another person through gross negligence.

***Robbery:*** the taking or attempting to take anything from value of 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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

***Burglary:*** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

***Motor Vehicle Theft:*** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding)

***Arson*:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

***Weapon Law Violations:*** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

***Drug Abuse Violations:*** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

***Liquor Law Violations:*** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

***Domestic Violence:*** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

***Dating Violence*:** The term “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 shall be

determined based on a consideration of the following factors:

 (i) The length of the relationship.

 (ii) The type of relationship.

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

***Sexual Assault:* Sex offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. 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.

B. 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.

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

D. Statutory Rape — Nonforcible sexual intercourse with a person who is under the statutory age of consent.

***Stalking:*** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) Fear for his or her safety or the safety of others; or

(ii) Suffer substantial emotional distress.

***Hate Crimes:***

Includes all of the crimes listed above 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 or 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.

***Categories of Prejudice:***

\*Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

\*Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

\*Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

\*Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

\*Ethnicity/national origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

\*Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.



If a student, employee or visitor has been the victim of crime, specifically an incident of sexual assault, domestic violence, dating violence, or stalking they should immediately report it to the Department of Public Safety at 706-272-4461.

* Students may also report to the Student Conduct Administrator in the Pope Student Center, Office 235 or by phone 706-272-2999.
* Employees may report to the Director of Human Resources, in Brown Hall, Office 315 or by calling 706-272-2034.

Other offices have also been designated as reporting locations and will assist any victim of sexual assault, domestic violence, dating violence, and stalking in notifying law enforcement, including campus police, if they elect to do so;

|  |  |  |
| --- | --- | --- |
| **Official** | **Campus Address** | **Phone Number** |
| Campus Police & Public Safety | Health Professions Building Suite 300 | 706-272-4461 24hrs/7 days |
| Provost and Vice President for Academic Affairs | Westcott Hall, Office 166 | 706-272-2491 |
| Director of Human Resources | Brown Hall, Office 315  | 706-272-2034 |
| Assistant Director of Student Conduct  | Pope Student Center, Office 235 | 706-272-2999 |
| Dean of Students  | Pope Student Center, Office 223 | 706-272-2505 |
| The Office of Residence Life | Mashburn Hall  | 1-706-712-8228 |
| VP for Student Affairs and Enrollment Management | Westcott Hall, Office 109 | 706-272-4475 |

Victims are not required to report to law enforcement in order to receive assistance from or pursue any options with Dalton State.

The Public Safety Department or designated offices can assist a victim in obtaining a restraining order, or medical assistance after being involved in an incident.

The designated offices will provide the victim with a copy of these rights and options regardless of whether the incident occurred on campus. Also, the victim can get information on counseling, mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims. Also, changes may be made to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports the incident to law enforcement.

1. **Procedures Victims Should Follow**

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs it is important to preserve evidence so that a successful criminal prosecution remains an option. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam – which is important both to address any health issues that may arise and evidence collection. Any clothing removed should be placed in a paper, not plastic, bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented by taking a photograph. Evidence of stalking including any communication, such as written notes, voice mail or other electronic communications should be saved and not altered.

1. **On & Off Campus Resources**

Both Dalton State and our local community offer other important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. Whitfield County Victim/Witness Assistance Office is available to assist any student or employee free of charge and will help them consider their options and navigate through any resources or recourse they elect to pursue. A victim need not make a formal report to law enforcement or Dalton State to access these resources.

Brenda Hoffmeyer Victim/Witness Coordinator 706-826-1300

DSC Counseling Center 706-272-4430

Hamilton Medical Center 911 or 706-272-6000

Northwest Georgia Family Crisis Center 706-278-6595

1. **Accommodations**

Whether or not a student or employee reports to law enforcement and or pursues any formal action, if they report an incident of sexual assault, domestic violence, dating violence, or stalking, Dalton State is committed to providing them as safe a learning or working environment as possible. Upon request Dalton State will make any reasonably available change to a victim’s academic, living, transportation, and or working situation. Students and employees may contact the Title IX Coordinator at 706-272-2034 for assistance. If a victim reports to law enforcement, they may assist them in obtaining a no-contact/restraining order from a criminal court.

Dalton State is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property, and is also committed to protecting victims from any further harm, and the College may issue an institutional no-contact order.

1. **Protective orders**

If you’re a victim or potential victim, you must apply to a judge for a protective order. You must convince the judge that it's necessary to prevent continuing or imminent harm. In a domestic violence situation, however, the judge may issue a temporary order immediately, then later hold a hearing to determine whether to make the restraining order final. Contact the Whitfield County Magistrate Court for more information:

*205 N Selvidge Street*

*Dalton GA 30720*

*(706) 278-5052*

1. **Student Conduct**

The Dean of Students Office is responsible for administering the Student Code of Conduct, which articulates the behavioral standards and the equitable procedures used by the college to respond to allegations of student misconduct. The Code of Conduct may be accessed at:

<https://www.daltonstate.edu/campus_life/student-conduct-about.cms>

**Disciplinary Procedures**

* 1. **Throughout the student conduct disciplinary procedures, accused students shall be afforded the following rights:**
		1. To receive notice of alleged violations
		2. To be provided an opportunity to respond to alleged violations
		3. To seek information from the Student Conduct Administrator or a hearing officer about the review and resolution processes
		4. To be accompanied by one advisor of his/her choice to conduct meetings and hearings (For further information on advisors, see section IV.7)
		5. To present relevant information on his/her behalf
		6. To request relevant witnesses in his/her behalf
		7. To remain silent during any investigations and/or hearing and have no interference of responsibility drawn from such silence. (If the respondent chooses to remain silent, the investigation may still proceed, and policy violation charges may still result, and any charges may be resolved regarding the respondent)
		8. To have unrelated charges and cases resolved separately, unless the respondent consents to having them aggregated
		9. To be informed of any disciplinary outcomes in writing
		10. To appeal decisions on specific grounds (For further information on appeals, see section X)
		11. To attend classes and required College functions until a hearing is held and a decision is rendered. Exceptions can be made when an interim suspension is imposed. (For further information on interim suspension see Section IX)
1. **Crime Victims Bill of Rights**

The Georgia Crime Victims Bill of Rights, O.C.G.A. 15-17-1, et seq., provides individuals who are victims of certain crimes specific rights. These rights include:

* The right to reasonable, accurate, and timely notice of any scheduled court proceedings or any changes to such proceedings;
* The right to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused;
* The right not to be excluded from any scheduled court proceedings, except as provided by law;
* The right to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused;
* The right to file a written objection in any parole proceedings involving the accused;
* The right to confer with the prosecuting attorney in any criminal prosecution related to the victim;
* The right to restitution as provided by law;
* The right to proceedings free from unreasonable delay; and
* The right to be treated fairly and with dignity by all criminal justice agencies involved in the case.

The Crime Victims Bill of Rights specifically applies to victims of the following crimes:

* Homicide
* Assault and Battery
* Kidnapping, False Imprisonment and related offenses
* Reckless Conduct
* Cruelty to Children
* Feticide
* Stalking/Aggravated Stalking
* Cruelty to a Person 65 Years of Age or Older
* All Sexual Offenses
* Burglary
* Arson, Bombs and Explosives
* Theft
* Robbery
* Forgery, Deposit Account Fraud, Illegal Use of Financial Transaction Cards, Other Fraud Related Offenses, Computer Crimes, & Identity Theft
* Sale or Distribution of Harmful Materials to Minors
* Elder Abuse
* Homicide by Vehicle
* Feticide by Vehicle
* Serious Injury by Vehicle

In general, after the crime occurs and is reported, and upon initial contact with a victim, law enforcement and court personnel must advise him or her of the following:

* That it is possible that the accused may be released from custody prior to trial;
* That victims have certain rights during various stages of the criminal justice system;
* That victims have the right to refuse or agree to be interviewed by the accused, the accused's attorney, or anyone who represents or contacts you on behalf of the accused;
* That additional information about these stages can be obtained by contacting the pertinent state and/or local agency involved, or by contacting the [Criminal Justice Coordinating Council](https://cjcc.georgia.gov/) at 404-559-4949;
* That victims may be eligible for monetary compensation for certain out-of-pocket losses incurred as a result of their victimization from the State's Crime Victims Emergency Fund (Crime Victims Compensation) which is administered by the [[[Criminal Justice Coordinating Council](https://cjcc.georgia.gov/)](https://cjcc.georgia.gov/)](https://cjcc.georgia.gov/);
* That victims may have available to them community-based victim service programs and that more information may be obtained by contacting the Governor's Victim Assistance Helpline at 1-800-338-6745.
1. **Victim Confidentiality**

Dalton State recognizes the often-sensitive nature of sexual assault, domestic violence, dating violence, and stalking incidents. We are committed to protecting the privacy of any individual who makes a report. Different officials and personnel are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused.

Reports made to Campus Security Authorities (college officials; deans, directors, coaches, etc.) may be kept confidential, and identifying information about the victim may not be made public. Information about reports will only be shared with institutional personnel as needed to investigate and effectively respond to the report. Every effort will be made to limit the scope of information shared to keep it to a minimum of detail, and only when absolutely necessary. Reports made to medical professionals and licensed mental health counselors will not be shared with any third parties except in cases of imminent danger to the victim or a third party.

1. **Dalton State’s Procedures for Responding to Clery Offenses:**
* **Procedure Institution Will Follow for Reports of Sexual Assault:**
	+ Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care.
	+ Institution will assess immediate safety needs of complainant.
	+ Institution will assist complainant with contacting local police if complainant requests and complainant will be provided with contact information for local police department.
	+ Institution will provide complainant with referrals to on and off campus mental health providers.
	+ Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties.
	+ Institution will provide a Criminal Trespass Warning to accused party if deemed appropriate.
	+ Institution will provide instructions on how to apply for Protective Order.
	+ Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
	+ Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.
* **Procedure Institution Will Follow for Reports of Stalking:**
	+ Institution will assess immediate safety needs of complainant.
	+ Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
	+ Institution will provide instructions on how to apply for Protective Order.
	+ Institution will provide information to complainant on how to preserve evidence.
	+ Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
	+ Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.
* **Procedure Institution Will Follow for Reports of Dating Violence:**
	+ Institution will assess immediate safety needs of complainant.
	+ Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
	+ Institution will provide instructions on how to apply for Protective Order.
	+ Institution will provide information to complainant on how to preserve evidence.
	+ Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
	+ Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.
* **Procedure Institution Will Follow for Reports of Domestic Violence:**
	+ Institution will assess immediate safety needs of complainant.
	+ Institution will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
	+ Institution will provide instructions on how to apply for Protective Order.
	+ Institution will provide information to complainant on how to preserve evidence.
	+ Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
	+ Institution will provide a Criminal Trespass Warning to accused party, if deemed appropriate.