

The San Diego Sheriff's Department retains primary jurisdiction. The San Diego Sheriff's Department has investigative services on district property and has numerous resources available. Local law enforcement agencies can be called for assistance and mutual aid as appropriate. Copies of these agreements are available to the public at the San Diego Sheriff's Department Headquarters. Off campus activity is policed by the agency of geographical jurisdiction.

The San Diego Sheriff's Department reminds you to call 911 from your cell phone to report any emergency or crime occurring at the time. The San Diego Sheriff's Department recommends you program the campus dispatcher's telephone number, 858-565-5200, into your cell phone to report any non-emergency or other 0.013 Tw 0.283 2ce2o83 2ce2o83 2ce2.013 Tw 0.2e

communities in whose jurisdictions our two colleges are located. The Sheriff's Department seeks assistance from federal, state, and county law enforcement agencies as needed. Members of the Sheriff's department

description of the people and vehicles involved (e.g. make, model, color, and

9 Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrances into institutional property.

9 Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

9 An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

CSA's may include college deans, assistant deans, athletics directors, assistant athletic directors, team coaches, faculty advisors to student groups and campus staff involved in disciplinary and judicial proceedings. CSA's are responsible for forwarding crime information to the San Diego Sheriff's Department for inclusion in the Annual Security Report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. Any CSA who becomes aware of a Clery-reportable crime must report the incident to the San Diego Sheriff's Department as soon as possible, in order to ensure that the College complies with the Timely Warning provision of the Clery Act if applicable.

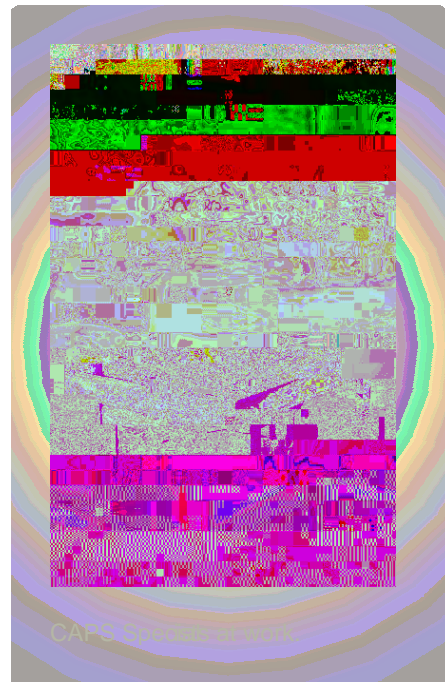
Information forwarded by CSA's to the San Diego Sheriff's is for statistical purposes to determine whether a timely warning should be issued to the campus community. If you wish to have your case reviewed by a detective and possibly pursue criminal charges, you must file a report with the Sheriff's Department.

The District strives to provide an educational environment that fosters cultural awareness, mutual understanding, and respect that ultimately also benefits the global community. No person shall be unlawfully subjected to discrimination or denied full and equal access to District programs or activities

Professional and Pastoral Counselors

Professional Counselors, as defined by the negotiated rules committee is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. Professional Counselors if and when they deem it appropriate, inform those persons that they are counseling of any procedures to report crimes on a voluntary basis for inclusion in the annual disclosure of crime statistics. The District currently employs several Professional Counselors in the Student Health Services Departments. GCCCD does not currently have a policy in place for Professional Counselors.

Pastoral Counselors, as defined by the negotiated rules committee is an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as



<https://Grossmont-280d5.web.app/> from a phone and click “Add to Home Screen” The app will automatically download.

Timely Warnings ([AP3515](#), [AP3505](#))

Timely notices to students and employees of immediate dangers on college/campus site will be the top priority. In the event of eminent danger, the Sheriff’s Department will immediately initiate appropriate emergency communications to protect the safety of students and employees. In the judgment of San Diego Sheriff’s Department Sergeant or designee, if a criminal situation constitutes a serious or continuing threat to students and employees, a timely warning will be written and issued by the Districtwide or Campus Public Information Officer (PIO). The Sheriff’s department utilizes a 5 stage threat assessment using a timely warning template to determine if a notice must be sent. Timely warnings withhold the names of victims as confidential and will be used to aid in the prevention of similar occurrences. A suspect’s personally identifiable information may be included in the notification. Events that are reported to the Sheriff’s or to a CSA that may qualify for a timely warning includes:

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Although the San Diego Sheriff's Department decides on timely warning notifications, the District is prohibited from relying on an external emergency notification system through local law enforcement. The District does not rely solely on the emergency notification system listed above. A variety of other methods are used as an alternative to the communication.

The San Diego Sheriff's Departmentge

campus community may contain only the information that is reasonably necessary to promote the safety of the campus community as dictated by the situation. An Emergency Notification will be released as soon as reasonably necessary and without delay, unless notification will compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency. After the initial notification, follow-up information must be disseminated to the community via the mediums stated below. An Emergency Notification can be related to criminal activity that is not subject to the timely warning standard required by the Clery Act, but is not necessarily related to criminal activity. Examples of situations that may constitute the College's decision to issue an Emergency Notification include, but are not limited to:

- x Transformer Fire
- x Weather related situations
- x Power outages
- x BuildTWes

Unlike a Timely Warning Notice which must be sent campus-wide, an Emergency Notification may be segmented to a specific group of individuals in a designated building/area.



Building Marshal Training 2016

- Remain Calm
- Do

| | |
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| Awareness Events | Suicide Prevention Resource Social Media Campaign |
| | Sexual Assault Prevention Social Media Campaign |
| | Sexual and Domestic Assault prevention Resource Table |
| | Depression and Alcohol Screening Day- County of San Diego Volunteers arrive at Grossmont College for referrals |
| | Suicide Prevention Training: Question, Persuade, Refer |
| | Student Bystander Intervention Training |
| | Suicide Prevention Awareness and Mood Counseling |
| | Mental Health Classroom Presentations |
| | Check Your Mood |
| | Feel Good Friday Mindfulness Groups |
| | Boba Chats: Reflection space for Asian Pacific Islander Community |
| | Wellness Wednesday Health Talks (Zoom) |
| | Self-Care During a Global Pandemic: Caring for Yourself and Your Students Webinar |
| | Reflection Circles: Toxic Masculinity & Mental Health; Seeking Support & Supporting Others |
| | Center for Community Services Sexual Assault Awareness Month Workshops: |

Blood Pressure Check and Smoking Cessation, in conjunction with Respiratory Therapy Students from the Nursing Program

- x Recognize that if someone doesn't or can't consent to sex, it's sexual assault
- x Educate yourself and others about interpersonal violence, gender inequality and the causes of gender violence.
- x Confront friends who make excuses for other people's abusive behavior
- x Speak up against racist, sexist, and homophobic jokes, music, remarks, etc.
- x Refuse to purchase any magazines, videos or music that portray women in a degrading manner or include violence against women.
- x Confront abusive behavior by not remaining silent.
- x Understand how our own attitudes and actions (including jokes, music you listen to, etc.) may perpetuate sexism and violence and work toward changing them.
- x Gently offer our support if we suspect that someone close to us is being abused or has been sexually assaulted or stalked.
- x Take responsibility for our actions and your inaction
- x Realize we have a role to play in stopping sexual assault
- x Create an environment where men and women feel, and are, safe
- x

Student Conduct Probation : Specific period of conditional participation in campus and academic affairs that may involve exclusion from designated privileges or extracurricular activities. If a student violates any condition of probation, or is charged a second time with a violation of the Standards of Student Conduct during the probationary period, it shall be grounds for revocation of the student's probationary status and for further Student Conduct action to be taken in accordance with these procedures.

Removal from Class by Instructor (Education Code 76032) : An instructor may remove, for good cause, any student from his or her class for up to two (2) class sessions. The student shall not return to the class during the period of the removal without concurrence of the instructor, and if required the consent of the CSSO or designee. Nothing herein will prevent the College President or Designee or CSSO from recommending further Conduct in accordance with these procedures based on the facts that led to the removal. As used in this rule, "good cause" includes those offenses listed in the Student Code of Conduct. The instructor shall immediately report the removal to the respective Division Administrator and to the College President or designee. If the student is a minor, the College President or designee shall schedule a conference with the student and the student's parent or guardian regarding the removal. The Administrator shall arrange for a conference between the student and appropriate college personnel regarding the removal. Instructors are not obliged to provide makeup opportunities for class work, including quizzes, tests or examinations, missed during the two (2) class periods of removal.

Suspension or Termination of Financial Aid: In the event a student is suspended for willfully and knowingly disrupting the orderly operation of the campus, this action will result in ineligibility for State Financial Aid, as defined in Education Code Sections 69810 and 69813, for the period of suspension.

Immediate Interim Suspension : The College President, the President's designee, or the CSSO may order immediate suspension of a student when he or she concludes that immediate interim suspension is required to protect lives or property and to ensure the maintenance of order. A reasonable opportunity shall be afforded the suspended person to have a hearing within ten (10) days of the time that the CSSO or designee, or the College President became aware of the infraction unless mutually agreed upon by the student and the designated Administrator that more time is required.

In cases where an immediate interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension [(or)--2(t)-6.6(i)13.4(ons)4644.815 -1.141 Td ()Tj EMC /P <</MCID 7 >>BDCT6(hea)10.5(r)ort

GCCCD Annual Security Repc **2021**

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| Amphetamines uppers, speed, crank | loss of appetite, delusions, hallucinations, heart problems, hypertension, irritability, insomnia, toxic psychosis, rebound depression |
| Barbiturates barbs, bluebirds, blues | severe withdrawal symptoms, possible convulsions, toxic psychosis, depression, physical dependence, impaired judgment |
| Benzodiazepines (Valium, Xanax, Ativan, Dalmane, Rohypnol) benzos, downers, sleepers, tranqs, roofies | impaired judgment, sedation, panic reaction, seizures, psychological dependence, physical dependence |
| Cocaine & Cocaine freebase coke, crack | loss of appetite, depression, weight loss, seizure, heart attack, stroke, hypertension, psychosis, chronic cough, nasal passage injury, hallucinations |
| Codeine | physical dependence, constipation, loss of appetite, lethargy, respiratory depression |
| Heroin H, junk, smack | physical dependence, constipation, loss of appetite, lethargy, respiratory depression |
| Inhalants ames, gas, laughing gas, poppers, snappers | psychological dependence, psychotic reactions, confusion, frozen airway, sudden death |
| LSD acid | may intensify existing psychosis, panic reactions, can interfere with psychological adjustment and social functioning, insomnia, flashbacks |
| MDA, MDMA, MOMA ecstasy, xtc | same as LSD, sleeplessness, nausea, confusion, increased blood pressure, sweating, paranoia |
| Marijuana (cannabis) pot, grass, dope, weed, joints | bronchitis, conjunctivitis, mood swings, paranoia, lethargy, impaired concentration |
| Mescaline (peyote cactus) mesc, peyote | may intensify existing psychosis, hallucinations at high dose |
| Methamphetamine | |

| | |
|-------------------------------------|--|
| PCP crystal, tea, angel dust | psychotic behavior, violent acts, psychosis, hallucinations at high dose |
| Psilocybin magic mushrooms, shrooms | may intensify existing psychosis |
| Steroids roids, juice | cholesterol imbalance, acne, baldness, anger management problems, masculinization of women, breast enlargement in men, premature fusion of long bones preventing attainment of normal height, atrophy of reproductive organs, impotence, reduced fertility, stroke, hypertension, congestive heart failure, liver damage, depression |

Assistance, Resources and Referrals

Drug or alcohol counseling, treatment, or rehabilitation or re-entry programs or referrals are available to employees and students. The District provides confidential referrals through an Employee Assistance Program (EAP) for employees and their families needing assistance with drug or alcohol abuse. Please contact the Human Resources for more information or visit the Human Resources website for information on contacting the District's EAP.

Students should contact Student Health Services or their college' Dean or designee for resources and/or assistance. Student Health Services also provides counseling, alcohol and drug abuse education information, and resources for students.

For further information, please contact Student Health Services or visit:

<https://www.grossmont.edu/student-support/health-and-wellness/index.php>

<http://cuyamaca.edu/services/health/default.aspx>

Grossmont -Cuyamaca College Substance Abuse Prevention/Mental Health Partners

| | Organization | Contact | Address |
|---|--|---|--|
| 1 | McAlister Institute | 619/442-0277 | 1400 N. Johnson Ave., El Cajon, CA 92020 |
| 2 | MHS ACTION East Residential and Treatment | 619/383-6868 | 10201 Mission Gorge Rd. Santee, CA 92071 |
| 3 | Halcyon Center Short Term Residential | 619/579-8685 | 1664 Broadway, El Cajon, CA 92021 |
| 4 | Kickstart Mental Illness/Substance Abuse Prevention/Pathways | Katherin Torres 619/481-3790 katherin.torres@pathways.com | 6160 Mission Gorge Rd, #100, San Diego, CA 92120 |
| 5 | San Diego Youth Services | 619-241-0608 | 3255 Wing Street, San Diego, CA 92110 |
| 6 | Vet Center/Substance Abuse Prevention Services | Alfonso Carmona (858) 642-1500 alfonso.carmona@va.gov | 2790 Truxtun Road, Suite 130 San Diego, CA 92106 |

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|---|--|--------------|--|
| 7 | Homestart, Inc. (TAY) Transitional Assistance to Youth | 619-692-0727 | 5005 Texas Street, Suite 230, San Diego, CA 92108 |
| 8 | El Cajon Family Health Center (FHCS) | 619/515-2498 | 525 E. Main St., El Cajon, CA 92020 |
| 9 | Volunteers of America Residential Substance Abuse Services | | |

2. Crash / outpatient group treatment / (619) 263-6663 / inpatient treatment / (619) 233-8054.
3. Escondido Community Sobering / 401 North Spruce Street/ detox and outpatient group / (760) 747-1553
4. McAlister East / detox and outpatient group / sliding fee scale / (619) 442-0277
5. Salvation Army / 1335 Broadway/ inpatient treatment / no detox / walk-ins M-F 7:30am-4pm / (619) 239-4037
6. Scripps McDonald Center / 9896 Genesee Avenue/ detox, inpatient, outpatient, group and individual / (858) 626-4300

Daily Crime Log [\(AP3515\)](#)

The Daily Crime Log (also referred to as the Media Bulletin) provides details about crimes that have been reported to the Public Safety Office from the past 60 day time period. It is available to all members of the public for inspection, at the Grossmont and Cuyamaca Public Safety Offices during business hours and hard copies are free of charge. It is updated on a daily basis and includes the nature/classification, date reported, date occurred, time, general location, provided the information is available.

An electronic version is available by request by emailing District.Parking@gcccd.edu. Any portion of the log that is older than 60 days will be available within two business days of a request for public inspection. If applicable paper or electronic copies will be given per the individual's request.

College Public Safety Office Locations:

| Office | Location | Business Hours |
|-------------------|--|------------------------------|
| Grossmont College | Building 57 (attached to parking garage) | 8:00am-9:00pm, Monday-Friday |
| Cuyamaca College | A-101 | 8:00am-9 |

Sex Offender Registration Information

California law, region

Non-campus Building or Property

The District does not own or control any sites off campus. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's



All students, faculty members, staff members, or visitors who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them. The accused of such offenses should refer to either: the Collective Bargaining Agreement (employees), Student Code of Conduct (students), and other District Governing Board Policies for community members. Information shall be available for students in the College Student Affairs Office, and for staff in the District Human Resources Office. The appropriate office shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the office is authorized to release such information.

The College Student Affairs Office or District Human Resources Office shall provide all alleged victims of sexual assault with the following, upon request:

- x A copy of the District's policy and procedure regarding sexual assault
- x A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged victim consents
- x Information about the importance of preserving evidence and the identification and location of witnesses;
- x A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for providing or arranging them include:
 - x Transportation to a hospital—paramedics, local law enforcement, and/or victim's designee(s)
 - x Counseling or referral to a counseling center—the College Student Affairs Office or the District Human Resources Office

| | | | | | | | | | |
|-------------------|---|---|---|---|---|---|---|---|---|
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

- x A list of personnel on campus who should be notified of the assault, and procedures for such notification, if the alleged vr

policy at or near the time of t

Cuyamaca College Prevention Programs & Resources:

*Special Note: Due to COVID -19 most outreach events were conducted online via zoom and emails.

| | |
|------------------|---|
| | Sexual Assault and Domestic Violence Prevention Training |
| | Welcome Week Outreach and Education with Health Center Open House including information regarding Sexual Assault, Alcohol, Drugs and various referral programs. |
| | Wellness Walk/Health Education and Outreach Career Fair |
| | Welcome week Art Therapy and Relaxation Station |
| | Welcome week Health Services Open House with Personal Counselors - mood screening |
| | The Women's Cafe - a women's support group where you can come share your stories |
| | Real Talks - emerging identities |
| | Welcome week Mindfulness and Stress |
| Awareness Events | Welcome week Mindfulness and Stress |

Welcome 17.8 166.8 513.36 417.96 13.44 re W n BT /CS2 cs 0.125

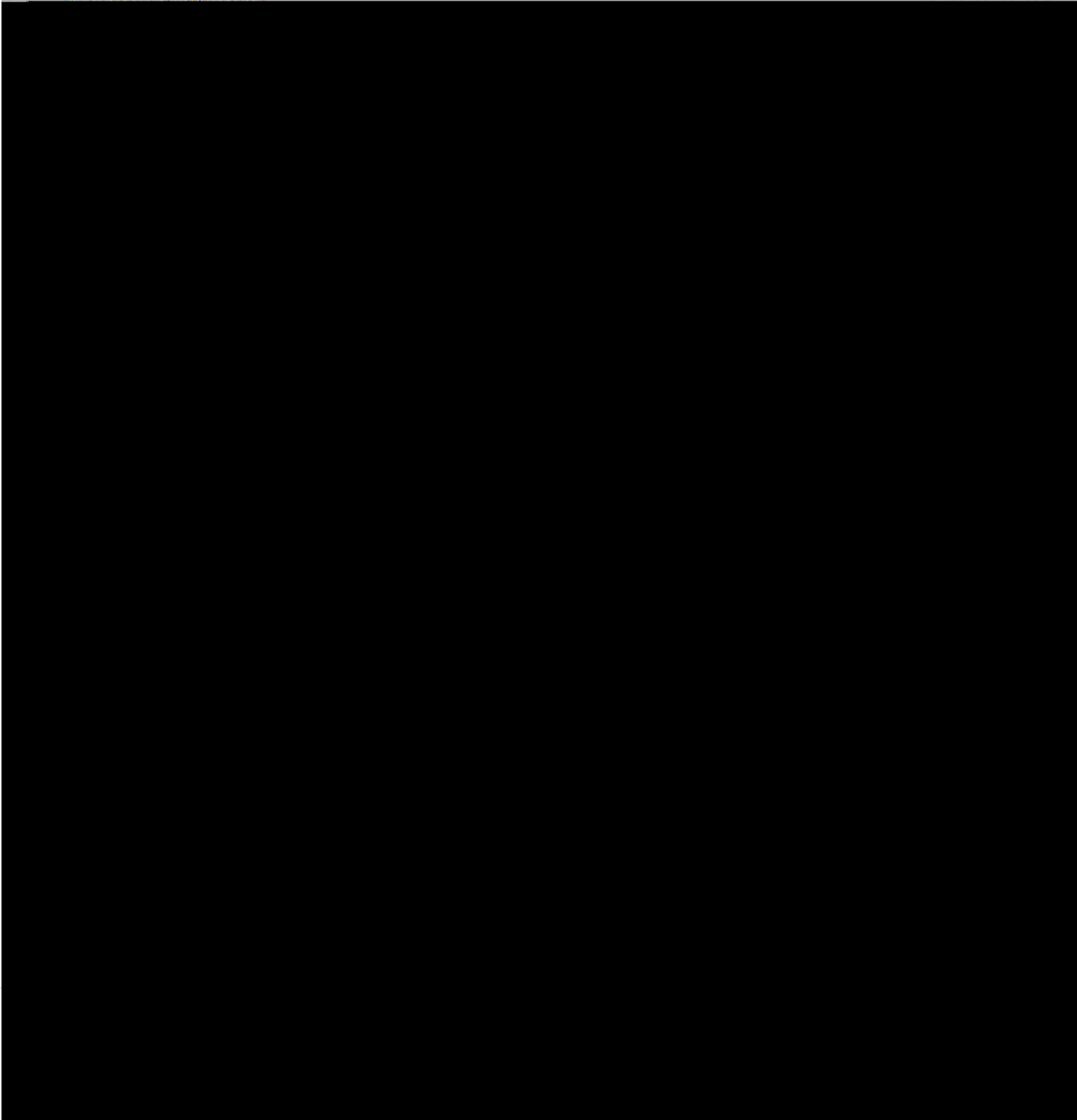
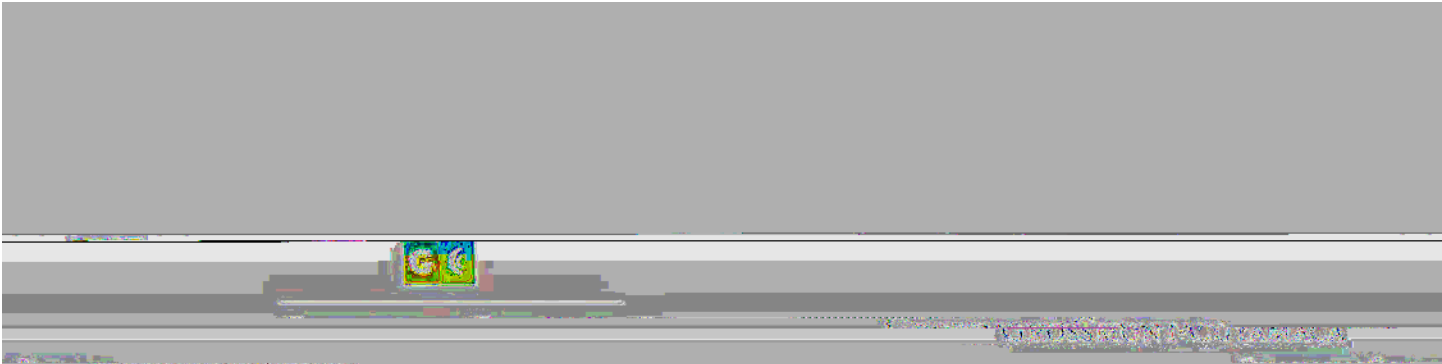
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| | National Alcohol Screening Day Promotion |
| | Great American Smoke-out Smoking Cessation Program, in conjunction with Respiratory Therapy Students from the Nursing Program |
| | Student Success Fair |
| | Holiday Stress Winter Rap Up: Drugs and Alcohol Abuse Prevention Program |
| | Blood Pressure Check and Smoking Cessation, in conjunction with Respiratory Therapy Students from the Nursing Program |
| | Nutrition and Alcohol Abuse Awareness Table |
| | Annual Health and Wellness Fair including agencies from across the County participating with a brochure and tabling program. |

- x Educational materials pertaining to prevention and awareness campaigns can be found at the Student Affairs Departments and Health & Wellness Centers at Grossmont College and Cuyamaca College. In addition, the Title IX and Student Affairs websites also list this information for both colleges. The following brochures and informational cards have also been distributed to students:
 - o What you Need to Know About Sexual Assault (Pocket Pal)

- x The customization for the Sexual Assault Prevention online program (Get Inclusive) is complete, and both campuses utilize the program for student engagement (student leaders & student employees). Below is a screen shot of the Get Inclusive progress report.



Additionally, all employees of the District are sent a reminder each semester about their responsibilities as a public employee. A sample of this reminder is below:



GCCCD Annual Security Repc

Important Telephone Numbers

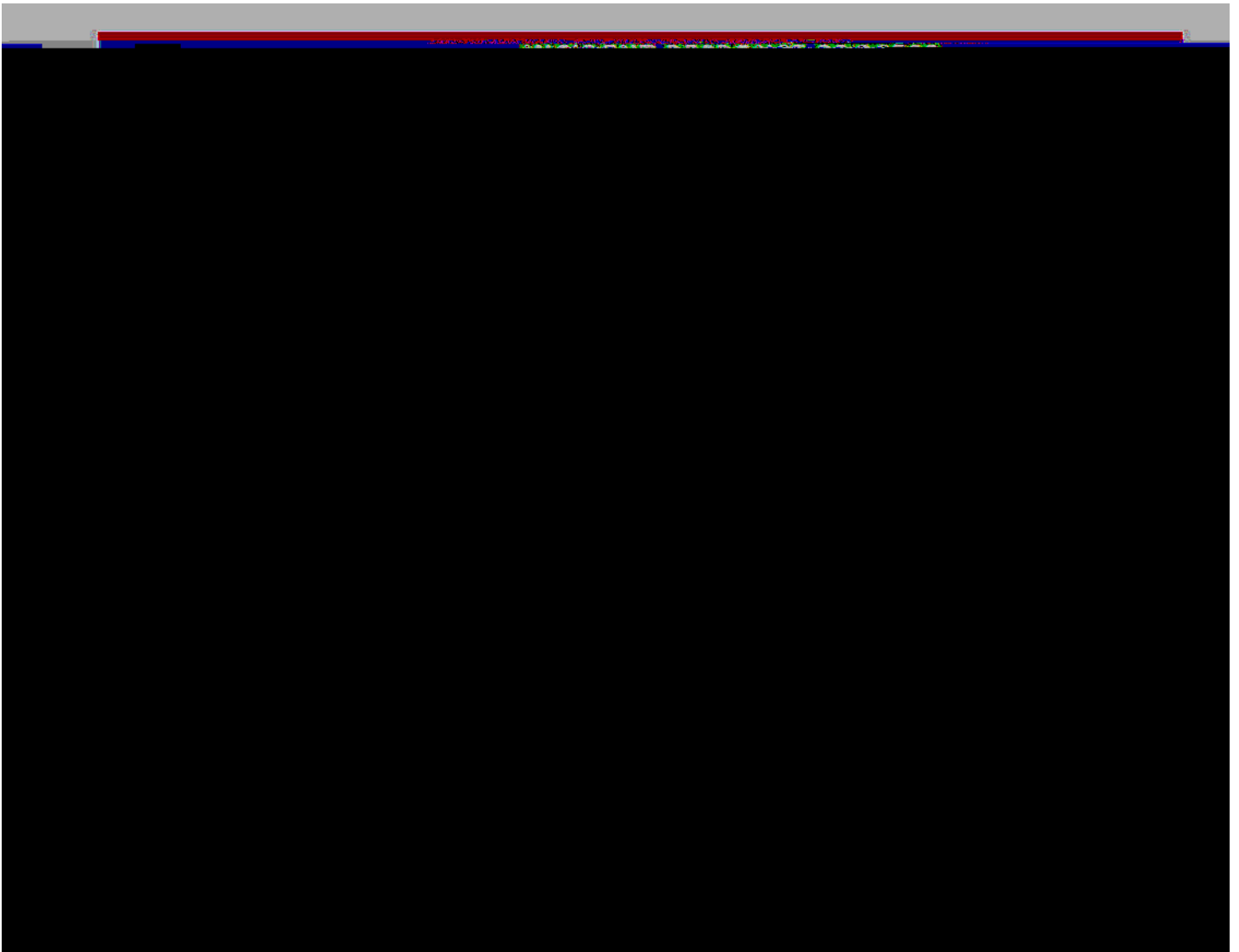
District Public Safety: (619) 644-7654

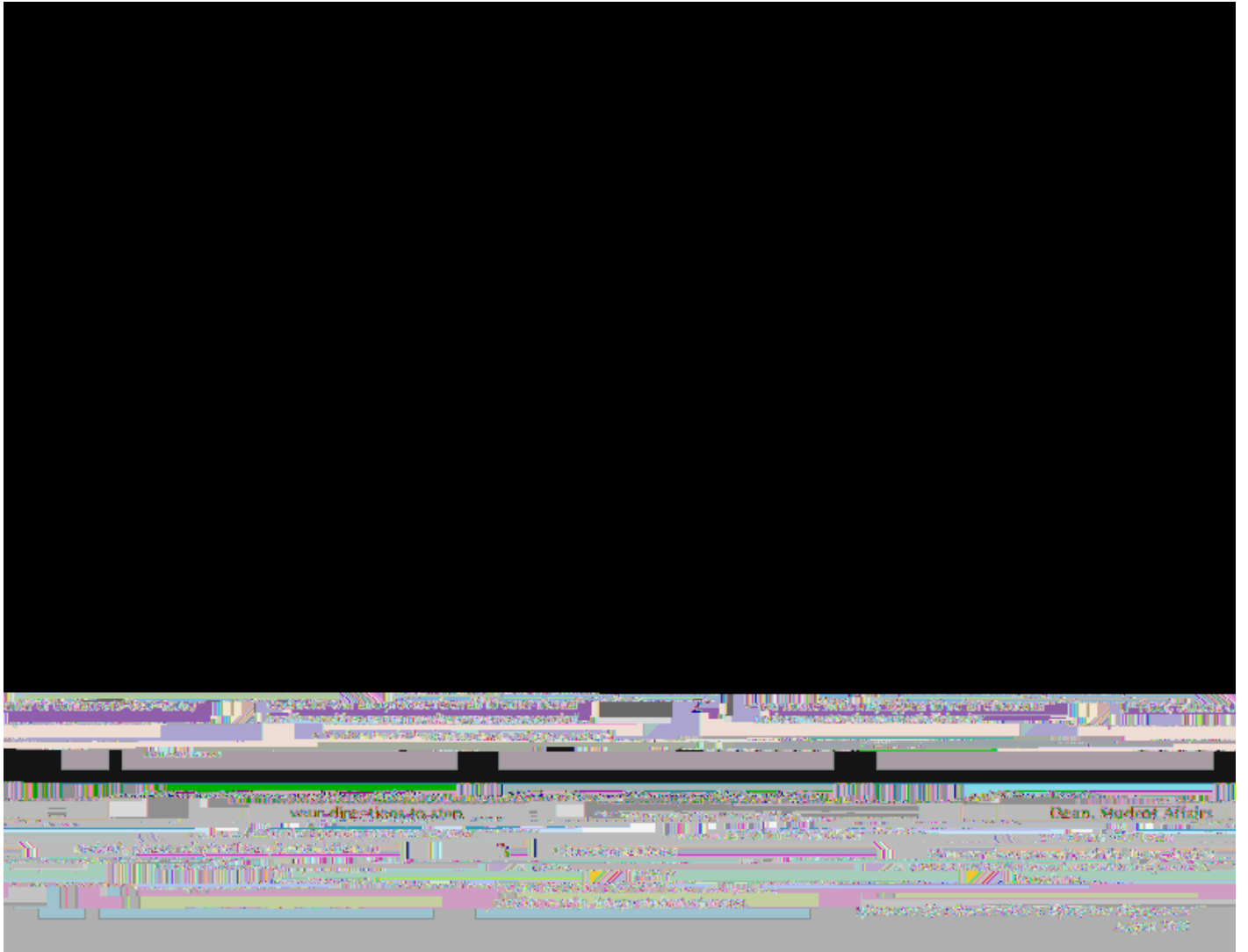
Grossmont College Counseling Center: (619) 644-7208
<http://www.grossmont.edu/counseling/>

Grossmont College Student Affairs Office: (619)-644-7600
http://www.grossmont.edu/student_affairs/

Grossmont College Health Services: 92 5TJ /TT3 1 2.283 0 013 Tc 0016 90 c-1.1c 0 0 Tw 6.946 0 Td1 re f EM cs8y 0

Grossmont -Cuyamaca Student Discipline Process





Victim and Community Resources

| | |
|---|---------------------|
| 2-1-1 San Diego | 2-1-1 |
| Center for Community Solutions for 24 Hour Sexual Assault | 888-272-1767 |
| Center for Community Solutions (Rape Crisis Center-Coastal)..... | 858-272-5777 |
| Center for Community Solutions (East) | 619-697-7477 |
| Center for Community Solutions (North)..... | 760-747-6282 |
| Center for Community Solutions 24-hour Crisis Hotline | 888-385-4657 |
| Domestic Violence Center..... | 888-385-4657 |
| Family Advocacy Center (military)..... | 619-556-8809 |
| Family Health Centers of San Diego..... | 619-515-2300 |
| Health and Human Services Agency-Public Health Services | 858-694-3900 |
| Indian Health Council, Inc. [Peace Between Partners Program] | 760-749-1410 X 5249 |
| Legal Aid Society of San Diego | 1-877-534-2524 |
| National Alliance on Mental Health Illness (NAMI) San Diego Helpline | 619-543-1434 |
| Peer2Peer – Text and Chat Support and Referral Services..... | 619-377-7111 |
| Rape Abuse and Incest National Network (RAINN) | 800-656-HOPE (4673) |
| (When a survivor calls the 800 number, a computer will read the caller's area code and the first three digits of the phone number. The call will then be routeo.6(A)2(l)TJ (l(P) 0.007 Twf-65(002E((4)30(s)P2(d)0400b)10.(65)2 | |

Rape

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

(1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to /GS0 gs 65.399991 0 0 40.3DC /TT3 1 4S oac160217(66)33h5(et)-6(eas)-5(i)2.6(s)-23(t)-66(s)-2(an)10.9(i)2.(o)10.5(m)-6(pl)2.6(i)2.6(s)-2(hed w)13a6

(2) The district attorney may bring actions to recover civil penalties pursuant to this subdivision. From the amounts collected for each case, an amount equal to the costs of pursuing the action shall be deposited with the treasurer of the county in which the judgment was entered, and the remainder shall be deposited in the Underage Pregnancy Prevention Fund, which is hereby created in the State Treasury. Amounts deposited in the Underage Pregnancy Prevention Fund may be used only for the purpose of preventing underage pregnancy upon appropriation by the Legislature.

(3) In addition to any punishment imposed under this section, the judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates this section with the proceeds of this fine to be used in accordance with Section 1463.23. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

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

(4) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(5) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

(b) As used in this section, "duress" mean

- (1) The law enforcement officer, or his or her agency, shall immediately notify the local rape victim counseling center, whenever a victim of an alleged violation of Section 261, 261.5, 262, 286, 288a, or 289 is transported to a hospital for any medical evidentiary or physical examination. The victim shall have the right to have a sexual assault counselor, as defined in Section 1035.2 of the Evidence Code, and a support person of the victim's choosing present at any medical evidentiary or physical examination.
- (2) Prior to the commencement of any initial medical evidentiary or physical examination arising out of a sexual assault, a victim shall be notified orally or in writing by the medical provider that the victim has the right to have present a sexual assault counselor and at least one other support person of the victim's choosing.
- (3) The hospital may verify with the law enforcement officer, or his or her agency, whether the local rape victim counseling center has been notified, upon the approval of the victim.
- (4) A support person may be excluded from a medical evidentiary or physical examination if the law enforcement officer or medical provider determines that the presence of that individual would be detrimental to the purpose of the examination.

Sexual Battery

243.4. (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment

in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars (\$3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other provision of law, any amount of a fine above two thousand dollars (\$2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Department of Fair Employment and Housing for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars (\$2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full.

(2) As used in this subdivision, "touches" means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

(f) As used in subdivisions (a), (b), (c), and (d), "touches" means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.

(g) As used in this section, the following terms have the following meanings:

(i) In the case of a felony conviction for a violation of this section, the fact that the defendant was an employer and the victim was an employee of the defendant shall be a factor in aggravation in sentencing.

(j) A person who commits a violation of subdivision (a), (b), (c), or (d) against a minor when the person has a prior felony conviction for a violation of this section shall be guilty of a felony, punishable by imprisonment in the state prison for two, three, or four years and a fine not exceeding ten thousand dollars (\$10,000).

Dating Violence

13700. As used in this title:

(a) "Abuse" means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.

(b) "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" mean two unrelated adult persons living together for a substantial period of time.

(F) A statement informing the victim of the right to go to the superior court and file a petition requesting any of the following orders for relief:

- (i) An order restraining the attacker f

(10) Writing of reports.

(d) In the development of these policies and standards, each local department is encouraged to consult with domestic violence experts, such as the staff of the local shelter. Departments may utilize their local policies.

13702. Every law enforcement agency in this state shall develop standards for dispatchers' response to domestic violence

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(B) Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

(C) All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

(14) To the prompt return of property when no longer needed as evidence.

(15) To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified upon request, of the parole or other release of the offender.

(16) To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

(17) To be informed of the rights enumerated in paragraphs (1) through (16).

SOURCE : Office of the Attorney General –Victim Services Unit

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(c) It is not unlawful for a person other than the prescription holder to possess a controlled substance described in subdivision (a) if both of the following apply:

(1) The possession of the controlled substance is at the direction or the express authorization of the prescription holder.

(2) The sole intent of the possessor is to deliver the prescription to the prescription holder for its prescribed use or to discard the substance in a lawful manner.

(d) This section does not permit the use of a controlled substance by a person other than the prescription holder or permit the distribution or sale of a controlled substance that is otherwise inconsistent with the prescription.

(Amended by Stats. 2017, SB 811, Ch. 269, Sec. 6. Effective January 1, 2018.)

(Added by initiative Proposition 47, Sec. 13. November 4, 2014.)

HS 11377.5 Possesses any Controlled Substance with the Intent to Commit Sexual Assault

(a) Except as otherwise provided in this division, every person who possesses a controlled substance specified in paragraph (11) of subdivision (c) of, or subdivision (g) of, Section 11056 of this code, or paragraph (13) of subdivision (c) of Section 11057 of this code, with the intent to commit sexual assault, shall be punished pursuant to subdivision (h) of Section 1170 of the Penal Code.

(b) For purposes of this section, "sexual assault" means conduct in violation of Section 243.4, 261, 262, 286, 288a, or 289 of the Penal Code.

(Added by Stats. 2016, SB 1182, Ch.

(Amended by Stats. 2011, AB 109, Ch. 15, Sec. 172. Effective April 4, 2011)

(Amended by Stats. 2001, Ch. 841, Sec. 6. Effective January 1, 2002.)

(Amended by Stats. 1991, Ch. 294, Sec. 3.)

HS 11378.5. Possession for Sale of PCP

Except as otherwise provided in Article 7 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business Professions Code, every person who possesses for sale phencyclidine or any analog or any precursor of phencyclidine which is specified in paragraph (21), (22), or (23) of subdivision (d) of Section 11054 or in paragraph (3) of subdivision (f) or in subdivision (f), except subparagraph (A) of paragraph (1) of subdivision (f), of Section 11055, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for a period of three, four, or five years.

(Amended by Stats. 2011, AB 109, Ch. 15, Sec. 173. Effective April 4, 2011)

(Amended by Stats. 1985, Ch. 3, Sec. 5. Effective January 29, 1985.)

HS 11379. Transportation or Sale of Restricted Dangerous Drug

(a) Except as otherwise provided in subdivision (b) and in Article 7 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who transports, imports into this state, sells, furnishes, administers, or gives away, or offers to transport, import into this state, sell, furnish, administer, or give away, or attempts to import into this state or transport any controlled substance which is (1) classified in Schedule III, IV, or V and which is not a narcotic drug, except subdivision (g) of Section 11056, (2) specified in subdivision (d) of Section 11054, except paragraphs (13), (14), (15), (20), (21), (22), and (23) of subdivision (d), (3) specified in paragraph (11) of subdivision (c) of Section 11056, (4) specified in paragraph (2) or (3) of subdivision (f) of Section 11054, or (5) specified in subdivision (d) or (e), except paragraph (3) of subdivision (e), or specified in subparagraph (A) of paragraph (1) of subdivision (f), of Section 11055, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian.

Professions Code, every person who possesses for sale or sells any controlled substance specified in subdivision (g) of Section 11056 shall be punished by imprisonment in the county jail for a period of not more than one year or in the state prison.

(Added by Stats. 1991, Ch. 294, Sec. 5.)

HS 11379.5. Sales of PCP

(a)

subdivision (e) or in paragraph (2) of subdivision (f) of Section (Ae-

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- (b) The defendant's primary motive was monetary compensation.
- (c) The defendant induced ~~bers~~, particularly homeless persons, drug addicts and substance abusers, to become involved in trafficking.
- (d) For the purposes of this section, the following terms have the following meanings:
 - (1) "Detoxification facility" means any premises, ~~place~~ building in which 24-hour residential nonmedical services are provided to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse and who need alcohol, drug, or alcohol and drug recovery treatment or ~~detox~~ detoxification services.
 - (2)

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