2023 Annual Fire Safety & Security Report

University of Colorado Boulder

Office of Integrity, Safety, and Compliance

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

University of Colorado **Boulder**

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In accordance with federal law, CU Boulder does not discriminate on the basis of sex or gender in its educational programs and employment. Sexual assault, dating violence, domestic violence, and stalking, in addition to being in violation of criminal law are prohibited conduct under CU Boulder policy. Any person can report potential violations of these policies by contacting the Office of Institutional Equity & Compliance (OIEC) by phone at (303)-492-2127 or by e-mail at CUReport@Colorado.EDU.

Message from the Chancellor

Chancellor Philip P. DiStefano

At the University of Colorado Boulder, we strive to shape tomorrow's leaders, be the top university of innovation and to positively impact humanity. That cannot be done in an environment that is unsafe.

The document that you are about to read, the Annual Security and Fire Safety Report, is prepared every year as required by federal law and lays out crime and fire statistics for the past three calendar years, general information about campus fire safety systems, campus safety policies, and crime prevention and education programs that the campus offers.

The federal law, known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, was signed into law in 1990, and is named after Jeanne Clery, a Lehigh University student who was raped and murdered in her campus residence hall in 1986.

Oftentimes, following the Clery Act, as it is commonly known, is thought to be the responsibility of a university's police department and, while they do have the lion's share of that duty, the responsibility for the Clery Act touches all parts of the campus. For example, the creation of this report involved many people from across our campus. Also, there are hundreds of campus security authorities that are not part of the police department. You can learn more about the Clery Act on the police department's website.

I encourage you to take some time to read through the report. In addition to crime and fire statistics, it includes safety policies, crime prevention and education campaigns, lists of resources and much more. The most important thing we can do together is to care for one another. We can do this by reporting concerns and by taking advantage of the many available University resources. Working together as a community, we can help each other be safe and successful.

Sincerely,

Philip P. DiStefano

Philip DiStefano, Chancellor

Message from the Chief of Police

Chief of Police Doreen Jokerst

Dear University of Colorado Boulder community:

This Annual Security and Fire Safety Report is produced in accordance with the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and provides information you can use to help keep yourself and your property safe. I encourage you to become familiar with this report. Read it and learn how your police department and so many campus partners have come together to make our campus safer.

Your safety and security are the primary focus of the members of the University of Colorado Boulder Police Department. Our commissioned officers and professional staff work side by side with partners within our campus community to make our campus a safe place where we can shape tomorrow's leaders, lead the nation's universities in innovation, and positively impact humanity. We pride ourselves in ensuring that all members of our community are treated equitably, with kindness and compassion.

Our police department is a full-service police agency utilizing a community-oriented policing model to a diverse community of over 35,000 students and nearly 8,000 faculty and staff members as well as the countless visitors who come to our campus every year. Patrolling the campus by foot, bicycle, motorcycle, and car, our Officers, Community Safety Officials and Residential Service Officers work diligently with the CU Boulder community and surrounding partner agencies to ensure a prompt and coordinated law enforcement response.

Our website, Colorado.EDU/police, serves as an excellent resource on emergency preparedness and crime prevention. We also share many of these resources on Facebook, X (formerly Twitter), and Instagram. Simply search for @CUBoulderPolice.

CUPD is here to serve and protect you. We want to hear your questions and concerns. Together, we can ensure that our campus community remains safe. Please don't hesitate to reach out to me directly at Doreen.Jokerst@Colorado.EDU.

You may request a printed copy of this report by calling CUPD at (303)-492-8168.

Sincerely,

Doreen Jokerst, Assistant Vice Chancellor for Public Safety and Chief of Police

1. How to Reach the CU Boulder Police Department

University of Colorado Police Department
1050 Regent Drive
Boulder, CO 80309

- **Emergency:** 911
- **Non-Emergency:** (303)-492-6666
- **Support Services:** (303)-492-8168
- **Emergency Mgmt.:** (303)-492-7418
- **Records:** (303)-492-5115
- **Website:** Colorado.EDU/Police

How to Find Information in an Emergency:

- On **social media**—Like CU Boulder Police and CU Boulder on Facebook and follow @cuboulderpolice, @cuboulder and @cuboulderalerts on X (formerly Twitter).
- On your **cell phone**—Watch for text alerts (CU Alert) if there is a threat to personal safety or in the case of a campus closure (weather, power outage, etc.).
- On your **mobile device**—Receive push notifications on your mobile device and/or tablet with Alertus Recipient App.
- On your **computer**—Watch for an alert email (Safety Alert) on your computer for information regarding campus safety.
- On **the web**—Visit Alerts.Colorado.EDU for detailed campus closure, emergency information and updates.
- On **the phone**—Call the campus info line at 303-492-INFO (4636) for recorded information and updates relating to campus alerts.
- By **email**—Check your official university email after an emergency for support and resource information.

2. Clery Act Requirements

What is the Clery Act?

Signed into law in 1990, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All post-secondary, public and private institutions participating in federal student aid programs must adhere to these regulations. The Clery Act was championed by Howard and Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986.

To ensure compliance with the Clery Act, CU Boulder must meet certain obligations required by federal law. These obligations include: (1) policy disclosure; (2) records collection and retention; and (3) information dissemination.

1. Policy Disclosure

CU Boulder must provide the campus community and the public with accurate statements of current policies and practices regarding procedures for students and others to report criminal actions or other emergencies on campus, security of and access to campus facilities, and campus law enforcement.

2. Records Collection and Retention

CU Boulder is required to keep campus records of crimes reported on campus-to-campus security authorities, make a reasonable, good faith effort, to obtain certain crime statistics from appropriate law enforcement agencies to include in the annual security report, and keep a daily crime log open for public review.

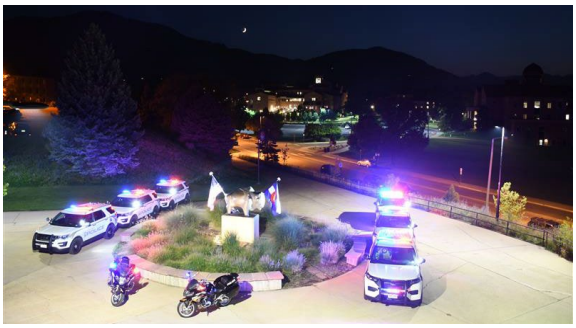
3. Information Dissemination

To provide members of the campus community with information needed to make informed personal safety decisions, CU Boulder will send **1)** an **"emergency notification" (CU Alert)** upon confirmation of a significant emergency or dangerous situation that has or is occurring on campus and is an immediate threat to the campus community, such as an active harmer event or extreme weather conditions/closures; **2)** a **"timely warning" (Safety Alert)** upon confirmation of any Clery Act crime that is considered by the University to represent a serious or continuing threat to the safety to students and employees, such as aggravated assault, car theft or arson; **3)** an **"advisory" (Campus Advisory)** upon confirmation of off-campus non-emergency incidents that do not pose a threat but are likely to draw attention from our campus stakeholders such as nearby road closures or police activity.

The public has access to the daily crime log, a log of all crimes reported to the CU Boulder Police Department (CUPD) occurring within its patrol jurisdiction. The daily crime log can be accessed at the Records Office of CUPD during normal business hours or online here. The University also publishes an annual security and fire safety report (ASFSR). The report is available online to all current students, faculty, and staff, and is also made available to prospective students and employees. A hard copy of this report can be obtained by contacting the CU Boulder Police Department at (303)-492-8168 or in-person at 1050 Regent Drive, Boulder, Colorado.

3. Overview of the CU Boulder Police Department

Vision



The University of Colorado Boulder Police Department is committed to being a leader among university police departments.

Mission

"The members of the University of Colorado Boulder Police Department are dedicated to provide the highest quality services in order to enhance community safety, protect life and property, and reduce crime and the fear of crime. We pledge to develop a partnership with the greater campus community and to improve the overall safety and quality of life for all CU affiliates through fair and impartial, transparent, and consistent policing."

Core Values

Collaboration – We value working together to create and maintain a culture of mutual trust and optimism for the future, with a goal of shared success and accomplishment.

Competence – We are skilled professionals, exhibiting a quiet confidence in the performance of our duties; demonstrating adaptability to all situations, accompanied by a desire for continuous improvement.

Humility – We serve the University in a respectful, compassionate, and non-judgmental manner; remembering that we are members of the community we serve.

Integrity – We operate in a professional, ethical, and honest manner towards our work, peers, and the University community.

Passionate – We demonstrate a personal enthusiasm that drives focus, a desire to excel, and a commitment to support and protect one another.

Authority

CUPD officers receive their authority through the provisions of Colorado Revised Statutes (C.R.S) (Title 24, Article 7.5) and through their City of Boulder commission. As such, CUPD officers have full police authority on all university properties and within the City of Boulder. In addition to state and municipal laws, the Board of Regents further delegates authority to CUPD officers to enforce university rules and regulations. Similar to their municipal counterparts, CUPD officers are armed and are legally empowered to issue summonses for persons to face charges in court, arrest persons and place them in jail, write affidavits for and execute arrest and search warrants, perform investigations, and file cases with the local district attorney’s office.

Officer Training

University of Colorado Boulder police officers receive the same training as other full-service police officers in Colorado. They must successfully complete an authorized Colorado Law Enforcement Training Academy program with a minimum of 548 hours of specialized instruction. Also, all university officers must successfully complete an on-the-job field training program under the supervision of experienced officers and supervisors. This training lasts a minimum of four months and covers security and crime concerns specific to the university community.

Statement Addressing Jurisdiction and Interagency Relationships with Local and State Law Enforcement

CUPD maintains excellent working and mutual aid relationships with other state and local law enforcement agencies and will coordinate responses to crime when appropriate. CUPD recognizes the importance of maintaining close and cooperative working relationships with the Boulder Police Department, Boulder County Sheriff's Office, and Boulder County District Attorney's Office. CUPD routinely meets with these departments on a formal and informal basis and on specific issues as the need arises. CUPD also conducts joint training exercises with these departments and other state and local emergency service providers on a regular basis.

These law enforcement departments share a computer-aided dispatching system and other information systems to track offender criminal histories, arrest information, and crime trend information. CUPD has direct lines of communication with state and local law enforcement agencies, which allows for efficient coordination when necessary.

The Boulder Police Department has an agreement with CUPD to commission CU Boulder officers as Boulder police officers. Consequently, CUPD has police authority within the legal jurisdiction of the City of Boulder. Also, by agreement with the Boulder Police Department, CUPD provides personnel and equipment to participate as members of the Special Weapons and Tactics (SWAT) team. Under C.R.S 29-5-103, CUPD has statutory authority to provide assistance to other law enforcement agencies as needed and required. Additionally, under C.R.S. 29-5-104, CUPD has the authority to request law enforcement personnel from other agencies as needed or required to deal with emergency situations and special events on campus.

CUPD does have written agreements in place for agency assistance as needed with both the City of Boulder Police Department and other local law enforcement agencies:

- Intergovernmental Agreement (IGA) re: police response and equipment between City of Boulder Police Department and University of Colorado Police Department.
- Memorandum of Understanding (MOU) re: Critical Incidents Response Team between law enforcement agencies of Boulder County, including 20th Judicial District Attorney’s Office.

4. Reporting Crimes and Other Emergencies

Statement Addressing How to Report a Crime or Emergency on Campus

1. Duty to Report Criminal Behavior

Under Colorado Law, “it is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.” (C.R.S. § 18-8-115) Students, faculty and staff are encouraged to accurately and promptly report all crimes to CUPD and other campus offices, described elsewhere in this document, as appropriate when the victim of a crime elects to, or is unable to, make such a report.

CU Boulder Police take all reports seriously. Reports will also be accepted at the CU Boulder Police Department located at 1050 Regent Drive.

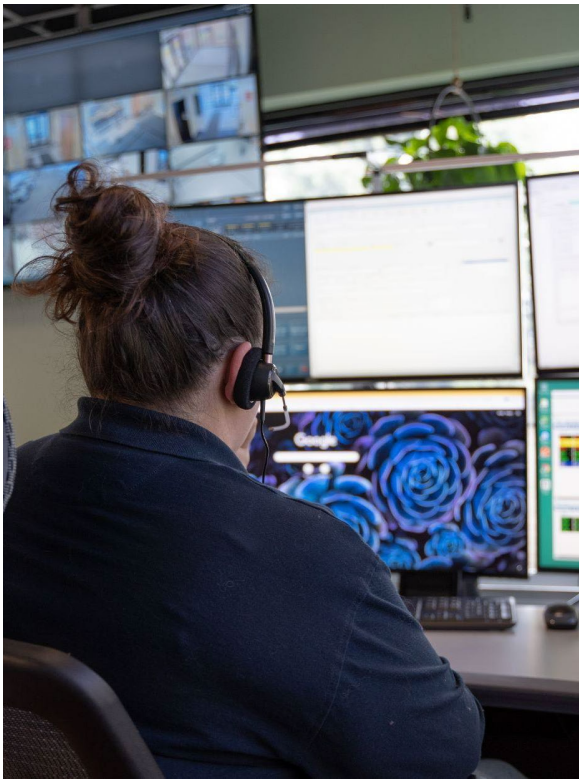
Criminal offenses reported will assist the University in keeping accurate records regarding the number of reported incidents on campus, and on property owned or controlled by the University, determine where there is a pattern of crime, and evaluate if an alert to the campus community is warranted.

To call in an emergency report, call 911 from your cell phone or landline. **To call in a non-emergency** report, use the following phone numbers.

- University of Colorado Boulder Police Department – (303)-492-6666
- City of Boulder Police Department – (303)-441-3333
- Boulder County Sheriff – (303)-441-3600

2. Emergencies

In case of an emergency, call 911 to reach CUPD to report criminal incidents or emergencies on campus and to reach fire, ambulance, and rescue services. Persons who are deaf or hard of hearing should call 911 from a TTY/TDD telephone to reach CUPD. CUPD operates its own dispatch center 24 hours a day, seven days a week. In Boulder County, public safety answering points, including the CUPD dispatch center, have text-to-911 capabilities. Because this method is slower, it is only recommended during those times when it is not safe for you to speak because of an immediate threat. You can read more about sending text messages to 911 on our website.



3. Accidents

In order to prevent accidents, please be aware of traffic conditions while moving around campus. If you have an accident on campus or in one of the campus parking lots, call CUPD dispatch at (303)-492-6666.

4. Online Crime Reporting

As a time-saving option for reporting certain offenses, CUPD offers online reporting. Bike thefts, criminal mischief, and other crimes that are not in progress can be reported at the CUPD website**.** Scroll down to the "File a Report Online" link in the middle of the page and then the blue "File an Online Report" button at the bottom of the page.

Online crime reporting can be used for reports of:

- Bicycle theft (no dollar limit)
- Computer/other theft (value under $2,500)
- Criminal mischief (not graffiti)
- Lost/mislaid personal or CU Boulder property
- Non-criminal property damage or personal injury
- Traffic- or pedestrian-related concerns

The online crime reporting site is not for reporting "crimes in progress" or other emergencies.

Ordinarily, an officer would respond to these incidents, interview witnesses, and then compile a police report. While that method remains an option, the online reporting site can save time for both the reporting party and CUPD officers. You may upload a case summary, possible suspect info, and incident photos, which will be transferred into CUPD's records management system and investigated in the same manner as reports filed by CUPD officers.

5. Response

Dispatchers are available at the above telephone numbers 24-hours per day to answer your calls. CUPD policies and procedures require immediate responses to emergency calls. CUPD works closely with the city of Boulder and Boulder County first responders (police, sheriff, fire, ambulance) to coordinate effective responses to emergency calls. Priority response is given to crimes against persons and incidents involving personal injuries. Upon receipt of non-emergency calls, CUPD will either dispatch an officer or ask the victim to file an incident report online or in person at CUPD.

Like other full-service law enforcement agencies, CUPD provides police patrol, investigations (detectives), police records, E-911 communications (dispatch), property and evidence, and event management services. CUPD maintains excellent working relationships with local, state and federal law enforcement and emergency response agencies.

Statement Addressing Anonymous and Voluntary Confidential Reporting

CUPD works in conjunction with the Northern Colorado Crime Stoppers program to encourage the anonymous reporting of crime-related activity. Rewards may be given when the information leads to an arrest and the filing of criminal charges. A CUPD detective or patrol officer investigates information on criminal activity received through confidential informants or third-party reporting. You may anonymously report a crime on the Northern Colorado Crime Stoppers website. Voluntary confidential reporting is not offered through this site.

CUPD promotes Safe2Tell as an anonymous option to share concerns about potential violence. To learn more about all the options for referring someone for help, receiving confidential support, or the range of reporting options available for a variety of concerns, visit CU Boulder's Don't Ignore It website.

The CU Boulder Office of Victim Assistance (OVA) has a confidential sharing site that allows CU community members (students, staff, faculty) to confidentially share harmful or traumatic events they or others have experienced. This option allows people to provide information about harmful and/or traumatic events in a confidential manner that does not constitute a report to CU Boulder or to law enforcement. This information goes to the confidential Office of Victim Assistance and will not be shared except in an aggregate, non-identifiable form. The Office of Victim Assistance is a confidential place to learn more about rights, options, and also receive other support and counseling around traumatic experiences.

People can contact the Office of Institutional Equity and Compliance to talk generally about a concern related to discrimination, harassment, sexual misconduct, intimate partner violence (including dating and domestic violence) or stalking without revealing the identity of the individuals involved to better understand the options for addressing the situation. Individuals can also anonymously report a concern impacting them using the OIEC online reporting form. Limited action can be taken based on anonymous reports. Those university employees designated as “responsible employees” or “campus security authorities” with the obligation to report any prohibited conduct disclosed to them related to university policies addressed by OIEC may not make an anonymous report if the identity of any of the individuals involved is known.

CU Boulder does not have policies or procedures allowing for voluntary, confidential knowledge of crimes for the purpose of inclusion in the annual disclosure of crime statistics.

Statement Encouraging Accurate and Prompt Crime Reporting

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety-related incidents to CUPD or the appropriate police agencies in a timely and accurate manner. CU Boulder encourages accurate and prompt reporting of all crimes when the victim of a crime elects to, or is unable to, make such a report. C.R.S 18-8-115 states: “It is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to promptly report the suspected crime to law enforcement authorities. Notwithstanding any other provision of the law to the contrary, a corporation or person may disclose information concerning a suspected crime to other persons or corporations for the purpose of giving notice of the possibility that other such criminal conduct may be attempted which may affect the persons or corporations notified.

When acting in good faith, such corporation or person shall be immune from any civil liability for such reporting or disclosure. This duty shall exist notwithstanding any other provision of the law to the contrary; except that this section shall not require disclosure of any communication privileged by law.”

Crimes should be reported to CUPD for inclusion within the Annual Security and Fire Safety Report which includes crime statistics (if they occurred within CU Boulder’s defined Clery boundaries) and may also be used to aid in the provision of timely warnings or safety advisories to the CU Boulder community. Reports can also be made to other campus offices as described elsewhere in this document, (e.g.) the Office of Institutional Equity and Compliance. (OIEC is located on the second floor of the ARCE Building, 3100 Marine Street, Boulder, CO 80309).

Crimes reported to CUPD that fall outside the department’s jurisdiction will be referred to the appropriate law enforcement agency. CUPD will help connect the reporting party to the appropriate agency.

Statement Addressing Counselors and Confidential Crime Reporting

Occasionally, victims of crime wish to report a crime but do not want to give their names or do not want to pursue action through the criminal justice or CU Boulder institutional systems. Pastoral and professional counselors who receive confidential reports of crime are not required to report these crimes to CUPD for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning. These positions are defined as follows:

Pastoral Counselor: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of one's license or certification. At CU Boulder, advocate counselors in the Office of Victims Assistance (OVA) are licensed professional counselors and social workers. This is also the case with the clinicians in Counseling and Psychiatric Services (CAPS), Faculty and Staff Assistance Program (FSAP), and Psychological Health and Performance in the Athletic Department.

Pastoral and professional counselors, if and when deemed appropriate, are encouraged to inform the persons they are counseling of the procedures to report a crime to CUPD for inclusion in the annual disclosure of crime statistics. However, CU Boulder does not have a procedure that requires pastoral and professional counselors to inform the persons they counsel of procedures for reporting crime voluntarily and confidentially for inclusion in CU Boulder's crime statistics.

Certain other CU Boulder departments whose members include campus security authorities may also accept anonymous reports of a crime from a victim. The Clery Act, however, requires these departments or CSAs to report the crime to CUPD in a non-anonymous manner. This reporting allows CU Boulder to maintain accurate records on the number of incidents that take place; determine if there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community of an ongoing threat if needed.

Statement Addressing Campus Security Authorities (CSA)

It is important for the campus community to report criminal incidents directly to CU Boulder Police. However, some victims of crimes may be more inclined to report a crime to someone other than the police. Another way to report is through a person designated by the university because of their position/role on campus as a Campus Security Authority. CSAs include many students, staff, employees, and sometimes faculty, of CU Boulder. Once a person is designated as a campus CSA because of their position, they are provided training on their CSA role and responsibilities.

Under the Clery Act regulations, a crime is "reported" when it is brought to the attention of a designated "Campus Security Authority". If a CSA receives the crime information and believes it was provided in good faith, they should report it to CUPD to allow them to consider whether to make a timely warning notification and

for inclusion in the annual statistical disclosure.

CSA's can report directly to CUPD by calling 911, call into dispatch by dialing (303)-492-6666, in-person at the CUPD building, located at 1050 Regent Drive, Boulder, CO, submitting the CSA Reporting Form, or by utilizing the CUPD website for online reporting options. Scroll down to **"File a Report Online"** link in the middle of the page and then click the blue **"File an Online Report"** button at the bottom of the page.

Campus Security Authorities encompass four groups of individuals and organizations associated with an institution, as follows:

1. Member of campus police department;

2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property);

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

4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline and campus judicial proceedings. Individuals may be designated as CSAs based on whether they perform the following functions as outlined in their official job description and position offer letter: their responsibilities involve significant interaction with students and/or campus activities; they serve as a member in an office or of a committee to whom students are instructed and informed to report or discuss crimes, allegations of crime, and other troubling issues, and/or; they have oversight for disciplinary procedures.

Some examples of campus security authorities (CSA) may include, but are not limited to the following:

- Campus law enforcement officers and department staff
- Residential service officers (RSO)
- Community safety officials (CSO)
- Dean of Students and Student Affairs Office Staff
- Athletic Director, Athletics Staff, Coaches
- Student Conduct & Conflict Resolution Office Staff
- Faculty Advisor to a student group
- Office of Institutional Equity and Compliance (OIEC) - Title IX Coordinators
- Residence Life/Housing Staff; Family Housing Managers
- Coordinator of Greek Life
- Education Abroad Program Staff and Faculty Sponsors

Statement Addressing When to Report Suspicious Activity

Suspicious activity could be innocent or criminal, but that is not up to the general public to determine. If you see something suspicious, call law enforcement and let them decide if it is criminal in nature. Some examples of suspicious activities may include but are not limited to the following:

- Specific threats to inflict harm (e.g., a threat to shoot a named individual);
- Use of any object to attack or intimidate another;
- You witness someone committing a crime;
- You need to report an old crime;
- You see fire or smell smoke;
- You think you observe a drunk driver;
- Someone is sending concerning or uncomfortable communications;
- You have knowledge of a chemical spill;
- Someone is injured or ill.

5. Timely Warning Notifications

Statement Addressing the Issuance of Timely Warning Notifications

CUPD is responsible for developing and disseminating timely warning notifications to members of the CU Boulder community. Once an incident that may require a timely warning notification has been reported to CUPD, the on-call Command Duty Officer will coordinate with the Clery Compliance Officer to determine whether the criteria for issuing a timely warning have been met and a timely warning will be issued. The decision will be made on a case-by-case basis. For a list of past timely warnings, visit the CUPD website.

In general, timely warnings will be issued when a specific crime has occurred on campus property (or adjacent to campus), and there is a **serious or on-going threat to the campus community.** The following three conditions should be met prior to issuing a timely warning:

1. One of the following statutorily designated crimes (Clery crime) is reported to CUPD:

    a. **Criminal Homicide** – Including murder and non-negligent manslaughter, and manslaughter by negligence;
    b. **Sex Offenses** – Including rape, fondling, incest, and statutory rape;
    c. **Robbery**
    d. **Aggravated Assault** – The decision to release a timely warning for an aggravated assault depends on the facts of the case and the information known by CUPD. For example, if an assault occurs between two students who have a disagreement, there may be no continuing threat to other CU Boulder community members. As such, a timely warning would not be distributed.

e. **Burglary and/or Motor Vehicle Theft** – In general, timely warnings will not be issued for single incidents. A timely warning may be distributed if a series of incidents poses a continuing threat to the CU Boulder community.
f. **Arson**
g. **Hate Crimes**
h. **Domestic Violence**, **Dating Violence**, or **Stalking**
i. **Arrests and Referrals for Drug, Alcohol, and Weapons Law Violations.**

2. The reported crime occurred at a Clery-reportable location, (Clery geography) which is defined as:

    a. On campus;
    b. On public property within or immediately adjacent to and accessible from the campus boundaries; or,
    c. In non-campus buildings or property. Non-campus locations are described as property that is owned or controlled by CU Boulder, used for educational purposes, and frequently used by students.

3. The reported crime presents a serious or continuing threat to CU Boulder students, faculty, and staff, as determined at CU Boulder's sole discretion. Factors for determining whether an incident poses a serious or continuing threat include:

    a. Whether the suspect has been apprehended;
    b. Timeliness of the reported crime to CUPD; and
    c. Whether a pattern of crimes exists that places CU Boulder students or employees at risk of becoming victims of a similar crime.

If the criteria for issuing a timely warning have been met, the Command Duty Officer will consult with other personnel as necessary (including, but not limited to, Clery Compliance Officer, the Public Information Officer, the On-Call Detective, and on-scene personnel) to determine the content of the warning and the means of dissemination. CUPD personnel will work with the Office of Strategic Relations and Communications to disseminate the timely warning. Timely warnings will generally be disseminated via email to an **@Colorado.EDU account** for CU Boulder students, faculty and staff with the subject line: **Safety Alert**. This is sent out to the CU Boulder community and posted on both the CU Boulder and CUPD Facebook, X (formerly Twitter), and Instagram Story accounts. CU Boulder students, faculty, and staff will automatically receive timely warning email notices through their CU Boulder email accounts.

CUPD may learn about an incident that may require a timely warning notification from a number of sources, including individuals involved in the incident, witnesses, CUPD or other law enforcement officers, or Campus Security Authorities as defined by the Clery Act.

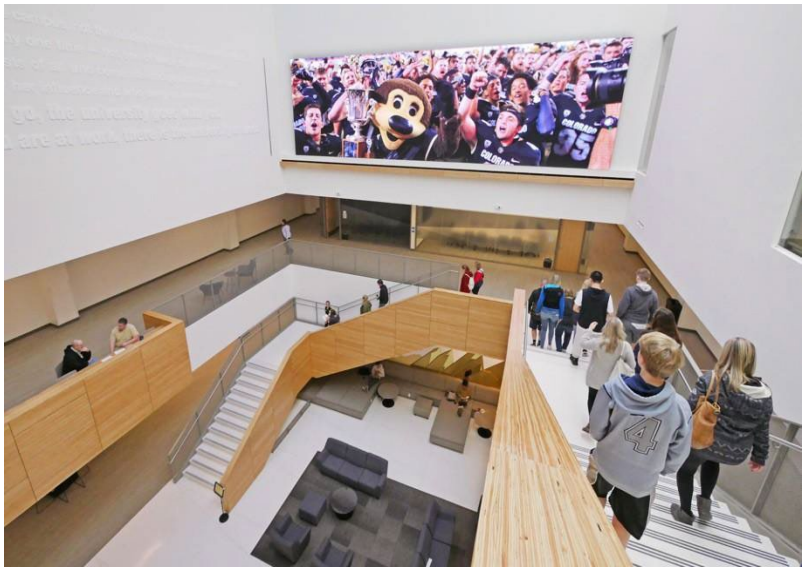
When members of the Office of Institutional Equity and Compliance, in their role as CSAs, learn of an incident that may require a timely warning notification, but the reporting person requests that the OIEC not communicate with law enforcement, the OIEC may still notify CUPD of the incident as part of the OIEC's obligation to provide a safe and nondiscriminatory environment. In making the determination to notify CUPD, the OIEC will undertake an individualized review and consider a number of factors, including the following:

- The risk that the alleged perpetrator will commit additional acts of misconduct or other violence;
- The seriousness of the alleged conduct, including whether the alleged perpetrator threatened further misconduct or other violence against the alleged victim or others, whether the alleged conduct was facilitated by the incapacitation of the alleged victim, or whether the alleged perpetrator has been found responsible in legal or other disciplinary proceedings for acts of sexual or other violence;
- Whether the alleged conduct was perpetrated with a weapon;

- Whether the alleged victim is a minor;
- Whether the university possesses means other than the alleged victim's testimony to obtain relevant evidence of the alleged conduct (e.g., security cameras or personnel, physical evidence); and
- Whether the alleged conduct reveals a pattern of perpetration at a given location or by a particular group.

6. Emergency Response, Notification, and Evacuation Procedures

When an emergency occurs on campus, CU Boulder strives to provide students, faculty and staff with the critical information needed to protect themselves. To allow CU Boulder to provide this information, community members must ensure they are registered, and their emergency notification contact information is correct.



- CU Boulder students are automatically registered using their @Colorado.EDU email addresses. We ask that you add a mobile number during course registration periods and update as needed in Buff Portal.
- CU Boulder faculty and staff are automatically registered using their @Colorado.EDU email addresses. You can manage your mobile alerts number and update as needed in your MyCUInfo portal.
- CU Boulder partners with @cu.edu, @cufund.org, @cusys.edu, @ucdenver.edu, or @cuanschutz.edu email domains must still register and maintain their information.
- Affiliates who are not a student, faculty, or staff, and do not have one of the emails domains listed above can opt-in to CU Boulder Alerts to receive text alerts by texting “cuaffiliate” to 67283.

For more information, go to the CU Boulder Alerts webpage: Alerts.Colorado.EDU.

Statement Addressing Emergency Response and Evacuation Procedures

1. Policy Statement

This policy establishes the emergency response and evacuation procedures for the University of Colorado Boulder. This policy has been established to ensure the safety and welfare of CU Boulder students and employees to the greatest extent possible. This policy is aligned with and in compliance with the Higher Education Opportunity Act, which requires all Title IV institutions, without exception, to have and disclose emergency response procedures in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

2. Scope

The requirements set forth in this policy are only applicable to emergency or dangerous situations occurring on campus. The institution may issue emergency notifications about emergency or dangerous situations that occur in the broader community if institutional officials determine that such notifications provide helpful or relevant information to the campus population.

3. Situation

CU Boulder will, upon confirmation of an ongoing significant emergency or dangerous situation that poses an imminent threat to the safety of campus community members, immediately issue emergency notifications to the campus community. An emergency notification is sent using text messaging to your registered cell phone number, push notifications to computers and mobile devices that have the Alertus app installed, email to all @Colorado.edu accounts, postings on social media, publishing to CU Boulder websites, and recording on the campus information line. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following situations are examples that may warrant an emergency notification after confirmation.

- Active harmer
- Bomb/explosives (threat)
- Communicable disease outbreak
- Severe weather
- Terrorist incident
- Civil unrest
- Natural disaster
- Hazardous materials incident
- Structure fires

CU Boulder officials shall use their best, reasonable judgment in all other situations to determine whether an emergency notification is warranted.

Situations that may create business, academic, or research interruptions, but do not pose a health or safety risk, may also generate an emergency notification to be sent. CU Boulder will facilitate notifications about such situations, in coordination with involved departments, as appropriate. CU Boulder will facilitate notifications about such situations in coordination with involved departments as appropriate. Examples of such situations include:

- Safety/Snow closures
- Temporary building closures
- Power outages
- Network outages

CU Boulder will, without delay, and considering the safety of the community, determine the content of the emergency notification and initiate the emergency notification system, unless the emergency notification will, in the professional judgment of responsible authorities:

- Compromise efforts to assist the victim(s);
- Compromise efforts to contain, respond to, or otherwise mitigate the emergency, such as compromising the efforts of first responders.

4. Assumptions

This policy was established with the following assumptions:

- Utilization of multiple notification methods is needed, as no single notification method will reach everyone, everywhere, every time.
- One hundred percent delivery of notification to each member of the campus population cannot be guaranteed.
- Other information sources outside the institution's control may generate erroneous or conflicting information (i.e., affiliated and unaffiliated social media sites, word of mouth).
- Regular testing of notification systems is required to ensure proper functionality and operator skill.
- Notification systems must account for communication impairments.
- It is the responsibility of campus members that are registered for the notification system to maintain updated contact information.
- Several notification methods rely on the functionality of third-party vendors that are outside of the institution's control (i.e., cell phone service providers, electricity).

5. Confirmation of an Emergency or Dangerous Situation

Reports of emergency or dangerous situations can originate from various sources including:

- Reports from first responders
- Reports from established warning points
- Reports from other campus departments
- Reports from citizens through 911

CU Boulder Police, including CUPD emergency management, will confirm if there is a significant emergency or dangerous situation on campus.

Confirmation means CU Boulder officials have verified that a significant emergency or dangerous situation is or may soon occur on the campus that involves an immediate threat to the health or safety of students or employees.

Process for Confirmation:

CUPD command-level staff (including the Chief of Police, Command Duty Officers, or Director of Emergency Management) will determine whether a significant emergency or dangerous situation is confirmed. In the event CUPD command-level staff is unavailable, CUPD's on-duty Shift Supervisor, Public Information Officer, Clery Compliance Officer, Communications Center Manager, or Emergency Management Managers may also determine whether a significant emergency or dangerous situation is confirmed. When making a determination, personnel will assess readily available information and consider a number of factors—including the nature of the reported situation, the reliability of available information, observations of law enforcement officers, information from established warning points, and other factors—to determine if there is enough information to reasonably conclude a significant emergency or dangerous situation is occurring on campus that involves an immediate threat to the health or safety of students or employees. CUPD and emergency management personnel may consult with additional departments, campus officials, and policy-level personnel as practical

without jeopardizing life safety.
Established warning points are entities with subject matter expertise on particular hazards that may affect campus. CUPD and emergency management personnel may consider information from established warning points when determining whether a significant emergency or dangerous situation is confirmed. This table is not all-inclusive, but represents a sampling of established warning points:

Established Warning Point	Hazard
National Weather Service	Warnings for weather events, flood events, and wildfires
Urban Drainage Flood Control District	Warnings for flash flood events
Boulder County Public Health	Communicable disease/public health emergencies
Boulder Fire-Rescue Department	Fire or hazardous material events

6. Emergency Notification Content

The content of an emergency notification will depend on the situation and the notification method. However, the following information will be included in all initial emergency notifications regardless of the situation or method:

- A description of the situation (i.e., flash flood warning, dangerous situation)
- Location of situation if known (i.e., building, area of campus)
- Relevant safety instructions (i.e., move to higher ground, shelter in place)

A third element of where to get additional information will be included, if feasible. Because of text character limits or the immediate availability of information, the third element of where to get information may not always be included in emergency notifications. Typically, more information will be provided on the CU Boulder Alerts website during ongoing emergency events.

Pre-scripted Emergency Notifications

CU Boulder has several pre-scripted emergency notifications that have been collaboratively developed and agreed upon by CUPD, Emergency Management, Strategic Relations and Communications, and appropriate policy-level personnel. Pre-scripted notifications facilitate faster dissemination and ensure the sender is providing the content needed for the situation. Pre-scripted notifications have been developed primarily for campus wide emergencies, active harmers, flash flood, and other immediate emergencies that could occur with little or no warning.

During situations for which a pre-scripted notification cannot be utilized, or when the responsible official determines different content is needed, the guidelines listed above will be followed to craft these notifications.

The following departments have the authority to develop the content for an emergency notification message: CUPD, Emergency Management, and the Office of Strategic Relations and Communication.

Additional Content Considerations

As feasible, after the situation description, relevant instructions, and additional information sources are provided, the following content should be considered for inclusion:

- Campus operating status (open, closed, etc.)
- Information update frequencies
- Additional instructions that are not specific to life safety

Follow-Up Information

As deemed appropriate by the responsible institution official, follow-up messages deemed necessary during an emergency may be distributed to the campus community and an “all clear” notification may be distributed at the conclusion of a significant emergency or dangerous situation. Any follow-up notifications and the “all clear” message will be sent using some or all the same communication methods used to send the original emergency notification. These follow-up notifications should include campus operating status, if relevant.

7. Concept of Operations

The primary method of issuing a campus-wide emergency notification is the CU Boulder Alerts system. The CU Boulder Alerts system is capable of sending text messages, emails, posting to campus social media sites, push notifications to mobile devices, and computer pop-ups to registered computers. The CU Boulder community is responsible for maintaining correct contact information in their student/employee records or the alerts website and for regularly checking registered devices and accounts during bi-annual system tests. This is the primary alerting tool for campus-wide emergency notifications. The campus recognizes the need for public safety partners in the broader community to have situational awareness of emergencies that occur on campus and, as such, select members of the broader public safety community are registered to receive campus-wide CU Boulder Alerts.

CU Boulder Alerts notifications are used in conjunction with other campus systems such as the CU Boulder home page, the campus information line and campus social media sites. Other systems that will be used as appropriate include Boulder County public warning sirens, vehicle public address systems, building public address systems, and local television and radio news stations.

The campus alerts website is designed to accommodate increased traffic during emergency situations so that affiliated campus community members are provided with emergency notifications and information. The website will be the primary point of information dissemination for the broader community, including parents, neighbors and other members of the larger community.

Initiation of Notification

Upon confirmation of a significant emergency or dangerous situation, the following process to initiate an emergency notification will be used:

Decision Criteria for Emergency Notifications

- Life safety considerations
- Has the situation at hand been confirmed?
- What is the potential for injury or death?
- What is the potential for interruptions to critical services?
- What is the potential for damage to property and infrastructure?
- What is the impact to the campus operating status?
- Is the situation stable? What is the potential for the situation to worsen?
- What is the urgency of the situation?
- What is the potential for injury or death?
- What is the potential for damage?
- What is the potential for interruptions to critical services?
- What is the impact to the campus?
- Is the situation stable? What is the potential for the situation to worsen?
- What is the urgency of the situation?

Initial Emergency Notification Responsibilities

- University of Colorado Police Department
    - CUPD is responsible for initiating emergency notifications regarding criminal incidents that warrant an emergency notification rather than a timely warning notification because there is an immediate threat to the health and safety of the community, such as an active harmer on campus.
    - CUPD dispatch, CUPD Emergency Management staff, or the CUPD Public Information Officer may send initial CU Boulder Alerts regarding criminal incidents.
    - CUPD command staff or their designees are responsible for contacting the office of Strategic Relations and Communications to coordinate additional notification methods and follow up notifications. (CU Boulder website, emergency information line)

- CUPD Emergency Management
    - CUPD Emergency Management is responsible for coordinating all emergency notifications that are not criminal in nature.
    - CUPD Emergency Management staff, the Office of Strategic Relations and Communications or CUPD dispatch can send the initial CU Boulder Alerts regarding non-criminal incidents.
    - Emergency Management staff is responsible for contacting the Office of Strategic Relations and Communications to initiate additional notification methods (CU Boulder website, emergency information line).

- Office of Strategic Relations and Communications (SRC)
    - SRC is responsible for coordinating all emergency notifications that are not criminal in nature.
    - SRC is responsible for maintaining and disseminating emergency notifications to the CU Boulder community and to the larger community using:
        - The CU Boulder Alerts website
        - The CU Boulder emergency information line at (303)-492-INFO (4636)
        - Campus social media sites
        - Internal campus email systems

CU Boulder Police or CUPD emergency management is responsible for providing the necessary content to

Strategic Relations and Communications.

Whenever possible, the CUPD Public Information Officer and CUPD Emergency Management staff will assume the responsibility of sending initial emergency notifications in order to allow CUPD dispatch to focus on coordinating a safe and effective emergency response. However, because CUPD dispatch could be the first campus entity to confirm a significant emergency or dangerous situation, they may need to initiate emergency notifications in some circumstances, especially in after-hours situations.

Additional Emergency Notifications

After the initial notification, CUPD Emergency Management or the CUPD Public Information office staff will assume responsibility from CUPD dispatch for additional messages until that duty can be transitioned to Strategic Relations and Communications.

8. Emergency Response Organization

The campus maintains an emergency operation plan that outlines responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular departments or positions.

CU Boulder departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. CUPD emergency management provides resources and guidance for the development of these plans.

9. Emergency Response Information Education

Information about emergency response procedures is provided at the beginning of each semester at student orientation, and it is re-emphasized throughout the year on a campus-wide basis as other relevant advisories are issued, such as those posted at the start of flood season. Information on how to receive emergency notifications is also located in the campus closure policy, which is provided electronically to the entire campus community on an annual basis.

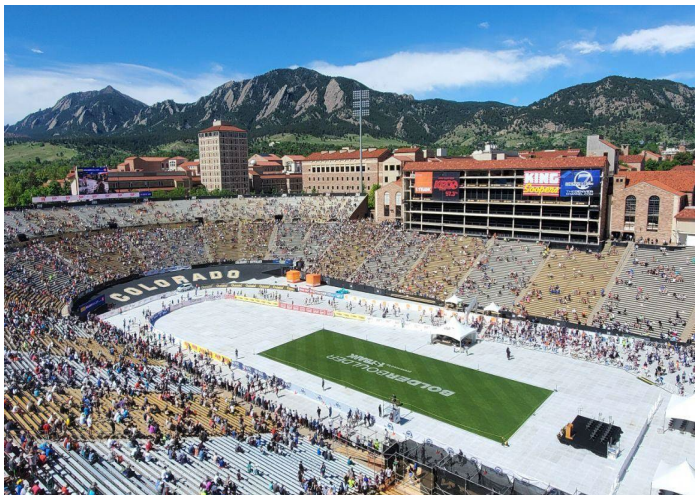
Every campus building is equipped with an emergency evacuation sign that illustrates the emergency evacuation route. Additionally, campus facilities that are located in the 100-year floodplain have flood specific emergency instructions. These instructions are located on the CUPD Emergency Management website. The CUPD emergency management website also provides information and instructions about hazards that are likely to affect campus.

Statement Addressing Testing Emergency Response

In compliance with federal law, the CU Boulder Alerts system is tested twice a year. During the test, all emergency notification capabilities are triggered and evaluated for performance and examined for potential problems regarding that alert channel. Problems identified are investigated, corrected, and retested to ensure the entire system is functioning as expected and ready for deployment. During these scheduled (announced) tests, campus community members are also encouraged to verify their contact information is correct, report any problems they may have had receiving alerts, and become familiar with the location of emergency information. Testing of the emergency response system is typically announced through internal campus e-mails. In addition to the emergency notification system test, the campus departments conduct drills, tabletop, functional, and full-scale exercises to test their individual emergency response plans as well as campus

emergency operations plans and annexes. At the conclusion of each exercise, an after-action review is conducted to gather lessons learned and note areas that worked well aimed at improving the written plans.

Statement Addressing Evacuation Procedures



The residence halls conduct emergency evacuation drills at the beginning of each semester. Other campus facilities are responsible for organizing and conducting their own emergency evacuation drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the college an opportunity to test the operation of fire alarm system components.

At the sound of a fire alarm, or if you are instructed to evacuate, leave your area immediately, proceed to the nearest exit and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit and notify CUPD by dialing 911. Other tips for response in a fire situation include:

- Remain calm.
- Use the stairs, not elevators.
- If you are unable to self-evacuate without the use of elevators, proceed to the “temporary gathering place” as identified on the building emergency evacuation plans posted in all buildings; often, this is near or in a stairwell.
- If you are part of a personal support network for someone who is unable to self-evacuate, evacuate the building and immediately inform CUPD or the Boulder Fire Department of the individual’s location.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

7. Crime Statistics

Statement Addressing Preparation of Disclosure of Annual Crime Statistics

The purpose of this Annual Security and Fire Safety Report (ASFSR) is to inform the CU Boulder community, including current and prospective students and employees, regarding issues related to safety and security at CU Boulder. The annual compilation and distribution of the ASFSR is required to be in compliance with the federal Clery Act regulations. The Clery Compliance Officer prepares this report, working closely with other offices around campus and in the community to publish accurate policy statements and to collect crime statistics. Campus crime, arrest, and referral statistics include those reported to CUPD, the Office of Student Conduct and Conflict Resolution, the Office of Institutional Equity and Compliance, Residence Life and Housing, and other campus security authorities as defined by the Clery act. Other reporting sources include the Boulder Police Department, Boulder County Sheriff's Office, and other local law enforcement agencies with jurisdiction over portions of CU Boulder geography as defined by the Clery Act. Crime statistics are gathered for buildings and property within the core campus that are owned or controlled by CU Boulder and used for educational and institutional purposes. Other geography included for crime statistics purposes includes areas on public property within or immediately adjacent to the campus boundaries, and in buildings outside the core campus and designated as "non-campus" locations that are owned or controlled by CU Boulder, used for educational purposes, and frequently used by students.

Each year, by October 1, an e-mail notification is made to all enrolled students, faculty, and staff that provides the link to the website address for accessing crime statistics and information regarding how interested persons can request a printed copy. CU Boulder's most current Annual Security and Fire Safety Report is posted online.

Prospective students are notified of the availability of the report on the CU Boulder Admissions homepage. Additionally, information about the Annual Security and Fire Safety Report is made available to all applicants who apply for a position on the Boulder campus. This information and download link to the report can be found at the bottom of the CU Boulder Jobs. Clery Act information for current employees is located on the campus department of human resources website.

Statement Addressing Criminal Activity Off Campus

For Clery Act purposes, CU Boulder is required to report crimes that occur at non-campus buildings or property that are owned or controlled by student organizations that are officially recognized by CU Boulder. This includes Panhellenic sororities, affiliated fraternities, and multicultural Greek organizations that are officially recognized by CU Boulder and own or control off-campus housing buildings. The Boulder Police Department has primary responsibility for responding to reports of crimes that occur at these non-campus locations in the city of Boulder. As such, the Boulder Police Department monitors and records criminal activity reported to have occurred at Boulder locations owned or controlled by the Panhellenic sororities and multicultural Greek organizations. If CU Boulder officially recognizes Interfraternity Council member houses, any crimes that occur on those properties would be counted in the annual Clery statistics, as are the CU recognized sorority residences. CUPD obtains crime reports from the Boulder Police Department for crimes reported at Panhellenic sorority, recognized fraternity, and multicultural Greek organization properties for the purpose of

collecting crime statistics.

CUPD maintains excellent working relationships with all area law enforcement agencies including the city of Boulder Police Department, the Boulder County Sheriff's Office, the Colorado State Patrol, the Colorado Bureau of Investigation (CBI) and the local field office of the Federal Bureau of Investigation (FBI). These working relationships are maintained through periodic communication among agency administrators and by frequent contact between officers and investigators cooperating on specific cases.

CU Boulder must also include in the non-campus buildings or property category any property that is owned or controlled by CU Boulder and is used in direct support of, or in relation to, CU Boulder's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the CU Boulder campus. This includes, for instance, classroom space rented by CU Boulder departments to host classes at off-campus sites.

CUPD handles all criminal matters on CU Boulder property. CUPD also has concurrent jurisdiction in the city of Boulder through a commission granted by the Chief of Police of the Boulder Police Department. In addition, if one of the local law enforcement agencies responds or is contacted about criminal activity occurring off-campus but involving CU Boulder students, that law enforcement agency may notify CUPD; however, other agency policies do not require such notification. Students in these cases may be subject to arrest by the local agencies and subject to CU Boulder disciplinary action through the office of Student Conduct & Conflict Resolution.

In general, prospective students, employees, and visitors to CU Boulder should know that, as with any community, criminal activity occasionally occurs both on- and off-campus, and it is important to take reasonable precautions at all times. CUPD can assist any member of the CU Boulder community in determining an appropriate point of contact for police matters falling outside of the department's jurisdiction. Contact CUPD at (303)-492-6666 for assistance. For additional local off-campus information, you may contact the Boulder Police Department or the Boulder County Sheriff's Office.

Statement Addressing the Daily Crime Log

As required under federal law, CUPD maintains a daily crime log. The daily crime log is normally updated each business day by CUPD Records Division and contains all crimes reported to CUPD occurring within its patrol jurisdiction. The daily crime log is a means of distributing information to the CU Boulder community about crimes and crime trends on campus. The log records the nature, date and time reported, date and time occurred, general location, and disposition of each offense. A copy of the daily crime log is available from the Records Division at CUPD.

2020 Crime Statistics Table

2020 University of Colorado Boulder	All On-Campus Property	Non-Campus Property	Public Property	**Total**	On-Campus Residential Only *	Unfounded
Selected Criminal Offenses:	**2020**	**2020**	**2020**	**2020**	**2020**	**2020**
Murder & Non-negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Sexual Assault, *including*:	-	-	-	-	-	-
Rape	12	0	0	12	12	0
Fondling	8	1	2	8	5	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	2	0	0	2	0	0
Aggravated Assault	5	0	5	5	0	0
Burglary	16	0	0	16	8	0
Motor Vehicle Theft	8	0	8	8	0	0
Arson	1	0	1	1	0	0
VAWA Offenses:	**2020**	**2020**	**2020**	**2020**	**2020**	**2020**
Domestic Violence	4	0	1	4	3	0
Dating Violence	7	0	1	7	6	0
Stalking	5	0	3	5	2	0
Liquor, Drug & Weapon Violations:	**2020**	**2020**	**2020**	**2020**	**2020**	**2020**
Arrests: Liquor Law Violations	459	0	34	459	425	0
Disciplinary Referrals: Liquor Law Violations	943	0	6	943	937	0
Arrests: Drug Law Violations	166	0	4	166	162	0
Disciplinary Referrals: Drug Law Violations	402	0	9	402	393	0
Arrests: Weapons, Carrying, Possessing, etc.	1	0	1	1	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0
Reported Hate Crimes- with bias factor	**2020**	**2020**	**2020**	**2020**	**2020**	**2020**
Race (aggravated assault)	1	0	1	1	0	0
Gender	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation (aggravated assault)	1	0	1	1	0	0
Ethnicity	0	0	0	0	0	0
National Origin	0	0	0	0	0	0
Disability	0	0	0	0	0	0

2021 Crime Statistics Table

2021 University of Colorado Boulder	All On-Campus Property	Non-Campus Property	Public Property	**Total**	On-Campus Residential Only *	Unfounded
Selected Criminal Offenses:	**2021**	**2021**	**2021**	**2021**	**2021**	**2021**
Murder & Non-negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Sexual Assault, *including*:	-	-	-	-	-	-
Rape	16	0	0	16	16	0
Fondling	12	0	0	12	10	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	2	0	0	2	0	0
Aggravated Assault	2	0	0	2	0	0
Burglary	20	0	0	20	6	0
Motor Vehicle Theft	20	0	0	20	0	0
Arson	2	0	0	2	0	0
VAWA Offenses:	**2021**	**2021**	**2021**	**2021**	**2021**	**2021**
Domestic Violence	4	0	0	4	4	0
Dating Violence	6	0	0	6	6	0
Stalking	17	0	0	17	9	0
Liquor, Drug & Weapon Violations:	**2021**	**2021**	**2021**	**2021**	**2021**	**2021**
Arrests: Liquor Law Violations	138	0	0	138	74	0
Disciplinary Referrals: Liquor Law Violations	642	0	0	642	521	0
Arrests: Drug Law Violations	63	0	0	63	27	0
Disciplinary Referrals: Drug Law Violations	235	0	0	235	186	0
Arrests: Weapons, Carrying, Possessing, etc.	2	0	0	2	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0
Reported Hate Crimes- with bias factor	**2021**	**2021**	**2021**	**2021**	**2021**	**2021**
Race (intimidation)	2	0	0	2	2	0
Gender	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0
National Origin	0	0	0	0	0	0
Disability	0	0	0	0	0	0

2022 Crime Statistics Table

2022 University of Colorado Boulder	All On-Campus Property	Non-Campus Property	Public Property	**Total**	On-Campus Residential Only	Unfounded
Selected Criminal Offenses:	**2022**	**2022**	**2022**	**2022**	**2022**	**2022**
Murder & Non-negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Sexual Assault, *including*:	-	-	-	-	-	-
Rape	24	0	0	24	23	0
Fondling	17	0	0	17	13	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	1	0	0	1	0	0
Aggravated Assault	3	0	0	3	1	0
Burglary	41	0	0	41	12	0
Motor Vehicle Theft	15	0	0	15	0	3
Arson	1	0	0	1	0	0
VAWA Offenses:	**2022**	**2022**	**2022**	**2022**	**2022**	**2022**
Domestic Violence	5	0	0	5	5	0
Dating Violence	4	0	0	4	3	0
Stalking	6	2	1	9	6	0
Liquor, Drug & Weapon Violations:	**2022**	**2022**	**2022**	**2022**	**2022**	**2022**
Arrests: Liquor Law Violations	96	0	2	98	58	0
Disciplinary Referrals: Liquor Law Violations	1184	0	1	1185	1137	0
Arrests: Drug Law Violations	19	0	0	19	7	0
Disciplinary Referrals: Drug Law Violations	266	0	0	266	228	0
Arrests: Weapons, Carrying, Possessing, etc.	1	0	0	1	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	0	0	0	0	0	0
Reported Hate Crimes - with bias factor	**2022**	**2022**	**2022**	**2022**	**2022**	**2022**
Race (intimidation)	1	0	0	1	0	0
Gender	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation (aggravated assault)	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0
National Origin	0	0	0	0	0	0
Disability	0	0	0	0	0	0

*During the University's preparation of the Annual Fire Safety and Security Report, the University identified potential discrepancies in our Clery Act crime statistical disclosures. In order to ensure accuracy, the university is in the process of conducting a full review of the information underlying the statistics. The campus community will be informed if reporting errors are confirmed and, if needed, the university will re-publish the statistics.

8. Security Awareness, Crime Prevention, and Education

Statement Addressing Security Awareness Programs for Students and Employees

CUPD provides a number of services and programs to the campus community to help ensure the safety and security of our campus affiliates. Our services strive to emphasize proactive measures in order to minimize the need for reactive responses. We must all take responsibility for our own safety and the safety of others. Promptly and accurately reporting any and all criminal acts, dangerous situations, and suspicious behaviors greatly assists in the provision of a safe campus community.

The following are descriptions of CUPD security awareness programs provided to CU affiliates on at least an annual basis:

- **Student & Faculty Orientation:** Tips on personal safety while on campus and in the surrounding community, information on registering bicycles and computers on campus, and information regarding local laws and regulations.
- **Active Harmer Response Training:** In-person training offered to Resident Advisors (RA) and campus departments (by request) on actions you should take if you encounter an active harmer.
- **Clery Compliance & Campus Security Authority (CSA) Training:** In-person and online training provided to all CSAs regarding their responsibilities under the Clery Act and mechanisms in place to report Clery related offenses. This training is encouraged and recommended in compliance with the provisions of the Clery Act.
- **Housing Liaison Program:** CUPD officers are connected with Hall Directors and RAs to serve as liaisons and provide safety tips and solve problems in the residence halls**.**
- Throughout the year, CUPD personnel also routinely present information or facilitate programs for student organizations, campus departments, and residence halls on a variety of educational strategies and tips on how to protect themselves.
    - In addition to presentations offered by CUPD, information is available on a variety of topics through CUPD's Community Outreach. This site offers information and videos designed to enhance student awareness and personal safety.

Statement Addressing Crime Prevention Programs

1. CU NightRide

CU NightRide is a student-operated program dedicated to meeting the safety needs of CU students, faculty, and staff by providing night-time transportation to support a safe academic and socially responsible environments, both on campus and in the community. CU NightRide is free for CU students, faculty, and staff. CU NightRide provides service on the main CU Boulder campus and from or to any point off campus within the city boundaries. Rides can be scheduled by visiting the CU NightRide dispatch desk in the University Memorial

Center or from any location by calling (303)-492-SAFE. For more details, visit CU NightRide.

2. Bicycle Registration

CU Boulder encourages you to register your bike online or at a CU Boulder bike station. The free registration discourages theft and aids in identification if your bike is recovered after it is stolen. In addition, any personalization on your bike (stickers, markings, etc.) should be documented and kept in case your bike is stolen. This will make it easier for police to identify your bike. All this information should be stored and saved along with purchase receipts, manufacturer's information and a photograph of the bicycle. For more information on bike registration or to complete the registration process, visit the CU Environmental Center's webpage.

3. Active Harmer Response Training

Active harmer incidents have occurred at a number of locations in recent years, and the University of Colorado Boulder is not immune to these types of situations. While the odds of this type of incident occurring at CU Boulder are small, the consequences are so potentially catastrophic it makes sense that all CU Boulder students, staff, faculty, and visitors should consider the possibility of such an incident occurring here.

Students, faculty, and staff are encouraged to watch the "Run. Hide. Fight." training video on the CUPD Crime Prevention web page. This video portrays situations that could occur if an active harmer is on campus or anywhere and provides safety techniques useful in such situations. CUPD also provides in-person safety training for interested campus departments. If you have questions, please contact CUPD at (303)-492-8168.

9. Missing Student Policy

As required by federal law, every student residing in on-campus housing will be given the option of providing confidential contact information that will be used in the event that the resident is reported missing. The confidential contact is not required to be a parent or guardian. A student's contact information will be registered confidentially and is accessible only by authorized campus officials and law enforcement in the process of a missing person investigation. Parents or guardians will be called if the resident is under the age of 18 years of age and not emancipated. During the residence halls application process, every student will be offered the opportunity to register a confidential missing person contact person or persons to be notified by CU Boulder in the event they are determined to be missing by CUPD or local law enforcement. If the student does not wish to list a contact, they may decline to do so.

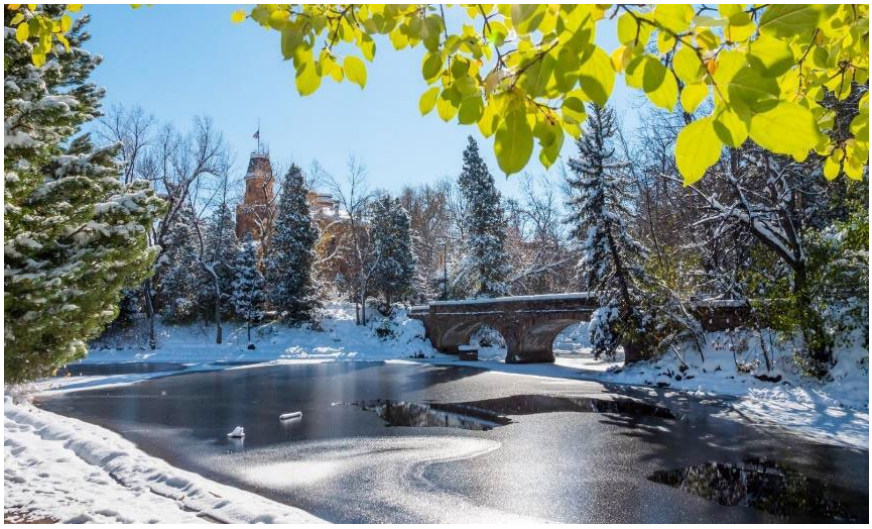
Reports of missing on-campus residents and any related updates, should be made to CUPD and must be made immediately when a student has been missing for 24 hours. Reports of missing students who live off-campus should typically be made to their local law enforcement agency in that jurisdiction. No waiting period exists for CUPD to document information and report an individual as missing. CUPD will ensure all reasonable and necessary investigation, notification, dissemination of information, coordination of resources, and searches are conducted to resolve missing person cases or missing/abducted juveniles.

CUPD will ensure that:

- The listed missing person's emergency contact, if registered, is contacted within 24 hours by CUPD, a representative of Residence Life or the Office of the Dean of Students and is made aware of the missing student's status.

- If the student is under 18 years of age and not emancipated, the custodial parent or legal guardian and any

other designated contact will be notified within 24 hours of the student being determined missing.



- Regardless of whether the student has identified a contact person, or is above the age of 18, or is an emancipated minor, CUPD will inform the local law enforcement agency with jurisdiction in the area that the student is missing within 24 hours unless the local law enforcement agency was the entity that made the determination that the student was missing.

10. Statement of Policy and Procedures Regarding Sex Assault, Domestic Violence, Dating Violence, Stalking, and Hate Crimes

In accordance with federal law, CU Boulder does not discriminate on the basis of sex/gender in its educational programs and employment. Sexual assault, dating violence, domestic violence, and stalking, in addition to being violations of criminal law, are prohibited conduct under CU Boulder policy. Any person can report potential violations of these policies by contacting the OIEC by phone at (303)-492-2127 or by e-mail at CUReport@Colorado.EDU.

For more information regarding CU Boulder's relevant policies, see:

- The University of Colorado Boulder Discrimination and Harassment Policy
- The University of Colorado Sexual Misconduct, Intimate Partner Violence and Stalking Policy
- The University of Colorado Conflict of Interest in Cases of Amorous Relationships Policy
- Office of Institutional Equity and Compliance (OIEC) Resolution Procedures

Relevant Definitions with Regard to Sexual Assault, Domestic Violence, Dating Violence, and Stalking

1. Definitions of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Sexual assault, domestic violence, and stalking are criminal offenses in the state of Colorado. Dating violence is not a criminal offense under C.R.S.; however, dating violence is a behavior prohibited by the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy (APS 5014). Colorado legal definitions of these crimes are included in appendix A of this document, so you have a better understanding of what actions violate the law in Colorado. For a full list of behaviors covered, review the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy.

2. Definitions of Consent

C.R.S. defines "consent" in Part 4 of Title 18, which pertains to unlawful sexual behavior (including sexual assault and unlawful sexual contact). "Consent" means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent under the provisions of this part 4. Submission under the influence of fear shall not constitute consent. Nothing in the definition shall be construed to affect the admissibility of evidence or the burden of proof in regard to the issue of consent under this part 4. - C.R.S. 18-3-401(1.5). CU defines "consent" in reference to sexual activity. APS 5014 requires "affirmative consent" with regard to sexual activity. The definition of affirmative consent pursuant to APS 5014 is reproduced below:

Consent: Means **affirmative consent**, which is an unambiguous and voluntary agreement to engage in a specific sexual activity. Consent is clear, knowing, and voluntary words or actions that create mutually understandable clear permission of willingness to engage in, and the conditions of, sexual activity. Consent must be active; silence by itself cannot be interpreted as consent.
Consent is not effectively given if it results from the use of force, including threats, or intimidation, or if it is from someone who is incapacitated:

- **Force** is the use of physical violence or imposing on someone physically to gain sexual access.
- **Threats** exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual contact she or he would not otherwise have given. For example, threats to kill or harm someone, kill or harm themselves, or to kill or harm someone for whom a person cares constitute threats.
- **Intimidation** occurs when someone uses physical presence to menace another, although no physical contact occurs, or where knowledge of prior violent behavior by an assailant, coupled with menacing behavior, places someone in fear as an implied threat.

Consent will be determined using both objective and subjective standards. The objective standard is met when a reasonable person would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. The subjective standard is met when a party believes in good faith that the words or actions of the parties manifested an agreement between them to do the same thing, in the same way, at the same time, with one another.

- A person who does not want to consent to sex is not required to resist.
- A previous sexual encounter does not mean that consent has been given for future sexual activity.
- Consent to some forms of sexual activity does not automatically imply consent to other forms of sexual activity.
- Silence, previous sexual relationships, or the existence of a current relationship do not imply consent.
- Consent cannot be implied by attire or inferred from the giving or acceptance of gifts, money, or other items.
- Consent to sexual activity may be withdrawn at any time, if the withdrawal is communicated clearly.
- Withdrawal of consent can be manifested through conduct and need not be a verbal withdrawal of consent.
- To give effective consent, the person giving consent must be of legal age under Colorado law for the purposes of determining whether there was a sexual assault.
- A respondent's intoxication resulting from intentional use of alcohol/drugs will not function as a defense to engaging in sexual activity without an individual's consent.

Incapacitation: Incapacitation may result from alcohol or other drug use, unconsciousness, or other factors. The use of alcohol or drugs, in and of itself does not render a person incapacitated. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and drugs varies from person to person. Incapacitation is a state where a person cannot make a rational, reasonable decision because they lack the capacity to give consent (to understand the who, what, when, where, why, or how of sexual interaction). Incapacity can also result from illness, sleep, mental disability, and other circumstances. Engaging in sexual activity with a person whom you know to be mentally or physically incapacitated, or reasonably should know to be incapacitated, violates APS 5014.

Safe and Positive Options for Bystander Intervention and Risk Reduction

CU Boulder's educational programming includes information on safe and positive options for bystander intervention and risk reduction. Bystanders play a critical role in the preventing harm from crimes like domestic violence, dating violence, sexual assault, or stalking. By recognizing precursors that may lead to dangerous situations, like seeing a drunk person being aggressively pursued at a party or seeing someone engaging in risk-taking behaviors, a bystander can take safe and positive steps to intervene and reduce the risk of harm. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase

empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

Risk reduction strategies addressed in our educational programs include:

- Dynamics of abuse and precursors to relationship and sexual violence
- Data on prevalence of intimate partner violence (including dating and domestic violence), sexual misconduct, and stalking for our campus community, who the victims are, common locations, perpetrator tactics, and timing of incident during the academic year
- Signs that indicate incapacitation and dynamics in the college environment, including party culture that fosters relationship and sexual violence
- Things to notice in a relationship or in a party environment that might be an indication of potential perpetration of violence
- The role of alcohol and other drugs in facilitating and justifying aggression and abusive conduct
- Skills for recognizing high-risk situations and how to look out for each other when going out:
    - Make a plan with friends and make sure everyone has each other's cell number.
    - Commit to not ditching someone if they have had too much to drink and/or become difficult or problematic.
    - Go out with people you can trust and stay with the same group to make sure everyone gets home safely.
    - Pay attention to people who hit on the drunkest person or try to get a drunk person alone or away from their friends.

There are many different kinds of situations where bystanders can help, but there is no one strategy that will be effective for every person or type of situation. At CU Boulder, we teach key strategies that can be safe and effective in almost any context.

Be Direct

Some situations are straightforward, especially if it's clear that someone needs help, and they aren't able to address the situation themselves. Direct help can work well if someone is injured or in an accident and the barriers to helping are minimal. In certain contexts, being direct may be the best option. Be prepared to follow the lead of the person you perceive as needing help.

Go Covert

Sometimes being direct has the potential to backfire or escalate a situation. Keeping everyone's safety, including yours, in mind is important. If you're worried that being direct will make the situation worse or that you might be interpreting the situation wrong, go covert. Use distraction or diversion to diffuse the situation.

Recruit Others

Sometimes the best strategy is to alert others. This may mean getting someone who is better positioned to help or who has the authority to address the problem. It may also just mean getting more people around you to recognize the problem and join in helping. When you can, get input from those being targeted about engaging others. Working in a team is a good idea when it's possible.

Now vs. Later

Sometimes helping doesn't have to be limited to right there in the moment. In situations that aren't emergencies, if we're acquainted with the people involved, we have the option to talk to them later. When you can, check in after about what happened.

We take the approach that people don't have to solve the whole problem or aggressively confront someone for their actions to change the situation or prevent harm. Sometimes little things like getting others to help or using a distraction can be as effective as more direct action.

Primary and On-Going Prevention and Awareness Programs and Campaigns

CU Boulder engages in comprehensive educational programming to prevent and bring awareness about sexual assault, domestic violence, dating violence, and stalking.

1. Programming Content

Educational programming consists of primary prevention and awareness programs for all incoming students, second-year undergraduate students, and new employees and ongoing awareness and prevention campaigns for students, faculty, and staff that:

- Identifies sexual assault, domestic violence, dating violence, and stalking as prohibited conduct by CU Boulder policies and state criminal law;
- Defines what behavior constitutes sexual assault, domestic violence, dating violence, and stalking pursuant to CU Boulder policies and state criminal law;
- Defines what behavior and actions constitute consent to sexual activity pursuant to CU Boulder policies and state criminal law;
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking against a person other than the bystander;
- Provides information on risk reduction so that students and employees may recognize warning signs of harassing or abusive behavior and how to attempt to avoid potential attacks; and,
- Provides an overview of the information that follows below in this policy statement.

2. Description of Programs and Campaigns

A. New Student Welcome and New Hire Programming

CU Boulder has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation, participating in the faculty orientation program, and presenting educational programs throughout the year.

Specifically, CU Boulder requires that all new students and employees and returning second year undergraduate students complete the following required online education:

- **Community Equity/Discrimination and Sexual Misconduct**: OIEC offers two online courses (one for students and one for employees) that address CU Boulder policies regarding sexual misconduct and protected-class discrimination and harassment. The programs cover information on sexual assault, harassment, and exploitation, dating and domestic violence, stalking, affirmative consent, reporting, resolution options, and support services. Two additional educational components include skills for effective bystander intervention and skills for helping someone who has experienced a traumatic incident.
- **Effective Bystander Intervention Skills:** is a program delivered online within the Community Equity course with booster sessions offered virtually or in person provides skill-building for students, staff, and faculty in bystander intervention strategies.

CU Boulder requires faculty, staff, and student employees to complete discrimination and harassment training according to the following schedule:

- Staff: within first 30 days of employment.
- Faculty: within their first semester of employment.
- Everyone: after initial training, again at least once every three years.

B. Ongoing Programs and Campaigns

All employees must complete discrimination and harassment training at least once every three years. Some departments require more frequent completion of this training requirement. The Office of Institutional Equity and Compliance (OIEC) also offers specialized departmental training for faculty, supervisors, and other employee groups throughout the year upon request.

C. Office of Victim Assistance (OVA) Presentations

The Office of Victim Assistance works towards a safer, more socially just and supportive campus community by providing culturally relevant trauma response and prevention services. OVA offers presentations on all its topic areas and how to support people who may be impacted by traumatic/disruptive life events. OVA topic areas include, but are not limited to physical assault, hazing, experiences of bias, grief and loss, discrimination, harassment, sexual harassment, intimate partner abuse including dating and domestic violence, sexual assault, and stalking.

Upon request, OVA will provide tailored presentations on various subjects, including:

- **What the Office of Victim Assistance offers**
    - This session should be done in combination with one of the options below.

- **Supporting Survivors: how to help a friend (responding to a disclosure of trauma, for example sexual assault or intimate partner abuse)**
    - How you respond matters. Friends, peers, mentors are often the first to be confided in.
    - Learn about the impact of traumatic events and the positive impacts of trauma-informed support and how it can help a survivor heal.
    - Learn skills on how to positively respond to someone after a traumatic or life-disrupting event.
    - How to connect people to OVA so they can get confidential support and learn about all their rights and options.
    - When applicable, trauma-informed mandatory reporting can be included in the session for employees who are required to report disclosures they receive.

- **Impact of Trauma and the Healing Process**

    - Information on what people may experience physically, emotionally, and cognitively in the aftermath of a traumatic event. Presentation is geared towards people already involved in a helping role or for a class discussing trauma.

More information and other presentations currently being offered can be found on OVA's presentations and workshops website.

D. Office of Institutional Equity and Compliance (OIEC) Programs

The Office of Institutional Equity and Compliance is committed to preventing and eliminating discrimination and harassment based on race, color, national origin, pregnancy, sex, age, disability, creed, religion, sexual orientation, gender identity, gender expression, veteran status, political affiliation, or political philosophy at the University of Colorado Boulder.

- **Community Equity**
    - All CU Boulder students complete an online version of this training.
    - Undergraduate students – all new and second year returning undergraduate students are required to complete the Community Equity course in Canvas and pass the online quiz with a minimum score of 90 percent.
    - Graduate students – all graduate students are required to complete the Community Equity course in Canvas and pass the online quiz with a minimum score of 90 percent.
    - This course covers the university policies on discrimination, harassment, and sexual misconduct. Course participants learn about the range of behaviors included, discuss scenarios, practice skills for addressing behaviors, and learn about reporting options. Graduate students and employees are trained extensively on the obligation to report incidents related to sexual misconduct, intimate partner violence (including dating and domestic violence), stalking, discrimination, and harassment to OIEC.

- **Effective Bystander Intervention**

    - Effective bystander intervention skills are included within the policy courses for all students, staff, and faculty.
    - In addition, OIEC offers skill-building educational workshops to enhance bystander intervention efficacy. We explore factors that promote helping or prevent violence and practice skills for intervening effectively in real-world situations. This is a foundational skills-based training for helping people to notice and gain insight into potentially problematic situations and to increase their ability to interrupt, reduce, or prevent harmful or potentially harmful outcomes.

OIEC implements educational campaigns (print and video) on bystander intervention skills and what constitutes sexual assault ("Don't Ignore It", "Just Because", and "Buffs Supporting Buffs"). Visit the Office of Victim Assistance and scroll to the bottom of the page for more information.

- **Undergraduate Students –** OIEC offers sessions for all students and student groups and organizations.

- **Graduate Students –** Offered at Graduate Teacher Program fall/spring intensive training, and department training for TA/RA skills for inside the classroom, among peers, and interactions with faculty.

- **Faculty and Staff –** Departmental sessions for addressing concerns in the work environment, among peers, and during interactions with students. Also offered as part of the Manager's Academy.

- **Don't Ignore It Campaign –** Unfair treatment. Unwelcome sexual attention. A classmate who appears to be distressed or depressed. These are among the concerns that could—and should—be reported at CU Boulder, even if students, staff or faculty are unsure it's something the university could address or what outcome they'd like to see.

    - Through the university's **Don't Ignore It** campaign, the OIEC encourages students to use its website to explore the options for reporting a concern. The website focuses on sexual misconduct issues, including sexual assault, sexual exploitation, sexual harassment, intimate partner violence including dating and domestic violence, and stalking, along with protected class-based discrimination and harassment. In addition to outlining the options for reporting, the site has educational information about bystander intervention strategies, creating a "buddy system" to look out for one another, and how to effectively respond to friends and peers who disclose a traumatic event. For more information, go to the Don't Ignore It website.

- **Reducing Unconscious Cognitive Bias**

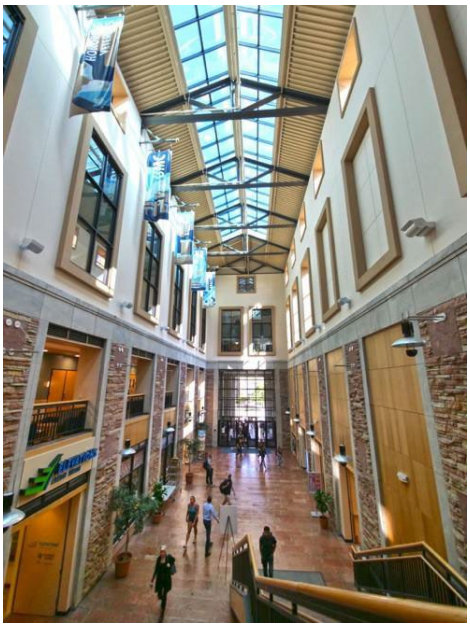
OIEC works with departments, units and committees to identify key areas where bias is most likely to occur and implement policies, practices, and structural changes to reduce bias and increase inclusion.

Training can be tailored for hiring and recruitment, pedagogy, curriculum development and interactions with colleagues and students both inside and outside the classroom.

- **What to Say and How to Say It: Skills for Managing Difficult Conversations**

Skills-based support for addressing problematic behaviors and comments. Coaching and practice on what approaches and responses are most effective and ways to set the stage for a more positive and inclusive environment.

Offered to all students, staff and faculty. Ideal for intact groups, committees, programs and departments.



- **Diagnostics and Data Analysis**

Assistance for programs, departments, and colleges to understand indicators of campus climate using institutional survey data and focus group findings.

OIEC conducts program evaluation and large- and small-scale surveys to diagnose trends, identify areas of success, and help prioritize efforts for making improvements to the CU Boulder culture. In fall 2021, OIEC administered the Campus Culture Survey for all students, staff, and faculty and worked with departments to understand the results for the campus and their unit to make improvements.

- **Culture Reset**

This session is a group process for defining norms for interactions and making agreements that uphold the values and goals of the department. Two hours is the minimum length and full departmental participation is required.

- **Sexual Consent and Sexual Assault**

In this interactive, discussion-based session, participants discuss affirmative consent and how to communicate effectively with a sexual partner. Participants also explore what sexual assault is and the risk factors for perpetration. Campus statistics and prevention strategies are explored along with campus and community resources and reporting options.

- **Policy Education**

Mandatory online course covering university policy on sexual misconduct, affirmative consent, and campus resources for support and reporting as well as policy on protected class discrimination and harassment. In-person and virtual workshops are available and language interpretation is provided for those who need to complete the training in their native language.

For more information or to request a program from OIEC, contact Teresa Wroe, (303)-735-7518, or by email at Teresa.Wroe@Colorado.EDU or OIECTraining@Colorado.EDU.

Procedures Victims Should Follow and Reporting Options

CU Boulder has procedures in place to be sensitive to those who report sexual assault, domestic violence, dating violence, stalking, and hate crimes, including informing individuals about their right to report to law enforcement as well as the availability of medical, counseling, and supportive services, and additional remedies to prevent contact between a victim and an accused party, such as housing, academic, transportation, and working accommodations, if reasonably available. When a student or employee reports one of these offenses to CU Boulder, the student or employee will be provided with a written notice of rights and options, whether the offense occurred on or off campus.

The written notice includes information about the importance of preserving evidence that may assist in the

following:

- Proving that the alleged criminal offense occurred or that may be helpful in obtaining an order of protection;

- How and to whom the alleged offense should be reported, options about the involvement of law enforcement and campus authorities, including notification of the victim's option to notify proper law enforcement authorities, including on-campus and local police, to be assisted by campus authorities in notifying law enforcement authorities, if the victim so chooses, or to decline to notify such authorities.

- The written notice also includes information about the rights of victims and the institution's responsibilities for orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, or by the institution.

In 2016, efforts were put in place to improve awareness of resources for support and reporting options including the "Don't Ignore It" and "How to Help a Friend" campaigns. In 2017, the Office of Victim Assistance (OVA) launched the "Buffs Supporting Buffs" campaign to increase awareness of sexual assault, discrimination, intimate partner abuse, including dating and domestic violence, and stalking. This campaign lines up with OVA's presentation on Supporting Survivors, focusing on teaching skills to help a friend or colleague and increasing awareness of OVA's services.

Expanded training for students on how to appropriately respond to someone who discloses a traumatic event is important as most often survivors go to a friend first. OVA offers this training to key departmental staff. OIEC has integrated this education into sessions that they offer to students and staff and has expanded resources and information to support these skills in partnership with OVA.

Preservation of Evidence

Individuals may be unsure if they want to report a sexual assault or an incident of domestic violence, dating violence, or stalking to law enforcement. Regardless of whether a victim chooses to report an incident, it is important to preserve any evidence of the offenses so that if the victim decides at any point in time to report the incident, that evidence is still available. Preserved evidence can be helpful in proving that an alleged criminal offense occurred or in obtaining an order of protection.

Examples of evidence to preserve include, but are not limited to: the clothing the individual was wearing at the time of the incident, bedding, text message correspondence discussing the incident (either with the accused or with friends or family), photographs, screenshots, emails, social media correspondence/posts (e.g. Facebook, Tinder, Snapchat, Instagram, etc.), correspondence via other messaging applications (WhatsApp, Kik, GroupMe, etc.), logs, copies of documents, video surveillance, and/or names of witnesses and contact information.

Bathing, smoking, changing clothes, or cleaning the bed or area where a sexual assault occurred may reduce

the ability to collect forensic evidence. If the individual chooses to change the clothing that was worn at the time of the assault, it is recommended to put all the clothes into a paper (not plastic) bag. While the preservation of evidence is helpful, forensic evidence collection may still take place regardless of whether the individual has taken these steps.

After a sexual assault, an individual should consider seeking medical attention as soon as possible. Regardless of whether an individual chooses to report the assault to police, a medical exam can be done to preserve evidence. The Sexual Assault Nurse Examiner (SANE) Program at the emergency department at Boulder Community Health, located at 4747 Arapahoe Avenue, Boulder, CO 80303 is available to conduct a medical forensic exam performed by a SANE, ideally within five days of the sexual assault. It is best if the individual does not bathe, shower, eat, drink, douche, or change clothes. However, evidence can be collected even if the individual has done any or all of these things.

Even if the individual does not opt for forensic evidence collection, health care providers can still offer medical support, such as treating injuries, if applicable, and take steps to address concerns of pregnancy (if applicable) and/or sexually transmitted infections.

In Colorado, evidence may be collected even when the victim chooses not to make a report to law enforcement. Colorado law contains provisions to ensure the collection and preservation of forensic evidence in sexual assault cases. A victim of a sexual assault shall not bear the cost of a forensic medical examination; that includes the collection of evidence even if the victim chooses not to participate in the criminal justice system or otherwise cooperate with the law enforcement agency, prosecuting officer, or other government official. In Colorado, there are also options for getting a medical forensic exam anonymously. For more information on reporting options in Colorado, Visit the website for the Colorado Coalition Against Sexual Assault, for more information on reporting options in Colorado or the Colorado You Have the Right website.

Remember that while preserved evidence can be helpful in proving that an alleged criminal offense occurred or in obtaining an order of protection, the lack of evidence does not preclude an investigation from taking place.

The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic violence, dating violence, stalking, and hate crimes; to maintain confidentiality and fairness consistent with applicable legal requirements; and to impose appropriate sanctions on violators of CU Boulder policies.

Confidential Resource

If a victim is not sure about making a police report or initiating a CU OIEC resolution procedure, the victim can receive free, confidential information, counseling, advocacy, and support by contacting the Office of Victim Assistance (OVA) at the University of Colorado Boulder at 303-492- 8855 (has after-hours phone support), by e-mail at Assist@Colorado.EDU, in person at the Center for Community (C4C), Suite N450, or at the OVA website. **Advocate counselors in this office are advocates and professional, licensed counselors/social workers.**

Additional confidential resources are listed in the section entitled “Victim Services and Resources” later in this policy.

CU Boulder Title IX and other Protected-Class Discrimination and Harassment (including Hate Crimes) Reporting

If a complainant (the person who reports being the target of misconduct) would like to initiate a formal grievance or other resolution procedure into an allegation of sexual assault, domestic violence, dating violence,

stalking, or hate crime, the incident should be reported to the Office of Institutional Equity and Compliance (OIEC) by phone at 303-492-2127, by e-mail at CUReport@Colorado.EDU or online. To make a report online, go to the OIEC website and select "Report to OIEC." A report can also be filed via the Ethics Line website. The OIEC reporting process is not confidential. After a report is received, the OIEC will respond to the complainant to provide information about available supportive measures and resolution options, including a complainant's right to file a formal complaint initiating a formal grievance process. Complainants can receive supportive measures regardless of whether they elect to pursue a resolution process through the OIEC.

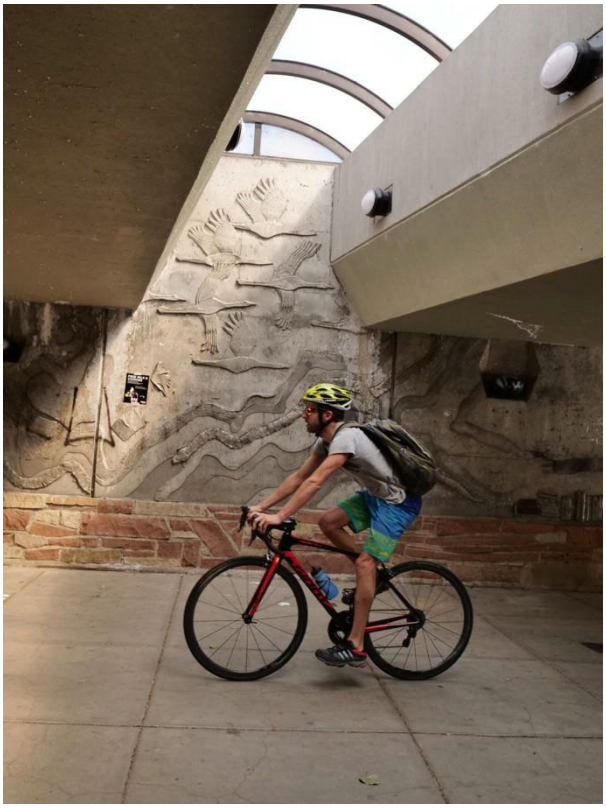
CU Boulder will provide resources to persons who report experiencing sexual assault, domestic violence, dating violence, stalking, or hate crimes. Appropriate disciplinary sanctions will be imposed upon parties who are found to have violated the applicable policy.

Law Enforcement Reporting

The victim has the option to contact the University of Colorado Boulder Police Department by calling (303)-492-6666 or in person at 1050 Regent Drive, Boulder, CO 80309. Additional information about the University of Colorado Boulder Police Department may be found online.

Options Regarding Notification of Law Enforcement and Campus Authorities

Whether or not criminal charges are filed, a complainant or the OIEC may initiate a formal grievance or other resolution procedure pursuant to the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy and/or the protected-class Discrimination and Harassment Policy. For more information, refer to the OIEC Resolution Procedures.



Reports of sexual assault, domestic violence, dating violence, or stalking within the primary reporting jurisdiction of the University of Colorado Boulder Police Department will be referred to the Office of Institutional Equity and Compliance (OIEC) for response regardless of whether the victim chooses to pursue criminal charges. Names and identifying information of victims of a sexual assault will only be released with the victim's consent in accordance with state law.

Federal and state law requires some faculty and staff positions to report certain criminal activity to law enforcement. CU Boulder also strongly encourages all members of its community to report any criminal activity to law enforcement. Victims who are not sure about reporting incidents can contact the confidential CU Boulder Office of Victim Assistance (OVA).

OVA can assist victims with notifying local police and/or the University if the victim should decide to report criminal activity. OVA is located at the Center for Community (C4C), Suite N450, Boulder. OVA advocate

counselors can also be reached by telephone at 303-492-8855 or via e-mail at Assist@Colorado.EDU. Please note the phone line also has after-hours counselors available.

Additional resources on campus related to who can provide assistance in notifying law enforcement authorities if the victim so chooses, include: the Associate Vice Chancellor for Student Affairs and Dean of Students; Associate Vice Chancellor of the Office of Institutional Equity and Compliance and Title IX Coordinator; the Associate Vice Chancellor of Human Resources; and the Director of Student Conduct and Conflict Resolution.

Reports of criminal activity that occurred on the CU Boulder campus may be made directly to the University of Colorado Police Department at (303)-492-6666. Reports of criminal activity that occurred elsewhere in the city of Boulder can be made directly to the city of Boulder Police Department at (303)-441-3333.

Victims can also decline to notify any or all of these authorities at any time.

Orders of Protection, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court

Victims who are interested in obtaining an order of protection, or any other similar order issued by a criminal, civil, or tribal court, must pursue those options on their own behalf. Orders of protection can be obtained through the Boulder County consolidated courts or any county court in which the petitioner lives, works, or attends school, if that is where the victim lives or works/attends school. More information on obtaining an order of protection in Colorado is located online.

The Office of Victim Assistance can assist victims free of charge with the process of how to obtain an order of protection. CU Student Legal Services (SLS) may also be able to provide legal resources.

CU Boulder complies with Colorado law in recognizing orders of protection. Any person who obtains an order of protection from Colorado or any other state should provide a copy to the University of Colorado Boulder Police Department and the Associate Vice Chancellor of the Office of Institutional Equity and Compliance and Title IX Coordinator.

For further information regarding University no-contact orders and other safety measures, see the section titled "Support & Resources."

How CU Boulder Will Protect Victim Confidentiality

For students who are victims of crime, the University complies with the provisions of the Family Educational Rights and Privacy Act (FERPA) regarding recordkeeping. For faculty and staff members who are victims of crime, the University adheres to the applicable law, including the Colorado Open Records Act (CORA). For more information, see Administrative Policy Statement 2022 – Colorado Open Records Act, including Appendix A: Information Not Public by Law. CU Boulder will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim.

These recordkeeping protections are also applicable to any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the University to

provide the accommodations or protective measures.

CU Boulder students may request that directory information be withheld from public release by contacting the Office of the Registrar, Regent Administrative Center 101, 20 UCB, Boulder, CO 80309. The Office of the Registrar can be contacted by telephone at (303)-492-6970. More information on student privacy is located on the Family Educational Rights and Privacy Act (FERPA) webpage.

CU Boulder recognizes that employees might have unique circumstances that justify removing an employee's name from campus phone directories (the hard copy and online versions and via the switchboard). However, this need must be balanced against the legitimate business need of the campus to ensure that all employees are accessible to the campus community. As a result, a process has been created to assist employees who have a legitimate need to be removed from these sources for safety purposes (e.g., stalking). For more information, contact the Department of Human Resources at (303)-492-6893.

Victim Accommodations

Sometimes experiencing sexual assault, domestic violence, dating violence, stalking, or hate crimes can compromise concentration, ability to focus on school, or feeling able to get to class. The Office of Victim Assistance can discuss options for managing academic issues while maintaining confidentiality and provide assistance with identifying other options.

Regardless of whether a victim elects to pursue a criminal complaint with CUPD or other law enforcement, CU Boulder will assist victims of sexual assault, domestic violence, dating violence, stalking, and/or hate crimes by providing assistance and accommodations, and will provide each victim with a written explanation of these options. CU Boulder will provide written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. CU Boulder will also provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or safety measures.

For example, if reasonably available, a victim may be offered changes to academic, living, transportation, and working situations, such as changing residence hall rooms, alternative transportation options, adjustment to course schedules, or a leave of absence. CU Boulder must make these accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Victims should communicate requests for how to request changes to academic, living, transportation, and working situations or safety to the Office of Institutional Equity and Compliance.

Victim Services and Resources

Disclaimer: The following contact information was current as of the date of publication of this report but may not remain accurate. It is recommended that individuals verify this information. Services and resources denoted with a lock symbol are structured as confidential resources at the University of Colorado Boulder.

On-Campus

Service or Resource	Location	Phone
Office of Victim Assistance Confidential Service	Center for Community (C4C), Suite N450	(303)-492-8855 (Has after-hours phone coverage)
Counseling and Psychiatric Services Confidential Service colorado.edu/counseling/	Center for Community (C4C), Suite N352	(303)-492-CAPS (2277) (Has after-hours phone coverage)
Psychological Health & Performance Confidential Service cubuffs.com/sports/php	Dal Ward, office 139	(303)-735-7182
Faculty and Staff Assistance Program Confidential Service colorado.edu/hr/faculty-staff-assistance-program	Administrative Research Center A353, 3100 Marine Street	(303)-492-3020
Ombuds Office Confidential Service colorado.edu/ombuds/	Center for Community (C4C), S484	(303)-492-5077
Office of Institutional Equity and Compliance & Title IX Coordinator colorado.edu/oiec/	Administrative Research Center, 3100 Marine St., Second Floor	(303)-492-2127
University of Colorado Boulder Police Department colorado.edu/police/	1050 Regent Drive	(303)-492-6666
CU Student Legal Services Confidential Service colorado.edu/studentlegal/	University Memorial Center (UMC) Room 311	(303)-492-6813

Off-Campus, Boulder County Community

Service or Resource	Location	Phone
Boulder Police Department bouldercolorado.gov/government/departments/police	1805 33rd Street, Boulder	(303)-441-3333
Boulder County Sheriff's Office bouldercounty.org/safety/sheriff/	5600 Flatiron Parkway, Boulder	(303)-441-4444
Boulder Community Health bch.org	4747 Arapahoe Avenue, Boulder	(720)-854-7000
Safehouse Progressive Alliance for Nonviolence (SPAN) Confidential Services safehousealliance.org	835 North Street, Boulder	(303)-444-2424 (24/7 hotline)
MESA (Moving to End Sexual Assault) Confidential Services movingtoendsexualassault.org	1455 Dixon Avenue, Lafayette	(303)-443-7300 (24/7 hotline)
Boulder County Housing and Human Services https://bouldercounty.gov/departments/housing-and-human-services/	3460 Broadway, Boulder	(303)-441-1000
TRU Community Care (Hospice) trucare.org/	2594 Trailridge Drive East, Lafayette	(303)-442-0961
Emergency Family Assistance Association efaa.org/	1575 Yarmouth Ave., Boulder	(303)-442-3042
Mental Health Crisis Line Confidential Services mhpcolorado.org/	1333 Iris Ave, Boulder	(303)-447-1665 (24/7 hotline)
Boulder County District Attorney's Office bouldercounty.org/district-attorney/	1777 6th Street, Boulder	(303)-441-3700
Boulder County Sheriff's Victim Advocates bouldercounty.org/safety/victim/victim-assistance/	5600 Flatiron Pkwy, Boulder	(303)-441-3656
Boulder Police Department Victim Advocates bouldercolorado.gov/services/victim-services	1805 33rd St, Boulder	(303)-441-4048

Off-Campus, Online State and National Resources:

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- Colorado Coalition Against Sexual Assault (CCASA)
- You Have the Right Colorado
- Violence Free Colorado, formerly Colorado Coalition Against Domestic Violence (CCADV)
- Women of Color Network (minority women survivors of sexual or domestic violence)
- WINGS Foundation (adult survivors of childhood sexual abuse)
- Rape, Abuse and Incest National Network
- Department of Justice
- Department of Education, Office of Civil Rights

Explanation of CU Boulder Procedure for Disciplinary Action

CU Boulder's adjudication processes are administered through the Office of Institutional Equity and Compliance (OIEC) and provide prompt, fair and impartial proceedings from the initial investigation to the final result. The proceedings are conducted by officials who receive training at least annually on issues related to sexual assault, domestic violence, dating violence, stalking, and hate crimes, and on how to conduct grievance and adjudication procedures to ensure processes that protect the safety of all parties and promote accountability. Officials involved in grievance processes, including but not limited to Title IX Coordinators, investigators, and decision-makers, receive training on the Federal Title IX Regulations governing how complaints are handled by educational institutions. This includes training on how to serve impartially and eliminate conflicts of interest. The Office of the Colorado Attorney General Title IX Training provides the official training materials for officials handling complaints under Title IX and the university's Sexual Misconduct, Intimate Partner Violence, and Stalking Policy. Training materials are available online.

A formal grievance process to adjudicate allegations of sexual assault, domestic violence, dating violence or stalking is initiated when a complainant or the Title IX Coordinator files a formal complaint with the (OIEC) alleging a violation of the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy. A formal adjudication process to adjudicate allegations of a hate crime can be initiated when a complainant reports an incident to the OIEC alleging violation of the CU Boulder protected-class Discrimination and Harassment Policy. Any person can report potential violations of these policies by contacting the OIEC by phone at (303)-492-2127 or by e-mail at CUReport@Colorado.EDU.

For situations in which a formal process is not appropriate or not desired, the OIEC offers other options, including non-disciplinary resolution options, for addressing concerns arising under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy and the protected-class Discrimination and Harassment Policy. For example, if the complaint has been made against a CU Boulder employee, the OIEC may refer the matter to that employee's disciplinary authority or supervisor, who may initiate or impose disciplinary action as appropriate. The OIEC can also conduct a policy compliance/educational meeting with the respondent. The primary focus during a policy compliance meeting remains the welfare of the parties and the safety of the campus community, but the meeting does not result in a written report or a determination as to whether a policy has been violated. The focus of the meeting is to (1) discuss the behavior as alleged and provide the respondent an opportunity to respond; (2) review prohibited conduct under the applicable policies; (3) identify and discuss appropriate future conduct and behavior, as well as how to avoid behavior that could be

interpreted as retaliatory; (4) inform the complainant(s) of the respondent's responses if appropriate; and (5) notify Student Conduct and Conflict Resolution (SCCR) or the respondent's supervisor of the allegations and responses if necessary, who will determine whether any other disciplinary action is appropriate.

No complaint is automatically addressed using a certain type of proceeding, but rather the totality of the circumstances is reviewed on a case-by-case basis. The OIEC will consider a complainant's wishes in determining how an allegation of sexual misconduct, intimate partner violence (including dating and domestic violence), stalking, or hate crime is addressed.

For allegations under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy, either the complainant or Title IX Coordinator (or designee) must file a document alleging an allegation against a respondent for the university to initiate a formal grievance process. The Formal Complaint must contain the complainant's or Title IX Coordinator's physical or digital signature.

If a complainant has disclosed an incident of sexual misconduct but wishes to maintain privacy and does not wish to initiate the formal grievance process, the Title IX Coordinator or designee must discuss the availability of supportive measures with the complainant, describe the process for filing a Formal Complaint and explain that the university prohibits retaliation. The Title IX Coordinator or designee will further explain the steps the university will take to prevent retaliation if the individual participates in a formal grievance process and will take responsive action if it occurs.

If, having been informed of the university's prohibition of retaliation and its obligations to prevent and respond to retaliation, the complainant would still like to maintain privacy or does not want to file a Formal Complaint initiating the formal grievance process, the Title IX Coordinator or designee will weigh that request against the university's obligation to provide a safe, non-discriminatory environment for all students, faculty, and staff. In making that determination, the Title IX Coordinator or designee will consider a range of potentially overriding factors that would cause the Title IX Coordinator or designee to file a Formal Complaint and initiate a formal grievance process, including the following:

- The risk that the respondent will commit additional acts of sexual or other violence;
- The seriousness of the alleged Sexual Misconduct, including whether the respondent threatened further sexual or other violence against the complainant or others, whether the alleged Sexual Misconduct was facilitated by the incapacitation of the complainant, or whether the respondent has been found responsible in legal or other disciplinary proceedings for acts of sexual or other violence;
- Whether the alleged Sexual Misconduct was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the university possesses means other than the complainant's testimony to obtain relevant evidence of the alleged Sexual Misconduct (e.g., security cameras or personnel, physical evidence); and
- Whether the alleged Sexual Misconduct reveals a pattern of perpetration at a given location or by a particular group.

The decision to file a Formal Complaint by the Title IX Coordinator or designee and initiate the formal grievance process under the Sexual Misconduct, Intimate Partner Violence and Stalking Policy will be made on a case-by-case basis after an individualized and thoughtful review.

For allegations under the protected class Discrimination and Harassment Policy, including allegations of hate crimes, a complainant can, but is not required to file a formal complaint requesting that the OIEC investigate and adjudicate allegations. If a complainant has disclosed an incident of discrimination or harassment but

wishes to maintain privacy and does not wish to initiate the formal adjudication process, the Associate Vice Chancellor of the OIEC or designee must discuss availability of supportive measures with the complainant and explain that the university prohibits retaliation. The Associate Vice Chancellor of the OIEC or designee will further explain the steps the university will take to prevent retaliation if the individual participates in a formal adjudication process and that the OIEC will take responsive action if retaliation occurs.

If, having been informed of the university's prohibition on retaliation and its obligations to prevent and respond to retaliation, the complainant would still like to maintain privacy or does not want to initiate a formal adjudication process under the Discrimination and Harassment Policy, the Associate Vice Chancellor of the OIEC or designee will weigh that request against the university's obligation to provide a safe, non-discriminatory environment for all students, faculty, and staff. In making that determination, the Associate Vice Chancellor of the OIEC or designee will consider a range of potentially overriding factors that would cause the Associate Vice Chancellor of the OIEC or designee to initiate a formal adjudication process, include the following:

- Targets or causes harm to an individual connected with CU Boulder;
- Threatens violence against the alleged complainant or others and there is reasonable fear that such further conduct could target or cause harm to someone connected with CU Boulder;
- Is of a violent nature or was frequent or severe;
- Prior or current similar complaints about the respondent or the respondent has a known history or records from a prior school indicating a history of violence;
- Use of, or threat to use, a weapon, access to or attempts to access weapons, or a history of bringing weapons to CU Boulder;
- Multiple complainants or respondents;
- The complainant is a minor;
- Whether the alleged protected-class discrimination or harassment, or related violations, reveals a pattern of perpetration at a given location or by a particular group; and
- Any other signs of predatory behavior

There is no time limit for filing a formal complaint or reporting allegations to the OIEC. A complainant can request that the allegation be addressed through a non-investigative, non-disciplinary approach, such as a policy compliance meeting with the person accused of the misconduct. A complainant can also request that the allegation not be addressed. Such requests will be considered by the OIEC after weighing the university's obligation to provide a safe, non-discriminatory environment for all students, faculty, and staff in consideration of the factors outlined above pursuant to the applicable policy.

For cases that result in a formal grievance process under the Sexual Misconduct, Intimate Partner Violence, and Stalking Policy, the OIEC simultaneously issues a written notice of allegations to both parties, and then OIEC investigators seek to obtain all available evidence directly related to the allegations at issue. Collection of evidence may include conducting interviews with the parties and witnesses, obtaining university records such as Buff OneCard and door access records and video recordings, and obtaining other documentation such as police reports, emails, text messages, etc. The University, and not the parties, holds both the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility.

During the investigation, the parties have the option to bring an advisor of their choice to any meeting with the OIEC. The OIEC 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 university does not intend to rely in reaching a determination regarding responsibility, so that each party can meaningfully respond to the evidence prior to the Hearing. This includes inculpatory or

exculpatory evidence whether obtained from a party or other source. The OIEC must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. Parties will then have an opportunity to submit a written response within 14 days.

After the initial investigation and prior to the decision-maker(s) reaching a determination regarding responsibility, a live hearing will be conducted to allow the parties' advisors to cross-examine the other party and witnesses. A trained hearing officer will preside over a live hearing, conducted via videoconference, after which the hearing officer will decide regarding responsibility. The hearing officer who reaches the determination regarding responsibility may not be the same person who conducted the investigation. The hearing officer is responsible for maintaining an orderly, fair, and respectful hearing. Each party may bring one advisor of their choosing to conduct cross-examination to the live hearing, with prior notice to the university that the advisor will attend and that advisor's name. The university will inform both parties of the identity of the other party's advisor. If a party does not have an advisor for the live hearing, the university will provide that party an advisor for purposes of cross-examination without fee or cost to the party. Each party is also permitted to bring one support person of their choice to the hearing, with prior notice to the university that a support person will attend and that support person's name. The support person may not be a witness to the incident(s) at issue and may not speak during the hearing.

The complainant and respondent will not be permitted to directly question each other and will not be physically present together at any point. Technology will enable the hearing officer and the parties to simultaneously see and hear the party or witness answering questions.

Following the hearing, the hearing officer(s) will reach a determination regarding responsibility based on a preponderance of the evidence standard (whether it is more likely than not that the sexual misconduct occurred). A preponderance of the evidence exists when the totality of the evidence demonstrates that an allegation of sexual misconduct is more probably true than not. The hearing officer must issue a written determination regarding responsibility that will be sent to the OIEC and subsequently to the parties. The written determination regarding responsibility may be submitted to the Office of University Counsel to review for legal sufficiency prior to being issued to the parties.

The written determination must include:

- Identification of the allegations potentially constituting Sexual Misconduct;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the 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 policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the university imposes on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided by the university to the complainant; and
- The university's procedures and permissible bases for the complainant and respondent to appeal.

In cases resulting in no policy violation, the OIEC will provide the written determination to the parties simultaneously after it is prepared by the hearing officer.

In cases resulting in a policy violation, prior to the issuance of the written determination, the hearing officer will refer the matter to the appropriate sanctioning authorities (for either a student or employee respondent) for a disciplinary sanction to be determined. Possible sanctions for student respondents range from written warning or reprimand through expulsion. Possible sanctions for employee respondents range from letter of expectation or reprimand through termination of employment or employment contract. After the sanction has been incorporated into the written determination regarding responsibility, the OIEC will provide the written determination and sanction to the parties simultaneously.

The hearing officer's determination will also simultaneously provide both parties written information about the appeal process and when the determination will become final. Both parties have the opportunity to appeal the written determination, including the sanction, if applicable.

Appeals must be submitted in writing to the Associate Vice Chancellor of the OIEC or designee within seven (7) days after the determination regarding responsibility is issued. The appeal should indicate the specific basis for the appeal, supporting arguments and documentation, and any other relevant information the appealing party wishes to include.

The appealing party may not present any new evidence unless the party can demonstrate that it could not, with reasonable diligence, have been discovered or produced during the course of the investigation. The appeal decision and any changes in sanctioning (if applicable) will be communicated in writing to the complainant and respondent simultaneously.

For hate crime allegations resulting in a formal adjudication process, a similar procedure is followed beginning with a written notice of allegations and investigation conducted by OIEC investigator(s). However, the formal adjudication process used in protected-class Discrimination and Harassment Policy allegations does not include a live hearing with cross-examination. In this process, after the initial information-gathering phase of the investigation, the investigators provide the parties with a written summary of the relevant and material information gathered, as well as access to review and inspect the complete investigative file, which may

include information gathered that the investigators do not intend to rely upon in making a determination regarding responsibility. The parties then have seven days to review and respond to the information summary, including requesting that the OIEC ask follow-up questions to the other party and witnesses.

Once the formal investigation is complete, the OIEC investigators will prepare a written determination regarding responsibility, summarizing the investigation and explaining the investigators' rationale in reaching conclusions. The investigators' written determination regarding responsibility is reviewed by an investigation review board, which independently assesses the thoroughness and fairness of the investigation and whether the conclusions reached in the report are reasonable. The board may review any information contained in the investigative file, may consult with the investigators, and may recommend that further investigation or a new investigation be done by the same or other officials. The board may not conduct its own investigation. Both the complainant and the respondent are simultaneously informed, in writing, of the investigative result of any formal adjudication, the disciplinary sanctioning outcome, if applicable, of any formal adjudication, as well as information about the appeal process available to both parties and when the determination regarding responsibility and the sanction decision are considered final.

In cases resulting in a policy violation under the Discrimination and Harassment Policy, the OIEC will refer the matter to the appropriate sanctioning authorities (for either a student or employee respondent) for a disciplinary sanction to be determined. Possible sanctions for student respondents range from written warning or reprimand through expulsion. Possible sanctions for employee respondents range from letter of expectation or reprimand through termination of employment or employment contract. The OIEC will provide the determination of sanction to the parties simultaneously.

The OIEC process is independent from police and court processes. In most cases, OIEC will not wait until a criminal case is resolved before proceeding with a resolution process. The OIEC's investigation may be delayed for a short period of time upon a request from law enforcement, but the OIEC will promptly resume the investigation as soon as possible.

Additional details about all disciplinary and non-disciplinary resolution processes available for addressing concerns raised under the University of Colorado Sexual Misconduct, Intimate Partner Violence, and Stalking Policy and the University of Colorado Boulder Discrimination and Harassment Policy can be found in the OIEC Resolution Procedures.

Possible Safety Measures or Sanctions

Safety measures for victims may be available and put into place on an interim or permanent basis pending the outcome of disciplinary procedures regarding sexual assault, domestic violence, dating violence, stalking, or hate crimes.

In the case of an accused student, OIEC Senior Director of Support and Safety Measures/Deputy Title IX Coordinator or designee will determine appropriate supportive or safety measures, which could include, but are not limited to: academic services, transportation changes, no-contact orders enforced by the university, residential relocations, changes to or exclusion from classes, changes to or exclusion from campus activities, campus exclusion orders, and interim student suspensions. A university issued no-contact order prohibits intentional communication of any kind with a specified individual. Contact the Office of Institutional Equity and Compliance to learn more.

In the case of an accused employee, the Associate Vice Chancellor of OIEC & Title IX Coordinator or the Senior Director of Support and Safety Measures/Deputy Title IX Coordinator will determine, together with the

appropriate disciplinary authorities or supervisors, the appropriate safety measures, which could include, but are not limited to: reassignment to a different position or supervisor, modification of job duties, a temporary leave of absence, and/or campus exclusion orders.

These safety measures may be applied to one, both or multiple parties involved. Violations of these directives and/or safety measures will constitute related violations that may lead to additional disciplinary action. Safety measures imposed may be temporary pending the results of an investigation or may become permanent as determined by CU Boulder.

Students who are found responsible for violating a provision of the University's Sexual Misconduct, Intimate Partner Violence and Stalking Policy or the campus protected-class Discrimination and Harassment Policy which includes provisions that prohibit sexual assault, domestic violence, dating violence, stalking, and hate crimes, will be referred to the University sanctioning board for sanctions. These sanctions may include one or more of the following:

- Warning/written reprimand
- Educational sanctions
- Meeting with the Senior Director of Support and Safety Measures or designee
- Residence hall reassignment
- Residence hall contract termination
- Formal disciplinary probation
- Restriction or denial of University services
- Delayed conferral of degree
- Withholding of official transcript
- Suspension
- Exclusion from some/all campus property
- Expulsion
- Disciplinary stop and disciplinary hold
- Additional sanctions as warranted and appropriate for the case

If it is determined that an employee has violated the University's Sexual Misconduct, Intimate Partner Violence and Stalking Policy or the campus protected-class Discrimination and Harassment Policy and procedures, which includes provisions that prohibit sexual assault, domestic violence, dating violence, stalking, and hate crimes the employee will be subject to appropriate employment sanctions imposed by the employee's disciplinary authority that include, but are not limited to:

- Termination of employment
- Reduction in salary/ineligibility for merit increases
- Demotion
- Letter of expectation/reprimand
- Mandatory training
- Termination of employment contract
- Job duty modification
- Exclusion from some/all campus facilities
- Ineligibility for rehire
- Additional sanctions as warranted and appropriate for the case

11. Disclosures to Alleged Victims of Crimes of Violence or Sex Offense

CU Boulder will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of Title 18, United States Code), or a sex offense (i.e., incest or statutory rape) the report on the results of any disciplinary proceeding conducted by CU Boulder against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be provided with the results if so requested.

12. Sex Offender Registration Policy

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, 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, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteer services, or is a student.

Law enforcement information concerning registered sex offenders at CU Boulder may be obtained from CUPD's records section during normal business hours. The records section can be reached at (303)-492-5111. You can view the state of Colorado's sex offender registry or the Boulder Police Department's sex offender registry online.

13. Drug and Alcohol Policy

Statement Addressing Possession, Use, and Sale of Alcoholic Beverages

Alcohol Use at CU Boulder

CU Boulder is committed to excellence in all aspects of personal and academic life. Alcohol abuse and misuse are significant impediments to achieving this excellence. Therefore, CU Boulder promotes only responsible, legal consumption of alcohol.

CU Boulder complies with all federal, state, and local laws concerning alcohol and illegal drugs. CU Boulder students are responsible for acquainting themselves with the laws and CU Boulder policies regarding alcohol and illegal drugs.

Alcohol Policies

The policies listed below apply to the Boulder campus and to CU Boulder-sponsored activities at off-campus locations.

Administrators, alumni, faculty, guests, staff, and students must adhere to all applicable state and local laws and CU Boulder policies related to the possession, sale, and use of alcoholic beverages. Those persons or organizations making decisions that control the service of alcoholic beverages are responsible for compliance with applicable laws and CU Boulder policies.

Standards of Conduct

The information contained within the Student Code of Conduct Policies and Procedures ("code") applies to all students at CU Boulder regardless of designation, program, or residence. To obtain a paper copy of the publication, contact Student Conduct and Conflict Resolution at StudentConduct@Colorado.EDU or (303)-492-5550. The code governs:

- Student conduct that occurs on or as it relates to CU Boulder property or at official functions and CU Boulder sponsored programs conducted away from the campus. CU Boulder property is defined as land, buildings, and facilities in possession of or owned, used, or controlled by CU Boulder or funded by CU Boulder budgets.

- Student conduct that occurs off CU Boulder property is subject to this policy if it: (1) adversely affects the health, safety, or security of any member of the CU Boulder community or the mission of CU Boulder; or (2) involves any records or documents of CU Boulder.

- For purposes of this policy, CU Boulder's mission is broadly defined to include both its academic goals and the importance of developing civic responsibility by our students.

- CUPD enforces all state and local underage drinking laws related to the possession, use, and sale of alcoholic beverages. The office of Student Conduct and Conflict Resolution takes an educational approach to students found in violation of the alcohol policy. In effect, a student would not face suspension for first-time illegal possession or consumption of alcohol, however CU Boulder would hold accountable any student who provided alcohol or other drugs in violation of state and federal laws and as a result caused harm to or potentially endangered another person.

Laws Related to Alcohol Use and Sale

- The sale of alcoholic beverages is prohibited except in designated areas at times and dates licensed by the Colorado State Department of Revenue.

- Persons under 21 years of age cannot legally possess or consume malt beverages, fermented malt liquor, or vinous or spirituous liquor. The furnishing of alcoholic beverages to underage persons is prohibited.

- No person under legal drinking age or any visibly intoxicated person shall be furnished, served, or given an alcoholic beverage. Alcohol cannot be consumed or carried in open containers on any street, sidewalk, alley, automobile, or public area. The CU Boulder's alcohol service and alcohol events policies are available on the Campus Policies Alcohol Service on Campus page and on the Events Planning & Catering Events with Alcohol page.

Statement Addressing Illegal Drugs

The sale, manufacture, distribution, use, and/or possession of illegal drugs are prohibited. Students accused or suspected of violating CU Boulder's drug policy may be referred to the Office of Student Conduct and Conflict

Resolution for disciplinary action. CUPD enforces all state and local drug laws and all CU Boulder policies regarding drug use, possession, sale, etc.

CUPD officers may provide information regarding investigations involving federal drug laws to federal law enforcement authorities when it is requested by those authorities or when officers believe those authorities would have a particular interest in the information. Please note that the 2012 passage of Colorado's Amendment 64 (legalization of small amounts of marijuana) does not affect any drug law as it pertains to those under the age of 21. The consumption of marijuana in campus buildings and outdoor areas of campus is prohibited by federal law and CU Boulder policy. Visit the CU Boulder website, for frequently asked questions on Amendment 64.

Contact the Office of Student Conduct and Conflict Resolution at StudentConduct@Colorado.EDU or student conduct at (303)-492-5550 for more information concerning CU Boulder drug policy and disciplinary procedures, as well as students' rights within the disciplinary procedures.

In accordance with the Safe and Drug-Free Schools and Communities Act, the Department of Human Resources sends information annually to all campus employees regarding the campus drug and alcohol policy. The Campus Drug and Alcohol Policy can be found on the CU Boulder Human Resources webpage or the Counseling and Psychiatric Services (CAPS) webpage.

Drug and Alcohol Abuse Education Programs

CU Boulder offers a variety of drug and alcohol-abuse education programs for students and employees. For information on these programs and other resources, visit the Alcohol and Other Drugs Information web page which contains information about CU Boulder's drug and alcohol abuse prevention program, pursuant to section 120 (a) through (d) of the higher education opportunity act.

The policy section of the AOD website in addition to campus policy regarding alcohol links to HR guidance and policy statement for employees. Included within those guidelines are standards of conduct, resources for faculty and staff, links to the health effects, legal sanctions, and sanctions for employees who violate the guidelines.

Penalties are listed online and include penalties for students, potential penalties that relate to employees, as well as Colorado laws, Boulder City Code for alcohol and marijuana offenses and federal trafficking penalties. Sanctions that will be imposed by the University of Colorado Boulder for employees who are found to be in violation of this policy may include corrective or disciplinary action, up to and including termination of employment. Compliance with this policy is a condition of employment for all employees.

Additional information on CU Boulder's drug- and alcohol-abuse education programs is available in CU Boulder's Biennial Review Report. You can obtain a copy of the latest report by clicking the link at the bottom of the resources webpage for emailing health promotion at Health.Promotion@Colorado.EDU or this additional link to the biennial report.

14. Campus Facilities

Statement Addressing Access to Campus Facilities

Residence Halls

All residence hall doors that lead to living areas are locked 24 hours a day. The lobbies or common areas of residence halls are open from 6 a.m. to 8 p.m. During these hours, a resident may enter the hall through the lobby or common area to access the living areas, using their Buff OneCard electronic access. Access to residence halls is restricted to residents and guests. Friends and guests of a resident may enter the lobby or common area until midnight and call the resident to gain access. All visitors and guests must be escorted by the resident while in the residence hall.

After 8 PM, a visitor must call the resident to gain access from outside the residence hall, and the resident must go to the locked lobby door and allow the visitor to enter. The visitor then must be escorted by the resident while in the building.

All residence halls use an electronic key access system. Access to a resident's room will be placed on the resident's Buff OneCard. Only the residents of each respective room are given access to that room. When temporary key cards are made when a Buff OneCard is lost, the new card overrides the access on that student's Buff OneCard for security purposes. The temporary key has a short expiration date, and the resident is instructed to get a new Buff OneCard for permanent access. When the new Buff OneCard is issued, the temporary access is overridden, and the new card provides the only access to the room. It is the responsibility of the resident to notify the residence hall office if the Buff OneCard is lost.

Campus Buildings

As a member of the campus community, you, in addition to CU Boulder guests and visitors, have access to most campus buildings and facilities during regular hours on weekdays and for scheduled events in the evenings and on Saturdays and Sundays, excluding most holidays. CUPD's community safety officials are responsible for locking and unlocking designated CU Boulder buildings and for patrolling campus grounds and buildings. If you need assistance in gaining authorized entry outside of business hours to a CU Boulder building or room and no other help is available, you may call CUPD at (303)-492-6666.

Statement Addressing Security of Campus Facilities

Residence Halls

Residents are instructed to maintain high security in the residence halls by not admitting unescorted guests. Residents should never allow strangers to follow them through locked security doors into their residence halls.

At check in, residents are provided with a Buff OneCard that has access to the residence hall and the resident's specific room. Additionally, the student receives a mailbox key. Outside doors to the residence hall should never be propped open, and malfunctioning doors should be reported to the hall office. Residents are advised to keep their room door locked and closed whenever they leave and to always carry their Buff OneCard with them.

Security cameras are installed on the outside doors of the residence halls, in the lobby areas, as well as throughout campus property.

Campus Buildings

CU Boulder Police Officers and Residential Safety Officials regularly patrol the exterior and interior of campus buildings throughout the night, on weekends and during holidays. These employees report door lock and security hardware failures to facilities management on an as-needed basis.

Statement Addressing Security Considerations in the Maintenance of Campus Facilities

Lighting

Exterior campus lighting is essential in creating a safe campus environment. Motor vehicle parking lots and structures, main pedestrian walkways and bike paths, and most campus building exteriors are lighted throughout the night. Maintenance, custodial, police, parking, and residence hall personnel advise the facilities management service desk on an ongoing basis of any lighting outages that occur. Exterior lighting receives periodic inspections to identify any unreported lighting failures. These failures are assigned a high priority in the high-voltage electrical shop and are normally repaired within 24 to 48 hours.

Trees, Vines, and Shrubs

The campus Grounds Keepers trim trees, vines, shrubs, and other vegetation on a regular basis to enhance campus security. Pedestrian walkways, building entrances, windows and lighting fixtures are kept free from obstructing vegetation. Building Proctors are encouraged to report any specific concerns regarding vegetation to the facilities management service desk at (303)-492-5522.

15. Campus Counseling, Mental Health, and Other Resources

Counseling and Psychiatric Services (CAPS)

Counseling and Psychiatric Services (CAPS) offers a wide range of confidential mental health services tailored to fit the needs of CU Boulder students. These services include individual counseling, groups and workshops, crisis care, psychiatry, evaluation and treatment of various mental health concerns and medical evaluation and medication management. In-person and telehealth services are available Monday through Friday. CAPS provides free consultation about any student of concern to students, staff, faculty and parents. If you are a CU Boulder student or if you need to discuss concerns about a CU Boulder student that cannot wait until business hours, please call (303)-492-CAPS (2277) and press “2” to speak to a mental health professional after-hours.

For more information visit the Counseling and Psychiatric Services webpage.

Faculty and Staff Assistance Program (FSAP)

The Faculty and Staff Assistance Program can be reached at (303)-492-3020 and is located at 3100 Marine Street, ARC Building, third floor, room 327A. Information on FSAP’s in-person and telehealth services can be found online.

FSAP provides short-term counseling for faculty and staff as individuals, couples, and families. FSAP also provides conflict resolution and mediation services. FSAP services are confidential.

FSAP provides up to seven sessions per individual per year for employees of the university who are physically located in Colorado. For those needing or wanting longer term care, FSAP can help those individuals find resources in the community that best meet their financial and health insurance needs.

Office of Victim Assistance (OVA)

The Office of Victim Assistance (OVA) provides free, confidential response services for students, faculty, and staff who experience traumatic, disturbing or disruptive life events. OVA does this by providing information, support, advocacy and short-term trauma focused counseling. They are a resource to situations including, but not limited to, physical assault and hazing, experiences of bias, death, discrimination and harassment including sexual harassment, intimate partner abuse – including dating and domestic violence, serious accidents, sexual assault and stalking, as well as other potentially traumatic situations. OVA helps people learn about and assess their options in these situations, as well as offers counseling.

OVA can be reached online, by telephone at (303)-492-8855, or by email at Assist@Colorado.EDU. OVA is located at the Center for Community, suite N450. OVA is open weekdays and has telehealth and in-person services, including drop-in hours for people without appointments. Check the website for updated drop-in hours.

For after-hours phone support when OVA is closed, call (303)-492-8855 and press “2” to speak to a Counselor.

Student Support and Case Management (SSCM)

Student Support and Case Management (SSCM) includes case managers who act as members of the Student of Concern Team (SOCT) and reach out to students, offering assistance with referrals to campus and community resources, and assisting in the development of an action plan with the student. The goal is to assist the student, avert more serious difficulties, and ensure the safety of both the student and the CU community. Campus staff, faculty, and students may refer a student to SOCT by submitting a report directly to a Case Manager using the online form, via phone at (303)-492-7348 or by email at SSCM@Colorado.EDU.

For more information visit the Student Support and Case Management webpage.

Other CU Boulder Services

CU Boulder offers a multitude of resources for students, faculty, and staff to ensure their success while a part of the CU Boulder community. For up-to-date information on these programs, please visit the following websites:

- For all students, staff, faculty: https://www.colorado.edu/health/academiclivecare
- For students: colorado.edu/students
- For staff/faculty: colorado.edu/faculty

Appendix A – Colorado Revised Statutes (C.R.S) Definitions Related to Sexual Assault, Domestic Violence, Dating Violence, and Stalking

C.R.S. 18-3-402. Sexual Assault (Revised March 2022)

1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:
    a. The actor causes sexual intrusion or sexual penetration knowing the victim does not consent; or
    b. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
    c. The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
    d. At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or
    e. At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
    f. The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
    g. The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
    h. The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

*Note that subparagraphs (d) and (e) above define the offense in Colorado related to the Clery Act crime of Statutory Rape.

C.R.S. 18-3-404. Unlawful Sexual Contact

1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:
    a. The actor knows that the victim does not consent; or
    b. The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
    c. The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or
    d. Repealed.
    e. The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or
    f. The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices.

(1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

C.R.S. 18-6-301. Incest

(1) Any person who knowingly marries, inflicts sexual penetration or sexual intrusion on, or subjects to sexual contact, as defined in section 18-3-401, an ancestor or descendant, including a natural child, child by adoption, or stepchild twenty-one years of age or older, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits incest, which is a class 4 felony. For the purpose of this section only, "descendant" includes a child by adoption and a stepchild, but only if the person is not legally married to the child by adoption or the stepchild.

C.R.S. 18-6-302. Aggravated Incest

1) A person commits aggravated incest when he or she knowingly:

    a. Marries his or her natural child or inflicts sexual penetration or sexual intrusion on or subjects to sexual contact, as defined in section 18-3-401, his or her natural child, stepchild, or child by adoption, but this paragraph (a) shall not apply when the person is legally married to the stepchild or child by adoption.
    b. For the purpose of this paragraph (a) only, "child" means a person under twenty-one years of age.
    c. Marries, inflicts sexual penetration or sexual intrusion on, or subjects to sexual contact, as defined in section 18-3-401, a descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood who is under ten years of age.

C.R.S. 18-6-800.3. Domestic Violence

As used in this part 8, unless the context otherwise requires:

a) "Domestic violence" means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.
b) "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

"Dating violence" may be encompassed within the definition of domestic violence and other Colorado criminal statutes.

C.R.S. 18-3-602. Stalking

A person commits stalking if directly, or indirectly through another person, the person knowingly:

a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or
b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or
c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

For the purposes of this part 6:

a) Conduct "in connection with" a credible threat means acts that further, advance, promote, or have a continuity of purpose, and may occur before, during, or after the credible threat.
b) "Credible threat" means a threat, physical action, or repeated conduct that would cause a reasonable person to be in fear for the person's safety or the safety of his other immediate family or of someone with whom the person has or has had a continuing relationship. The threat need not be directly expressed if the totality of the conduct would cause a reasonable person such fear.
c) "Immediate family" includes the person's spouse and the person's parent, grandparent, sibling, or child.
d) Repeated" or "repeatedly" means on more than one occasion.

2023 Annual Fire Safety Report

Reporting Year 2022

Prepared by Fire and Life Safety Group (FLS)

University of Colorado **Boulder**

Introduction

On August 14, 2008, President George W. Bush signed the Higher Education Opportunity Act of 2008. In order to comply with this act and to better inform University of Colorado students, prospective students, and parents of how fires affect university residential facilities, the Fire- and Life-Safety Group (FLS) has compiled all required fire statistics and fire safety information for on-campus student housing facilities into the 2017 Annual Fire Safety Report. Follow for additional campus fire and life safety policies.

Description of Fire Safety Systems for On-Campus Student Housing Facilities

Table 1 below describes the safety systems in place at each of the residence halls at the University of Colorado Boulder. It also includes information on university owned family and apartment housing. All buildings also have portable fire extinguishers sized and located in accordance with adopted building code and fire code. Each facility also has emergency evacuation plans in place indicating locations of exits, manual fire alarm boxes, and portable fire extinguishers.

Table 1: Fire Safety Systems Summary

On-Campus Residence Halls	Fire-sprinkler protection	Single-Station Smoke Alarms (not centrally monitored)	System Smoke Detection (monitored by building fire alarm system)	Number of Evacuation (Fire) Drills Each Calendar Year
Aden Hall	Yes		Yes	2
Andrews Hall	Yes		Yes	2
Arnett Hall	Yes		Yes	2
Baker Hall	Yes		Yes	2
Bear Creek Apartments	Yes		Yes	0
Brackett Hall	Yes		Yes	2
Buckingham Hall	Yes		Yes	2
Cheyenne Arapaho Hall	Yes		Yes	2
Cockerell Hall	Yes		Yes	2
Crosman Hall	Yes		Yes	1*
Darley North Hall	Yes		Yes	2
Darley South Hall	Yes		Yes	2
Farrand Hall	Yes		Yes	2
Hallett Hall	Yes		Yes	2
Kittredge West	Yes		Yes	2
Kittredge Central	Yes		Yes	2
Libby Hall	Yes		Yes	2
Reed Hall	Yes		Yes	2
Sewall Hall	Yes		Yes	2
Smith Hall	Yes		Yes	2
Stearns East	Yes		Yes	2
Stearns West	Yes		Yes	2
Willard Hall	Yes		Yes	2

On-Campus Residence Halls	Fire-sprinkler protection	Single-Station Smoke Alarms (not centrally monitored)	System Smoke Detection (monitored by building fire alarm system)	Number of Evacuation (Fire) Drills Each Calendar Year
Williams Village East	Yes		Yes	2
Williams Village North	Yes		Yes	2
On Campus Family Housing Apartments and Homes	**Fire-sprinkler protection**	**Single-Station Smoke Alarms (not centrally monitored)**	**System Smoke Detection (monitored by building fire alarm system)**	**Number of Evacuation (Fire) Drills Each Calendar Year**
Athens Court	Yes		Yes	0
Athens North Bldg.	Yes		Yes	2
Expansion	No	Yes		0
Faculty/Staff	Yes	Yes		0
Newton Court	No	Yes		0
Marine Court	Yes		Yes	0
Smiley Court	Partial – All B Buildings	Yes	Yes – B Buildings	0

Number of Fire Drills Performed

Fire drills are performed in on-campus residential halls once per semester (twice per calendar year).

Fire Safety Policies in Student Housing Facilities

Policies in student housing facilities and procedures that promote fire safety

Portable Electric Appliances

Electrical appliances that can generate heat or malfunction should never be left unattended. They should be unplugged after use and not stored until they are cool enough to touch. Personal portable electric heaters should not be used except under extraordinary circumstances and after conditional written approval by the Department of Housing and the Campus Fire Marshal. UL listed baseboard heaters distributed by the Department of Housing are acceptable provided the circuits are not overloaded and other safety precautions are observed.

Smoking

All residence halls are designated as completely smoke free. Smoking is not permitted in residential or common areas of the residence halls. Smoking is permitted outside the residence halls 25 feet away from entrances, windows, vents, or any other area where the smoke may impact other community members. Careless disposal of matches and cigarette butts is a common cause of fire. Use caution when disposing of such items.

If living in off-campus rentals, avoid smoking on all type of combustible furniture. Smoking in bed is extremely dangerous and is one of the primary causes of fires in living areas. Also please ensure that a sufficient number of ashtrays are provided and that ashtrays are emptied on a regular basis and when necessary.

Open Flames

Many fires occurring in residence hall are a result of burning candles. Camp stoves open coil heating or cooking elements, kerosene lamps, etc., can be extremely hazardous. These open flame devices are not permitted in student rooms. Similarly, burning incense is not allowed. Cooking on barbecue grills and hibachis

is not allowed in or around the halls. Activities such as making candles or waxing skis are not permitted in your room or areas in the halls other than those designated by the Department of Housing and approved by the Campus Fire Marshal.

Procedures for Student Housing Fire Evacuation

In the event of a fire, all building occupants are instructed to always evacuate the building promptly via the nearest clear exit and to remain in the designated area outside the building until they are given the word to re-enter the building. Staff and residents have been made aware of manual fire alarm box locations within the facility and the fire alarm system may be activated while exiting the building, but in no case should residents jeopardize their safety to activate the alarms. Once outside the building, the fire should be reported by dialing 911.

The following fire emergency instructions are posted in each student room:

If You Hear a Fire Alarm

1. Immediately evacuate the building via the shortest and safest route. Do not use elevators.
2. If you notice smoke, use the alternative escape route.
3. Test doors with the back of your hand before opening them. If the door is warm or if you notice smoke, use an alternative escape route. Check paths for safety before proceeding and close doors behind you.
4. Crawl low if you have to go through smoke.
5. Go to a safe area or to a pre-assigned exterior area for your building.
6. If you suspect that someone is missing or trapped, contact the emergency personnel outside the building.
7. If you are trapped during a fire emergency, close all doors between you and the fire. Stuff cracks around the doors to keep out smoke. Wait at a safe window and signal/call for help. If there is a phone in the room, call the fire department or 911 and tell them exactly where you are.
8. Stop, Drop and Roll if your clothing catches fire.

If You Discover a Fire

1. Leave the fire area and close the door to the area.
2. Sound the fire alarm.
3. Immediately evacuate the building via the shortest and safest route. (Proper use of fire extinguishers within extinguisher limits and by trained individuals is optional but should not be attempted until building alarm is actuated and people are evacuated.
4. Do not use elevators. A fire can disrupt the operation of elevators and trap occupants inside.
5. If you notice smoke, use the alternate escape route.
6. Test doors with the back of your hand before opening them. If the door is warm or if you notice smoke, use an alternative escape route. Check paths for safety before proceeding and close doors behind you.
7. Crawl low if you have to go through smoke.
8. Go to a safe area or to a pre-assigned exterior area for your building.
9. From the nearest phone in a safe area, call 911.
10. Await emergency response personnel at safe location and direct them to the scene.
11. If you suspect that someone is missing or trapped, contact the emergency personnel outside the building.
12. If you are trapped during a fire emergency, close all doors between you and the fire and stuff cracks around the doors to keep out smoke. Wait at a safe window and signal/call for help. If there is a phone in the room, call 911 and tell them exactly where you are.
13. Stop, Drop and Roll if your clothing catches fire.

Once You Have Evacuated

1. From the nearest phone in the safe area, call 911.
2. If you suspect that someone is missing or trapped, contact firefighters on scene or at the fire engine, police officers, or ambulance personnel.
3. Await emergency response personnel at a safe location and direct them to the scene. Report the fire to the hall office or the nearest available resident advisor. Do not reenter the building until instructed to do so by the fire department.
4. Follow directions of fire and police personnel and the housing staff.
5. Report to the person who is taking roll.
6. Never reenter the building to save your personal belongings.
7. Stay calm.

Policies Students and Employees Should Follow in Case of Fire

Your worst enemy during a fire is smoke. If you're surrounded by smoke, get down on the floor and crawl to safety. Hold your breath and close your eyes if you can. Close doors behind you as you escape. Always use stairs to escape. Never use an elevator. Here are a few simple fire safety tips:

- Learn the location of fire exits and alarm pull stations near you and know the emergency number for assistance – 911.
- Sound the fire alarm if you see smoke or detect a burning odor.
- Have a prepared escape plan and know your escape route.
- Remember to remain calm.
- Use exit stairs. Never use elevators.
- Close doors behind you as you escape. In most cases, this will prevent smoke damage and fire from entering the room you are exiting.
- Do not re-enter a fire-damaged building until it has been declared safe.
- If you become trapped, seal off cracks around doors and vents with cloth or rugs. (Soak them in water if possible.)
- Shut off fans and air conditioners.
- Signal for help from a window. If a campus phone is still operational, call Police Emergency at 911.

Fire Safety Education and Training Programs

Student Staff Training

Residence Life student staff training is held each August at the University of Colorado Boulder. The program is run by Residence Life professional staff and includes teaching student staff (Resident Advisors and Desk Staff) about fire safety and their role in responding to and leading during emergencies. Included in this training is a review of the fire evacuation procedure for desk staff and where to locate fire response procedures in the staff handbook.

Community Living Agreement Workshop (CLAW)

At the beginning of the fall semester, fire safety information, and information regarding common fire hazards/safety violations are addressed with residents. Each Resident Advisor (RA) will address fire safety as part of their Community Living Agreement Workshop (CLAW). Similar information relating to the hazards of

fires in residence halls is repeated to residents during the academic year. This may be relayed to residents via newsletters, fliers, or by special memoranda to residents coordinated through the Associate Director.

Fire Reporting

Per federal law, University of Colorado Boulder is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. The following directions are for use by CU Boulder faculty, staff, students, and visitors, for ensuring that the proper authorities are contacted when a fire occurs.

Emergency Procedure

These directions are specifically for when a small fire has been discovered even if it is extinguished before the fire department is called. Please note that the Boulder Fire Department needs to be called (dial 9-1-1) for any fire accidents on campus, no matter how small it may be.

1. Contact 9-1-1, even if the fire appears to be extinguished. If using a non-campus (cell) phone, mention that you are calling from CU Boulder.
2. Wait, in a safe location, for the fire department to arrive.

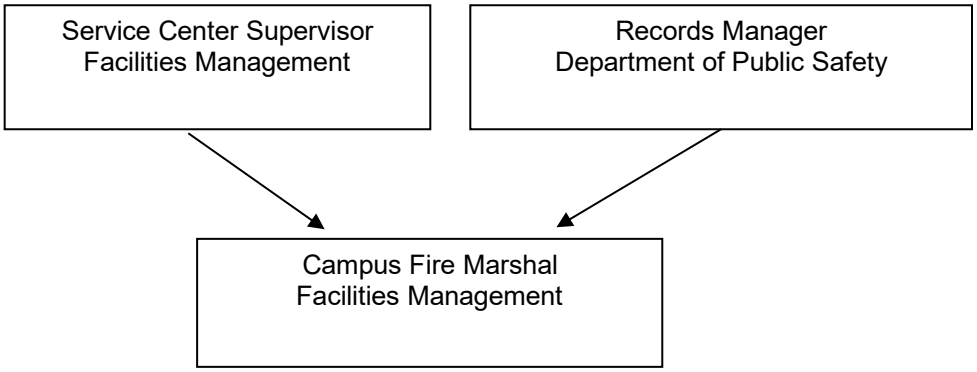
Non-Emergency Procedure

Listed below is the procedure for reporting fires that have already been extinguished or where evidence of an extinguished fire exists. These are for fires for which you are unsure whether Facilities Management may already be aware. If you find evidence of a fire or if you hear about such a fire, please contact the following:

1. Contact the Facilities Management Center at (303)-492-5522.
    a. Inform them of your location, the fire location and whether you believe it has been extinguished.
    b. Inform the service desk if a fire extinguisher was discharged during the fire and request a replacement extinguisher as soon as possible.
    c. Provide them with the location of this extinguisher.

All calls related to fire incidents received by the Facilities Management Service Desk are routed to the Campus Police and the Boulder Fire Department for response by the emergency/first responders on duty. The Service Center Supervisor relays immediate information to the Campus Fire Marshal. CUPD Records Manager forwards incident reports to the Campus Fire Marshal.

Reporting Flow Chart



Plans for Future Improvement

In an effort to promote safety, new campus buildings will continue to be constructed in full compliance with building and fire codes. We continue to improve fire safety features in older buildings as we request funds and they become available, e.g., fire sprinklers are continuously installed in many older buildings, stairwells are being enclosed, etc. These actions will greatly increase student and staff safety, and in the regrettable event of a fire, will reduce the extent and severity of the emergency.
Specific goals towards this plan for improvements include:

1. Provide fully supervised automatic fire sprinkler coverage for the following buildings:
    a. Student Recreation Center (REC – 384) – COMPLETED 2014
    b. McKenna Languages Bldg. (MKNA – 237) – COMPLETED 2018
    c. Economics Building (ECON – 215) – COMPLETED 2018
    d. Education Building (EDUC – 217) – COMPLETED 2022
    e. Denison Arts & Sciences Building (DEN – 207) – COMPLETED 2016
    f. Clare Small Arts & Sciences Building (CLRE 382) – COMPLETED 2016
    g. Science Learning Laboratory (SLL – 576) – COMPLETED 2020
    h. Speech Language and Hearing Science (SLHS – 418) – COMPLETED 2017
    i. Fiske Planetarium (FISK – 414) – COMPLETED 2019
    j. Sommers-Bausch Observatory (OBSV – 416) – COMPLETED 2020
    k. IMIG Music Building (MUS – 334) – COMPLETED 2020
    l. Muenzinger (MUEN -373S) – COMPLETED 2022
    m. University Theater (THTR – 218) – COMPLETED 2022
    n. Fleming *Middle Wing* (FLMG – 405) – ANTICIPATED COMPLETE 2023
2. Fire alarm systems are proactively replaced. While all buildings maintain fully functional detection and alarm systems, as these systems reach life expectancy, they are evaluated against current code requirements and replaced with the most current technology.
3. These improvements will be made barring any unforeseen circumstances.

Fire Statistics

The University of Colorado at Boulder maintains a written fire log that records any fire that occurs in an on-campus student housing facility. To view a hard copy of the current Fire Log, please contact the Campus Fire Marshal at (303)-492-4042. An up-to-date electronic version of this Fire Log is accessible at all times.
Historical Data:

- **Fire Log 2022:** https://www.colorado.edu/firelifesafety/node/289/attachment
- **Fire Log 2021:** https://www.colorado.edu/firelifesafety/node/286/attachment
- **Fire Log 2020:** https://www.colorado.edu/firelifesafety/node/283/attachment

Additionally, annual fire statistics are compiled for every on-campus student housing facility. An electronic copy is accessible anytime at the following link(s):

- **Fire Statistics 2022:** https://www.colorado.edu/firelifesafety/node/288/attachment
- **Fire Statistics 2021:** https://www.colorado.edu/firelifesafety/node/287/attachment
- **Fire Statistics 2020:** https://www.colorado.edu/firelifesafety/node/285/attachment

Appendix A: 2020-2022 Fire Statistics Tables

2022

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Residence Halls							
Aden Hall (ADEN)	2320 Libby Dr	0		n/a	0	0	n/a
Andrews Hall (ANDS)	2510 Kittredge Loop Rd	0		n/a	0	0	n/a
Arnett Hall (ARNT)	2590 Kittredge Loop Rd	0		n/a	0	0	n/a
Baker Hall (BKER)	2005 Baker Dr	0		n/a	0	0	n/a
Bear Creek Apartments (BCAPA/B)	3275 Apache Dr.; 3355 Apache Dr	0		n/a	0	0	n/a
Brackett Hall (BRKT)	2350 Libby Dr	0		n/a	0	0	n/a
Buckingham Hall (BUCK)	2605 Kittredge Loop Rd	0		n/a	0	0	n/a
Cheyenne Arapaho Hall (CHEY)	960 Green Mountain St	0		n/a	0	0	n/a
Cockerell Hall (CKRL)	2370 Libby Dr	0		n/a	0	0	n/a
Crosman Hall (CROS)	1015 Cockerell Dr	0		n/a	0	0	n/a
Darley North Hall (DLYT)	500 30th St	0		n/a	0	0	n/a
Darley South Hall (DLYT)	500 30th St	0		n/a	0	0	n/a
Farrand Hall (FRND)	2200 Baker Dr	1	1	Cooking fire	0	0	$100 - 999
Hallett Hall (HLET)	2250 Willard Loop Dr	0		n/a	0	0	n/a
Kittredge West (KITW)	2400 Kittredge Loop Rd	0		n/a	0	0	n/a
Kittredge Central (KCEN)	2480 Kittredge Loop Rd	0		n/a	0	0	n/a
Libby Hall (LIBY)	2115 Baker Dr	0		n/a	0	0	n/a
Reed Hall (REED)	1001 Cockerell Dr	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Sewell Hall (SWLL)	1720 University Ave	0		n/a	0	0	n/a
Smith Hall (SMTH)	2525 Kittredge Loop Rd	0		n/a	0	0	n/a
Stearns East (STRN)	600 30th St	0		n/a	0	0	n/a
Stearns West (STRN)	600 30th St	0		n/a	0	0	n/a
Willard Hall (WLRD)	2200 Willard Loop Dr	0		n/a	0	0	n/a
Williams Village East (WVE)	3400 Baseline Rd	0		n/a	0	0	n/a
Williams Village North (WVN)	3300 Baseline Rd	0		n/a	0	0	n/a
Family Housing Apartments and Homes							
Athens Court (ATCT)	1910-1950 Athens St, 1931-2031 Grandview Ave	0		n/a	0	0	n/a
Athens North Court (ATHN)	1951 Grandview Ave	0		n/a	0	0	n/a
Faculty/Staff Court (FACT)	1245, 1255 19th St 1250, 1255 18th St 1740-1860 Athens St	0		n/a	0	0	n/a
Newton Court (NTCT)	1475 Folsom St., 2300 Arapahoe Ave	0		n/a	0	0	n/a
Marine Court (MRCT)	1350 20th St	0		n/a	0	0	n/a
Smiley Court A (SMCTA)	1300 30th St	0		n/a	0	0	n/a
Smiley Court B (SMCTB)	1300 30th St	0		n/a	0	0	n/a
Smiley Court C (SMCTC)	1300 30th St	0		n/a	0	0	n/a
Smiley Court D (SMCTD)	1300 30th St	0		n/a	0	0	n/a
1215 Grandview Ave (TB98)	1215 Grandview Ave	0		n/a	0	0	n/a
1232 Grandview Ave (TB95)	1232 Grandview Ave	0		n/a	0	0	n/a
1510 13th Street (TB78)	1510 13th St	0		n/a	0	0	n/a
1514 13th Street (TB66)	1514 13th St	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
1429 Grandview Ave (TB99)	1429 Grandview Ave	0		n/a	0	0	n/a
1445 Grandview Ave (TB66)	1445 Grandview Ave	0		n/a	0	0	n/a
1302 Grandview Ave (TB70)	1302 Grandview Ave	0		n/a	0	0	n/a

2021

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Residence Halls							
Aden Hall (ADEN)	2320 Libby Dr	0		n/a	0	0	n/a
Andrews Hall (ANDS)	2510 Kittredge Loop Rd	0		n/a	0	0	n/a
Arnett Hall (ARNT)	2590 Kittredge Loop Rd	0		n/a	0	0	n/a
Baker Hall (BKER)	2005 Baker Dr	0		n/a	0	0	n/a
Bear Creek Apartments (BCAPA/B)	3275 Apache Dr., 3355 Apache Dr	1	2	Laundry dryer malfunction	0	0	$0-99
Brackett Hall (BRKT)	2350 Libby Dr	0		n/a	0	0	n/a
Buckingham Hall (BUCK)	2605 Kittredge Loop Rd	0		n/a	0	0	n/a
Cheyenne Arapaho Hall (CHEY)	960 Green Mountain St	0		n/a	0	0	n/a
Cockerell Hall (CKRL)	2370 Libby Dr	0		n/a	0	0	n/a
Crosman Hall (CROS)	1015 Cockerell Dr	0		n/a	0	0	n/a
Darley North Hall (DLYT)	500 30th St	0		n/a	0	0	n/a
Darley South Hall (DLYT)	500 30th St	1	1	Laundry dryer malfunction	0	0	$0-99
Farrand Hall (FRND)	2200 Baker Dr	0		n/a	0	0	n/a
Hallett Hall (HLET)	2250 Willard Loop Dr	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Kittredge West (KITW)	2400 Kittredge Loop Rd	0		n/a	0	0	n/a
Kittredge Central (KCEN)	2480 Kittredge Loop Rd	0		n/a	0	0	n/a
Libby Hall (LIBY)	2115 Baker Dr	0		n/a	0	0	n/a
Reed Hall (REED)	1001 Cockerell Dr	0		n/a	0	0	n/a
Sewell Hall (SWLL)	1720 University Ave	0		n/a	0	0	n/a
Smith Hall (SMTH)	2525 Kittredge Loop Rd	0		n/a	0	0	n/a
Stearns East (STRN)	600 30th St	0		n/a	0	0	n/a
Stearns West (STRN)	600 30th St	1	3	Laundry dryer malfunction	0	0	$0-99
Willard Hall (WLRD)	2200 Willard Loop Dr	0		n/a	0	0	n/a
Williams Village North (WVN)	3300 Baseline Rd	0		n/a	0	0	n/a
Family Housing Apartments and Homes							
Athens Court (ATCT)	1910-1950 Athens St, 1931-2031 Grandview Ave	0		n/a	0	0	n/a
Athens North Court (ATHN)	1951 Grandview Ave	0		n/a	0	0	n/a
Faculty/Staff Court (FACT)	1245, 1255 19th St 1250, 1255 18th St 1740-1860 Athens St	0		n/a	0	0	n/a
Newton Court (NTCT)	1475 Folsom St., 2300 Arapahoe Ave	0		n/a	0	0	n/a
Marine Court (MRCT)	1350 20th St	0		n/a	0	0	n/a
Smiley Court A (SMCTA)	1300 30th St	0		n/a	0	0	n/a
Smiley Court B (SMCTB)	1300 30th St	0		n/a	0	0	n/a
Smiley Court C (SMCTC)	1300 30th St	0		n/a	0	0	n/a
Smiley Court D (SMCTD)	1300 30th St	0		n/a	0	0	n/a
1215 Grandview Ave (TB98)	1215 Grandview Ave	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
1232 Grandview Ave (TB95)	1232 Grandview Ave	0		n/a	0	0	n/a
1510 13th Street (TB78)	1510 13th St	0		n/a	0	0	n/a
1514 13th Street (TB66)	1514 13th St	0		n/a	0	0	n/a
1429 Grandview Ave (TB99)	1429 Grandview Ave	0		n/a	0	0	n/a
1445 Grandview Ave (TB66)	1445 Grandview Ave	0		n/a	0	0	n/a
1302 Grandview Ave (TB70)	1302 Grandview Ave	0		n/a	0	0	n/a

2020

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Residence Halls							
Aden Hall (ADEN)	2320 Libby Dr	0		n/a	0	0	n/a
Andrews Hall (ANDS)	2510 Kittredge Loop Rd	0		n/a	0	0	n/a
Arnett Hall (ARNT)	2590 Kittredge Loop Rd	0		n/a	0	0	n/a
Baker Hall (BKER)	2005 Baker Dr	0		n/a	0	0	n/a
Bear Creek Apartments (BCAPA/B)	3275 Apache Dr., 3355 Apache Dr	0		n/a	0	0	n/a
Brackett Hall (BRKT)	2350 Libby Dr	0		n/a	0	0	n/a
Buckingham Hall (BUCK)	2605 Kittredge Loop Rd	0		n/a	0	0	n/a
Cheyenne Arapaho Hall (CHEY)	960 Green Mountain St	0		n/a	0	0	n/a
Cockerell Hall (CKRL)	2370 Libby Dr	0		n/a	0	0	n/a
Crosman Hall (CROS)	1015 Cockerell Dr	0		n/a	0	0	n/a
Darley North Hall (DLYT)	500 30th St	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Darley South Hall (DLYT)	500 30th St	0		n/a	0	0	n/a
Farrand Hall (FRND)	2200 Baker Dr	0		n/a	0	0	n/a
Hallett Hall (HLET)	2250 Willard Loop Dr	0		n/a	0	0	n/a
Kittredge West (KITW)	2400 Kittredge Loop Rd	0		n/a	0	0	n/a
Kittredge Central (KCEN)	2480 Kittredge Loop Rd	0		n/a	0	0	n/a
Libby Hall (LIBY)	2115 Baker Dr	0		n/a	0	0	n/a
Reed Hall (REED)	1001 Cockerell Dr	0		n/a	0	0	n/a
Sewell Hall (SWLL)	1720 University Ave	0		n/a	0	0	n/a
Smith Hall (SMTH)	2525 Kittredge Loop Rd	0		n/a	0	0	n/a
Stearns East (STRN)	600 30th St	0		n/a	0	0	n/a
Stearns West (STRN)	600 30th St	0		n/a	0	0	n/a
Willard Hall (WLRD)	2200 Willard Loop Dr	0		n/a	0	0	n/a
Williams Village North (WVN)	3300 Baseline Rd	0		n/a	0	0	n/a
Family Housing Apartments and Homes							
Athens Court (ATCT)	1910-1950 Athens St, 1931-2031 Grandview Ave	0		n/a	0	0	n/a
Athens North Court (ATHN)	1951 Grandview Ave	0		n/a	0	0	n/a
Faculty/Staff Court (FACT)	1245, 1255 19th St 1250, 1255 18th St 1740-1860 Athens St	0		n/a	0	0	n/a
Newton Court (NTCT)	1475 Folsom St., 2300 Arapahoe Ave	1	2	Cooking fire	0	0	$0 - 99
Marine Court (MRCT)	1350 20th St	1	1	Cooking fire	0	0	$0 - 99
Smiley Court A (SMCTA)	1300 30th St	0		n/a	0	0	n/a
Smiley Court B (SMCTB)	1300 30th St	0		n/a	0	0	n/a

Residential Facility	Street Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment in a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Smiley Court C (SMCTC)	1300 30th St	0		n/a	0	0	n/a
Smiley Court D (SMCTD)	1300 30th St	0		n/a	0	0	n/a
1215 Grandview Ave (TB98)	1215 Grandview Ave	0		n/a	0	0	n/a
1232 Grandview Ave (TB95)	1232 Grandview Ave	0		n/a	0	0	n/a
1510 13th Street (TB78)	1510 13th St	0		n/a	0	0	n/a
1514 13th Street (TB66)	1514 13th St	0		n/a	0	0	n/a
1429 Grandview Ave (TB99)	1429 Grandview Ave	0		n/a	0	0	n/a
1445 Grandview Ave (TB66)	1445 Grandview Ave	0		n/a	0	0	n/a
1302 Grandview Ave (TB70)	1302 Grandview Ave	0		n/a	0	0	n/a

Appendix C: MOU and IGA with Local Law Enforcement Agencies

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Memorandum of Understanding Between Law Enforcement Agencies of Boulder County including:

- Boulder County Coroner's Office
- Boulder Police Department
- Erie Police Department
- Longmont Department of Public Safety
- Nederland Marshal
- ward Marshal
- Boulder County Sheriff's Office
- Colorado State Patrol
- Lafayette Police Department
- Louisville Police Department
- Twentieth Judicial District Attorney's Office
- University of Colorado Police Department

All hereinafter referred to as the "Parties."

The Parties recognize in-custody deaths, officer-involved shootings, and incidents in which a person sustains serious bodily Injury or is killed in connection with police action are critical incidents that should be investigated by a team of investigation experts from at least one other agency or several agencies to eliminate any potential of bias, and to utilize the skills and techniques of multiple investigators to ensure a thorough and transparent investigation is completed. The Parties' participation in this memorandum of understanding also satisfies statutory requirements that each police department, sheriff's office, and district attorney's office develop protocols for participation in a multi-agency team to conduct an investigation, evaluation, and review of an Incident involving the discharge of a firearm by a peace officer that results in injury or death. C.R.S. §16-2.5-301.

By signing this agreement, the Parties agree to the following policies and procedures concerning officer-involved shootings or in-custody deaths involving peace officers.

I. Policy

The Boulder County Investigation Team (BCIT) is initiated by the respective Chief Executive Officer(s) (C.E.O.s) of the various Boulder County law enforcement agencies to serve as an investigatory resource for all Boulder County law enforcement agencies in cases involving either (1) the use of deadly or potentially deadly force, (2) in the event of an in-custody death, and/or (3) incidents in which a person sustains serious bodily injury or is killed in connection with police action.

The Sheriff, Chief of Police, or in the event of their absence, a ranking member of command staff or their designee, may request the deployment of this resource.

II. Personnel

a. The BCIT is an ad-hoc team, staffed by personnel detailed from multiple county agencies, as designated by the Sheriff, a Police Chief, Coroner, or the District Attorney.

b. The BCIT staffing shall include a Team Coordinator, two Alternate Team Coordinators, Assistant Team Coordinators, Supervisors, Investigators, Support Staff provided by the various Boulder County agencies, and a Legal Advisor from the District Attorney's office.

c. All members from police or sheriffs agencies are expected to be experienced investigators or other technical specialists who will complete assigned tasks.

d. Every year the C.E.O.s will select the Team Coordinator, Alternate Team Coordinators, and Assistant Team Coordinators for the following year. C.E.O.s will discuss and appoint replacements for any leadership vacancies occurring during the year. All BCIT appointments will be reviewed on an annual basis by the participating agencies, as near the beginning of the calendar year as is feasible. The annual BCIT roster will be distributed to the C.E.O.s once the annual appointments are finalized.

e. Duties

f. Team Coordinator: serves as the initial point of contact for the investigation and as a liaison between the SCIT and the requesting agency. The Team Coordinator provides overall direction and management of each investigation, is responsible for completing the Investigative Summary, and is charged with presenting the investigatory findings to the C.E.O.s and DA's Office. The Team Coordinator is also responsible for the transfer of the investigative case file to the requesting agency.

g. The Team Coordinator for a particular Incident will be determined based on availability and if the Investigation Involves the Team Coordinator's home agency.

h. Assistant Coordinator: will assist in the preparation of the investigatory summary and presentation for the C.E.O.s/DA's Office, and complete any additional duties as determined by the Team Coordinator.

i. Team Coordinators and Assistant Team Coordinators will typically be the rank of Commander, the equivalent or above.

j. BCIT Supervisors: will oversee and advise Investigators In completing specific tasks. BCIT Supervisors will normally be detective sergeants from the member agencies assigned to the BCIT.

k. BCIT Investigator: will complete and document tasks as assigned and presents the findings on a timely basis to BCIT leadership, reporting directly to the BCIT Supervisor.

l. BCIT Support Staff: individuals assigned by any participating agency to provide support in the form of scene processing, report writing, transcription or any other clerical work necessary for the investigation.

m. Coroner's Office: BCIT members will consist of assigned Coroner’s investigators, supervisors, a forensic pathologist, and any additional experts deemed necessary. Investigators will assist in scene processing and identification of the decedent in cases or deadly force. The Coroner's Office will be responsible for conducting an autopsy in cases of deadly force. The Coroner's Officer will communicate with the BCIT about findings and timing of the release of information and reports. Forensic Pathologist and/or other Coroner personnel will participate in the presentation to CEO's/DA’s Office as deemed appropriate.

n. District Attorney Legal Advisor: serves as the primary legal advisor to the BCIT and shall, at the completion of an investigation (if no charges are filed), release a publicly available report documenting the findings, including the basis for the decision not to criminally charge the involved parties. The DA's Office shall post this report on its website.

III. Procedures

a. The BCIT is available to assist any law enforcement agency within Boulder County, with investigations specified above.

b. The BCIT will be activated only upon the request of the C.E.O., or the C.E.O.'s designee, of the agency having law enforcement and investigative jurisdiction for the incident. Activation of the BCIT shall occur by notification to the Team Coordinator or in their absence an Alternate Team Coordinator.

c. The BCIT will operate until the C.E.O. of the requesting agency terminates the request or the investigation is concluded.

d. The Team Coordinator will ensure the requesting agency's C.E.O., or designee, is kept apprised of the status of the investigation throughout all phases.

e. The BCIT will perform its designated functions and present documentation of the completed investigation to the requesting agency's C.E.O. unless otherwise directed by the requesting agency's C.E.O. (or designee).

f. In cases involving the use of deadly force, the BCIT will be responsible for conducting a criminal investigation into the facts and circumstances which gave rise to the use of deadly force.

g. In the use of force cases which do not result in the death of an involved party, the requesting agency is responsible for assigning detectives to assist with arrest warrants, search warrants, and other identified investigative needs related to criminal charges and prosecution of any surviving non-officer involved offenders.

h. Members or the BCIT shall not respond to media requests for information. Responding to all such media inquiries shall be the responsibility of the requesting agency. If a body-worn camera or other video footage is to be released to the media, it should only be released by the requesting agency after consultation with the DA's Office and the Team Coordinator.

i. The completed investigative summary and all materials collected or generated by the BCIT shall become the custodial property of the requesting agency, subject to that agency's policy and relevant criminal justice records law. Any subsequent release of the BCIT documentation becomes the responsibility of the requesting agency.

IV. Investigation

a. A request for a BCIT deployment will be made by the C.E.O., or designee, of the agency with primary criminal jurisdiction for the investigation to the Team Coordinator or, if unavailable, an Alternate Coordinator. who will then serve as the BCIT Coordinator for the specific incident.

b. The Team Coordinator will be provided all available details of the incident in order determine what resources may be required for the investigation.

c. The Team Coordinator will contact those members of the BCIT deemed necessary for the investigation and provide response Instructions and a BCIT assembly location.

V. Request agency Responsibilities

a. Request to activate BCIT immediately following the incident

i. On Scene Responsibilities

1. Render aid to Injured people.

2. General security, preservation of the scene, and evidence storage.

3. Establish and maintain the perimeter.

4. Identify all witnesses and, whenever possible, detain them for interviews by BCIT members. If detention is not possible, the full names, addresses, phone numbers and other particular information about the witnesses should be collected.

5. In cases involving an officer-involved shooting, all involved officer weapons should remain in the condition they were in at the conclusion of the incident until directed by a BCIT member. Weapons not in possession of the involved officer(s), but at the scene should not be moved or disturbed.

6. Brief members of the BCIT.

7. Ensure any identified relatives or next of kin of the person or persons who have sustained serious bodily injury and in the event of death, work with the Boulder County Coroner to ensure that relatives/next of kin are notified as soon as practical.

8. Release any body-worn or dash camera footage in compliance with C.R.S. 24-31-902, mandatory effective July 1, 2023.

ii. Beyond Scene Responsibilities

1. Conduct any internal or administrative reviews.

2. Handle all media inquiries and general media relations.

3. Provide necessary equipment, material or supplies as requested by BCIT.

b. When a request occurs after an incident

i. If more than 24 hours have passed since the incident, the synopsis should be in writing whenever possible. Additional information of any investigation which has been completed prior to the notification shall be included.

VI. BCIT Responsibilities

a. Review all available audio/video, including but not limited to B.W.C, dash, and drone.

b. Complete accurate scene processing.

c. Collect and process physical evidence.

d. Interview any involved officers.

e. Interview all essential witnesses.

f. Officers not interviewed shall complete reports as soon as practicable.

g. Consult with experts.

h. Transcribe designated recorded interviews as needed.

i. Provide status updates to the C.E.O. of requesting agency.

j. Complete final investigative reports and case documentation.

k. Present the case to the C.E.O., invited Command Staff and DA's Office

l. Team Coordinator shall be responsible for notifying law enforcement executive of required reports to the Division of Criminal Justice pursuant to C.R.S. 24-33.5-517 and the Deaths in Custody Reporting Act of 2013 for all cases investigated by BCIT, Division of Criminal Justice reporting link can be found at https://ors.colorado.gov/ors-coll-ois.

VII. Costs

a. Necessary equipment may be supplied by the requesting agency and/or member agencies of the BCIT. If additional or specialized equipment is needed, the cost of obtaining the equipment (with pre-approval) will be the responsibility of the requesting agency.

b. Any specialized tests must be approved by the requesting agency who is responsible for any costs pertaining to these tests.

c. Personnel costs, including overtime, will be the responsibility of the agency providing the member to the BCIT and not the requesting agency.

d. All BCIT members, when responding to a call-out and regardless of jurisdiction, will be deemed to be on duty and responding to a call or mutual aid request.

e. Contracted professional transcript costs will be paid by the requesting agency.

VIII. Training

a. Member agencies are responsible for ensuring and bearing any cost to train their respective BCIT team members. At a minimum, investigators should attend an officer-involved shooting investigation training which includes human factors in the use of force within one year of being a BCIT member.

b. Supervisors should attend training associated with managing major investigations.

c. Members should meet annually to critique and review prior investigations.

This agreement shall become effective upon the signature of all participants.

Emma R. Hall — December 21, 2020
Emma Hall — Date
Coroner, Boulder County

Joe Pelle — December 21, 2020
Joe Pelle — Date
Sheriff, Boulder County

Maris Herold — January 11, 2021
Maris Herold — Date
Chief, Boulder Police Department

Steve Garcia — December 26, 2020
Steve Garcia — Date
Colorado State Patrol

Kimberly Stewart — December 25, 2020
Kimberly Stewart — Date
Chief, Erie Police Department

Rick Bashor — December 20, 2020
Rick Bashor — Date
Chief, Lafayette Police Department

Chief Dave Hayes — December 23, 2020
David Hayes — Date
Chief, Louisville Police Department

Rob Spendlow — February 3, 2021
Rob Spendlow — Date
Chief, Longmont Department of Public Safety

Larry Johns — December 23, 2020
Larry Johns — Date
Nederland Marshal

Michael Dougherty — December 22, 2020
Michael Dougherty — Date
District Attorney, Twentieth Judicial District

Doreen Jokerst — December 21, 2020
Doreen Jokerst — Date
Chief, University of Colorado Police Department

Pete Lawrence — December 26, 2020
Pete Lawrence — Date
Ward Marshal

CITY OF BOULDER

Chris J. Mueller

City Manager

ATTEST:

Elesha M. Johnson

City Clerk

APPROVED AS TO FORM:

Erin Poe

City Attorney's Office

INTERGOVERNMENTAL AGREEMENT
CONCERNING POLICE RESPONSE AND EQUIPMENT
BETWEEN THE CITY OF BOULDER AND THE UNIVERSITY OF COLORADO

This Intergovernmental Agreement ("Agreement") is entered and effective this 26th day of __ June 2017, by and between the City of Boulder (the "City"), a Colorado home rule municipality, and the University of Colorado ("University") collectively referred to as the "Parties."

RECITALS

A. The University and the City are separate entities, yet a close working relationship underlies these two organizations;

B. The University and the City both desire to provide the best possible atmosphere of public safety on and around the University Campus.

C. The City has granted, and hereby reaffirms, "police officer" status to peace officers of the University police department.

D. This Agreement is designed to establish the working relationship between the City and the University police departments;

E. The University and the City have found, and do hereby find, that entry into and performance of this Agreement is in their respective best interests, serves a public purpose, and is of benefit to their residents and taxpayers.

NOW, THEREFORE, in consideration of the mutual covenants below, and other good and valuable consideration, the receipt of which is acknowledged, the Parties agree to the following terms:

COVENANTS

1. Calls for Police Service.

   a. All calls for police service received by the University Police Department concerning incidents that have occurred on university property will be investigated by the University Police Department.
   b. All calls for police service received by the University Police Department concerning incidents that have occurred off university property will be referred to the Boulder Police Department without unnecessary delay.
   c. All calls for police service received by the Boulder Police Department concerning incidents that have occurred on university property will be referred to the University Police Department without unnecessary delay.
   d. Calls of an emergency or life threatening nature may be responded to by the agency that initially receives the call, concurrent with referral to the agency having actual jurisdiction; the urgency of the police mission supersedes temporary jurisdictional determination. When officers from both agencies are at the scene of an emergency, the agency with primary jurisdiction will have full authority and responsibility for the police operations at the scene. The senior officer from the agency with such jurisdiction will be in command of all the police officers from both jurisdictions.
   e. Since University police officers travel city streets around property owned and leased by the University during the course of their duties and render back-up assistance to Boulder Police officers on calls, the extension of the City of Boulder police authority to the University Police would benefit public safety to the community as a whole.

2. Calls for Assistance.

   a. In cases where emergency assistance is required by either agency, the requested agency shall provide such assistance.
   b. Requests for assistance will normally be made through the communications center of either agency, although other arrangements may be made as appropriate to the incident.
   c. The authority to request emergency assistance from the other agency and the authority to grant such requests is delegated by the Boulder Chief of Police and by the University Chief of Police to their on-duty

watch commanders or supervisors.

d. In extremely urgent and/or life-threatening situations when there is not sufficient time to contact the watch commanders, officers from either agency may respond immediately to urgent calls for assistance from officers of the other agency.
e. Personnel responding to a call for assistance will report to the highest-ranking officer from the requesting agency at the scene of the incident. In all emergency situations, officers from the responding agency will assist as directed by the ranking officer on-scene from the requesting agency. Officers from the responding agency will be under the immediate command of their own supervisors on-scene but such supervisors will be under the direct supervision and command of the ranking officer on-scene from the requesting agency.
f. Press releases and media management will be the responsibility of the requesting agency in whose jurisdiction and emergency the incident has occurred.

3. Traffic Accidents.

a. Traffic accidents that occur on the property of the University shall be investigated by the University Police Department. Assistance may be requested from the Boulder Police Department in cases where the accident is serious and no University officer is available or when additional help is needed for investigative assistance or for traffic control duty.
b. Traffic accidents that occur off the property of the university and in the City of Boulder, including those accidents that occur in city streets running through the University campus shall be investigated by the Boulder Police Department. Assistance may be requested from the University Police Department in cases where the accident is serious and no Boulder officer is available, or when additional help is needed for investigative assistance or for traffic control duty.
c. In cases of officer-involved accidents, the agency having actual jurisdiction will conduct the initial investigation. Follow-up investigation may be performed by either or both departments.

4. Follow-up Investigations.

a. Cases initiated by either agency which require subsequent investigation within the jurisdiction of the agency will be retained by the initial agency.
b. It will be the policy of the University Police Department to notify the Boulder Police Department when officers are conducting an investigation within their jurisdiction and to request that a Boulder Police officer assist the investigating officer if such assistance is appropriate.
c. It will be the policy of the Boulder Police Department to notify the University Police Department when officers are conducting an investigation within their jurisdiction and 10 request that a University Police officer assist the investigating officer if such assistance is appropriate.

5. Information Exchange.

a. Contemporary law enforcement relies heavily on information. Both agencies benefit from the exchange of such information.
b. The University Police Department will provide the Boulder Police Department with information that may reasonably be expected to impact the city.
c. The Boulder Police Department will provide the University Police Department with information that may reasonably be expected to impact the university.
d. The criteria to be used to determine information exchange is: whether any reasonable indication exists that the persons involved or implicated in an incident may reside in, traverse through, or commit further criminal acts in the jurisdiction of the other.
e. Uniform Crime and/or NIBRS Reporting to the Federal Bureau of Investigation and the Colorado Bureau of Investigation of offenses occurring on university property will be the responsibility of the University Police Department.

6. Vehicle Transfer and Use.

a. The University agrees to transfer ownership of a 1991 GMC T-6500 vehicle, VIN IGDJ7C1C9XJ510910 to the City.
b. In return, the City agrees that the University may borrow, without cost, the city's back-up Incident Command Vehicle ("ICV"), as long as the ICV is available for use or other SWAT support vehicle as deemed appropriate.
c. Requesting the City's ICV:
    i. The University shift supervisor will contact the City shift supervisor and request the City's ICV.

ii. Once requested, the University shift supervisor will notify the University Command Duty Officer (CDO).
iii. If the ICV is needed for a planned special event of the University of Colorado at Boulder, the University will make every attempt to schedule the ICV at least seven business days out from the event.

d. Upon request for use of the IVC, the City will deliver the ICV to the requested location. Delivery will likely be by a City fire department employee. Once it is delivered to the requested location, the University will notify The City when it is ready to be picked up. The University will train two persons to drive the ICV in order to facilitate this process within 1 year of this agreement. At that time, the University will handle pick-up and drop off of the ICV unless drivers are unavailable from the University or the situation is urgent. The City intends to park the ICV at Boulder Fire Station 7.
e. Overtime of a City operator/driver will be covered by the University, if requested by the City.
f. Equipment provided in the City's ICV that the University has access to:
    i. Two fully functioning dispatch systems with Computer Aiding Dispatching
    ii. Five radios
    iii. Small conference room
g. The University will train the University personnel/dispatchers for the actual operation of the systems listed above.

7. **Liability.** The Parties agree that each party will be responsible for its own acts and omissions and those of its agents. Notwithstanding the foregoing, the University agrees to repair, replace, or pay the fair value of repair or replacement for any damage sustained to the ICV while it is under the care or control of the University.
8. **Applicability of Agency Rules, Regulations, and Policies.** Nothing in this Agreement is intended to negate or supersede existing rules, regulations, or policies of either agency.
9. **Term and Termination.** This Agreement shall be in effect of the date written above and shall continue in effect indefinitely. Any party to this Agreement may terminate its involvement at any time after serving thirty (30) days advance written notice.
10. **Third Party Beneficiaries.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the Parties that any person other than Parties receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.
11. **No Assignment.** Neither the City nor the University may assign this Agreement or parts hereof or its duties hereunder without the express written consent of the other Party.
12. **Amendment.** This Agreement may be amended or modified only in writing signed by both Parties.
13. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties relating to the subject matter. Any prior agreements, promises, negotiations or representations between the parties not expressly set forth in this Agreement are of no force and effect.
14. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, with venue in Boulder County for any litigation related to this Agreement.
15. **No Waiver.** No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
16. **Colorado Governmental Immunity Act.** No Party shall be liable under this Agreement for the actions of the other's employees and agents. By agreeing to this provision, the Parties do not waive or intend to waive, the limitations on liability which are provided to Parties under the Colorado Governmental Immunity Act, C.R.S §§24-10-101, et seq.
17. **Relationship of Parties.** The Parties enter into this Agreement as separate, independent governmental entities and shall maintain such status throughout.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed and delivered by their respective officers thereunto duly authorized as of the dale first above written.

REGENTS OF THE UNIVERSITY OF
COLORADO, A Body Corporate

By: DocuSigned by: Melissa Zak
AVC for Safety
Boulder Campus

Date: 5/26/2017

Approved by: DocuSigned by: Alex Loyd
University Counsel

CITY OF BOULDER

By: Jane S Brautigam
Jane S. Brautigam, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney