

Universal Technical Institute

Annual Security Report September 2016



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Universal Technical Institute, Inc. and its subsidiaries (collectively, “UTI”) are committed to providing a safe environment for students, faculty, staff and visitors at all Universal Technical Institute, Motorcycle and Marine Mechanics Institute, and NASCAR Technical Institute facilities (collectively, the “Facilities”). Part of that commitment involves providing information about campus security to prospective and current students and employees.

Pursuant to the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (“Clery Act”), UTI publishes an Annual Security Report to provide students and staff with an overview of UTI’s resources, policies and procedures regarding safety and security. The Annual Security Report also includes UTI’s response to domestic violence, dating violence, sexual assault, and stalking in accordance with the *Violence Against Women Reauthorization Act* (“VAWA”). As part of this report, UTI publishes specific crime statistics for each campus.

I. Reporting Criminal Activity

Procedure for Reporting Crime and Emergencies

Safety and security are a team effort and require the cooperation and support of everyone on campus. All students and staff (collectively “campus community members”) are encouraged to take responsibility for themselves and others and to maintain a secure campus by reporting criminal activity and suspected criminal activity in a timely manner.

All students, staff, and visitors should promptly report all crimes occurring on any UTI campus or on public property around any campus to a Campus Security Authority (CSA) and/or local law enforcement in a prompt and accurate manner. Designated CSAs include the Campus President, Student Services Director, Student Services Supervisor, Facilities Director, Education/Operations Director, Education Director, Education Managers, Senior Student Affairs Advisors, Student Affairs Advisors, Campus Receptionists, Learning Resource Center Coordinators, People Services Coordinators, and the Operation Shared Services Manager overseeing the VA team. In cases of emergency, 911 should be dialed for local emergency personnel, and a CSA should be notified. For non-emergency reports of criminal actions or other incidents occurring at UTI or surrounding areas, the Student Services Department should be contacted during business hours (Monday through Friday, 8:00 AM to 5:00 PM, unless otherwise posted at the campus).

CSA’s can be reached at the numbers listed below:

Campus	Campus Address	Toll Free
Avondale	10695 W. Pierce Street, Avondale, AZ 85323	800-859-1202
Houston	721 Lockhaven Drive, Houston, TX 77073	800-325-0354
Lisle	2611 Corporate West Drive, Lisle, IL 60532	800-441-4248
Rancho Cucamonga	9494 Haven Avenue, Rancho Cucamonga, CA 91730	888-692-7800
Exton	750 Pennsylvania Drive, Exton, PA 19341	877-884-3986
Sacramento	4100 Duckhorn Drive, Sacramento, CA 95834	877-884-2254



NASCAR Tech	220 Byers Creek Road, Mooresville, NC 28117	866-316-2722
Norwood	1 Upland Road, Building 200, Norwood, MA 02062	866-753-6553
MMI Phoenix	2844 W. Deer Valley Road, Phoenix, AZ 85027	800-528-7995
MMI Orlando	9751 Delegates Drive, Orlando, FL 32837	800-342-9253
UTI Orlando	2202 W. Taft-Vineland Road, Orlando, FL 32837	800-342-9253
Dallas/Fort Worth	5151 Regent Boulevard, Irving, TX 75063	877-873-1083
Long Beach	4175 E. Conant Street, Long Beach, CA 90808	844-308-8838

UTI employs security officers at some locations and also relies on the institution's staff members to implement safety and security procedures. All incidents of a criminal nature will be investigated by campus administration and, in appropriate cases, reported to local or state law enforcement agencies for action. While UTI's security officers and CSAs do not have arrest powers, they do have the authority to enforce all campus policies and work in close partnership with appropriate law enforcement authorities. Security officers are typically responsible for patrolling campus parking lots to ensure the safety and security of students and staff. They provide a visible presence for crime deterrence.

UTI maintains a cooperative relationship with local and state law enforcement agencies giving them authority to investigate allegations of a criminal nature occurring on or near any UTI campus. While none of the UTI campuses have a Memorandum of Understanding formalized with local law enforcement, UTI works informally with local law enforcement when needed to address incidents of crime or sexual violence. The Houston, Exton, and Orlando campuses employ security officers to provide general security. The Sacramento and Dallas campuses have written agreements with law enforcement to provide traffic control and general security. The Norwood campus has a written agreement with law enforcement to provide traffic control.

All campuses maintain a daily crime log. The daily crime log contains all crimes that are reported to a CSA, including the nature, date, time, and general location of each crime, as well as the disposition of the complaint. The log is available for review upon request by contacting the Student Services department at the campus. Requests to review portions of the crime log that are older than 60 days may take up to two business days to process. Personally identifying information is not included on the crime log available to the public.

It is important to ensure any reports of crime are as accurate as possible. When reporting criminal activity or suspected activity to law enforcement and to CSAs, campus community members should collect the following information:

- A brief description of what occurred
- Where it occurred
- When it occurred
- Any weapons involved
- Details regarding the suspect's appearance
- Details regarding where the suspect was last seen



- Other relevant information.

Confidential Reporting

If an informant or victim of a crime does not wish to pursue action within the UTI system or the criminal justice system, that person has the right to decline notifying law enforcement authorities. The purpose of a report within UTI is only to comply with the desire of the informant/victim to keep the matter private, while also taking steps to ensure the future safety of themselves and others. In addition, the information enables UTI to maintain accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community of potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for each campus regardless if the victim is pursuing action with UTI or the criminal justice system. In limited circumstances, UTI must pursue further action and will inform those involved in such instances.

Pastoral and professional counselors who are appropriately credentialed and hired by the school to serve in a counseling role are not considered CSAs when acting in the counseling role. UTI does not employ practicing licensed counselors or pastoral counselors and, therefore, does not have procedures for said individuals to inform students/staff of any procedures to report crimes on a voluntary, confidential basis. UTI staff will, however, provide a list of off-site resources where confidential discussions can occur.

II. Issuing Crime Alerts

In response to a report of criminal activity or suspected criminal activity, CSAs will contact the appropriate local authorities, as necessary. UTI employees do not have the authority to make arrests. While most UTI campuses do not have written agreements with local law enforcement agencies, the campuses do advocate close working relationships with law enforcement agencies with jurisdiction over campus locations. In the event of a criminal investigation, facility staff members will cooperate with state and local law enforcement as requested.

Timely Warning Policy

In the event UTI becomes aware of a situation, either on campus, on the public property surrounding the campus or on non-campus property, that, in the judgment of the Campus President or designee (Student Services Director, Director of Education/Operations, or Facilities Director), constitutes an ongoing threat to personal safety, a campus-wide “timely warning” will be issued to the entire campus community pursuant to local campus procedures which may include any one or a combination of the following:

- Text message and/or email via Everbridge Mass Notification System
- Memos
- Postings on bulletin boards
- Announcements

UTI recognizes the importance of providing information as soon as possible. To that end, UTI will issue the timely warning alert as soon as pertinent information is available, even if all information is not yet obtained. Timely warnings will be issued whenever the following criteria are met: (1) a Clery crime is committed and reported to a CSA or local law enforcement; (2) the crime occurred in a Clery geographical area; and (3) there is an ongoing threat to the physical safety of other members of the campus community. Once a timely warning has been issued, updates will be provided as additional information becomes available through the aforementioned methods of communication.

The alert will include the following:

- Crime that triggered the warning and the location/time the crime occurred



- What students and staff should do to protect themselves
- Any pertinent details, unless providing the information would compromise law enforcement efforts
- How to contact the school and law enforcement agency with additional information

As each situation presents a different set and level of safety and security concerns, UTI may conclude upon review that a timely warning is not appropriate because the crime in question does not pose a serious or ongoing threat or that a warning may compromise law enforcement efforts. In those instances, the Campus President or designee (Student Services Director, Director of Education/Operations, or Facilities Director) will document the decision and the supporting rationale on the “Timely Warning Determination Form.”

Everbridge Mass Notification System

The Everbridge Mass Notification System allows UTI to send important, time sensitive information to campus community members using multiple communication methods, such as email, phone calls, and text messages. Students and staff can log in and manage their preferred contact methods through the Everbridge portal at <http://notify.uti.edu>. Any student or staff member who has not elected a preference through the Everbridge portal will be contacted through their main email address on file in the event of an emergency.

III. Crime Prevention and Security Awareness Programs

Campus Safety and Education

UTI provides information to students and staff about security procedures and practices, encourages them to be responsible for their own safety and the safety of others, and informs them about crime prevention through a number of programs and publications including, but not limited to:

- New Hire Orientation safety segment: Newly hired employees receive safety information during the new hire orientation process.
- Safety Topics: A communication distributed through employee email, staff meetings, and the company intranet webpages addresses various preventative crime and safety topics, including emergency evacuation plans, how to report threats, accidents or injuries, etc.
- Safety Committee/Safety Champion: Each campus has a committee and a champion (lead or point person) that meet regularly to discuss trends, develop and implement training/education programs regarding trends, and research and correct any safety concerns.
- Emergency Evacuation Training: Annual employee training on emergency evacuation procedures is provided, and annual drills for the campus community to practice evacuation procedures are conducted. Evacuation procedures are reviewed with students each course during the Keys to Success presentation.
- Sexual Harassment Prevention Training: Employee participation in annual training on sexual harassment is required.
- Crime Prevention and Safety Brochures: Informational brochures on various safety topics are available in the Student Services Department at any time.
- Safety pages on UTI Intranet: Each campus has a safety page on Inside Track with safety related information for staff members.
- New Student Orientation: A review of campus safety tips, campus and local resources, and the Everbridge Mass Notification System, including how to register, are covered at new student orientations. In addition, brochures on sexual assault are provided to all students.
- *Not Anymore* Program: An online sexual assault prevention program that educates students and staff about important topics such as sexual assault, sexual harassment, consent, stalking, dating violence, domestic violence, and bystander intervention. This program has links to campus policies and where to find relevant resources. All students are notified of the program availability upon enrollment, and the program is discussed during new student orientation. All students are encouraged to complete the program within their first course.



- ALiCE Institute Safety Training: Employee participation in training is required. ALiCE is an acronym that stands for **A**lert, **L**ockdown, **I**nform, **C**ounter, and **E**vacuate. The training – both online and in person – prepares individuals to handle the threat of an active shooter. Using ALiCE protocols increases an individual's ability to effectively participate in their own survival while leading others to safety.

Crime Prevention Tips

In addition to the aforementioned programs, below is a list of crime prevention tips. Although students and staff members may not be able to prevent someone from committing a crime, there are certain preventative measures one could take:

- Always lock your vehicle and take the keys with you.
- Do not leave books, packages, or any items of value in your vehicle in plain sight. Transfer articles to trunk or under the seats.
- Do not leave books or any other items of value unattended, even in the classroom.
- Mark books and property with your name for identification.
- Do not carry large sums of money.
- Dial 911 anytime you feel unsafe or threatened.
- Report all suspicious persons, vehicles, and activities.
- Protect all personal information, including your social security number, passwords, etc.

IV. Campus Facilities Access and Security

Access to Facilities

During business hours, which vary from campus to campus and are defined as the hours of operation based on class session times, the campus is open to students, staff, parents, contractors, and guests. During non-business hours, access to all UTI facilities is limited to designated staff members only.

From time to time, visitors may desire to view a UTI campus. Upon request, those individuals will be given a tour by a staff member. All visitors are required to register at the main reception desk and will be given a visitor identification badge.

Students and staff members must have their identification badges displayed on the front of their person above the waistline so as to be visible at all times while on campus. Students are not permitted on the premises outside of normal business hours or on weekends, except when participating in a school-sponsored activity.

Please note that UTI does not maintain any on-campus residences. In addition, UTI does not recognize and, therefore, does not track criminal activity related to any off-campus student organizations.

Parking Lots

Parking is for staff member vehicles and for student vehicles during assigned class periods or for appointments during non-class times only. All staff member and student vehicles must be registered with the school and the UTI parking decal must be properly displayed at all campuses except Lisle and MMI Phoenix.

Campus Security

UTI Facilities Department staff members or designees patrol the campus property several times a day to check for security and/or parking concerns. At some campuses, independent security contractors or local law enforcement perform this function as described previously. These staff members/contractors will resolve minor security issues and will report all major security issues to the appropriate staff member and/or the local police department as appropriate.



UTI Facilities Department staff members are also responsible for ensuring maintenance security issues are addressed. Security considerations in maintaining campus facilities include providing limited hours of operation for all facilities, enforcing access policies, ensuring adequate staffing, and conducting regular security surveys of facilities. Issues are discussed by the Safety Committee, with pressing issues being addressed in a timely manner and with the support of Campus Presidents.

Members of the campus community are encouraged to report any concerns or potential hazards to the Facilities Manager/Director, Student Services Director, or Education Manager/Director for prompt investigation and corrective action.

V. UTI's Response to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

As part of its commitment to provide a safe and secure environment, UTI is dedicated to maintaining campus and work environments free from sexual violence and sexual misconduct in accordance with the Violence Against Women's Act (VAWA) of the Clery Act. UTI prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. Entrance requirements prohibit anyone convicted of, or pleading guilty or no contest to, a felony sexual assault or other sexually related crime, including but not limited to child pornography or any non-consensual, involuntary sexual act from attending a UTI campus. Additionally, employees are subject to a pre-employment background check, and any felony or major misdemeanor sexual assault conviction results in immediate disqualification.

UTI utilizes prompt, fair, impartial processes to address allegations of sexual misconduct. If UTI finds that a violation of this policy has occurred, it promptly imposes disciplinary measures and provides remedies to affected parties, as appropriate. UTI strongly prohibits retaliation against individuals who report sexual misconduct, participate in investigations, or otherwise assert rights protected by this policy.

Victims of dating violence, domestic violence, sexual assault, and stalking are encouraged to make a report to local law enforcement authorities by calling 911 or to a UTI employee as soon as possible, so that a timely and complete response can occur. UTI will provide victims with assistance in reporting the assault to proper law enforcement authorities, if requested.

Confidentiality

UTI encourages survivors of sexual violence, including dating violence, domestic violence, sexual assault, and stalking, to talk to someone about what happened in order to get the support they need and so that UTI can respond appropriately. Different employees on campus have different abilities to maintain a victim's and other parties' confidentiality.

Some employees may talk to a victim privately and generally only report to UTI that an incident occurred without revealing personally identifying information. Disclosure to these employees generally will not trigger an investigation into the incident against the victim's wishes unless there is an ongoing threat to the victim or campus community. If a victim requests that UTI handle a complaint on a confidential basis, UTI will honor that request where possible but cannot always guarantee confidentiality. It is the policy of UTI to handle such reports as privately as possible, consistent with applicable federal and state laws.

Some employees are required to report all details on an incident, including identities of the victim and respondent, to the Title IX coordinator or Deputy Title IX Coordinator. These employees are called "Responsible Employees" and any report to them obligates UTI to investigate the incident and take appropriate steps to address the situation. UTI has designated the following individuals as Responsible Employees: Student Services Directors, Student Services Supervisors, Senior Student Affairs Advisors, Student Affairs Advisors, Education Directors,



Education Managers, and People Services employees. Responsible Employees will notify the complainant of this reporting requirement and will attempt to do so before the complainant reveals any information.

UTI does not employ practicing licensed counselors or pastoral counselors, and therefore, does not have procedures for said individuals to inform students/staff of any procedures to report crimes on a voluntary, confidential basis.

Assistance Following an Incident of Sexual Misconduct

A Student Services team member (Student Services Director or Senior Student Affairs Advisor) is available to meet with victims following an incident of sexual misconduct. The People Services department is available for employees. UTI does not offer on-campus medical services. The team member can provide referrals to outside agencies for immediate assistance. Individuals who wish to speak with someone in confidence about an experience of sexual misconduct may contact one of the following off-campus resources:

Campus	Resource
All campuses	<ul style="list-style-type: none"> Rape, Abuse, and Incest National Network: www.rainn.org National Sexual Assault Hotline: 800-656-HOPE The National Domestic Violence Hotline: 800-799-7233 Love is Respect: 866-331-9474; text "loveis" to 22522
Avondale	<ul style="list-style-type: none"> Crisis Response Network: 602-222-9444, www.crisisnetwork.org Community Bridges: 877-931-9142; www.communitybridgesaz.org West Valley Advocacy Center: 623-930-3720; www.glendaleaz.com/police/wvac/index.cfm AZ Coalition Against Domestic Violence: 800-782-6400
Houston	<ul style="list-style-type: none"> Houston Area Women's Center: 713-528-2121; www.hawc.org Family Time Crisis & Counseling Center: 281-446-2615 TX Council on Family Violence: 512-794-1133
Lisle	<ul style="list-style-type: none"> YWCA, Rape Crisis Hotline: 630-971-3927 Guardian Angel Community Services Sexual Assault Hotline: 815-730-8984 Chicago Rape Crisis Hotline: 888-293-2080 IL Coalition Against Domestic Violence: 877-863-6338
Rancho Cucamonga	<ul style="list-style-type: none"> Cucamonga Counseling: 909-962-7323 CA Partnership to End Domestic Violence: 916-444-7163
Exton	<ul style="list-style-type: none"> The Crime Victims' Center of Chester County, Inc: 610-692-7273; http://www.cvcofcc.org/ Victim Services Center of Montgomery County: 610-277-0932; http://www.victimservicescenter.org/ PA Coalition Against Domestic Violence: 717-545-6400 Domestic Violence Center of Chester County: 610-431-1430
Sacramento	<ul style="list-style-type: none"> WEAVE, Inc.: 916-920-2952; http://www.weaveinc.org/ CA Partnership to End Domestic Violence: 916-444-7163
NASCAR Tech (Mooresville)	<ul style="list-style-type: none"> Loving Hand Counseling: 704-662-6118 Fifth Street Ministries: 704-872-4045; http://www.fifthstreetministries.com/ NC Coalition Against Domestic Violence: 888-997-9124
Norwood	<ul style="list-style-type: none"> Sexual Assault Prevention & Survivor Services: 617-624-5457; www.mass.gov/dph/sexualassaultservices http://mgcmtraining.mass.gov/eohhs/consumer/physical-health-



	<ul style="list-style-type: none"> treatment/health-care-facilities/rape-crisis-centers.html Jane Doe, Inc: 877-785-2020
MMI Phoenix	<ul style="list-style-type: none"> West Valley Advocacy Center: 623-930-3720; www.glendaleaz.com/police/wvac/index.cfm Crisis Response Network: 602-222-9444; www.crisisnetwork.org Community Bridges: 877-931-9142; www.communitybridgesaz.org
UTI/MMI Orlando	<ul style="list-style-type: none"> Devereux Florida: 800-338-3738 Victim Service Center of Central Florida: 407-497-6701 or 407-254-9415; http://www.victimservicecenter.com/ FL Coalition Against Domestic Violence: 800-500-1119
Dallas	<ul style="list-style-type: none"> Dallas Area Rape Crisis Center (DARCC): 972-641-7273 The Turning Point Rape Crisis Center: 1-800-886-7273 Parkland Victim Intervention Program/Rape Crisis Center: (214) 590-2926 or (214) 590-0430 (24 hour hotline) Victims Outreach: (214) 358-5173 The Family Place, Incest Recovery Program: (214) 941-1991 Brighter Tomorrows: (972) 254-4003 TX Council on Family Violence: 512-794-1133
Long Beach	<ul style="list-style-type: none"> YWCA of Greater Los Angeles County: 877-943-5778 Sexual Assault Crisis Agency: Long Beach; 562-494-5046 or 562-597-2002 (24 hour hotline) Women Shelter of Long Beach: 562-437-7233 1736 Family Crisis Center: 562-388-7652; http://www.1736familycrisiscenter.org/ CA Partnership to End Domestic Violence: 916-444-7163

Employees are encouraged to take advantage of the Employee Assistance Program provided free of charge through CIGNA (1-888-371-1125 or www.cignabehavioral.com) and may also obtain a list of agencies and resources from People Services.

Victims are encouraged to secure a place of safety, obtain necessary medical treatment, report the incident in a timely manner and provide an opportunity for timely collection of evidence. The preservation of evidence is crucial in sexual misconduct cases. Regardless of whether the individual chooses to report the incident, UTI encourages survivors of any form of violence to seek medical attention as soon as possible, even if they feel no injury was sustained. Medical assistance providers can treat injuries, test for and treat sexually transmitted diseases, test for pregnancy, and provide emergency contraception (if requested). In addition, hospitals can also test for the presence of alcohol or drugs and perform a rape evidence collection procedure or coordinate these services with another provider if needed.

Preserving evidence can be crucial in helping to prosecute assailants and/or obtaining a protective order. In cases of rape or sexual assault, physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical exam, victims of rape or assault should not bathe, change clothes, douche, use the toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that the evidence may be preserved.

Victims of stalking should save evidence such as, letters, notes, emails, phone calls, videos, photos, texts, social media postings (Facebook, Twitter, etc.), computer and phone screenshots, voicemails and any other form of evidence you feel would be helpful. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult.



Interim or protective measures are available to individuals who report alleged sexual misconduct, as appropriate. Protective measures may include no contact orders, changes to academic situations for students, leave for employees, housing transfer for students who are participating in Collegiate Housing Services shared housing, if available, or other actions. UTI is obligated to provide reasonable changes to a victim's academic situation upon request. Protective measures will be administered in a manner that reduces the burden on the complainant while preserving the fundamental fairness of the process. Accommodations will be kept confidential to the extent that maintaining such confidentiality would not impair the ability of UTI to provide the accommodations or protective measures. Student requests for protective measures should be made to the Student Services Director or designee. Employee requests should be made through People Services. Victims who need assistance enforcing protective measures put in place by UTI should contact the Deputy Title IX Coordinator.

Victims of dating violence, domestic violence, sexual assault, and stalking will receive written notice regarding how to request changes/obtain assistance with academic, living, and protective/interim measures when a report is made. The written notice also lists a variety of community support resources as well as information on preserving evidence.

Title IX/Deputy Title IX Coordinator

UTI has designated the National Director of Student Services as its Title IX Coordinator. Questions or comments about discrimination or harassment can be directed to: National Director of Student Services, Title IX Coordinator, 16220 N. Scottsdale Road, Suite 100, Scottsdale, AZ 85254, 800-859-7249, 321-281-9755, or mscheet@uti.edu.

UTI has designated the Student Services Director at each campus as a Deputy Title IX Coordinator for student related complaints. They can be contacted as follows:

Campus	Campus Address	Toll Free	Email Address
Avondale	10695 W. Pierce Street, Avondale, AZ 85323	800-859-1202	likingsley@uti.edu
Houston	721 Lockhaven Drive, Houston, TX 77073	800-325-0354	mcode@uti.edu
Lisle	2611 Corporate West Drive, Lisle, IL 60532	800-441-4248	kstamp@uti.edu
Rancho Cucamonga	9494 Haven Avenue, Rancho Cucamonga, CA 91730	888-692-7800	jdismukes@uti.edu
Exton	750 Pennsylvania Drive, Exton, PA 19341	877-884-3986	rtrickett@uti.edu
Sacramento	4100 Duckhorn Drive, Sacramento, CA 95834	877-884-2254	jgillming@uti.edu
NASCAR Tech (Mooresville)	220 Byers Creek Road, Mooresville, NC 28117	866-316-2722	mlemmons@uti.edu
Norwood	1 Upland Road, Building 200, Norwood, MA 02062	866-753-6553	jcorreia@uti.edu
MMI Phoenix	2844 W. Deer Valley Road, Phoenix, AZ 85027	800-528-7995	tchakos@uti.edu
MMI Orlando	9751 Delegates Drive, Orlando, FL 32837	800-342-9253	tjohnson@uti.edu
UTI Orlando	2202 Taft Vineland Road, Orlando, FL 32837	800-342-9253	tjohnson@uti.edu
Dallas	5151 Regent Boulevard, Irving, TX 75063	877-873-1083	rdoyal@uti.edu
Long Beach	4175 E. Conant Street, Long Beach, CA 90808	844-308-8838	jramirez@uti.edu

The Title IX/Deputy Title IX Coordinator receives any reports made in regards to sexual harassment and sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking in any of UTI's programs or activities. Individuals identified as Responsible Employees are required to report incidents of possible sexual violence to the Title IX/Deputy Title IX Coordinator within 24 hours of becoming aware of such conduct. Students or employees may also make reports directly to the Title IX Coordinator, or in instances where there could be a



conflict of interest, reports should be made to the to Vice President Financial Aid and Student Services, 16220 N. Scottsdale Road, Suite 100, Scottsdale, AZ 85254, 800-859-7249, ednajohnson@uti.edu.

Once a report has been made, the Title IX/Deputy Title IX Coordinator is then responsible for several aspects of the school's response to reports of sexual misconduct. The Coordinator will first review and then investigate all aspects of the report. Upon completion of the investigation, the Title IX/Deputy Title IX Coordinator will prepare a report which will outline factual findings and make a determination whether any sexual misconduct has occurred and will impose any appropriate sanctions. Once the investigation has been completed, the Title IX/Deputy Title IX Coordinator will ensure both the complainant and respondent receive written notice of the outcome simultaneously.

Reporting Policies and Protocols

Victims of sexual misconduct have several reporting options following an incident of sexual assault, dating violence, domestic violence, or stalking.

Reporting Options

1. Report to UTI through Student Services, Title IX Coordinator, Deputy Title IX Coordinator, or other Responsible Employee: Reports can be made on campus or online at www.uti.edu/titleix. UTI can help facilitate reporting to police, provide a no contact directive or other protective measures, investigate the incident, and provide discipline or remedies, if appropriate. UTI will also provide written information about resources and reporting options.
2. Report to Local Law Enforcement: Victims are encouraged to report sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking, to the police. Law enforcement can assist with a criminal investigation/response and restraining/protection from abuse orders. For immediate assistance following an incident of sexual misconduct, dial 911 to make a report to local law enforcement.
3. Report to a Confidential Resource: Confidential reporting options may be available off-campus. A list of off-campus resources is provided above and in the written notification provided to victims.
4. File an Anonymous Report: Victims have the option to file an anonymous report by printing the complaint form online at www.uti.edu/titleix, completing it, and sending it to the Title IX/Deputy Title IX Coordinator. UTI's ability to respond to an anonymous report may be limited.

Victims may pursue simultaneous complaints with UTI and local law enforcement. Victims have the option to decline to notify law enforcement. UTI complies with restraining orders and protection from abuse orders obtained through law enforcement. If an order is violated, victims should reach out to local law enforcement for assistance.

Written Notification of Resources

Student Services will provide victims with assistance in reporting the assault to proper law enforcement authorities, if requested. Victims have the right to decline to notify law enforcement authorities. Victims can consider making a report with the Title IX Coordinator/Deputy Title IX Coordinator and ask for a "no contact" directive from UTI to prevent future contact. Victims can also consider getting a protection from abuse order or no contact order from a local judge or magisterial justice. A complainant may pursue simultaneous complaints with UTI and local law enforcement.

UTI will provide written notification to victims which will include an explanation of their rights, outside resources, information on preserving evidence, as well as how to request protective measures. In addition, the notification has information 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 UTI and in the community whether the offense occurred on or off campus.



Confidentiality

UTI respects the privacy of students, employees, and third parties and shares reports of sexual misconduct on a limited, “need-to-know” basis. If a complainant requests that UTI handle a complaint on a confidential basis, UTI will honor that request where possible. UTI’s Title IX/Deputy Title IX Coordinator, or designee, reviews requests for confidentiality and determines whether such requests can be honored in light of factors such as the safety of the campus and the number of complaints against a respondent. UTI will promptly notify the complainant of its determination regarding a request for confidentiality.

Retaliation in any form (including acts of intimidation or harassment) against any person who makes a sexual misconduct report, witnesses or experiences harassment, or asserts rights under this policy will not be tolerated. Reports of retaliatory conduct should be made to the Title IX/Deputy Title IX Coordinator using the contact information set forth above.

Amnesty: UTI encourages the reporting of incidents of sexual violence and recognizes that some students may be reluctant to make such reports as a result of their personal consumption of drugs or alcohol at the time of the incident. UTI generally will not discipline complainants, respondents, or witnesses for personal consumption of drugs or alcohol in violation of UTI’s policies where such conduct occurred at the time of the incident and did not endanger the health or safety of others. Educational responses to the conduct may be implemented, as appropriate.

In California, complainants and witnesses are protected from sanctions for violations of student conduct policies that occurred around the time of the reported incidents, unless UTI finds the violations egregious.

Investigation Procedures and Protocols

Dating violence, domestic violence, sexual assault, and stalking violate the Student Code of Conduct (found in the Course Catalog at <http://www.uti.edu/catalogs>), and may violate federal and state law. Title IX and VAWA covered offenses are outlined in separate policies but ultimately fall under Student Code of Conduct standards. Alleged violations of this policy are addressed using the disciplinary procedure described below. The same disciplinary process is used for dating violence, domestic violence, sexual assault, and stalking.

UTI’s disciplinary process and criminal proceedings can occur simultaneously. UTI uses a prompt, fair, impartial process from initial investigation to final result in resolving incidents of dating violence, domestic violence, sexual assault, and stalking. UTI will ensure that those involved in the process have been appropriately trained and do not have a conflict of interest or bias against either the Complainant or Respondent. If either party feels a conflict exists, they should contact the Title IX Coordinator at mscheet@uti.edu. If a conflict exists with the Title IX Coordinator, then the Vice President of Student Services and Financial Aid should be contacted at ednajohnson@uti.edu.

Both parties have equal opportunities to have others present, including an advisor of choice, during the process. UTI provides timely and equal access to the complainant, respondent, and appropriate administrators to any information that will be used during the disciplinary process. The complainant and respondent receive simultaneous notification, in writing, of the result and available appeal procedures. In addition, UTI ensures the proceeding is completed in a reasonably prompt time frame and meeting notices are provided timely. If delays occur, both parties will be notified accordingly.

Filing a Complaint

The Title IX/Deputy Title IX Coordinator receives any reports made in regards to sexual misconduct or sexual harassment (including sexual violence) in any of UTI’s programs or activities. Individuals identified as Responsible Employees are required to report incidents of possible sexual violence to the Title IX/Deputy Title IX Coordinator within 24 hours of becoming aware of such conduct. If the complainant requests that no investigation occur, the Title IX/Deputy Title IX Coordinator will review to determine if an ongoing threat exists. If the complainant does



not pursue an investigation through UTI or law enforcement, protective measures may be still be available as appropriate.

UTI uses the preponderance of the evidence or “more likely than not” standard of review during the investigation and resolution of complaints. UTI uses an investigation resolution model for conduct proceedings for dating violence, domestic violence, sexual assault, and stalking for cases involving students or employees.

Evaluation: The Title IX/Deputy Title IX Coordinator or designee will review all reports of sexual misconduct within 7 calendar days of receipt and will determine the appropriate response. If there are jurisdictional considerations that preclude Title IX consideration, the complainant will be notified of such limitations. If the complaint is dismissed at this stage, the complainant will receive written notice of the outcome and has the opportunity to appeal the determination using the appeal procedure below.

Investigation: Within 10 calendar days of receiving the report, the Title IX/Deputy Title IX Coordinator or designee will commence an investigation of the allegation(s), if appropriate. The investigation may include contacting the complainant, respondent, and witnesses to obtain additional information about the allegation(s). UTI has developed trauma-informed protocols for interviewing complainants that include follow-up and support, as appropriate. Similarly, UTI ensures that respondents receive a fundamentally fair process that is sensitive to the possibility that a respondent may be facing simultaneous criminal charges.

The complainant and respondent will have an equal opportunity to provide witnesses and evidence throughout the process; the Title IX/Deputy Title IX Coordinator will assist the parties in locating and identifying witnesses, as appropriate. The investigation will implement procedures for considering allegations that drugs or alcohol were used during the alleged incident.

The Title IX/Deputy Title IX Coordinator generally will conclude the investigation within 30 calendar days. This timeframe may be extended in extenuating circumstances (e.g., school breaks). The Title IX/Deputy Title IX Coordinator will notify the parties of any delays and the reasons for the delays.

Investigatory report: At the conclusion of the investigation, the Title IX/Deputy Title IX Coordinator or designee will prepare an investigatory report that makes factual findings and determines whether sexual misconduct has occurred. The Title IX/Deputy Title IX Coordinator or designee may find the respondent responsible or not responsible for the alleged violation, or may find that there is insufficient evidence to make such a finding. If the Title IX/Deputy Title IX Coordinator or designee finds the respondent responsible, the Title IX/Deputy Title IX Coordinator or designee will impose an appropriate sanction and determine whether any remedies should be provided to the complainant and/or campus community.

Notice of the outcome: Within 15 calendar days of the conclusion of the investigation, the complainant and respondent will receive concurrent written notice of the outcome, including any sanction imposed, consistent with applicable state and federal privacy laws, including the Family Educational Rights and Privacy Act (FERPA). For allegations of dating violence, domestic violence, sexual assault, or stalking, written notice of the outcome is provided simultaneously to the complainant and respondent and includes the final result and information about the procedures for appealing the result. The parties also receive simultaneous written notification of any changes to the result and when the results become final.

Advisor of choice: In cases of sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking, the complainant and respondent may choose to have an advisor of their choice present during meetings or disciplinary proceedings. Advisors may include advocates and support persons. If a party selects an advisor who is an attorney, the party must notify the Title IX/Deputy Title IX Coordinator at least 24 hours prior to the first meeting or disciplinary proceeding in which the advisor will participate. The complainant and respondent have the same opportunity to have an advisor present during meetings and other aspects of the disciplinary proceeding. Advisors are present to support their advisees and must refrain from interrupting or disrupting interviews or other



meetings with campus officials or their designees. Advisors may not speak during interviews or meetings unless invited to do so by a campus official or designee. One warning will be given if an advisor steps out of their role. If the behavior continues, the advisor will be asked to leave the meeting or interview. Meetings or interviews generally will not be re-scheduled because an advisor is unavailable to attend.

Timeframes: The investigation and resolution of the complaint generally will be completed within 60 calendar days, absent extenuating circumstances. The Title IX/Deputy Title IX Coordinator or designee will provide regular status updates to the parties.

Mediation: UTI does not use mediation in cases where sexual assault has been alleged, even on a voluntary basis.

Sanctions for students include sexual assault or other related training, no contact directives, bans from specific areas of campus, removal from a course, requirement to change sessions, leaves of absence or termination from school. If a student is terminated from school, the notification will outline any requirements that must be met for reinstatement as well as the minimum timeframe required for requesting reinstatement. For employees, sanctions may include a final warning with sexual assault training or termination. As to third parties, UTI will implement available sanctions, such as bans from campus, as appropriate. UTI will also abide by and support any sanctions imposed by law enforcement. UTI will also provide remedies to the complainant and campus community, as appropriate, such as educational programming, policy review and revision, and counseling.

Protective measures: Protective, interim measures are available to individuals who report alleged sexual misconduct, as appropriate. Protective measures may include no contact directives, changes to academic situations for students, leave for employees, or other actions. Protective measures will be administered in a manner that reduces the burden on the complainant while preserving the fundamental fairness of the process. Requests for protective measures should be made to the Title IX/Deputy Title IX Coordinator, or designee, using the contact information provided above.

Appeals: The complainant and respondent have an equal right to appeal outcome decisions made by the Title IX/Deputy Title IX Coordinator or designee. Appeals may be made on the following bases: (1) a party obtains new relevant evidence that was unavailable at the time of the investigation and could change the outcome of the investigation; (2) there is evidence of procedural error that could change the outcome of the investigation; or (3) the sanction was substantially disproportionate to the findings. Appeals must be made to Rhonda Turner, SVP People Services, at 16220 N. Scottsdale Road, Suite 100, Scottsdale, AZ 85254, 800-859-7249, rturner@uti.edu. Appeals must be filed within 7 calendar days of the date that written notice of the outcome was provided. The SVP of People Services will review the appeal promptly but generally within 30 calendar days and provide the respondent and complainant within written notice of the final determination.

As required under the Clery Act, results of disciplinary proceedings for crimes of violence and sex offenses will be provided to the victim or next of kin, in the event that the victim died as a result of the crime upon written request. This is not a violation of Family Educational Rights and Privacy Act (FERPA).

Definitions and Terms Pursuant to the Violence Against Women Act Amendments

In an effort to ensure clarity and understanding, UTI has included definitions for all forms of conduct prohibited as well as other relevant definitions. Appendix A provides criminal law terms and definitions for Arizona, California, Florida, Illinois, Massachusetts, North Carolina, and Texas. The definitions are as follows:

Awareness programs: Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.



Consent: Affirmative, conscious, and voluntary agreement to engage in sexual activity. Neither the lack of protest or resistance nor silence constitutes consent. Consent may be withdrawn at any time. Affirmative consent must be given by all parties to sexual activity. A person who is incapacitated cannot consent. Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent. *See Appendix A for jurisdictional definitions by state.*

Dating Violence: Violence committed by a person:

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim is a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Ongoing prevention and awareness campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

Primary prevention programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result includes any sanctions imposed by the University.

Risk reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress



Prevention and Education

UTI is committed to having in place sexual misconduct, including dating violence, domestic violence, sexual assault, and stalking, prevention and awareness programs for students and employees. UTI implements prevention and awareness programming during new student and new employee orientation through the *Not Anymore* program. *Not Anymore* is an interactive online program offering information on sexual assault, dating violence, domestic violence, stalking, bystander intervention, consent, risk reduction, and other important information. New students are encouraged to complete the program and are notified of its availability following enrollment and also during new student orientation. Informational prevention and awareness materials are also available on an on-going basis in the Student Services department at each campus. Campuses also partner with community resources to provide educational materials and/or programming opportunities.

Training

The Title IX, Deputy Title IX Coordinators, and Responsible Employees receive training, including trauma-informed training, on an annual basis at minimum. Employees with responsibilities under this policy receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking, as well as training on how to conduct an investigation and resolution process that protects the safety of victims and promotes accountability. Training also addresses, as appropriate, relevant evidence and how it should be used during a proceeding, techniques for questioning witnesses, applicable policies and procedures, and avoiding actual and perceived conflict of interest. All employees receive sexual harassment training on an ongoing basis

Sexual Offender Registration

The Campus Sex Crimes Prevention Act (Section 1601 of Public Law 106-386) is a federal law enacted in 2000 that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The Violent Crime Control and Law Enforcement Act of 1994 requires states to enact statutes or regulations that require those who are sexually violent predators or who are convicted of sexually violent offenses to register with appropriate state law enforcement agencies for ten years after release from prison. Sex offender information is compiled by the Department of Corrections (DOC). UTI does not have a Campus Police Department, and the institution is not officially notified by the state regarding any registered sex offenders. However, information on registered sex offenders can be obtained by contacting the local law enforcement agency in the area where the student is attending or by reviewing the state's website. See list below:

State	Website
Arizona	http://www.azdps.gov/services/sex_offender/
California	http://www.meganslaw.ca.gov/
Florida	http://offender.fdle.state.fl.us/offender/homepage.do
Illinois	http://www.isp.state.il.us/sor/
Massachusetts	http://www.mass.gov/eopss/agencies/sorb/
North Carolina	http://sexoffender.ncsbi.gov/
Pennsylvania	http://www.pameganslaw.state.pa.us/EntryPage.aspx
Texas	https://records.txdps.state.tx.us/SexOffender/PublicSite/Index.aspx

Additionally, to learn the identity of registered sex offenders on or near campus, visit: <https://www.nsopw.gov/>.

VI. Drug and Alcohol Abuse Prevention

Drug and Alcohol Abuse Policy and Enforcement

UTI has developed a strict and rigidly enforced policy regarding drug and alcohol abuse. **UTI CANNOT AND DOES NOT CONDONE DRUG OR ALCOHOL ABUSE BY ITS STUDENTS OR STAFF.** UTI's Annual Drug and Alcohol Abuse Prevention Program (DAAPP) Notification can be found at www.uti.edu/disclosure and includes standards of



conduct, disciplinary sanctions, applicable legal sanctions, health risks associated with drugs and alcohol, and available drug and alcohol treatment services. A printed copy of the notification may be obtained by contacting Student Services.

UTI will not allow the unlawful possession, use or distribution of illicit drugs and/or alcohol by students and staff members on its property or as part of any of its officially sponsored off-campus activities. Students and staff members are also prohibited from being under the influence of alcohol, illegal drugs or non-prescribed drugs on UTI property or at any of its officially sponsored activities. This includes field trips and student-sponsored social activities if they are considered sponsored by the school. In addition, UTI may discipline its students for off-campus activities including the illegal use of alcohol or drugs. UTI will report to local and/or state law enforcement, as applicable by federal and state drug laws, any student or staff member who is found in possession of, using, or selling illegal drugs on campus as well as any anyone who is found to have broken the state laws regarding underage drinking.

The possession, use, and sale of alcohol and controlled substances are regulated by UTI in accordance with: (1) the Drug Free Schools and Communities Act, (2) The Drug-Free Workplace Act, (3) applicable provisions of federal, state, and municipal law, and (4) UTI policies. The possession, use, sale, and transfer of alcohol and/or controlled substances on UTI property are strictly prohibited. Violations of this policy will be referred to the Student Services Department for conduct actions and/or to local law enforcement.

UTI recognizes that alcoholism and drug abuse may have an adverse effect on classroom performance and is concerned with this impact. In addition, UTI recognizes the significant health risks associated with the use of illegal drugs and the abuse alcohol. While the frequency, duration, and severity vary, there are a number of serious health consequences.

UTI recognizes that alcohol and drug abuse may be successfully treated, enabling students and staff members to return to a satisfactory performance level. Those who have a substance abuse problem are encouraged to voluntarily seek assistance and to deter others from engaging in illegal drug or alcohol use, possession, or distribution. Students are subject to random drug testing at any time during their education and may also be tested for cause should UTI have reasonable suspicion that a student has been using illegal drugs or alcohol, as outlined in the Substance Abuse Prevention Policy in the School Catalog (www.uti.edu/catalogs). Employees must pass a pre-employment drug screen and may be tested for cause should there be reasonable suspicion or should they be involved in an accident on campus that results in injuries requiring medical attention. Details of the Employee Drug and Alcohol policy may be found in the Employee Handbook and on the company Intranet. Violation of these policies will result in UTI taking appropriate action, up to and including termination and/or requiring the student or staff member to participate satisfactorily in a drug abuse, alcohol abuse or other assistance/rehabilitation program. For students, first offenses lead to a required assessment by a certified substance abuse evaluator and the student must follow any recommendations made as a result of the evaluation. First offenses for staff members will typically lead to a recommended drug education program. Second offenses will lead to termination of schooling (students) and employment (staff members).

As part of an effort to promote the Substance Abuse Prevention Policy, UTI maintains pamphlets on drug and alcohol awareness to help educate campus community members; these are available in the Student Services Departments. Student Services also incorporates educational programming into various student activities. Student Affairs Advisors are available for private discussions upon request. Staff members struggling with drug or alcohol related problems are encouraged to utilize our Employee Assistance Program (EAP) – a free, confidential benefit program run by CIGNA by calling 1-888-371-1125 or going to www.cignabehavioral.com.



UTI regularly refers campus community members to the following drug and alcohol abuse education programs:

Campus	Resource
All campuses	<ul style="list-style-type: none"> • Substance Abuse and Mental Health Services Administration: 800-662-HELP • National Council on Alcoholism and Drug Dependence: 800-NCA-CALL
Avondale	<ul style="list-style-type: none"> • LLC Counseling Services: 602-224-5499 • Terros: 623-937-9203 • Community Bridges: 877-931-9142, option 3
Houston	<ul style="list-style-type: none"> • The Right Step: 281-465-4500
Lisle	<ul style="list-style-type: none"> • Care Clinics Inc: 630-357-2012 • Raul Castro, LCPC: 708-772-1117 • Al Anon: 630-627-4441 • Alcoholics Anonymous: 312-346-1475 • Narcotic Anonymous: 708-848-4884
Rancho Cucamonga	<ul style="list-style-type: none"> • Inland Valley Recovery Services: 909-949-4667 • Inland Behavioral Health Services: 909-881-6146 • Matrix Institute on Addictions: 909-689-4155 • Cucamonga Counseling: 909-962-7323 • Chino Hills Counseling/Stay Designated: 909-590-2260
Exton	<ul style="list-style-type: none"> • Creative Health Services: 610-327-1503 • Pathway Counseling: 610-269-8396 • Rehab After Work: 610-889-9939
Sacramento	<ul style="list-style-type: none"> • National Council on Alcoholism and Drug Dependence: 916-922-5121 • Sutter Outpatient Drug & Alcohol Program: 916-386-3077 • Sobriety Brings a Change: 916-454-4242 • Community Connection Resource Center: 916-552-5980
NASCAR Tech	<ul style="list-style-type: none"> • BK Professional Counseling Services: 704-662-3923 • Counseling Center of Iredell County: 704-872-7638 • Behavioral Health Services of Lake Norman: 704-660-8322 • Loving Hand Counseling: 704-662-6118 • Michael Rife M.Ed.: 704-660-8321 or 704-660-8322
Norwood	<ul style="list-style-type: none"> • Billings Human Services: 508-668-3223
MMI Phoenix	<ul style="list-style-type: none"> • NOVA: 623-937-9203 • TERROS: 602-685-6000 • Community Bridges: 602-273-9999 • Dynamic Living Counseling, LLC: 602-277-2112
UTI/MMI Orlando	<ul style="list-style-type: none"> • Neal Salzman - Orlando Counseling Specialists (OCS): 407-921-0993 • Center for Drug Free Living: 407-245-0014
Dallas	<ul style="list-style-type: none"> • Dallas Challenge: 214-942-5166 • Imagine Programs: 972-423-6007 • Life Path Systems: 972-562-9647 • Nexus Recovery Center: 214-321-0156 • Phoenix House: 214-999-1044
Long Beach	<ul style="list-style-type: none"> • 211 County Infoline: Dial 211 or www.211la.org • Safe Refuge: 562-987-5722 • HOPICS: 323-948-0444

VII. Weapons Prevention

Weapons Policy and Enforcement

Possession of guns or weapons on campus (in parking lots, vehicles, etc.) is not permitted except where state law mandates exceptions to this prohibition and only to the extent of that mandated exception. Any knife with a blade longer than two inches is considered a weapon and is not permitted on campus. Violations of this policy will lead to disciplinary action, up to and including termination.

VIII. Emergency Response and Evaluation Procedures

Emergency Notifications

UTI campuses have an Emergency Management Plan (EMP) to respond to the needs of the campus community, and the broader community, during and after the occurrence of a critical situation. The EMP is intended to communicate the policies and procedures for employees and students to follow in an emergency situation. It also serves as a guide for UTI campus personnel, visitors, students, and community members to address a wide range of potential crisis situations. The plans' procedures are designed to be flexible in order to accommodate situations of various types and magnitudes. The EMP for each campus is located on campus-specific page of the Inside Track.

Accessing the Plan

The hard copy EMP and test records are located in each campus' Facilities Department under the responsibility of the Facilities Manager/Director. Each plan will indicate the date on which the last plan review and update was performed. UTI has also established a safety manual containing safety rules and policies to be observed by all employees at all times. Employees may access the safety manual on the UTI intranet.

Roles/Procedures

In the event of an emergency situation, the Campus President or designee will confirm the existence of the situation and coordinate the campus' response to the critical incident while paying special attention to the safety and security needs of all members of the campus community. All members of the campus community are expected, upon learning of an emergency from any source, to immediately communicate such information to both local authorities and the Safety Committee Leader or Campus President. The Campus President will work with local law enforcement and other public safety agencies as appropriate to confirm the situation.

When determining if a situation meets requirements to issue an Emergency Notification, the Campus President will review all information presented and complete the Emergency Notification Determination Form (unless doing so would cause a delay in notification; in that case the form would be completed later for record keeping purposes). The Campus President or designee will take into consideration whether the situation is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students and employees on campus. Once the determination form has been completed and the decision has been made whether or not to issue an Emergency Notification, the form should be submitted to the Student Services Director. This form along with the Emergency Notification will be maintained in accordance with the Clery Document Retention Policy.

Determining Notification Audience

The Campus President (or designee) will determine the appropriate segment(s) of the community to receive notification. For situations in which a small portion of the building is impacted (i.e. chemical spill in a lab), the Campus President may choose to notify only the campus community members who are located in that area of the building. However, given that the majority of UTI campuses are limited to one or two buildings, the majority of notifications will be disseminated to the entire campus community. UTI will also continue to assess the situation and may expand communications to additional segments of the community as deemed necessary.



Determining Notification Content

As soon as a decision has been made to issue an Emergency Notification, the notification must be disseminated without delay. The notification will be issued to the appropriate segment(s) of the campus community. The Emergency Notification alert will include information on the nature of the incident, building(s) impacted, date, time, and any specific guidance relative to the situation, including evacuation procedures if applicable. In some instances, the Campus President or designee will collaborate with the Home Office Public Relations team or People Services Department when preparing the message. In addition, the Campus President or designee may take into account feedback from the local authorities in determining appropriate content.

Initiating the Notification System

Depending on the nature of the situation, the following people will initiate the system immediately upon confirmation of the emergency/dangerous situation from the Campus President or designee:

- The Education Director/Manager(s), in collaboration with the Campus President, are responsible for any immediate announcements that require the public address system, including, but not limited to, announcements to trigger shelter-in-place procedures and lockdowns.
- The Student Services Director is responsible for initiating notifications regarding known or potential health risks, such as MRSA or meningitis outbreaks.
- The Facilities Manager/Director is responsible for notifications of incidents regarding campus infrastructure such as chemical spills, gas leaks, and fires.
- The Campus President, in collaboration with Public Relations personnel at Home Office, is responsible for notifications that require distribution beyond the campus community.

In situations where the notification system includes evacuation or lockdown procedures, the instructors are responsible for assisting students in responding correctly to the procedures and taking roll after the evacuation/lockdown. Department Directors and Managers are responsible for assisting staff in responding correctly to the procedures and accounting for their direct reports (taking “roll”) after the evacuation/lockdown.

Campus Notification Methods

Depending on the incident and campus, different methods of communication may be utilized to notify the campus community of a significant emergency or dangerous situation. Some or all of these methods may be activated in the event of an immediate threat. Examples of notification methods include:

- Everbridge Mass Notification System
- Recorded messages to phones or other devices;
- Sirens;
- Public announcements;
- News and other media releases;
- Phone calls/call trees; and
- Postings on campus

Everbridge Mass Notification System

The Everbridge Mass Notification System allows UTI to send important, time sensitive information to campus community members using multiple communication methods, such as email, phone calls, and text messages. Students and staff can log in and manage their preferred contact methods through the Everbridge portal at <http://notify.uti.edu>. Any student or staff member who has not elected a preference through the Everbridge portal will be contacted through their main email address on file in the event of an emergency.



Notifications/Communications to the Broader Community

In the event that a campus emergency may impact the neighboring community, UTI will partner with local public agencies to alert the broader community. UTI may use a variety of methods to inform the surrounding community of an emergency on campus, including, but not limited to:

- Circulating hard copy flyers or letters
- Email notifications to businesses in the area
- Posting notification on UTI's website and other community sites
- Phone calls/call trees

Additionally, UTI may provide notifications to family members and other emergency contacts of campus community members utilizing similar methods of communication.

Where applicable, UTI may issue a public service announcement or formal updates/communication, which may include but are not limited to radio, television or press releases. These communications will be provided through UTI's Corporate Communications Department.

Notifying/Partnership with Local Authorities

UTI campuses have varying relationships with city council, community relations officers, and local emergency authorities or agencies. These entities sometimes partner with UTI in crime prevention via reviewing escape or other emergency procedures and/or having an on-site presence for certain campus events.

In the case of a critical incident or emergency, UTI staff or students are empowered to immediately call 911 and notify local authorities. A designee from the Safety Committee will also call in the critical incident or emergency to the local authorities to report information and/or confirm that emergency response is in action.

Emergency Procedures

UTI has designated procedures to follow in case of most emergencies that could happen on campus. Although not every conceivable situation is addressed, the guidelines below can assist students, staff, faculty, and visitors to cope with most campus emergencies. All students, staff, and visitors are expected to follow the established procedures to the best of their abilities. UTI regularly tests emergency preparedness by conducting response drills and evacuation procedures at least annually, and these tests are documented and maintained at each campus.

Testing of the Emergency Evacuation Procedures (included in the EMP)

The Safety Committee reviews the written Emergency Evacuation Procedures and tests emergency response and evacuation procedures on at least an annual basis. Tests include both announced and unannounced drills and exercises. UTI documents the execution and results of each exercise and includes the date, time, description of drill or exercise, and status (announced or unannounced) as well as any partnerships in testing with local authorities (if applicable). After action reviews are conducted to evaluate EMP and capabilities.

Training Procedures

Procedures to train staff and students on the emergency evacuation plan and procedures include:

- Person-to-person coaching;
- Email notifications;
- Town-hall (employee) meetings;
- Hard copy literature or campus postings;
- Campus safety tours (emergency escape procedures and route assignments);
- Web-based training; and
- System and procedure tests/drills.

In all life-threatening emergencies, UTI staff or students should call 911 to notify local police authorities with



follow-up notification to the Facilities Director and/or Campus President to coordinate on-site response during a critical incident.

IX. The Preparation of the Annual Security Report and Disclosure of Crime Statistics

The Annual Security Report is compiled by the Home Office Student Services team in compliance with the *Jeanne Clery Disclosure of Campus Security and Policy and Crime Statistics Act*. The report provides statistics for the previous three years concerning reported crimes that occurred on the campus's Clery geography. Information for the report is gathered by the Student Services Director at each campus in cooperation with local law enforcement. In order to provide the most accurate statistics, UTI encourages victims of, and witnesses to, the crimes and violations listed in the annual crime statistics to report them to a CSA promptly.

UTI maintains the Annual Security Report, which includes campus specific Crime Statistics charts, on the disclosure page of our website, www.uti.edu/asr. The report and statistics are updated by October 1st of each year. Students and employees receive a memo including the link/URL to the appropriate page on the website, an explanation of the content of the report, and instructions on how to request a paper copy of the report (with the campus statistics) should they wish to obtain one. The memos are distributed as follows:

- New students receive a memo in the registration packet at orientation.
- New employees receive information in the Employee Handbook.
- New employees receive information during the orientation presentation.
- Active students receive a memo by October 1st of each year. The memo is distributed through a combination of in person distribution and campus postings.
- Current employees receive a memo by email by October 1st of each year.
- Prospective students receive a link to the catalog during the enrollment process. Clery information as well as the ASR and crime statistic link are provided on the enrollment application.
- For prospective employees, a brief explanation and link to the webpage is provided in the job descriptions on our website (where all applicants are required to apply).

Students and staff members will be notified of any updates or changes to the report or statistics via memo distributed either in person or by email. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the campus Student Services department.

Records/Document Retention

UTI is required to retain all documents related to compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistic Act* for a period of three (3) years after publication of the annual crime report (which includes 3 years of data). This retention includes all documents relating to UTI's preparation of the annual crime report, including, but not limited to, all records and reports or reportable crimes, letters to and from law enforcement, and all copies of timely warnings or emergency notifications. The Student Services Director in partnership with the Home Office Student Services team is responsible for retention of the required documents. CSAs should forward all documentation related to Clery Act compliance to the Student Services Director.

In preparation for disclosing annual crime statistics, the Student Services Director compiles data from various sources. These sources include incident reports of Clery Act crimes (as defined below) reported to a CSA as well as all local law enforcement agencies with jurisdiction over the campus's Clery geographic area. UTI requests information from the local law enforcement agencies regarding any Clery crimes occurring on campus, on non-campus locations (if applicable), or in the public property contiguous to our campus. The statistics below note if a



campus was unable to obtain the requested report or if any crime was unfounded. In compliance with the Clery Act, UTI compiles, reports, and distributes these statistics for the last three years by October 1 each year.

Definition of Terms

Crime statistics are reported according to the following categories as defined by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. For sex offenses, information is classified based on the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Dating violence, domestic violence, and stalking are based on definitions outlined in the Violence Against Women Act of 1994. Institutions must classify and count reported incidents based on the definitions specified by the Clery Act.

Murder and Non-negligent Manslaughter: The willful killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

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

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

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

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

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an Aggravated Assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned. It also includes forcible entry, unlawful entry – no force, and attempted forcible entry.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle, including all cases where automobiles, motorcycles, etc. are taken by persons not having lawful access even though the vehicles are later abandoned (e.g. joyriding).

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

Hate Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, the following eight categories are reported:



- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of human kind.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or non-existence of a supreme being.
- **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, though a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.
- **Gender:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender.
- **Gender Identity:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender identity.

Hate crimes must be reported on all aforementioned categories in addition to the following: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.

Larceny-Theft: The unlawful act of taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

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

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

Weapon Law Violations: The violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations: Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or



narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim is a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating Violence: Violence committed by a person:

- (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress

Unfounded: If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded" and not included in crime statistics. Only sworn or commissioned law enforcement personnel can "unfound" a crime.

On-Campus Property: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in item (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Noncampus Building or Property: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. *UTI does not currently have any noncampus buildings or properties.*

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. *An example of UTI's public property would be the public sidewalk surrounding the campus and the public streets surrounding the campus. The public sidewalk across the street is also included.*



X. Notice of Non-Discrimination

Universal Technical Institute is dedicated to maintaining safe learning and working environments for students, employees, and third parties. UTI prohibits discrimination and harassment on the basis of race, color, national origin, sex, religion, disability, age, veteran status, sexual orientation, gender identity or expression, genetic information, and any other legally protected status in the provision of its courses, programs, services or activities.

UTI has designated the National Director of Student Services to coordinate its compliance with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex. Questions or comments about discrimination or harassment can be directed to:

National Director of Student Services
 Title IX Coordinator
 16220 N. Scottsdale Road, Suite 100
 Scottsdale, AZ 85254
 800-859-7249 or 321-281-9755
mscheet@uti.edu

Inquiries concerning Title IX also may be made to the Office for Civil Rights at:

U.S. Department of Education
 Office for Civil Rights
 Lyndon Baines Johnson Department of Education Bldg.
 400 Maryland Ave., SW
 Washington, DC 20202-1100
 Telephone: 800-421-3481
 FAX: 202-453-6012
 TDD: 877-521-2172
 Email: OCR@ed.gov

UTI has identified the Student Services Director at each campus as a Deputy Title IX Coordinator for student related complaints. They can be contacted as follows:

Campus	Campus Address	Toll Free	Email Address
Avondale	10695 W. Pierce Street, Avondale, AZ 85323	800-859-1202	likingsley@uti.edu
Houston	721 Lockhaven Drive, Houston, TX 77073	800-325-0354	mcode@uti.edu
Lisle	2611 Corporate West Drive, Lisle, IL 60532	800-441-4248	kstamp@uti.edu
Rancho Cucamonga	9494 Haven Avenue, Rancho Cucamonga, CA 91730	888-692-7800	jdismukes@uti.edu
Exton	750 Pennsylvania Drive, Exton, PA 19341	877-884-3986	rtrickett@uti.edu
Sacramento	4100 Duckhorn Drive, Sacramento, CA 95834	877-884-2254	jgillming@uti.edu
NASCAR Tech	220 Byers Creek Road, Mooresville, NC 28117	866-316-2722	mlemmons@uti.edu
Norwood	1 Upland Road, Building 200, Norwood, MA 02062	866-753-6553	jcorreia@uti.edu
MMI Phoenix	2844 W. Deer Valley Road, Phoenix, AZ 85027	800-528-7995	tchakos@uti.edu
MMI Orlando	9751 Delegates Drive, Orlando, FL 32837	800-342-9253	tjohnson@uti.edu
UTI Orlando	2202 Taft Vineland Road, Orlando, FL 32837	800-342-9253	tjohnson@uti.edu
Dallas	5151 Regent Boulevard, Irving, TX 75063	877-873-1083	rdoyal@uti.edu
Long Beach	4175 E. Conant Street, Long Beach, CA 90808	844-308-8838	jramirez@uti.edu



Universal Technical Institute – Avondale Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	1	N/A	0	2	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape
Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin
Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Avondale campus does not have any non-campus locations. There were no unfounded crimes for the Avondale campus.



Universal Technical Institute – Houston Crime Statistics

Offenses	January through December 2015			January through December 2014			January through December 2013		
	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	2	N/A	0	6	N/A	0	1	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Houston campus does not have any non-campus locations. There were no unfounded crimes for the Houston campus.



Universal Technical Institute – Glendale Heights Crime Statistics

Offenses	January through December 2015**			January through December 2014**			January through December 2013		
	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Manslaughter by Negligence	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Sex offenses	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Robbery	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Aggravated Assault	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Burglary	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Motor vehicle theft	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Arson	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Manslaughter by Negligence	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Sex offenses	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Robbery	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Aggravated Assault	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Burglary	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Motor vehicle theft	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Arson	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Simple assault	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Larceny – theft	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Intimidation	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Destruction/damage/vandalism of property	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
VAWA Offenses									
Domestic Violence	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Dating Violence	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Stalking	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Drug abuse violations	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0
Liquor law violations	N/A	N/A	N/A	N/A	N/A	N/A	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape
Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin
Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Glendale Heights campus does not have any non-campus locations.

**The Glendale Heights campus closed November 6th, 2013 and these statistics reflect crimes that occurred during the date of occupation.



Universal Technical Institute – Lisle Crime Statistics

	January through December 2015			January through December 2014			January through December 2013**		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	2F	N/A	0	0	N/A	0	1F	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	1	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Lisle campus does not have any non-campus locations. There were no unfounded crimes for the Lisle campus.

**The Lisle campus opened November 11th, 2013 and these statistics reflect crimes that occurred during the dates of occupation.



A Branch Campus of Universal Technical Institute of Arizona, Inc.



A DIVISION OF UNIVERSAL TECHNICAL INSTITUTE



A DIVISION OF UNIVERSAL TECHNICAL INSTITUTE



Universal Technical Institute – Rancho Cucamonga Crime Statistics

Offenses	January through December 2015			January through December 2014			January through December 2013		
	On Campus	Non Campus*	Public Property	On Campus	Non Campus*	Public Property	On Campus	Non Campus*	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	0	0	0	0	0
Manslaughter by Negligence	0	N/A	0	0	0	0	0	0	0
Sex offenses	2F	N/A	0	1F	0	0	0	0	0
Robbery	0	N/A	0	0	0	0	0	0	0
Aggravated Assault	0	N/A	0	0	0	0	0	0	0
Burglary	1	N/A	0	0	0	0	1	0	0
Motor vehicle theft	0	N/A	0	1	0	0	0	0	0
Arson	0	N/A	0	0	0	0	0	0	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	0	0	0	0	0
Manslaughter by Negligence	0	N/A	0	0	0	0	0	0	0
Sex offenses	0	N/A	0	0	0	0	0	0	0
Robbery	0	N/A	0	0	0	0	0	0	0
Aggravated Assault	0	N/A	0	0	0	0	0	0	0
Burglary	0	N/A	0	0	0	0	0	0	0
Motor vehicle theft	0	N/A	0	0	0	0	0	0	0
Arson	0	N/A	0	0	0	0	0	0	0
Simple assault	0	N/A	0	0	0	0	0	0	0
Larceny – theft	0	N/A	0	0	0	0	0	0	0
Intimidation	0	N/A	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	N/A	0	1S	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	0	0	0	0	0
Dating Violence	0	N/A	0	0	0	0	0	0	0
Stalking	1	N/A	0	0	0	0	0	0	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	0	0	0	0	0
Drug abuse violations	0	N/A	0	0	0	0	0	0	0
Liquor law violations	0	N/A	0	0	0	0	0	0	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*Non-campus includes data from the BMW elective program building located at 1175 South DuPont Avenue, Ontario, California 91761. This property was utilized through September 26th, 2014 and these statistics reflect crimes that occurred during the date of occupation

**There were no unfounded crimes for the Rancho Cucamonga campus.

***Crime statistics were requested from the Rancho Cucamonga police department but no response received after multiple attempts



Universal Technical Institute – Exton Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	1	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Exton campus does not have any non-campus locations. There were no unfounded crimes for the Exton campus.



Universal Technical Institute – Sacramento Crime Statistics

Offenses	January through December 2015			January through December 2014			January through December 2013		
	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	3**	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	1**	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	1	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Sacramento campus does not have any non-campus locations. There were no unfounded crimes for the Sacramento campus.

**Law enforcement indicated one burglary and one instance of domestic violence occurred on campus that were not reported to a CSA. Additional information was requested from law enforcement but was unavailable.

***Crime statistics were requested from the Sacramento Police Department for 2015, but we were referred to www.sacpd.org for the "Crime Summary" for crime information. While a good faith effort was made, the agency did not comply fully with the request.



A Branch Campus of Universal Technical Institute of Arizona, Inc.



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NASCAR Technical Institute – Mooresville Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	1F	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	1	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	1A	N/A	0	1A	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Mooresville campus does not have any non-campus locations. There were no unfounded crimes for the Mooresville campus.



Universal Technical Institute – Norwood Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Norwood campus does not have any non-campus locations. There were no unfounded crimes for the Norwood campus.



Motorcycle Mechanics Institute – Phoenix Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	2	N/A	0
Burglary	0	N/A	0	2	N/A	0	7	N/A	0
Motor vehicle theft	0	N/A	0	2	N/A	0	5	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	1	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	1A	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The MMI Phoenix campus does not have any non-campus locations. There were no unfounded crimes for the MMI Phoenix campus.



Universal Technical Institute – Orlando Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	1	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	8	N/A	0	1	N/A	0	1	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	1	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	1A	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	1D	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Orlando campus does not have any non-campus locations. There were no unfounded crimes for the Orlando campus.



Universal Technical Institute – Dallas Crime Statistics

	January through December 2015			January through December 2014			January through December 2013		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	5	N/A	0	1	N/A	0	2	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	0	N/A	0	0	N/A	0
Manslaughter by Negligence	0	N/A	0	0	N/A	0	0	N/A	0
Sex offenses	0	N/A	0	0	N/A	0	0	N/A	0
Robbery	0	N/A	0	0	N/A	0	0	N/A	0
Aggravated Assault	0	N/A	0	0	N/A	0	0	N/A	0
Burglary	0	N/A	0	0	N/A	0	0	N/A	0
Motor vehicle theft	0	N/A	0	0	N/A	0	0	N/A	0
Arson	0	N/A	0	0	N/A	0	0	N/A	0
Simple assault	0	N/A	0	0	N/A	0	0	N/A	0
Larceny – theft	0	N/A	0	0	N/A	0	0	N/A	0
Intimidation	0	N/A	0	0	N/A	0	0	N/A	0
Destruction/damage/vandalism of property	0	N/A	0	0	N/A	0	0	N/A	0
VAWA Offenses									
Domestic Violence	0	N/A	0	0	N/A	0	0	N/A	0
Dating Violence	0	N/A	0	0	N/A	0	0	N/A	0
Stalking	0	N/A	0	0	N/A	0	0	N/A	0
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	0	N/A	0	0	N/A	0
Drug abuse violations	0	N/A	0	0	N/A	0	0	N/A	0
Liquor law violations	0	N/A	0	0	N/A	0	0	N/A	0

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Dallas campus does not have any non-campus locations. There were no unfounded crimes for the Dallas campus.



Universal Technical Institute – Long Beach Crime Statistics

	January through December 2015			January through December 2014**			January through December 2013**		
Offenses	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property	On Campus	Non Campus	Public Property
Murder/ Non-Negligent Manslaughter	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Manslaughter by Negligence	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Sex offenses	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Robbery	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Aggravated Assault	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Burglary	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Motor vehicle theft	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Arson	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Hate Crimes									
Murder/ Non-Negligent Manslaughter	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Manslaughter by Negligence	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Sex offenses	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Robbery	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Aggravated Assault	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Burglary	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Motor vehicle theft	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Arson	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Simple assault	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Larceny – theft	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Intimidation	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Destruction/damage/vandalism of property	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
VAWA Offenses									
Domestic Violence	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Dating Violence	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Stalking	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Arrests & Disciplinary Actions									
Weapons: carrying, possessing, etc.	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Drug abuse violations	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A
Liquor law violations	0	N/A	0	N/A	N/A	N/A	N/A	N/A	N/A

Sex Offense Key: (R) Rape (I) Incest (F) Fondling (S) Statutory Rape

Hate Crime Key: (R) Race (REL) Religion (S) Sexual Orientation (E) Ethnicity (G) Gender (D) Disability (GI) Gender Identity (N) National Origin

Arrest vs. Disciplinary Action Key: (A) Arrest (D) Disciplinary Action

*The Long Beach campus does not have any non-campus locations. There were no unfounded crimes for the Long Beach campus.

**The Long Beach campus opened on August 3rd, 2015 therefore there are no crime statistics for any date prior.

***Crime statistics were requested from the Long Beach police department and referred to <http://www.longbeach.gov/police/crime-info/crime-statistics/> for statistics. The areas reported are too broad to determine which crimes are applicable to the Long Beach campus.



Appendix A

Arizona Criminal Code

13-1401.

Definitions

In this chapter, unless the context otherwise requires:

1. “Oral sexual contact” means oral contact with the penis, vulva or anus.
2. “Sexual contact” means any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact.
3. “Sexual intercourse” means penetration into the penis, vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva.
4. “Spouse” means a person who is legally married and cohabiting.
5. “Without consent” includes any of the following:
 - (a) The victim is coerced by the immediate use or threatened use of force against a person or property.
 - (b) The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.
 - (c) The victim is intentionally deceived as to the nature of the act.
 - (d) The victim is intentionally deceived to erroneously believe that the person is the victim’s spouse.

13-1406.

Sexual assault; classification; increased punishment

- A. A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

* * *

13-2923.

Stalking; classification; definitions

- A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct either:
 1. Would cause a reasonable person to fear for the person’s safety or the safety of that person’s immediate family member and that person in fact fears for the person’s safety or the safety of that person’s immediate family member.
 2. Would cause a reasonable person to fear death of that person or that person’s immediate family member and that person in fact fears death of that person or that person’s immediate family member.



B. Stalking under subsection A, paragraph 1 of this section is a class 5 felony. Stalking under subsection A, paragraph 2 of this section is a class 3 felony.

C. For the purposes of this section:

1. “Course of conduct”:

(a) Means any of the following:

(i) Maintaining visual or physical proximity to a specific person or directing verbal, written or other threats, whether express or implied, to a specific person on two or more occasions over a period of time, however short.

(ii) Using any electronic, digital or global positioning system device to surveil a specific person or a specific person’s internet or wireless activity continuously for twelve hours or more or on two or more occasions over a period of time, however short, without authorization.

(iii) Does not include constitutionally protected activity or other activity authorized by law, the other person, the other person’s authorized representative or if the other person is a minor, the minor’s parent or guardian.

2. “Immediate family member” means a spouse, parent, child or sibling or any other person who regularly resides in a person’s household or resided in a person’s household within the past six months.

13-3601. Domestic violence; definition; classification; sentencing option; arrest and procedure for violation; weapon seizure

A. “Domestic violence” means any act that is a dangerous crime against children as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:

1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.

2. The victim and the defendant have a child in common.

3. The victim or the defendant is pregnant by the other party.

4. The victim is related to the defendant or the defendant’s spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.

5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.



6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:

- (a) The type of relationship.
- (b) The length of the relationship.
- (c) The frequency of the interaction between the victim and the defendant.
- (d) If the relationship has terminated, the length of time since the termination.



CALIFORNIA PENAL CODE

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

Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

Was unconscious or asleep.

Was not aware, knowing, perceiving, or cognizant that the act occurred.

Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.

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

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

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise

would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, “menace” means any threat, declaration, or act which shows an intention to inflict an injury upon another.

261.5 (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.

(b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.

(c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.

(d) Any person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

261.6. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, “consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

261.7. In prosecutions under Section 261, 262, 286, 288a, or 289, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

262. (a) Rape of a person who is the spouse of the perpetrator is an act of sexual intercourse accomplished under any of the following circumstances:

(1) Where it is accomplished against a person’s will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.

Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused.

Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

(A) Was unconscious or asleep.



Was not aware, knowing, perceiving, or cognizant that the act occurred.

Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

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

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

(b) As used in this section, "duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.

263. The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime.

269. (a) Any person who commits any of the following acts upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child:

(1) Rape, in violation of paragraph (2) or (6) of subdivision (a) of Section **261**.

Rape or sexual penetration, in concert, in violation of Section 264.1.

Sodomy, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 286.

Oral copulation, in violation of paragraph (2) or (3) of subdivision (c), or subdivision (d), of Section 288a.

Sexual penetration, in violation of subdivision (a) of Section 289.

(b) Any person who violates this section is guilty of a felony and shall be punished by imprisonment in the state prison for 15 years to life.

(c) The court shall impose a consecutive sentence for each offense that results in a conviction under this section if the crimes involve separate victims or involve the same victim on separate occasions as defined in subdivision (d) of Section 667.6.



Florida Criminal Code

CHAPTER 794

Sexual Battery

794.011

Sexual battery. —

(1) As used in this chapter:

(a) “Consent” means intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

(b) “Mentally defective” means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.

(c) “Mentally incapacitated” means temporarily incapable of appraising or controlling a person’s own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.

(d) “Offender” means a person accused of a sexual offense in violation of a provision of this chapter.

(e) “Physically helpless” means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

(f) “Retaliation” includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.

(g) “Serious personal injury” means great bodily harm or pain, permanent disability, or permanent disfigurement.

(h) “Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

(i) “Victim” means a person who has been the object of a sexual offense.

(j) “Physically incapacitated” means bodily impaired or handicapped and substantially limited in ability to resist or flee.

(2) (a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony, punishable as provided in ss. 775.082 and 921.141.

(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(3) A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.



(4) (a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(d) A person commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115 if the person commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), and such person was previously convicted of a violation of:

1. Section 787.01(2) or s. 787.02(2) when the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed against the minor a sexual battery under this chapter or a lewd act under s. 800.04 or s. 847.0135(5);

2. Section 787.01(3)(a)2. or 3.;

3. Section 787.02(3)(a)2. or 3.;

4. Section 800.04;

5. Section 825.1025;

6. Section 847.0135(5); or

7. This chapter, excluding subsection (10) of this section.

(e) The following circumstances apply to paragraphs (a)-(d):

1. The victim is physically helpless to resist.

2. The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.

3. The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.

4. The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.



5. The victim is mentally defective, and the offender has reason to believe this or has actual knowledge of this fact.

6. The victim is physically incapacitated.

7. The offender is a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), who is certified under s. 943.1395 or is an elected official exempt from such certification by virtue of s. 943.253, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

(5) (a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(d) A person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115 if the person commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury and the person was previously convicted of a violation of:

1. Section 787.01(2) or s. 787.02(2) when the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed against the minor a sexual battery under this chapter or a lewd act under s. 800.04 or s. 847.0135(5);

2. Section 787.01(3)(a)2. or 3.;

3. Section 787.02(3)(a)2. or 3.;

4. Section 800.04;

5. Section 825.1025;

6. Section 847.0135(5); or

7. This chapter, excluding subsection (10) of this section.

794.027Duty to report sexual battery; penalties. — A person who observes the commission of the crime of sexual battery and who:

(1) Has reasonable grounds to believe that he or she has observed the commission of a sexual battery;



- (2) Has the present ability to seek assistance for the victim or victims by immediately reporting such offense to a law enforcement officer;
- (3) Fails to seek such assistance;
- (4) Would not be exposed to any threat of physical violence for seeking such assistance;
- (5) Is not the husband, wife, parent, grandparent, child, grandchild, brother, or sister of the offender or victim, by consanguinity or affinity; and
- (6) Is not the victim of such sexual battery

is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

794.05 Unlawful sexual activity with certain minors. —

- (1) A person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this section, “sexual activity” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual activity does not include an act done for a bona fide medical purpose.
- (2) The provisions of this section do not apply to a person 16 or 17 years of age who has had the disabilities of nonage removed under chapter 743.
- (3) The victim’s prior sexual conduct is not a relevant issue in a prosecution under this section.
- (4) If an offense under this section directly results in the victim giving birth to a child, paternity of that child shall be established as described in chapter 742. If it is determined that the offender is the father of the child, the offender must pay child support pursuant to the child support guidelines described in chapter 61.

741.28 Domestic violence; definitions. — As used in ss. 741.28-741.31:

- (1) “Department” means the Florida Department of Law Enforcement.
- (2) “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
- (3) “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- (4) “Law enforcement officer” means any person who is elected, appointed, or employed by any municipality or the state or any political subdivision thereof who meets the minimum qualifications established in s. 943.13 and is certified as a law enforcement officer under s. 943.1395.

784.048 Stalking; definitions; penalties. —

- (1) As used in this section, the term:



(a) “Harass” means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

(b) “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.

(c) “Credible threat” means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

(d) “Cyberstalk” means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

(2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating violence pursuant to s. 784.046, or an injunction for protection against domestic violence pursuant to s. 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person’s property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(6) A law enforcement officer may arrest, without a warrant, any person that he or she has probable cause to believe has violated this section.

(7) A person who, after having been sentenced for a violation of s. 794.011, s. 800.04, or s. 847.0135(5) and prohibited from contacting the victim of the offense under s. 921.244, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks the victim commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) The punishment imposed under this section shall run consecutive to any former sentence imposed for a conviction for any offense under s. 794.011, s. 800.04, or s. 847.0135(5).



(9) (a) The sentencing court shall consider, as a part of any sentence, issuing an order restraining the defendant from any contact with the victim, which may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any such order be based upon the seriousness of the facts before the court, the probability of future violations by the perpetrator, and the safety of the victim and his or her family members or individuals closely associated with the victim.

(b) The order may be issued by the court even if the defendant is sentenced to a state prison or a county jail or even if the imposition of the sentence is suspended and the defendant is placed on probation.



Massachusetts Criminal Code

Section 22 Rape, generally; weapons; punishment; eligibility for furlough, education, training or employment programs

Section 22 (a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any term of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

(b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years.

Whoever commits any offense described in this section while being armed with a firearm, rifle, shotgun, machine-gun or assault weapon, shall be punished by imprisonment in the state prison for not less than ten years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 15 years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

Section 24 Assault with intent to commit rape; weapons; punishment; eligibility for furloughs, education, training or employment programs

Section 24. Whoever assaults a person with intent to commit a rape shall be punished by imprisonment in the state prison for not more than twenty years or by imprisonment in a jail or house of correction for not more than two and one-half years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years. Whoever commits any offense described in this section while armed with a firearm, rifle, shotgun, machine gun or assault weapon shall be punished by imprisonment in the state prison for not less than five years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 20 years.



No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.

Section 43 Stalking; punishment

Section 43 (a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 21/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

(b) Whoever commits the crime of stalking in violation of a temporary or permanent vacate, restraining, or no-contact order or judgment issued pursuant to sections eighteen, thirty-four B, or thirty-four C of chapter two hundred and eight; or section thirty-two of chapter two hundred and nine; or sections three, four, or five of chapter two hundred and nine A; or sections fifteen or twenty of chapter two hundred and nine C or a protection order issued by another jurisdiction; or a temporary restraining order or preliminary or permanent injunction issued by the superior court, shall be punished by imprisonment in a jail or the state prison for not less than one year and not more than five years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of one year.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this subsection.

(c) Whoever, after having been convicted of the crime of stalking, commits a second or subsequent such crime shall be punished by imprisonment in a jail or the state prison for not less than two years



and not more than ten years. No sentence imposed under the provisions of this subsection shall be less than a mandatory minimum term of imprisonment of two years.

A prosecution commenced hereunder shall not be placed on file or continued without a finding, and the sentence imposed upon a person convicted of violating any provision of this subsection shall not be reduced to less than the mandatory minimum term of imprisonment as established herein, nor shall said sentence of imprisonment imposed upon any person be suspended or reduced until such person shall have served said mandatory term of imprisonment.

A person convicted of violating any provision of this subsection shall not, until he shall have served the mandatory minimum term of imprisonment established herein, be eligible for probation, parole, furlough, work release or receive any deduction from his sentence for good conduct under sections one hundred and twenty-nine, one hundred and twenty-nine C and one hundred and twenty-nine D of chapter one hundred and twenty-seven; provided, however, that the commissioner of correction may, on the recommendation of the warden, superintendent, or other person in charge of a correctional institution, grant to said offender a temporary release in the custody of an officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution. The provisions of section eighty-seven of chapter two hundred and seventy-six relating to the power of the court to place certain offenders on probation shall not apply to any person seventeen years of age or over charged with a violation of this subsection. The provisions of section thirty-one of chapter two hundred and seventy-nine shall not apply to any person convicted of violating any provision of this section.



North Carolina Criminal Code

ARTICLE 7A.

Rape And Other Sex Offenses

§ 14-27.1. Definitions.

As used in this Article, unless the context requires otherwise:

(1) “Mentally disabled” means (i) a victim who suffers from mental retardation, or (ii) a victim who suffers from a mental disorder, either of which temporarily or permanently renders the victim substantially incapable of appraising the nature of his or her conduct, or of resisting the act of vaginal intercourse or a sexual act, or of communicating unwillingness to submit to the act of vaginal intercourse or a sexual act.

(2) “Mentally incapacitated” means a victim who due to any act committed upon the victim is rendered substantially incapable of either appraising the nature of his or her conduct, or resisting the act of vaginal intercourse or a sexual act.

(3) “Physically helpless” means (i) a victim who is unconscious; or (ii) a victim who is physically unable to resist an act of vaginal intercourse or a sexual act or communicate unwillingness to submit to an act of vaginal intercourse or a sexual act.

(4) “Sexual act” means cunnilingus, fellatio, anilingus, or anal intercourse, but does not include vaginal intercourse. Sexual act also means the penetration, however slight, by any object into the genital or anal opening of another person’s body: provided, that it shall be an affirmative defense that the penetration was for accepted medical purposes.

(5) “Sexual contact” means (i) touching the sexual organ, anus, breast, groin, or buttocks of any person, (ii) a person touching another person with their own sexual organ, anus, breast, groin, or buttocks, or (iii) a person ejaculating, emitting, or placing semen, urine, or feces upon any part of another person.

(6) “Touching” as used in subdivision (5) of this section, means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim. (1979, c. 682, s. 1; 2002-159, s. 2(a); 2003-252, s. 1; 2006-247, s. 12(a).)

§ 14-27.2. First-degree rape.

(a) A person is guilty of rape in the first degree if the person engages in vaginal intercourse:

With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim; or

With another person by force and against the will of the other person, and:

- a. Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or
- b. Inflicts serious personal injury upon the victim or another person; or
- c. The person commits the offense aided and abetted by one or more other persons.



(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.

(c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 4; 1981, c. 63; c. 106, ss. 1, 2; c. 179, s. 14; 1983, c. 175, ss. 4, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 2; 2004-128, s. 7.)

§ 14-27.2A. Rape of a child; adult offender.

(a) A person is guilty of rape of a child if the person is at least 18 years of age and engages in vaginal intercourse with a victim who is a child under the age of 13 years.

(b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.

§ 14-27.3. Second-degree rape.

(a) A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

(1) By force and against the will of the other person; or

(2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.

(b) Any person who commits the offense defined in this section is guilty of a Class C felony.

§ 14-27.4. First-degree sexual offense.

(a) A person is guilty of a sexual offense in the first degree if the person engages in a sexual act:

(1) With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim; or

(2) With another person by force and against the will of the other person, and:

a. Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or

b. Inflicts serious personal injury upon the victim or another person; or

c. The person commits the offense aided and abetted by one or more other persons.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 6; 1981, c. 106, ss. 3, 4; 1983, c. 175, ss. 5, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 3.)

§ 14-27.4A. Sexual offense with a child; adult offender.



(a) A person is guilty of sexual offense with a child if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of 13 years.

(b) A person convicted of violating this section is guilty of a Class B1 felony and shall be sentenced pursuant to Article 81B of Chapter 15A of the General Statutes, except that in no case shall the person receive an active punishment of less than 300 months, and except as provided in subsection (c) of this section. Following the termination of active punishment, the person shall be enrolled in satellite-based monitoring for life pursuant to Part 5 of Article 27A of Chapter 14 of the General Statutes.

(c) Notwithstanding the provisions of Article 81B of Chapter 15A of the General Statutes, the court may sentence the defendant to active punishment for a term of months greater than that authorized pursuant to G.S. 15A-1340.17, up to and including life imprisonment without parole, if the court finds that the nature of the offense and the harm inflicted are of such brutality, duration, severity, degree, or scope beyond that normally committed in such crimes, or considered in basic aggravation of these crimes, so as to require a sentence to active punishment in excess of that authorized pursuant to G.S. 15A-1340.17. If the court sentences the defendant pursuant to this subsection, it shall make findings of fact supporting its decision, to include matters it considered as egregious aggravation. Egregious aggravation can include further consideration of existing aggravating factors where the conduct of the defendant falls outside the heartland of cases even the aggravating factors were designed to cover. Egregious aggravation may also be considered based on the extraordinarily young age of the victim, or the depraved torture or mutilation of the victim, or extraordinary physical pain inflicted on the victim.

(d) The offense under G.S. 14-27.4(a)(1) is a lesser included offense of the offense in this section. (2008-117, s. 2.)

§ 14-27.5. Second-degree sexual offense.

(a) A person is guilty of a sexual offense in the second degree if the person engages in a sexual act with another person:

(1) By force and against the will of the other person; or

(2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

(b) Any person who commits the offense defined in this section is guilty of a Class C felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 7; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1131; 1994, Ex. Sess., c. 24, s. 14(c); 2002-159, s. 2(c).)

§ 14-27.5A. Sexual battery.

(a) A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:

(1) By force and against the will of the other person; or

(2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

(b) Any person who commits the offense defined in this section is guilty of a Class A1 misdemeanor. (2003-252, s. 2.)



§ 14-27.7. Intercourse and sexual offenses with certain victims; consent no defense.

(a) If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, or if a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony. Consent is not a defense to a charge under this section.

(b) If a defendant, who is a teacher, school administrator, student teacher, school safety officer, or coach, at any age, or who is other school personnel, and who is at least four years older than the victim engages in vaginal intercourse or a sexual act with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school, but before the victim ceases to be a student, the defendant is guilty of a Class G felony, except when the defendant is lawfully married to the student. The term "same school" means a school at which the student is enrolled and the defendant is employed, assigned, or volunteers. A defendant who is school personnel, other than a teacher, school administrator, student teacher, school safety officer, or coach, and is less than four years older than the victim and engages in vaginal intercourse or a sexual act with a victim who is a student, is guilty of a Class A1 misdemeanor. This subsection shall apply unless the conduct is covered under some other provision of law providing for greater punishment. Consent is not a defense to a charge under this section. For purposes of this subsection, the terms "school", "school personnel", and "student" shall have the same meaning as in G.S. 14-202.4(d). For purposes of this subsection, the term "school safety officer" shall include a school resource officer or any other person who is regularly present in a school for the purpose of promoting and maintaining safe and orderly schools. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 9; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1132; 1994, Ex. Sess., c. 24, s. 14(c); 1999-300, s. 2; 2003-98, s. 1.)

§ 14-27.7A. Statutory rape or sexual offense of person who is 13, 14, or 15 years old.

(a) A defendant is guilty of a Class B1 felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the defendant is at least six years older than the person, except when the defendant is lawfully married to the person.

(b) A defendant is guilty of a Class C felony if the defendant engages in vaginal intercourse or a sexual act with another person who is 13, 14, or 15 years old and the defendant is more than four but less than six years older than the person, except when the defendant is lawfully married to the person. (1995, c. 281, s. 1.)

§ 14-27.8. No defense that victim is spouse of person committing act.

A person may be prosecuted under this Article whether or not the victim is the person's legal spouse at the time of the commission of the alleged rape or sexual offense. (1979, c. 682, s. 1; 1987, c. 742; 1993, c. 274.)

§ 14-27.9. No presumption as to incapacity.

In prosecutions under this Article, there shall be no presumption that any person under the age of 14 years is physically incapable of committing a sex offense of any degree or physically incapable of committing rape, or that a male child under the age of 14 years is incapable of engaging in sexual intercourse. (1979, c. 682, s. 1.)

§ 14-277.3A. Stalking.

(b) Definitions. The following definitions apply in this section:

(1) Course of conduct - Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of,



or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(2) Harasses or harassment - Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.

(3) Reasonable person - A reasonable person in the victim's circumstances.

(4) Substantial emotional distress - Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(c) Offense. A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

(1) Fear for the person's safety or the safety of the person's immediate family or close personal associates.

(2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

(d) Classification. A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.

(e) Jurisdiction. Pursuant to G.S. 15A-134, if any part of the offense occurred within North Carolina, including the defendant's course of conduct or the effect on the victim, then the defendant may be prosecuted in this State. (2008-167, s. 2.)



Texas Penal Code

Sec. 22.011. SEXUAL ASSAULT.

(a) A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of a child by any means;

(B) causes the penetration of the mouth of a child by the sexual organ of the actor;

(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force or violence;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

(6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;



(7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;

(8) the actor is a public servant who coerces the other person to submit or participate;

(9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;

(10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or

(11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

(c) In this section:

(1) "Child" means a person younger than 17 years of age.

(2) "Spouse" means a person who is legally married to another.

(3) "Health care services provider" means:

(A) a physician licensed under Subtitle B, Title 3, Occupations Code;

(B) a chiropractor licensed under Chapter 201, Occupations Code;

(C) a physical therapist licensed under Chapter 453, Occupations Code;

(D) a physician assistant licensed under Chapter 204, Occupations Code; or

(E) a registered nurse, a vocational nurse, or an advanced practice nurse licensed under Chapter 301, Occupations Code.

(4) "Mental health services provider" means an individual, licensed or unlicensed, who performs or purports to perform mental health services, including a:

(A) licensed social worker as defined by Section 505.002, Occupations Code;

(B) chemical dependency counselor as defined by Section 504.001, Occupations Code;

(C) licensed professional counselor as defined by Section 503.002, Occupations Code;

(D) licensed marriage and family therapist as defined by Section 502.002, Occupations Code;

(E) member of the clergy;

(F) psychologist offering psychological services as defined by Section 501.003, Occupations Code; or



(G) special officer for mental health assignment certified under Section 1701.404, Occupations Code.

(5) “Employee of a facility” means a person who is an employee of a facility defined by

Section 250.001, Health and Safety Code, or any other person who provides services for a facility for compensation, including a contract laborer.

(d) It is a defense to prosecution under Subsection (a)(2) that the conduct consisted of medical care for the child and did not include any contact between the anus or sexual organ of the child and the mouth, anus, or sexual organ of the actor or a third party.

(e) It is an affirmative defense to prosecution under Subsection (a)(2):

(1) that the actor was the spouse of the child at the time of the offense; or

(2) that:

(A) the actor was not more than three years older than the victim and at the time of the offense:

(i) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or

(ii) was not a person who under Chapter 62, Code of Criminal Procedure, had a reportable conviction or adjudication for an offense under this section; and

(B) the victim:

(i) was a child of 14 years of age or older; and

(ii) was not a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

(f) An offense under this section is a felony of the second degree, except that an offense under this section is a felony of the first degree if the victim was a person whom the actor was prohibited from marrying or purporting to marry or with whom the actor was prohibited from living under the appearance of being married under Section 25.01.

Sec. 22.021. AGGRAVATED SEXUAL ASSAULT.

(a) A person commits an offense:

(1) if the person:

(A) intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of another person by any means, without that person’s consent;



(ii) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(iii) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(B) intentionally or knowingly:

(i) causes the penetration of the anus or sexual organ of a child by any means;

(ii) causes the penetration of the mouth of a child by the sexual organ of the actor;

(iii) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

(iv) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(v) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor; and

(2) if:

(A) the person:

(i) causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode;

(ii) by acts or words places the victim in fear that any person will become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or that death, serious bodily injury, or kidnapping will be imminently inflicted on any person;

(iii) by acts or words occurring in the presence of the victim threatens to cause any person to become the victim of an offense under Section 20A.02(a)(3), (4), (7), or (8) or to cause the death, serious bodily injury, or kidnapping of any person;

(iv) uses or exhibits a deadly weapon in the course of the same criminal episode;

(v) acts in concert with another who engages in conduct described by Subdivision (1) directed toward the same victim and occurring during the course of the same criminal episode; or

(vi) administers or provides flunitrazepam, otherwise known as rohypnol, gamma hydroxybutyrate, or ketamine to the victim of the offense with the intent of facilitating the commission of the offense;

(B) the victim is younger than 14 years of age; or

(C) the victim is an elderly individual or a disabled individual.



- (3) In this section:
- (A) “Child” has the meaning assigned by Section 22.011(c).
- (B) “Elderly individual” and “disabled individual” have the meanings assigned by Section 22.04(c).
- (C) An aggravated sexual assault under this section is without the consent of the other person if the aggravated sexual assault occurs under the same circumstances listed in Section 22.011(b).
- (D) The defense provided by Section 22.011(d) applies to this section.
- (E) An offense under this section is a felony of the first degree.
- (F) The minimum term of imprisonment for an offense under this section is increased to 25 years if:
- (i) the victim of the offense is younger than six years of age at the time the offense is committed; or
- (ii) the victim of the offense is younger than 14 years of age at the time the offense is committed and the actor commits the offense in a manner described by Subsection (a)(2)(A).

Sec. 25.11. CONTINUOUS VIOLENCE AGAINST THE FAMILY.

- (a) A person commits an offense if, during a period that is 12 months or less in duration, the person two or more times engages in conduct that constitutes an offense under Section 22.01(a)(1) [assault] against another person or persons whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code.
- (b) If the jury is the trier of fact, members of the jury are not required to agree unanimously on the specific conduct in which the defendant engaged that constituted an offense under Section 22.01(a)(1) against the person or persons described by Subsection (a) or the exact date when that conduct occurred. The jury must agree unanimously that the defendant, during a period that is 12 months or less in duration, two or more times engaged in conduct that constituted an offense under Section 22.01(a)(1) against the person or persons described by Subsection (a).
- (c) A defendant may not be convicted in the same criminal action of another offense the victim of which is an alleged victim of the offense under Subsection (a) and an element of which is any conduct that is alleged as an element of the offense under Subsection (a) unless the other offense:
- (1) is charged in the alternative;
- (2) occurred outside the period in which the offense alleged under Subsection (a) was committed; or
- (3) is considered by the trier of fact to be a lesser included offense of the offense alleged under Subsection (a).
- (d) A defendant may not be charged with more than one count under Subsection (a) if all of the specific conduct that is alleged to have been engaged in is alleged to have been committed against a single victim or members of the same household, as defined by Section 71.005, Family Code.



(e) An offense under this section is a felony of the third degree.

Sec. 42.072.

STALKING.

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person;

(B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or

(C) that an offense will be committed against the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has PENAL CODE Statute text rendered on: 3/4/2015 - 293 - a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and

(3) would cause a reasonable person to:

(A) fear bodily injury or death for himself or herself;

(B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;

(C) fear that an offense will be committed against the person's property; or

(D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

(b) An offense under this section is a felony of the third degree, except that the offense is a felony of the second degree if the actor has previously been convicted of an offense under this section or of an offense under any of the following laws that contains elements that are substantially similar to the elements of an offense under this section:

(1) the laws of another state;

(2) the laws of a federally recognized Indian tribe;

(3) the laws of a territory of the United States; or

(4) federal law.

(c) For purposes of this section, a trier of fact may find that different types of conduct described by Subsection (a), if engaged in on more than one occasion, constitute conduct that is engaged in pursuant to the same scheme or course of conduct.



(d) In this section:

(1) "Dating relationship," "family," "household," and "member of a household" have the meanings assigned by Chapter 71, Family Code.

(2) "Property" includes a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code.

