



ANNUAL SECURITY REPORT

CLERY ACT

October 1, 2026

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PREPARATION OF THE ANNUAL SECURITY REPORT

Xavier College's Annual Security Report is prepared in compliance with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires all institutions participating in the Higher Education Act of 1965 (HEA) Title IV student financial assistance programs to disclose campus crime statistics and other security information.

Xavier College distributes a notice of the availability of the Annual Security Report no later than October 1st of each year to every member of the campus community, via email, intranet, and in-person staff meetings and/or classroom sessions. Anyone, including prospective students and employees, may obtain a paper copy of this report by request from the Xavier College office. Notices are also posted in key locations on the Xavier College campus notifying students and employees of the availability of the Annual Security Report.

The Annual Security Report is intended to inform students and staff about Xavier College's safety and security programs, policies, and procedures. The crime statistics are reflective of the three most recent calendar years and are reported by type of offense, year of offense, and geographical location of the offense. They are divided into general categories: Criminal Offenses, Violence Against Women Act (VAWA) Offenses, (dating violence, domestic violence, and stalking), Arrests and Referrals for disciplinary action, hazing, and hate crimes. Xavier College's geographic area, for crime reporting purposes, includes the on-campus property and public property immediately adjacent to the property.

CRIME PREVENTION & SAFETY – A COMMUNITY EFFORT

Xavier College seeks to provide a safe and secure environment for students to learn, and faculty and staff to work. Xavier College endeavors to keep all members of the school community well informed about campus security. Xavier College believes crime prevention is the responsibility of each person and is best accomplished through the vigilant surveillance of the premises, communication, and when warranted, the reporting of any suspicious activity.

Upon hire, staff and faculty receive general safety information training. Training is also provided annually and periodically (as needed) throughout the year. To protect against potential threats to personal health and safety, information that is of vital importance to the safety of students, faculty, and staff is disseminated via college e-mail, phone calls, and/or text notifications. Important safety notices are posted in key locations throughout the campus building and classroom announcements are conducted, as necessary.

Crime prevention is the partnership of both student and employee awareness of the campus environment. Situational awareness along with the collaboration of local law enforcement is vital to minimize safety risks on and off campus. Action and awareness are important to help preserve student and employee safety. All members of the Xavier College community should become familiar with the security policies and procedures. If you have any recommendations to improve our security processes, to prevent campus crimes, or respond to a crime that has occurred, we encourage you to contact us at (209) 941-0968.

CAMPUS SECURITY AND ACCESS

Xavier College does not employ nor do they contract any law enforcement or security personnel. The City of Stockton Police Department is the local law enforcement agency that serves the community in

which Xavier College is located. Students, faculty and staff should use good judgment regarding their own security at all times.

Xavier College is a private post-secondary institution with one primary building for all educational and student support services. Xavier College is located at 1340 North El Dorado Street in Stockton, California. Xavier College currently occupies and controls 100% of the first floor and mezzanine of one building located within the 1300 block of North El Dorado Street. The basement of the building is restricted and limited from students access except when under the supervision of faculty or staff, such as during skills laboratory practice. The mezzanine is accessible to students for supervised school activities – such as nursing skills or science laboratory practice. The campus is on an acre of land on the south side of Willow Street and west of Hunter Street. The lot is fully fenced on the Willow Street side and part of the boundary is on the Hunter Street side. The east side of the land is partially separated by a fenced residential property facing Hunter Street. The west side of the property faces El Dorado Street. Exits from the property are through El Dorado and Hunter streets. To promote the security and safety of members of the Xavier College community, the school reserves the right to limit campus access for individuals and members of the public. Disruptive or suspicious behavior by anyone on or around the campus should be reported to a member of the staff or faculty.

Non-Campus / Residential Facilities

Xavier College **does not** have any non-campus buildings or property nor do they have any on-campus residential facilities, including student organization off-campus facilities (i.e., fraternity or sorority residences).

CAMPUS SECURITY AUTHORITIES

Students and others should report criminal actions, ongoing threats, or other emergencies affecting Xavier College to one of the designated Campus Security Authorities (CSA) identified below:

- | | |
|---|----------------|
| • Dr. Elvira Miller, <i>Dean & Program Director</i> | (209) 941-0968 |
| • Martin Barroga, <i>Executive Assistant</i> | (209) 292-9947 |
| • Claire Rubianes, <i>Program Support</i> | (209) 941-0968 |
| • Linda Jimenez, <i>Compliance Coordinator</i> | (209) 941-0968 |

If none of the above CSA's are available, students should contact a Xavier College staff or faculty member.

TIMELY WARNING POLICY

A timely warning occurs when a serious crime or situation may pose a danger to the community, but is not immediately dangerous (i.e. the crime already happened). Should a situation arise on on-campus geography or adjacent public property a “timely warning” will be issued by the Dean or a Campus Security Authority. The warning will be issued to students, faculty, and staff, through one, or multiple means of communication – including text notification, phone calls, email, notices posted on campus, and/or announcements made in classes. Timely warnings will include pertinent information regarding the type of crime or threat and recommended steps to be taken to protect the Xavier College community.

Anyone with information warranting a timely warning should report the circumstances to the Dean, or a designated Campus Security Authority (listed above) by phone (209) 941-0968 or in person at the administrative office at 1340 North El Dorado Street.

EMERGENCY NOTIFICATION POLICY

An Emergency Notification is used to alert the Xavier College community in the event we have confirmation of a significant emergency or situation on campus, or within the vicinity of the college, which, in the judgment of the Dean, Dean's Designee or Campus Security Authority, poses an immediate threat to the health or safety of students or employees.

Possible significant emergencies and/or dangerous situations:

- Active Shooter / Armed Intruder
- Active Violence
- Earthquake / Wildfire
- Building Fire
- Utility Interruption
- Terrorist Incident
- Bomb Threat
- Civil Unrest / Rioting
- Explosion
- Campus Closure
- Other incidents or situations requiring rapid communication of life safety information

The notification is issued to students, faculty and staff, through one, or multiple ways including text notification, phone calls, e-mail, notices posted on campus, or announcements may be made in classes. The notification will include pertinent information regarding the type of crime or threat and recommended steps to be taken to protect the Xavier College community.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Upon confirmation of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of students or employees, the Dean, Dean's designee, and/or Campus Security Authority will, without delay, determine the content of the notification for the appropriate segment of the Xavier College community and initiate the notification process – unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Confirmation of the threat will be made in consultation with appropriate law enforcement, emergency response personnel, or public health officials. Depending upon the situation and nature of the emergency, notification will take place either by fire alarm, text, e-mail, phone or in-person. Xavier College's emergency evacuation maps and procedures are posted in key areas – classrooms, hallways, and office areas. Students and employees are encouraged to take time to familiarize themselves with the evacuation procedures. Due to the small campus population and the college consisting of a single building, emergency notifications will be handled in the same manner whether for a specific segment of the college or the entire college community.

REPORTING A CRIME OR EMERGENCY

DIAL 9-1-1 IN AN EMERGENCY

If at any time you feel your safety or security is threatened, please contact the Stockton Police Department – which is available 24 hours a day. Dial 9-1-1 for emergencies, or (209) 937-8377 for non-emergency matters.

- Stockton Police Department is located at 22 East Market Street
- Stockton Fire Department is located at 425 North El Dorado Street

Both of these locations are just a few blocks away from the school. Students and faculty are encouraged to report crimes quickly and accurately to a Campus Security Authority (CSA) or member of faculty or staff, if a CSA is not available.

Community members, students, faculty, staff, and visitors are encouraged to promptly report all crimes and public safety related incidents. Should a criminal action or other emergency arise on campus, the City of Stockton Police, Fire or Emergency Personnel should be summoned immediately by dialing 9-1-1. Xavier College does not employ or contract any campus police or security guards. The immediate safety and security of any victim or members of the Xavier College community is our primary concern. Emergency personnel may ask for your name; address; phone number; affiliation to the school; nature of the emergency; location, cause of emergency; and what type of aid appears to be needed. You may need to answer further questions and help direct emergency personnel to the site of the problem. For crimes or threats to public safety that occur during regular administrative office hours, immediately notify a Xavier College Campus Security Authority member (listed on page 3) or if a Campus Security Authority is unavailable, please notify any available Xavier College Staff or Faculty member.

Whether or not police assistance is sought, all criminal conduct on campus should be reported. You may report crimes to the Dean or any Campus Security Authority, as soon as possible. Reporting criminal incidents and policy violations is very important. Reporting information helps assist victims in obtaining information about their rights. Reporting also increases campus awareness and can help improve the safety of the Xavier College community. An internal security report will be made of all criminal conduct reported.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the criminal justice system, you may still want to consider making a confidential report to a Xavier College Campus Security Authority (listed on page 3). With your permission, the Campus Security Authority can file a report regarding the details of the incident without revealing your identity. The information could assist Xavier College in taking steps to ensure your future safety and the safety of others by determining if a pattern of crime exists and to alert the campus community to potential danger, as appropriate. Reports filed in this manner are counted in the Annual Security Report, but no identifying personal information is disclosed in the report.

Anonymous reports can also be made to the City of Stockton's Crime Stoppers phone, app, or online web service – (209) 946-0600 or www.p3tips.com/TipForm.aspx?ID=572&C&T=.com

Actions That Will Be Taken

Xavier College will investigate and take action, as it deems appropriate, in the event of a report of a criminal activity or policy violation. The Dean or Xavier College Campus Security Authority, in conjunction with a report of a crime, may contact law enforcement authorities. Xavier College will cooperate in all ways possible with law enforcement authorities seeking to apprehend any suspected responsible party.

If a member of the Xavier College community is convicted of criminal conduct, additional institutional consequences may follow. Students may be expelled, suspended, or other appropriate remedial measures taken. Faculty or staff is subject to termination, suspension, or other appropriate sanctions.

ALCOHOL AND DRUG POLICY

Xavier College strives to maintain an environment that promotes the health and safety of the community and the responsible choices and behaviors of its members concerning the use of alcohol. In compliance with federal law consistent with Xavier College's commitment to a drug-free work and education environment, the following policy applies to all students and employees.

The purposes of this policy are to offer a set of fundamental principles and define acceptable and unacceptable behavior with regard to alcohol and other drugs at Xavier College. The following outlines the risks associated with alcohol and other drug abuse and Xavier College's response to this unacceptable behavior.

Abuse of alcohol and drugs in the academic environment is detrimental to the maintenance of an effective academic program, quality academic performance, and institutional reputation. Such abuse is further detrimental to the health and safety of students, faculty, staff and visitors to campus. California law prohibits the illegal and irresponsible use of alcohol and other drugs. Xavier College will enforce federal, state, and local laws as well as its own alcohol and drug policies. Procedures that support these laws and policies will be instituted and strictly enforced.

Xavier College explicitly recognizes that its students are adults, are in academic preparation for entry into the medical profession, and are expected to obey the law and to take personal responsibility for their conduct in compliance with the law and this policy. Xavier College hereby fully disclaims any intention to assume a duty to protect students against their own abuse of alcohol or drugs, or to protect third persons from the conduct of students. Xavier College employees are expected to obey the law and to take responsibility for their conduct in compliance with the law, this policy, and any other applicable policies and procedures. Where an individual conduct warrants, however, Xavier College will discipline students and employees if the use of alcohol or drugs threatens to create a public disturbance, disorder, property damage, or danger to the student or employees themselves or to others. Appropriate disciplinary action will be taken, up to and including expulsion or discharge, and appropriate legal authorities will be informed when a student or employee's illegal use of alcohol or drugs comes to the attention of Xavier College. Violations will be handled according to the procedures set forth in the Employee Handbook.

I. ALCOHOL POLICY

Xavier College policies and California State law restrict the sale, consumption or furnishing of alcohol on campus. The California Department of Alcohol and Beverage Control ("ABC") enforce laws regarding the sale, consumption, and furnishing of alcohol. Adherence to alcohol laws is part of the Xavier College policy. Xavier College expects and requires that

every organization and individual shall act in conformity with appropriate laws and this policy, and in so doing, will engage in responsible behavior.

A. Prohibited Conduct

It is unlawful to sell, furnish or give away alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place open to the public is illegal. It is also a violation of this policy for anyone under the age of 21 to possess or consume alcohol in any area of Xavier College. Bringing alcohol into a classroom or any part of the campus is prohibited.

B. Health Risks

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

The risks associated with the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration and devastating effects on family, friends, and fellow classmates. There are obvious risks such as suffering a hangover, being charged with driving under the influence or while intoxicated, and sustaining or causing personal injury. In addition to the risk of the abuse of alcohol are the risks to fellow classmates and the public. There are a number of less obvious risks associated with alcohol and drug abuse that students and employees might not realize, including:

- Poor academic performance
- Poor job performance
- Poor social interactions
- Unwanted and inappropriate sexual activity
- Sexually transmitted diseases
- Unplanned pregnancy
- Jeopardizing future career prospects (i.e. completing school, obtaining licensing, and employment with federal government)

C. Alcohol Policy Violations

At Xavier College, any student or employee determined to have violated this policy will be subject to disciplinary action. Penalties may include suspension or dismissal. Depending on the nature and seriousness of the infraction, the authorities may be contacted for criminal prosecution.

II. DRUG-FREE WORKPLACE AND CAMPUS ENVIRONMENT

In compliance with federal law and consistent with Xavier College's commitment to a drug-free work and education environment, this policy shall apply to all students and employees of Xavier College. Students and employees are expected to comply with local and state laws pertaining to alcoholic beverages, controlled substances and illegal drugs.

In addition, the unlawful manufacture, distribution, sale, possession, consumption, use or transportation of alcoholic beverages, controlled substances and illegal drugs and/or possession of drug paraphernalia by any student or employee on Xavier Campus property, at any Xavier Campus sponsored activity, or at Xavier College approved events off campus shall be strictly prohibited. This includes possession of alcoholic beverage containers. Both state law and Xavier College's policies prohibit the purchase, possession, and/or consumption of alcohol by any person under the age of 21.

A. Drug Abuse

Drug abuse, which includes the unlawful manufacture, possession, distribution, dispensation, or use of controlled or prohibited drugs on school premises, is strictly prohibited. Violations will result in appropriate disciplinary action up to and including dismissal from the school, termination of employment, referral for criminal prosecution when warranted, and notification of appropriate regulatory agencies as required.

B. Health Risk

As part of its required drug free awareness program, Xavier College emphasizes the fact that drug abuse is dangerous and harmful to the abuser, as well as to other employees and students. The health risks associated with the use of illicit drugs and the abuse of controlled substances include various physical and mental consequences including addiction, severe disability and death.

C. Consequences of Criminal Conviction

Employees and students are obligated to notify the Dean of any criminal conviction for violation of drug statute occurring at Xavier College or any related premises not later than five (5) days after such a conviction.

Within thirty (30) days of notification, Xavier College may take appropriate action up to and including suspension. In appropriate situations, Xavier College may, among other sanctions, dismiss the student from the program.

III. APPLICABLE LAWS

A. California State Laws

Students and employees should be familiar with California laws governing the consumption of alcohol. The following summarizes some of the state laws relevant to students and employees:

- It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public (CA Bus & Prof Code §25662).
- Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor (CA Bus & Prof Code §25658(a)).
- Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor (CA Penal Code §347(f)).

- It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (CA Veh Code §23152).
- It is a misdemeanor to ride a bicycle under the influence of alcohol, drugs or both (CA Veh Code §21200.5).
- It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle (CA Veh Code §23223).
- It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area (CA Veh Code §23225).

California penalties for offenses involving controlled substances include Cal. Health & Safety Code §11350 imprisonment in the county jail or state prison, and a fine not to exceed \$70 or probation with fine for felony convictions of at least \$1,000 for the first offense and at least \$2,000 for second or subsequent offenses or community service for unlawful possession of controlled substances. The following is a list of some of the legal sanctions for driving under the influence of alcohol (or any other drug):

- First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than \$390 nor more than \$1,000 and except as otherwise provided suspension of privilege to operate motor vehicle (CA Veh Code §23536).
- Conviction of driving under the influence with or without bodily injury within ten years or certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle (CA Veh Code §23550.5).
- Driving under the influence causing bodily injury: Imprisonment in state prison or county jail not less than 90 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and suspension of privilege to operate a motor vehicle (CA Veh Code §23554).
- Driving under the influence causing bodily injury or death to more than one victim: Enhancement of one year in prison for each additional injured victim up to a maximum of three one-year enhancements (CA Veh Code §23558)
- Second conviction of driving under the influence causing bodily injury within ten years or conviction within ten years of separate conviction of other specified offenses involving alcohol or drugs: Imprisonment in the county jail for not less than 120 days nor more than one year and a fine of not less than \$390 nor more than \$5,000 and revocation of privilege to operate a motor vehicle (CA Veh Code §23560).

B. Federal Laws

Students and employees should be aware that penalties for substance abuse-related crimes include the following: driver license revocation, fines, forfeiture of property, and imprisonment. Federal Trafficking penalties may be found at <https://www.dea.gov/sites/default/files/2022-12/federal%20trafficking%20penalties.pdf>. Additional information can be found at the U.S. Drug Enforcement Administration website at <https://www.dea.gov/>.

Listed below are some of the legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol:

- First conviction: Up to one year imprisonment and fined a minimum of \$1,000 or both (21 U.S.C. §844).
- After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined a minimum of \$2,500.
- After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined a minimum of \$5,000.
- Upon conviction, a person who violates this section shall be fined the reasonable costs of investigation and prosecution of the offense.
- Forfeiture of personal and real property used or intended to be used to possess or facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment (21 U.S.C. §853(a)(2) and 881(a)(7)).
- Civil penalty of up to \$10,000 for possession of a controlled substance for personal use. Civil penalty is only available for a first offense (21 U.S.C. §844a).
- Discretionary denial of any or all Federal benefits, such as professional and commercial licenses, up to one year for first conviction, and up to five years for second and subsequent convictions (21 U.S.C. §862(b)).

IV. ALCOHOL AND DRUG COUNSELING INFORMATION

There is no available on-campus counseling but various treatment programs are available in San Joaquin County. Students and employees who are in need of assistance regarding alcohol or drug abuse may be eligible to participate in drug counseling and/or drug rehabilitation programs available in the community. Students and employees concerned about alcohol and drug abuse, and rehabilitation are also encouraged to contact their physician or medical provider.

- San Joaquin County Substance Abuse Service (209) 468-9370 or (888) 468-9370

Xavier College recognizes that alcoholism and other substance dependencies are highly complex issues, which may be successfully treated. Students and employees who have a problem which they feel may affect their academic or job performance should seek assistance from one of the many treatment programs available in the community. Through local city and county resources, students and employees may have access to professional counseling services and community resources for problems related to alcohol and drug abuse, as well as relationship, career and academic stress, and family, financial, legal, and other problems.

LEGAL DEFINITIONS – CONSENT, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, HATE CRIMES, AND HAZING

Consent – Cal Penal Code §261.6

§261.6.

- (a) In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, “consent” means 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.

(b) A current or previous dating or marital relationship is not sufficient to constitute consent if consent is at issue in a prosecution under Section 261, 286, 287, or 289, or former Section 262 or 288a.

(c) This section shall not affect the admissibility of evidence or the burden of proof on the issue of consent.

Domestic Violence / Dating Violence – Cal Penal Code 2, §273.5 & §243

§273.5.

(a) A person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

(1) The offender's spouse or former spouse.

(2) The offender's cohabitant or former cohabitant.

(3) The offender's fiancé, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.

(4) The mother or father of the offender's child.

§243.

(a) A battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

(b) When a battery is committed against the person of a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, and the person committing the offense knows or reasonably should know that the victim is a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, nonsworn employee of a probation department, or a physician or nurse engaged in rendering emergency medical care, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

Sexual Assault – Cal Penal Code §243.4

§243.4.

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

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

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

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

(d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).

Stalking – Cal Penal Code §646.9 & §653m

§646.9.

(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for their safety, or the safety of their immediate family, is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

§653m.

(a) Every person who, with intent to annoy, telephones or makes contact by means of an electronic communication device with another and addresses to or about the other person any obscene language or addresses to the other person any threat to inflict injury to the person or property of the person addressed or any member of his or her family, is guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith.

(b) Every person who, with intent to annoy or harass, makes repeated telephone calls or makes repeated contact by means of an electronic communication device, or makes any combination of calls or contact, to another person is, whether or not conversation ensues from making the telephone call or contact by means of an electronic communication device, guilty of a misdemeanor. Nothing in this subdivision shall apply to telephone calls or electronic contacts made in good faith or during the ordinary course and scope of business.

Hate Crimes – Cal Penal Code §422.55

§422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) “Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability
- (2) Gender
- (3) Nationality
- (4) Race or ethnicity
- (5) Religion
- (6) Sexual orientation
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) “Hate crime” includes, but is not limited to, a violation of Section 422.6

§422.6.

(a) A person, whether or not acting under color of law, shall not, by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of a right or privilege secured by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55

Reporting a hate crime is a crucial component in the development of a more tolerant society and a hate free campus environment. If you have been the target of a hate crime or hate or bias-motivated incident, you are encouraged to report the occurrence to the local law enforcement agencies or any designated Campus Security Authority.

Hazing – Cal Penal Code §245.6

§245.6.

(a) It shall be unlawful to engage in hazing, as defined in this section.

(b) “Hazing” means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term “hazing” does not include customary athletic events or school-sanctioned events.

A violation of this section that does not result in serious bodily injury is a misdemeanor, punishable by a fine of not less than \$100 nor more than \$5,000, or imprisonment in the county jail for not more than one year, or both. Any person who personally engages in hazing that results in death or serious bodily injury is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in county jail not exceeding one year, or by imprisonment. The person(s) against whom the hazing is directed may commence a civil action for injury or damages. The action may be brought against any participants in the hazing, or any organization to which the student is seeking membership.

VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

Policy Statement

Xavier College promotes a safe learning and working environment through policies and educational resources for students, faculty, and staff. Xavier College prohibits dating violence, domestic violence, sexual misconduct, sexual assault, and stalking. Programs and resources are provided to all incoming students and new employees at each respective orientation to prevent, educate, and promote awareness of

these topics. Xavier College's policy prohibits discrimination on the basis of sex which can include sexual harassment or sexual violence such as rape, sexual assault, battery and sexual coercion.

Sexual Misconduct includes dating violence, domestic violence, and stalking. Harassment of a student, employee, or other member of Xavier College by other students, employees, or individuals doing business for or with Xavier College is unlawful. These are serious crimes under the criminal laws of the State of California, and a conviction of these crimes could result in imprisonment. Further civil liability may be attached to such conduct.

Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. §1681 et seq, is federal law that prohibits discrimination on the basis of sex in education programs and activities by educational institutions that receive federal financial assistance. Prohibited sex discrimination includes sex harassment. Prohibited sex harassment, in turn, includes but is not limited to sexual assault and other forms of sexual violence.

Risk Reduction and Bystander Intervention

Resources that equip a potential victim with knowledge and awareness are referred to as risk reduction techniques. The goal of Bystander Intervention is to provide 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. Knowing how to intervene in a way that fits the situation and your comfort level is important. Actions can help divert a dangerous situation but should never put your own safety at risk. Some safe and positive intervention actions to consider are:

- **Create a Distraction** - Interrupt the conversation and change the focus to something else
- **Ask Questions** – Who are you here with? Do you need help?
- **Refer to Someone** – Report the situation to a Xavier College Official or call 9-1-1 if you are concerned with immediate safety
- **Ask for Help** – Are there other people around that might intervene?

Reporting a Sexual Assault

The victim of a sexual assault has the right to decide who and when to share information with. However, the first priority of a victim should be to get to a place of safety and then seek necessary medical treatment. A victim of sexual assault is encouraged to report the crime to a Law Enforcement Agency by dialing 9-1-1 or:

Stockton Police Department	(209) 937-8377
San Joaquin County Sheriff's Department	(209) 468-4562

Upon request, Xavier College personnel will assist a victim in notifying these authorities. You may contact the Dean for assistance. Reporting a crime can aid law enforcement with evidence collection and help protect a victim and others in the community. However, a victim has the choice not to report.

Dr. Elvira Miller, Dean & Program Director	(209) 941-0968
Martin Barroga, Executive Assistant	(209) 292-9947
Linda Jimenez, Compliance Coordinator	(209) 941-0968

If you decide not to notify law enforcement, you are strongly encouraged to seek assistance from one of the above Xavier College personnel, who can provide you with a written notification of your Rights and Options, and with resources in the community.

When a victim reports an assault to any staff or faculty member of Xavier College, information will be kept confidential to the extent possible. Any required reporting for the Clery Act will not include any personal identifiable information.

The Dean or the Dean's Designee will arrange for an interview with the victim as soon as feasible. Based upon the interview, the Dean may decide to interview the alleged assailant, or, if information leads the Dean to believe that the victim or others at Xavier College are in immediate danger, take such temporary precautions as are deemed appropriate to protect all members of the Xavier College community. Should the victim not want their information made public in an official report, the Dean may, with the victim's approval, report the offense to local authorities without revealing the identity of the victim. With the consent of the victim, the Dean will initiate any disciplinary proceedings deemed appropriate.

The Dean or Dean's Designee will remain available to assist a victim and provide reasonable remedies requested by the victim throughout the reporting, investigation, disciplinary processes, and thereafter. Some examples may include: (1) adjustment to work assignments, course schedules or supervisory reporting relationship, (2) prohibiting the accused from contacting the parties involved in the reported incident, (3) notification about options for, and available assistance in changing academics and working situation if requested by the victim, and if such accommodations are reasonably available, regardless of whether or not the victim chooses to report the incident to law enforcement.

Preserving Evidence

When an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence and document the criminal activity so that a successful criminal prosecution remains an option.

Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence, should be documented by taking a photograph(s). Evidence of stalking, including any communication, such as written notes, voice mail(s), electronic communication(s), or in-person contact, should be saved, documented and not altered in any way.

Other information and/or items to preserve include a log with dates and descriptions of incidents or other records. Names and contact information of witnesses. Physical items, clothing, bedding (do not wash), placed in a paper, not plastic, bag. A medical exam is important both to address any health issues that may arise and to protect evidence collection. A forensic medical exam is the most thorough way to document and preserve physical and biological evidence. If possible, avoid showering, bathing, changing clothes, or using the toilet before the exam to preserve potential DNA.

The only hospital in San Joaquin County that provides a 24/6 Sexual Assault Forensic Exam (SAFE) by trained nurses is San Joaquin General Hospital in French Camp, located at 500 W Hospital Rd, French Camp, CA 95231. Their phone number is (209) 468-6000. In California, a forensic exam for sexual assault is free to the victim, and you do not have to report the assault to the police to have the evidence collected.

A sexual assault forensic exam is designed to gather evidence of the sexual assault and provide healthcare services. Both for medical and evidentiary purposes, an exam should occur as soon as possible. In most cases DNA evidence must be collected within 72 hours of the assault, though other forms of evidence may be present even after the 72-hour window. A medical exam does not require reporting to law enforcement, but a police report will officially document the evidence. If you contact the police after the assault, they may come and collect evidence from the crime scene. However, if you prefer not to involve law enforcement now, you can place potential evidentiary items in a paper bag (not plastic) to protect any forensic evidence.

Disciplinary Proceedings and Sanctions

In campus disciplinary actions that result from cases of alleged sex offenses, the accuser and the accused are entitled to the same opportunities; a prompt, fair, and impartial process; to have present an advisor of their choice during a disciplinary proceeding; and both the accuser and accused informed of the outcome of the proceedings.

In addition to facing criminal investigation and prosecution, students, employees, and other affiliates may also face disciplinary action by Xavier College for any violations of sexual assault, domestic violence(s), dating violence, and stalking laws. Individuals found responsible for having committed such a violation may face permanent expulsion, suspension, probation, termination of employment, or mandatory counseling, and/or become the subject of a 'no contact' order.

For alleged assailants who are members of the staff and faculty, sanctions, up to and including termination of employment with Xavier College, will be imposed upon those determined to have violated this policy pursuant to the relevant procedures set forth in the Employee Handbook. A criminal conviction of the employee or faculty member for sexual assault or misconduct will be deemed conclusive evidence of violation of the policy.

For alleged assailants who are students, sanctions up to and including expulsion from Xavier College, will be imposed as determined by the Dean or Dean's Designee, using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred). A criminal conviction of the student for sexual assault or misconduct will be deemed conclusive evidence of violation of the policy.

Investigations, including the results, shall be conducted within 60 days or less from the time reported, unless there are mitigating circumstances, in which case the accuser and accused shall be notified, and provided with an explanation and the amount of additional time required. Determinations shall be made by the Dean or Dean's Designee, within 60 days of when the report was made using the preponderance of the evidence standard.

Xavier College, upon written request, will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Xavier College will provide it to the victim's next of kin, if so requested. Xavier College may offer an appeal equally to both parties.

The sanctions described within are not intended to replace or serve as an alternative to the reporting of any sex offense to appropriate law enforcement authorities. Xavier College believes that the victim of any sex violence should seek assistance and immediately contact law enforcement.

Retaliation is Prohibited

Xavier College policies prohibit retaliation against a person who:

- Reports sexual violence
- Assists someone with a sexual violence complaint; or
- Participates in any manner in an investigation or resolution of a sexual violence complaint

No administrator, employee, or agent of Xavier College shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education. Retaliation, if proven, is a violation of Xavier College policies and may result in discipline, up to and including termination of employment or expulsion of Xavier College.

Victim Confidentiality

Xavier College recognizes the often-sensitive nature of sexual assault, domestic violence, dating violence and stalking incidents. Xavier College is committed to protecting the privacy of any individual who makes a report. Reports made to law enforcement may be made public, unless the victim requests confidentiality based on California Penal Code §293(a) and Government Code §6254(f). Victims may request their right to confidentiality for the below listed crimes:

PC 236.1 Human Trafficking	PC 273a Child Endangerment
PC 243(e)(I) Spousal Battery	PC 273d Child Abuse
PC 261 Rape	PC 273.5 Domestic Violence
PC 261.5 Unlawful Sexual Intercourse with a minor	PC 285 Incest
PC 262 Spousal Rape	PC 286 Sodomy
PC 264.1 Rape in Concert with Another	PC 288 Lewd Acts on Child
PC 265 Abduction to Force Marriage	PC 288a Oral Copulation
PC 266 Forcing into Prostitution	PC 289 Anal or Genital Penetration by a Foreign Object
PC 267 Abduction for Prostitution	PC 422.6 Hate Crimes
PC 269 Aggravated Sexual Assault of a Child	PC 646.9 Stalking
	PC 647.6 Annoy or Molest a Child

HAZING

Policy Statement

Xavier College **does not** have any on-campus housing or off-campus residences. Xavier College does not recognize any student body or student organizations. Xavier College prohibits hazing, including any solicitation to engage in hazing or aiding and abetting another person who is engaged in any form of hazing. Prevention of hazing is the responsibility of every member of the Xavier College community. All students, staff and faculty should take reasonable measures to prevent violations of the hazing policy. Hazing means any method of initiation or preinitiation into a student organization or group, whether or not the organization or group is officially recognized by an educational institution (Xavier College), which is likely to cause serious bodily or psychological injury to any former, current, or prospective student of any educational institution in California.

Disciplinary action will be enforced for any students or employees who engage in acts of hazing. Students or employees may also face prosecution and/or imprisonment by engaging in any act of hazing.

Students and employees may report any suspected or known acts of hazing to the Dean or Xavier College Administrative Staff member.

Hazing Investigation Process

Upon report of a hazing event, the Dean will conduct a review to determine if the allegation meets the definition of hazing. If a formal investigation is warranted, the following information will be collected: name(s) of the involved student organization, a description of the hazing violation, whether drugs or alcohol were involved, and when and where the incident occurred. During the course of the investigation, the complainant and respondents will have the opportunity to provide information related to the incident and respond to any allegations made. A written report will be prepared upon the completion of the investigation. If a hazing violation is verified, appropriate disciplinary action will be applied in accordance with the Student Code of Conduct, as documented in the Xavier College Catalog.

Campus Hazing Transparency Report (CHTR)

The Campus Hazing Transparency Report (CHTR), mandated by the Stop Campus Hazing Act, requires colleges to publicly disclose substantiated hazing violations and related details. The CHTR is required to be updated twice annually and visibly posted on the institution's website www.xavier-college.com. No violations have been found since July 1, 2025.

Victim Support Services and Community Resources

Xavier College has no on-campus counseling or mental health services for victims of sexual assault. Upon request, Xavier College's designated staff will assist the victim in locating appropriate off-campus community services. Due to the size and nature of the college and student population, Xavier College does not employ or contract any pastoral and/or professional counselors.

Rape, Abuse & Incest National Network (RAINN)

The nation's largest anti-sexual violence organization that works to help survivors and prevent sexual assault

1-800-656-HOPE (4673) • Text HOPE to 64673 • www.rainn.org/resources

National Domestic Violence Hotline

24-hour confidential national hotline that provides support to survivors of domestic violence

1-800-799-SAFE (7233) • Text START to 88788 • www.thehotline.org

National Human Trafficking Hotline

24-hour confidential hotline for victims and survivors of sex and labor trafficking

1-888-373-7888 • Text 233733 • www.humantraffickinghotline.org

ValorUS

California-based coalition of rape crisis centers and sexual assault prevention programs

1-916-446-2520 • www.valor.us

Victim Connect

The VictimConnect Resource Center is a 24-hours a day 7 days a week, anonymous and confidential hotline where victims and survivors of crime can receive support, information and referral options confidentially and compassionately.

1-855-4VICTIM (855-484-2846) call or text • www.victimconnect.org

Sexual Assault Kit – Status Track

<https://kitstatus.doj.gav.gov>

Victim Services Unit

1-877-433-9069 • VictimServices@doj.ca.gov

Victims of Crime Resource Center

The California Victims Resource Center is dedicated to helping victims across the State of California find necessary resources and learn about their rights in the criminal justice system

Monday - Friday 7am - 6pm

Saturday 9am - 12pm

Phone: [1-800-VICTIMS \(842-8467\)](tel:1-800-VICTIMS) • Text: [1-800-842-8467](tel:1-800-842-8467) • <https://1800victims.org>

SEXUAL OFFENDER REGISTRATION

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 enacted provisions specifically designed to ensure that members of campus communities have information available concerning the presence of registered sex offenders in the vicinity of the school. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. In Xavier College's geography, information on registered sex offenders may be found through the Megan's Law Database by accessing online at www.meganslaw.ca.gov. You may also contact the following local law enforcement agencies for information on registered sex offenders.

Stockton Police Department (non-emergency)

(209) 937-8377

San Joaquin County Sheriff's Department

(209) 468-4562

XAVIER COLLEGE CRIME STATISTICS REPORT

2023-2025 CALENDAR YEARS OF CRIME STATISTICS

Crime reporting data is for the previous three years. Xavier College does not have any non-campus buildings or property nor is there any on-campus student housing.

OFFENSE		YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
CRIMINAL OFFENSES	Murder / Non-Negligent Manslaughter	2025	0	0
		2024	0	0
		2023	0	0
	Manslaughter by Negligence	2025	0	0
		2024	0	0
		2023	0	0
	Rape	2025	0	0
		2024	0	0
		2023	0	0
	Statutory Rape	2025	0	0
		2024	0	0
		2023	0	0
	Fondling	2025	0	0
		2024	0	0
		2023	0	0
	Incest	2025	0	0
		2024	0	0
		2023	0	0
	Robbery	2025	0	0
		2024	0	0
		2023	0	0
	Aggravated Assault	2025	0	0
		2024	0	0
		2023	0	0
	Burglary	2025	0	0
		2024	0	0
		2023	0	0
	Motor Vehicle Theft	2025	0	0
		2024	0	0
		2023	0	0
	Arson	2025	0	0
		2024	0	0
		2023	0	0
	Hazing	2025	0	0
		2024	N/A	N/A
		2023	N/A	N/A

- Hazing statistics were not required to be reported for years 2023 and 2024.

OFFENSE		YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
VAWA OFFENSES	Domestic Violence	2025	0	0
		2024	0	0
		2023	0	0
	Dating Violence	2025	0	0
		2024	0	0
		2023	0	0
	Stalking	2025	0	0
		2024	0	0
		2023	0	0

- There were zero reported Hate Crimes for years 2023, 2024, or 2025.

OFFENSE		YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
ARRESTS	Weapons: Carrying, Possessing, Etc.	2025	0	0
		2024	0	0
		2023	0	0
	Drug Abuse Violations	2025	0	0
		2024	0	0
		2023	0	0
	Liquor Law Violations	2025	0	0
		2024	0	0
		2023	0	0

OFFENSE		YEAR	ON-CAMPUS PROPERTY	PUBLIC PROPERTY
REFERRALS	Weapons: Carrying, Possessing, Etc.	2025	0	0
		2024	0	0
		2023	0	0
	Drug Abuse Violations	2025	0	0
		2024	0	0
		2023	0	0
	Liquor Law Violations	2025	0	0
		2024	0	0
		2023	0	0

- There was no unsubstantiated crime data for 2023, 2024 and 2025.

Upon request, a paper copy of the Annual Security Report shall be provided. Please see any Administrative Staff member at Xavier College to request a paper copy during normal business hours.