

# 2023 Annual Campus Security Report

ACCSC School Number: **M073048**



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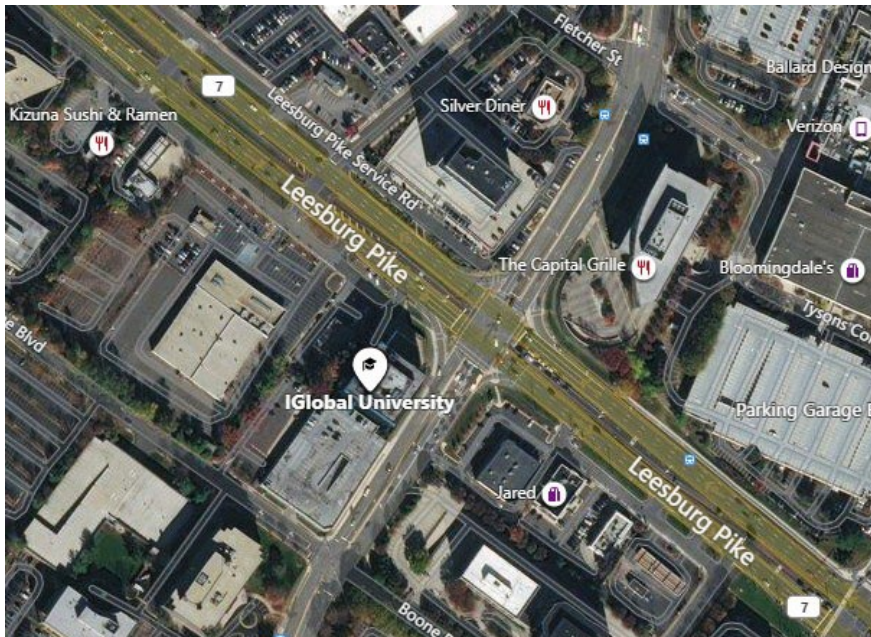
## 1. Description of WUST Facility

Washington University of Science and Technology (WUST, Formerly known as IGlobal University) is a small private university with around 1,200 students, about 24 full-time staff and 45 adjunct faculty members. It is currently operating from a rental facility that is about 13,000 sq.ft located on the 2nd floor of the 8133 Leesburg Pike building in Vienna, VA.

The 8133 Leesburg Pike building is a 9-story building with nearly 150,000 square feet of office space. The building has a 3-story parking deck behind and offers plenty of parking spaces around the complex for its tenants and clients.

Among the selected tenants in this building are prominent law firms, doctors' offices, dentist office, real estate, technology firms, retail, financial, insurance and health clinics.

Additionally, a digital key fob is required to



The building undergoes periodic fire and safety inspections performed by the Fairfax County Fire Marshall and other local agencies that have jurisdiction over the building. The management office has been very responsive in informing its tenants about an upcoming fire drill or other safety drills in a timely manner. The building has also its own power generator facility in case of any power outage to minimize the impacts on the entire operation of the building and as well as on safety of its tenants and clients.



General Security Services provided by

the Landlord:

1. 24/7 Digital Surveillance in and outside the building
2. Fob key access to building, suites and for elevators.
3. Annual Fire Inspection
4. Annual Health & Safety Inspection
5. Periodic Fire Drills

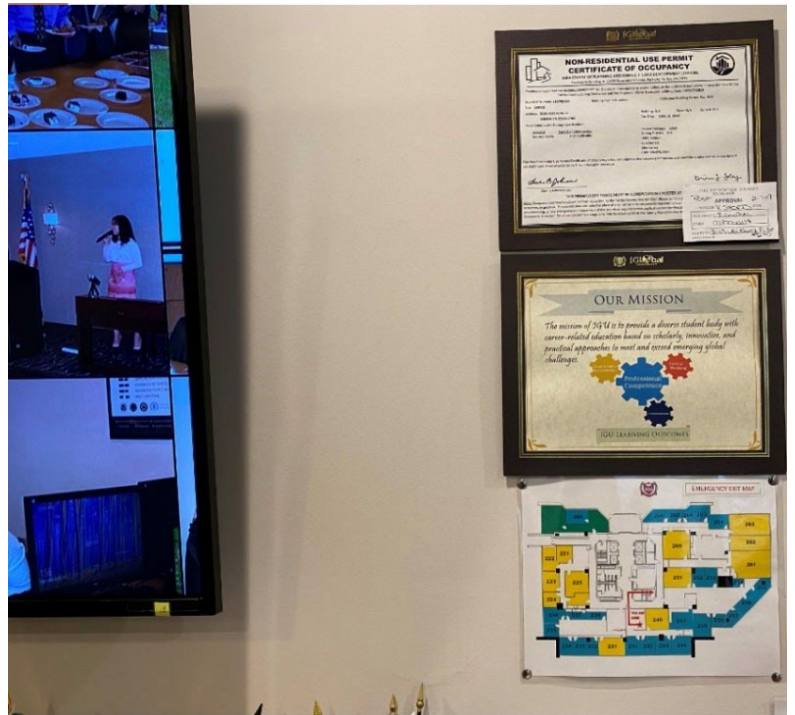


- 6. Daily cleaning & maid services
- 7. On-site management

At WUST, safety and security of our students, staff, and faculty is our top priority. As a part of this commitment, we have posted floor maps in each classroom to identify evacuation route and the nearest exit door.

In close coordination with the landlord, we also routinely test electronic EXIT signs, fire and smoke detectors and as well as other safety platforms to ensure effective operation.

The landlord also engages local Fire Marshal to perform periodical fire drills for the entire building.



All classrooms, labs, hallways and other common areas are routinely checked for any physical obstacles on the exit route. We strive for maintaining a clean and safe school climate for all internal and external stakeholders.

## 2. Purpose of The Emergency Management Plan (EMP)

The purpose of this Plan is to establish general operational guidance, assign roles and responsibilities, and promote campus awareness for responding to emergencies that may affect the WUST community.

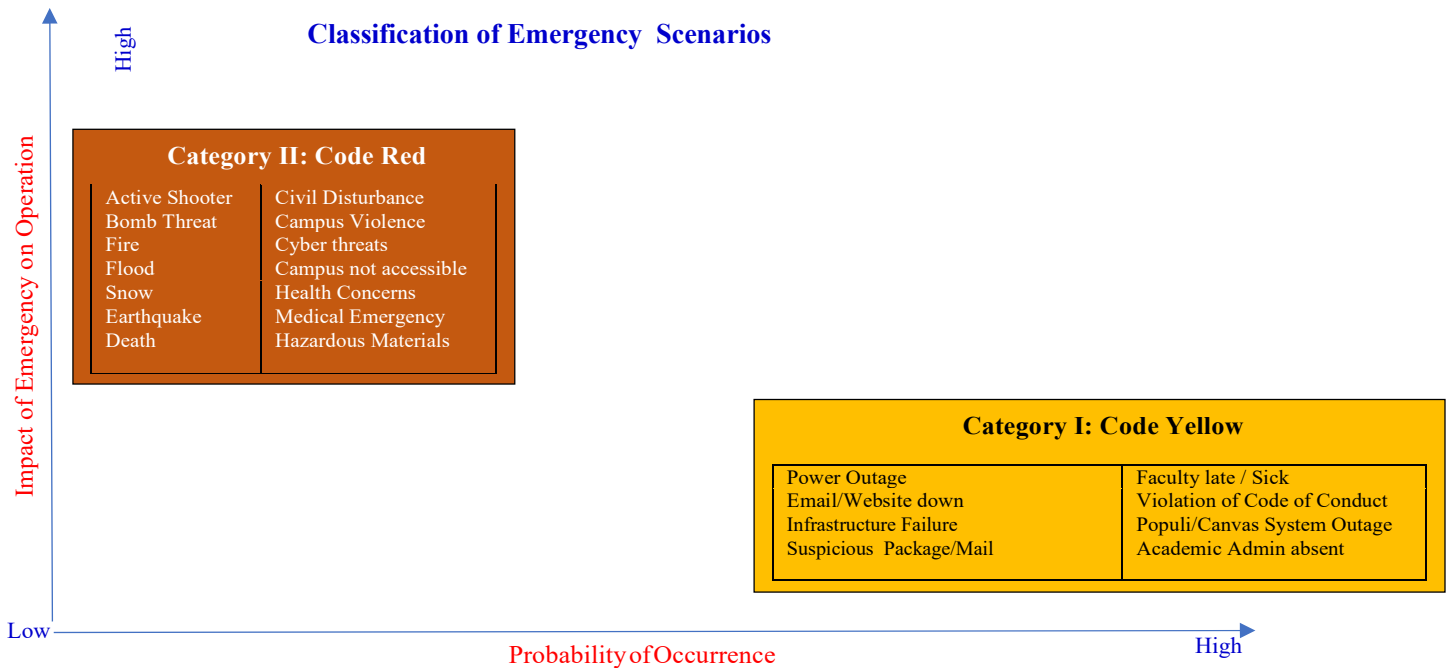
Any risk factor that has a potential to impact students' learning process is our main concern. Teaching and learning are our critical operation which needs to be well maintained or restored as quickly as humanly as possible in a safe manner, if interrupted. Therefore, the purpose of this Emergency Management Plan (EMP) is to utilize whatever internal and external resources we have at our disposal to maintain or restore our critical teaching operations when an unexpected event occurs.

The guidance in this Plan applies to all members of the University community, visitors to the campus at the time of an emergency, and to the buildings and grounds that are owned and operated by WUST. It is intended to help protect life and property, minimize damage caused by emergency situations, minimize disruptions to university operations, and move promptly to resume operations following emergency situations.

Creating a culture of preparedness is a team effort involving staff, faculty, and students. The first step in being prepared for an emergency is to learn how you would be notified of and updated about a significant emergency, and then to learn and remember key actions you may be directed to take by university officials.

### 3. Classification of Emergency Scenarios

We anticipate that there are two (2) potential categories of emergency scenarios that might impact the teaching and learning process at WUST, as follows:



An emergency listed above (list not exhaustive) includes any significant, unplanned event with the real potential to cause death or significant injury to students, faculty, staff, or visitors, or that can significantly disrupt University operations, causing physical or environmental damage or presenting other threats to University's facilities.

When attempting to identify these two categories of emergency scenarios, we considered such geographic factors as the location of our campus, the size of the building, the number and the types of businesses who co-operate in the same building, number of tenants and visitors the building receives every day, proximity of our campus to major landmarks in the Washington DC metropolitan area and as well as possible weather-based events in Northern Virginia.

### 4. Emergency Management Team (EMT)

During an emergency, the President (or in his absence, by designation specifically for purposes such as this Emergency Management Plan, the Vice President of Operations, and thereafter, the Vice President of Education, and thereafter, the Vice President of Marketing, and thereafter, the next most-senior available administrator on the Emergency Management Executive Team) has ultimate emergency responsibility and authority under this Plan, to the extent activation is deemed necessary under Section V, and is responsible for designating a single appropriate Incident Commander to oversee the management of all emergency activities, including development, implementation, and review of strategic decisions, and post-event review. The President (or surrogate/designee) is assisted and advised by the Emergency Management Team (EMT). When designated, the EMT will assemble to manage that specific emergency situation.

The following list of personnel contains the actual titles of the team members and, in some cases, abbreviated titles for subsequent use throughout this document.

#### Emergency Management Team (EMT)

The EMT team provides executive leadership, advice and counsel to the President or his surrogate/designee on high level emergency management and recovery decisions for the University. Depending on the nature and scope of a particular emergency, some or all of the members of the EMT (or their designees) may be involved in tactical management of the response and recovery.

- President
- Vice President of Operations
- Vice President of Education
- Directors of each department

## 5. Activation of the EMP

Any member of the WUST community who witnesses or receives information regarding an emergency or impending emergency situation should *immediately* contact the main hot line at 703-941-2020. The University may receive initial notification of an emergency or impending emergency from a number of sources, including campus constituents, the National Weather Service, and/or local/state/federal emergency officials.

If the incident is a low-level office or building incident that can be readily resolved, Administration or the appropriate department will take steps to remedy the situation and advise the appropriate member(s) of the EMT.

If the incident involves a more serious emergency, Administration will notify one or more of the appropriate senior staff members of the EMT, usually the Vice President of Operations and Vice President of Education. Senior staff will review the situation, consult with the President (or surrogate/designee) and other internal and external sources, as appropriate to the nature of the situation and the potential for threat to life and property. As emergency situations can be fluid and call for immediate action, senior staff members of the EMT may review a situation, decide on the appropriate course of action, and then notify the President (or surrogate/designee) of the planned course of action. However, in all cases, the President (or surrogate/designee) will be briefed and kept up to date. Only the President or the Chairman of the Board has the right to declare campus emergency. Following the declaration of emergency, the EMT assembles a meeting to take over the emergency management responsibility.

## 6. Emergency Response Priorities

General priorities for emergency response of WUST's EMT are as follows:

- Protection of Life
- Humans
- Animals (if any on premises)

Stabilization of the Situation

- Prevent the situation from expanding
- Isolate the scene and control ingress/egress
- Determine a course of action

Protect the Environment

- Confine, contain or neutralize hazardous materials

Protect University Property

- Facilities necessary for shelter and care of campus community
- Critical University records and collections
- Research
- Facilities used for education and operations

Restoration of Critical Services, Education, and Research Programs

- Services critical to the basic operating environment (power, water, communications, etc.)

- Services critical to the well-being of students
- Services critical to the integrity of research projects
- Services critical to educational programs
- Services critical to support infrastructure and operations

### First-Aid Centers

The Front Desk will be the primary first-aid center. However, in a widespread campus emergency, the decision of whether and where to set up another campus location for first response, triage, and stabilization will be made by the Incident Commander and the EOG in consultation with area emergency services providers. Serious injuries will be transported to INOVA Hospital.

### Temporary Shelter

Should the emergency call for extensive temporary shelter, one of the classrooms will be designated to serve for that purpose. If no space is available inside the school campus, then the parking deck attached to the building will be used as the temporary shelter. If none of these options is viable, the University will take steps to identify other available community resources for temporary shelter, including, but not limited to, coordinating with the Town of Vienna, Fairfax County, and/or other resources, as appropriate.

## 7. Phases of Emergency Management

Generally, an emergency will have three basic phases that the EMT team must control:

1. **Preparation:** This includes developing readiness for emergencies based on education, organization, and communication. Ongoing threat assessment is a major factor in effective preparation and is designed to reduce risk either by mitigation (reducing the seriousness of an event) or prevention (eliminating the risk of an event). WUST engages in ongoing threat assessment and risk reduction measures and processes that are part of the University's regular campus operations and risk management programs.
2. **Response:** This involves procedures for responding to situations in a prompt and effective manner, including immediate actions to try and save lives, protect property and the environment, and meet basic human needs. Response also includes the implementation of mitigation activities designed to limit adverse health effects, personal injury, loss of life, property damage, system disruptions, etc.
3. **Recovery (including Business Continuity):** This phase includes the development, coordination, and execution of service, operations, and site restoration plans, as well as other short-term and long-term plans for recovery. Recovery also includes a thorough review of the emergency and a careful discussion of plans for future events, including initiatives to mitigate the effects of future similar emergencies.



## 8. Mitigating the Emergency: Evacuation & Lockdown Procedures

As shown on the floor plan, we have 11 classrooms, 3 computer labs, and one reference/online library serving as instructional spaces for students.

The following emergency evacuation diagram is posted next to the exit door in each classroom, cafeteria, library, conference room and offices to clearly identify current location and the location of the nearest exit doors to use during the emergencies.

### Lockdown and Emergency Procedure:

Lockdown occurs generally when WUST declares Category II (Code Red) emergency.

When Code Red emergency is declared by the EMT, all students and staff will be asked to vacate the premises via the nearest exit door. There are three main exits to help students evacuate the campus. WUST will communicate all evacuation details through the communication platforms listed below.

**Contact Person (CP):** In case of fire or any medical emergency that threatens human life, students and staff are asked to report it immediately to front desk as the “Contact Person” (CP). The CP then elevates the issue with leadership to determine the next step.

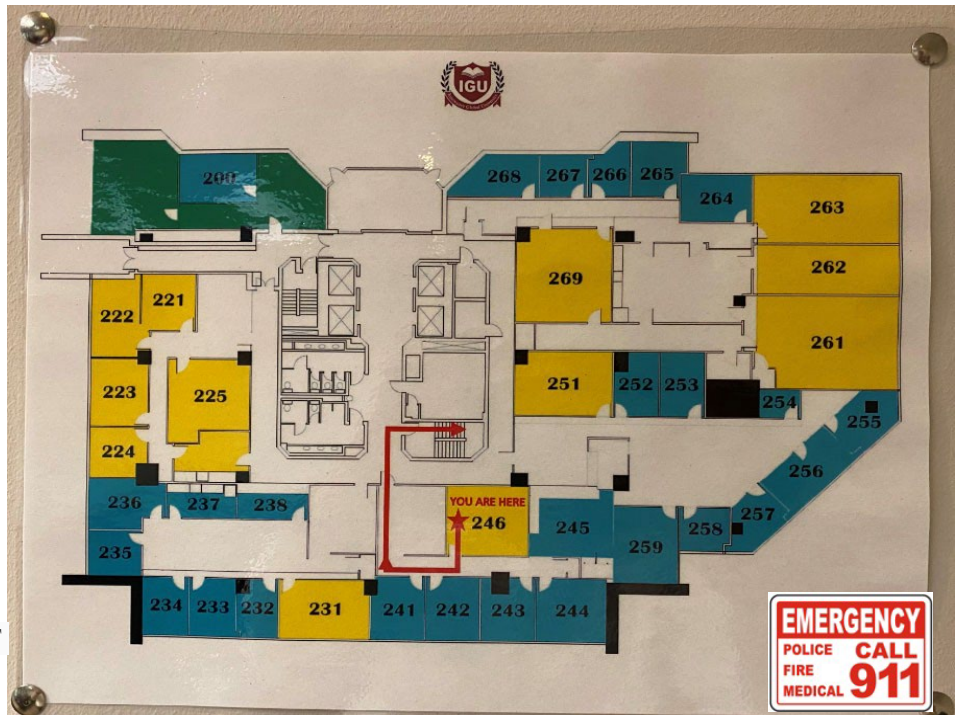
In case of fire or any life-threatening medical emergency, CP has the right and first responsibility to call 911.

When a significant emergency occurs, there are typically two immediate strategies that are used to protect people: **Evacuate and Shelter in Place.**

- **Evacuate** means to immediately leave a potentially hazardous location (building, area of campus, entire campus, due to an imminent or impending threat to life or health.
- **Shelter in Place** generally means to go and/or stay indoors when a situation occurs that may be a threat to life or health. In most cases, this means you will be instructed to go and/or stay indoors, lock doors/windows, and stay away from doors and windows. Remain there until you are notified by Administration or University emergency communications systems that it is safe to leave.

In the event of an emergency, further details will be provided at the time by EMT officials, including specific instructions on what **Evacuate or Shelter in Place** means for individuals in particular locations and situations.

In an emergency situation, all members of the University community should help those around them who may need additional assistance, whether by virtue of a disability, impairment, or otherwise. Members of the University community should report to university personnel the condition and location of any person unable to leave a building or area being evacuated.





## Communication Protocol

During an emergency, WUST will use every means and tools at its disposal to communicate with both internal and external stakeholders.

WUST will use the following platforms to:

- a. declare an emergency,
- b. communicate with the university community during the emergency,
- c. end an emergency.

The following platforms are used in the order in which they are listed.

1. Social Media Platforms: Twitter, Facebook and Instagram
2. Phone & Text Messages via Populi platform
3. Website Announcement
4. Official 911@WUST.edu email

WUST's EMT				
Risk Factor	Who To Contact	How	What	When
Category I- Code Yellow	Front Desk (Contact Person) or VP of Operation at 703- 992-0601	Call / Text 703-941-2020  or Email at: <a href="mailto:911@WUST.edu">911@WUST.edu</a>	VP of Operations informs the President. President assembles EMT. EMT assesses the emergency and communicates with impacted parties. Classes might be delayed until the issue is resolved.	EMT must attend the problem immediately. Contact appropriate authority, including internal and external offices / agencies, if necessary, asap.
Category II- Code Red	Front Desk (Contact Person) or VP of Operation at 703- 992-0601	Call / Text 703-941-2020  or Email at: <a href="mailto:911@WUST.edu">911@WUST.edu</a>	For fire, CP staff calls 911 asap. Concurrently informs the VP of Operations. the VP of operation in turn informs the President, and president calls for EMT meeting.  For dangerous campus violence, the EMT contacts local law enforcement agencies. EMT mobilizes internal resources for other emergencies.  For health concerns such as poison, contagion or other outbreak, physical classes are cancelled, and impacted classes will be delivered via distance education until the issue is resolved.	President immediately assembles EMT.  In case of life-threatening issues and violent campus aggression, EMT calls 911 and invites other appropriate local agencies for help asap.

**Campus Emergency Alert System:** WUST uses Populi platform to communicate with students during any emergency. Populi sends TEXT and EMAIL Messages instantly to all students and faculty to inform them about any emergency and related safety measures. We encourage our students and faculty to make sure their cell phone and email accounts are all active and working properly.

## 9. Process for Returning Back to Normal

The President (or surrogate/designee), in consultation with the EMT, has the sole authority to declare an end to any state of emergency. The EMT will send follow-up information to the campus community via the Emergency Alert System as necessary.

Some emergency situations may cause the campus to shut down some or all University operations. In such a case, the first step to recovery is to see that the campus is safe and secure. The second step will be to restore critical infrastructures and campus facilities/grounds to a level that will support critical functions. The third step will be to determine if and how to return to normal campus operations.

Business continuity begins shortly after an emergency has occurred (or, in some cases, while an emergency is occurring). After an assessment of damage or impact of the emergency has been completed, efforts will be taken to restore normal operations as quickly as possible. Business continuity is carried out at the University, departmental, building, or function level, as appropriate to the particular emergency. Department specific plans for WUST, which are in the process of being updated as of the date of adoption of this Plan, will separately address business continuity measures. In the case of a large, area-wide disaster, business continuity will be carried out on a community level, as such a disaster will likely involve damages to infrastructure, utilities, access to campus, etc.

## 10. Protecting Student Records

Since 2015, WUST has been using a cloud-based Student Information System (SIS) called Populi to keep and maintain students' records. These records include:

- Application-Admission Information
- Program/Course Registration
- Academic Records
- Disciplinary Records
- Financial Records

In addition to maintaining student records, faculty information as well as other academic data have also been stored and maintained in Populi system.

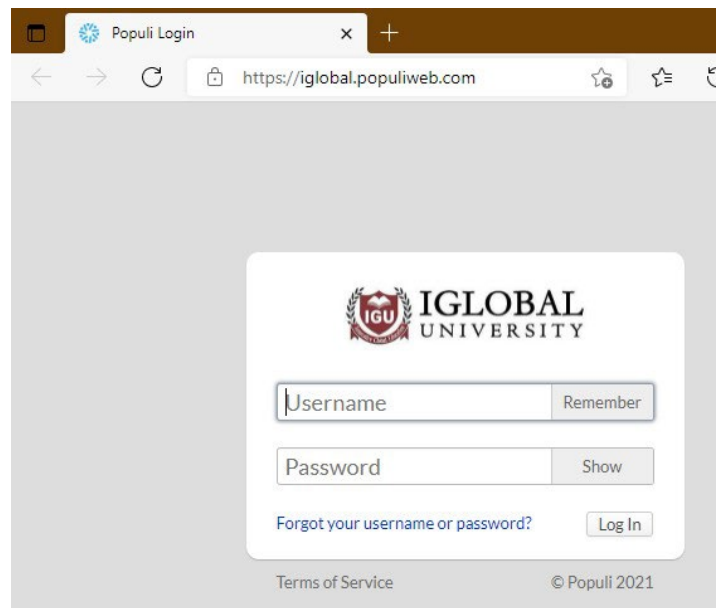
Populi is a third-party cloud-based platform as such it will not be impacted by any school-wide emergencies.

## 11. Alternative instructional method in the event of Emergency

In order to compliment/support our in-person instruction, WUST has been using Canvas platform as an LMS since 2018. In case of school-wide emergencies that warrant cancelling in-person classes, WUST will continue to use Canvas system as an alternative instructional method during the emergency.

## 12. Student, Staff and Faculty Training

The EMT team, as directed by the President, will annually review this plan. Members of the EMT and departments having particular roles and responsibilities under this plan will receive training on their roles and responsibilities. The plan will be tested at least annually using tabletop and/or other tests/exercises, including local government and



emergency response officials, and other resources, as appropriate.

Vice President of Operations will document tests and exercises of the plan, including date, time, and specifics of each test/exercise, and whether it was announced or unannounced. In conjunction with such annual tests of the plan, and otherwise as required by applicable law, the University will publicize the plan and emergency guidance and resources.

EMT Staff Meeting	Annual	Emergency Management Plan (EMP) and evacuation procedure is reviewed and if necessary revised by the EMT team.
Faculty Training	Quarterly	Emergency evacuation procedure is shared with various case scenarios.
Student Orientation	Quarterly	Student's Code of Conduct and Emergency Evacuation procedures are discussed.

The following sticker is posted in every classroom to remind students about basic tenets of student's code of conduct while they are at the campus.



### 13. 2023 Crime Statistics

There has been no reported crime in the campus.

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Murder &amp; Non-negligent Manslaughter</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Negligent Manslaughter</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Rape</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Fondling</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Statutory Rape</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Incest</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Domestic Violence</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Dating Violence</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Stalking</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Robbery</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Aggravated Assault</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Burglary</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Motor Vehicle Theft</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Arson</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Arrests/Referrals for Selected Offenses**

<b>Offense Type</b>	<b>Year</b>	<b>Residential Facilities</b>	<b>Other Campus</b>	<b>Non-Campus Buildings &amp; Property</b>	<b>Public Property</b>	<b>COMBINED TOTAL</b>
<b>Liquor Law Arrest</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Drug Arrest</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Weapon Arrest</b>						
	<b>2023</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2021</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 14. CLERY ACT DEFINITIONS

The following information comes from Title 34 of the Code of Federal Regulations Part 668.46 and Part 668 Appendix A to Subpart D. These definitions are used when preparing the annual disclosure of crime statistics.

Clery Act Crimes:

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

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

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

**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, or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that 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.

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

**Sex Offenses:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. The term "Sexual Assault" encompasses an offense that meets the definition of the following:

- **Rape:** 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, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or

youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. Examples of stalking behaviors include, but are not limited to, nonconsensual communication, including face-to-face contact, telephone calls, voice messages, email, texts, written letters; unwanted gifts; threatening or obscene gestures; pursuing or following; surveillance or other observation; trespassing; vandalism; and nonconsensual touching.

**Hate Crimes:** If any of the aforementioned crimes, or larceny-theft; simple assault; intimidation; destruction, damage, or vandalism of property; or any other crime involving bodily injury, manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim's actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability, then the incident must be reported as a hate crime.

1. **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
2. **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor does the victim suffer obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
3. **Intimidation** is 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.
4. **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

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

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

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



Note about “Unfounded” Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

## 15. Clery Crime Geographic Categories

1. On-Campus—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 any building or property that is within or reasonably contiguous to paragraph (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 other retail vendor). “Controlled by” means that WUST rents, leases, or has some other type of written agreement (including an informal one, such as a letter or an email) for a building or property, or a portion of a building or property.

Even if there is no payment involved in the transaction, under Clery, a written agreement for use of space gives WUST control of that space for the time period specified in the agreement. “Reasonably contiguous” refers to a building or property WUST owns or controls that’s in a location that WUST considers to be, and treats as, an integral part of its main or core campus, and is covered by the same security policies as its main campus.

2. On-Campus Student Housing Facilities—Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus, is considered an on-campus student housing facility.

3. 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. Public property refers to property owned by a public entity, such as a city or state government.

4. Noncampus Buildings or Property—Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Note about Study-Abroad Trips: WUST may have Clery-reportable non-campus buildings or property if WUST has entered written agreements to rent or lease physical space for students in a hotel or student housing facility for

a period of three or more days. Clery crimes are reportable if they occur in physical spaces that WUST owns or controls (e.g., hotel rooms, apartments, etc.) or areas that are used to access those physical spaces for the period of time specified in a written agreement.

If you have any questions about the preparation of the Annual Security and Fire Safety Report, please contact WUST’s Clery Compliance Coordinator at 703-992-0601 or [shane.cho@WUST.edu](mailto:shane.cho@WUST.edu)

## 16. Personal Safety Tips

WUST's safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual community members.

Here are some common-sense steps you can take for personal safety and loss prevention:

- Do not leave laptops, mobile phones, backpacks, or other personal items unattended for any length of time.
- Remember to call 9-1-1 in case of an emergency
  - Know the nonemergency phone number of WUST Administrators: 703-992-0601. Program it into your cell phone.
  - Notify WUST Administrators, campus security, or a university employee of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
  - Remain alert, pay attention to your surroundings, and avoid listening to musical devices to make it more difficult to be taken by surprise.
  - When traversing the campus at night, stay within well-lit walkways. Do not take shortcuts through wooded areas.
  - Never prop doors open, even for a short time.
  - Park in well-lit areas, and check the inside of your vehicle before entering it.
  - Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a security escort by calling WUST Administrators at 703-992-0601.
  - Avoid using stairs in remote sections of a building.
  - Avoid working or studying alone in a building at night.
  - Keep car doors and windows locked.
  - Keep the doors and windows to your residence locked, even if you will be gone only a short time.
  - Keep your bike locked in a rack or storage facility when not using it.
  - Carry only the credit cards and cash you need for the day, and do not conduct ATM transactions alone, especially at night.
  - Carry a small flashlight and whistle with you.
  - Keep your keys in your possession. Never place them under mats or in other obvious hiding places.
  - If your purse or wallet is snatched, do not fight back. Consider throwing it to the ground, running in the other direction, and reporting the incident to the WUST Administrators immediately.
  - Do not put an ID tag with your name, address, or license number on your key chain; if lost, the key chain could lead to theft.
  - Do not put personal information on social networking sites.
  - Do not accept drinks from strangers or leave drinks unattended.

## 17. Programs to Prevent Sexual Violence

WUST prohibits sexual violence, which includes the crimes of dating violence, domestic violence, sexual assault, and stalking. WUST is committed to increasing the awareness of and helping prevent sexual violence. All incoming students and new employees are provided with programming

and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs.

Awareness Programs are 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.

Ongoing Prevention and Awareness Campaigns feature 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 and including information described in WUST's most recent Annual Security Report.

Primary Prevention Programs focus on 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 directions.

Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include

- New Student Orientation
- Faculty Orientation
- Participation in local events
- Academic Counseling
- Personal Counseling

## 18. Safe and Positive Options for Bystander Intervention

Everyone has a role to play in preventing sexual violence. There are many different ways that you can step in or make a difference if you see someone at risk. This approach to preventing sexual violence is referred to as “bystander intervention.”

Bystander Intervention involves 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, sexual exploitation, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

- Be aware of comments and behaviors from others that would indicate they are intent on having sexual intercourse even if a partner is unwilling.
- Notice if someone is getting ready to have sexual intercourse with a partner who is incapacitated.
- Never pressure or encourage friends to drink or have sex as often or with as many people as possible.
- Never joke about sexual assault; comments and jokes that are meant to “ease the tension” or are “just kidding around” can trivialize the severity of the behavior.
- Know your level of comfort with conversations and talk about sexual behavior. If you find groups or individuals who talk about sexual relationships that are not in sync with how you feel, or the type of relationship you want, do not be afraid to state your position.

- Many perpetrators are unaware that what they have done is a crime. They may say, “Yeah, that was messed up, but it was fun.” Let them know that what they did was not right and was against the law.

Your role in preventing sexual violence.

The key to keeping your friends safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

- Create a distraction. Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place. Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.” Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about. Start an activity that draws other people in, like a game, a debate, or a dance party.
- Ask directly. Talk directly to the person who might be in trouble. Ask questions such as “Who did you come here with?” or “Would you like me to stay with you?”
- Refer to an authority. Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, such as a resident assistant, security guard, bartender, or other employee. It’s in their best interest to ensure that their patrons are safe, and they will usually be willing to step in. Don’t hesitate to call 9-1-1 if you are concerned for someone else’s safety.
- Enlist others. It can be intimidating to approach a situation alone. Enlist another person to support you or to come with you to approach the person at risk. Or ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort that person to the bathroom. Enlist the friend of the person you’re concerned about by saying, “Your friend looks like they’ve had a lot to drink. Can you check on them?”

If you become aware that a sexual assault has occurred or are told of an assault occurring

- Believe the person.
- Tell the victim it is not their fault.
- Encourage the victim to talk to a professional, such as someone WUST Administrators, the dean of students, or the campus health center. Realize, however, there may be reasons that the person does NOT want to do that at this time. Respect that decision.
- Don’t pry or try to get information out of the person if they are unwilling to be forthcoming with information. Be ready to listen when the individual is ready to talk.
- If you learn of the perpetrator’s identity, don’t suggest physical retaliation of any kind.
- Know available resources.
- Listen.
- Be patient.

## 19. Sexual Violence Risk Reduction

The following are some strategies to reduce one’s risk of sexual violence (adapted from the Rape, Abuse, and Incest National Network at [rainn.org](http://rainn.org) and Love is Respect at [loveisrespect.org](http://loveisrespect.org)). Risk reduction options are 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.

### If someone is pressuring you

If you need to get out of an uncomfortable or scary situation, here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable who is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors or windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### In a social situation

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
  - Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
  - Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
  - Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
  - Make or order your own drinks and never feel pressured to have "just one more."
  - Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
  - If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Sexual Assault, Dating Violence, Domestic Violence, and Stalking Laws in Applicable Jurisdictions

## 20. Defining Sexual Assault in applicable jurisdictions

The term “sexual assault” is not defined by any jurisdictions applicable to WUST. The following is a list of crimes in Virginia that meet general definitions of sexual assault:

Virginia crime definitions related to sexual assault include

### § 18.2-61. Rape.

- A. If any person has sexual intercourse with a complaining witness, whether or not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in sexual intercourse with any other person and such act is accomplished (i) against the complaining witness’s will, by force, threat, or intimidation of or against the complaining witness or another person; or
- (ii) through the use of the complaining witness’s mental incapacity or physical helplessness; or
- (iii) with a child under age 13 as the victim, he or she shall be guilty of rape.

### § 18.2-67.1. Forcible sodomy.

- A. An accused shall be guilty of forcible sodomy if he or she engages in cunnilingus, fellatio, anilingus, or anal intercourse with a complaining witness whether or not his or her spouse, or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person, and
1. The complaining witness is less than 13 years of age; or
  2. The act is accomplished against the will of the complaining witness, by force, threat, or intimidation of or against the complaining witness or another person, or through the use of the complaining witness’s mental incapacity or physical helplessness.

### § 18.2-67.2. Object sexual penetration; penalty.

- A. An accused shall be guilty of inanimate or animate object sexual penetration if he or she penetrates the labia majora or anus of a complaining witness, whether or not his or her spouse, other than for a bona fide medical purpose, or causes such complaining witness to so penetrate his or her own body with
- an object or causes a complaining witness, whether or not his or her spouse, to engage in such acts with any other person or to penetrate, or to be penetrated by, an animal, and
1. The complaining witness is less than 13 years of age; or
  2. The act is accomplished against the will of the complaining witness, by force, threat, or intimidation of or against the complaining witness or another person, or through the use of the complaining witness’s mental incapacity or physical helplessness.

### § 18.2-67.3. Aggravated sexual battery; penalty.

- A. An accused shall be guilty of aggravated sexual battery if he or she sexually abuses the complaining witness, and
1. The complaining witness is less than 13 years of age, or
  2. The act is accomplished through the use of the complaining witness’s mental incapacity or physical helplessness, or
  3. The offense is committed by a parent, step-parent, grandparent, or step-grandparent and the complaining witness is at least 13 but less than 18 years of age, or
  4. The act is accomplished against the will of the complaining witness by force, threat or



intimidation, and

- a. The complaining witness is at least 13 but less than 15 years of age, or
- b. The accused causes serious bodily or mental injury to the complaining witness, or
- c. The accused uses or threatens to use a dangerous weapon.

§ 18.2-67.4. Sexual battery.

A. An accused is guilty of sexual battery if he sexually abuses, as defined in

§ 18.2-67.10, (i) the complaining witness against the will of the complaining witness, by force, threat, intimidation, or ruse, (ii) within a two-year period, more than one complaining witness or one complaining witness on more than one occasion intentionally and without the consent of the complaining witness.

§ 18.2-63. Carnal knowledge of child between 13 and 15 years of age.

- A. If any person carnally knows, without the use of force, a child 13 years of age or older but under 15 years of age, such person shall be guilty of a Class 4 felony.
- B. If any person carnally knows, without the use of force, a child 13 years of age or older but under 15 years of age who consents to sexual intercourse and the accused is a minor and such consenting child is 3 years or more the accused's junior, the accused shall be guilty of a Class 6 felony. If such consenting child is less than three years the accused's junior, the accused shall be guilty of a Class 4 misdemeanor. In calculating whether such child is three years or more a junior of the accused minor, the actual dates of birth of the child and the accused, respectively, shall be used.
- C. For the purposes of this section, (i) a child under the age of 13 years shall not be considered a consenting child and (ii) "carnal knowledge" includes the acts of sexual intercourse, cunnilingus, fellatio, anilingus, anal intercourse, and animate and inanimate object sexual penetration.

§ 18.2-67.4:2. Sexual abuse of a child under 15 years of age; penalty.

Any adult who, with lascivious intent, commits an act of sexual abuse, as defined in § 18.2-67.10, with any child 13 years of age or older but under 15 years of age is guilty of a Class 1 misdemeanor.

§ 18.2-67.5. Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery, and sexual battery.

- A. An attempt to commit rape, forcible sodomy, or inanimate or animate object sexual penetration shall be punishable as a Class 4 felony.
- B. An attempt to commit aggravated sexual battery shall be a felony punishable as a Class 6 felony.
- C. An attempt to commit sexual battery is a Class 1 misdemeanor.

§ 18.2-361. Crimes against nature; penalty.

- A. If any person carnally knows in any manner any brute animal or voluntarily submits to such carnal knowledge, he is guilty of a Class 6 felony.
- B. Any person who performs or causes to be performed cunnilingus, fellatio, anilingus, or anal intercourse upon or by his daughter or granddaughter, son or grandson, brother or sister, or father or mother is guilty of a Class 5 felony. However, if a parent or grandparent commits any such act with his child or grandchild and such child or grandchild is at least 13 but less than 18 years of age at the time of the offense, such parent or grandparent is guilty of a Class 3 felony.
- C. For the purposes of this section, parent includes step-parent, grandparent includes step-grandparent, child includes step-child, and grandchild includes step-grandchild.

§ 18.2-366. Adultery and fornication by persons forbidden to marry; incest.

- A. Any person who commits adultery or fornication with any person whom he or she is forbidden by law to marry shall be guilty of a Class 1 misdemeanor except as provided by subsection B.
- B. Any person who commits adultery or fornication with his daughter or granddaughter, or with her son or grandson, or her father or his mother, shall be guilty of a Class 5 felony. However, if a parent or grandparent commits adultery or fornication with his or her child or grandchild, and such child or grandchild is at least 13 years of age but less than 18 years of age at the time of the offense, such parent or grandparent shall be guilty of a Class 3 felony.
- C. For the purposes of this section, parent includes step-parent, grandparent includes step-grandparent, child includes a step-child, and grandchild includes a step-grandchild.

§ 18.2-370. Taking indecent liberties with children; penalties.

- A. Any person 18 years of age or over, who, with lascivious intent, knowingly and intentionally commits any of the following acts with any child under the age of 15 years is guilty of a Class 5 felony:
  - 1. Expose his or her sexual or genital parts to any child to whom such person is not legally married or propose that any such child expose his or her sexual or genital parts to such person; or
  - 2. [Repealed.]
  - 3. Propose that any such child feel or fondle his own sexual or genital parts or the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any such child; or
  - 4. Propose to such child the performance of an act of sexual intercourse, anal intercourse, cunnilingus, fellatio, or anilingus or any act constituting an offense under § 18.2-361; or
  - 5. Entice, allure, persuade, or invite any such child to enter any vehicle, room, house, or other place, for any of the purposes set forth in the preceding subdivisions of this subsection.
- B. Any person 18 years of age or over who, with lascivious intent, knowingly and intentionally receives money, property, or any other remuneration for allowing, encouraging, or enticing any person under the age of 18 years to perform in or be a subject of sexually explicit visual material as defined in

§ 18.2-374.1 or who knowingly encourages such person to perform in or be a subject of sexually explicit material is guilty of a Class 5 felony.

- C. Any person who is convicted of a second or subsequent violation of this section is guilty of a Class 4 felony, provided that (i) the offenses were not part of a common act, transaction or scheme; (ii) the accused was at liberty as defined in § 53.1-151 between each conviction; and (iii) it is admitted, or found by the jury or judge before whom the person is tried, that the accused was previously convicted of a violation of this section.
- D. Any parent, step-parent, grandparent, or step-grandparent who commits a violation of either this section or clause (v) or (vi) of subsection A of § 18.2-

370.1 (i) upon his child, step-child, grandchild, or step-grandchild who is at least 15 but less than 18 years of age is guilty of a Class 5 felony or (ii) upon his child, step-child, grandchild, or step-grandchild less than 15 years of age is guilty of a Class 4 felony.

§ 18.2-67.10. General definitions.

As used in this article:

1. “Complaining witness” means the person alleged to have been subjected to rape, forcible sodomy, inanimate or animate object sexual penetration, marital sexual assault, aggravated sexual battery, or sexual battery.
2. “Intimate parts” means the genitalia, anus, groin, breast, or buttocks of any person.
3. “Mental incapacity” means that condition of the complaining witness existing at the time of an offense under this article which prevents the complaining witness from understanding the nature or consequences of the sexual act involved in such offense and about which the accused knew or should have known.
4. “Physical helplessness” means unconsciousness or any other condition existing at the time of an offense under this article which otherwise rendered the complaining witness physically unable to communicate an unwillingness to act and about which the accused knew or should have known.
5. The complaining witness’s “prior sexual conduct” means any sexual conduct on the part of the complaining witness which took place before the conclusion of the trial, excluding the conduct involved in the offense alleged under this article.
6. “Sexual abuse” means an act committed with the intent to sexually molest, arouse, or gratify any person, where:
  - a. The accused intentionally touches the complaining witness’s intimate parts or material directly covering such intimate parts;
  - b. The accused forces the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts;
  - c. If the complaining witness is under the age of 13, the accused causes or assists the complaining witness to touch the accused’s, the witness’s own, or another person’s intimate parts or material directly covering such intimate parts; or
  - d. The accused forces another person to touch the complaining witness’s intimate parts or material directly covering such intimate parts.

21. Defining Dating Violence and Domestic Violence in applicable jurisdictions

Dating Violence is not defined by any jurisdictions applicable to WUST.

The following is a list of crimes in Virginia that meet general definitions of domestic violence.

Virginia crime definitions related to domestic violence include

§ 18.2-57.2. Assault and battery against a family or household member; penalty.

- A. Any person who commits an assault and battery against a family or household member is guilty of a Class 1 misdemeanor. “Family or household member” means (i) the person’s spouse, whether or not he or she resides in the same home with the person, (ii) the person’s former spouse, whether or not he or she resides in the same home with the person, (iii) the person’s parents, step-parents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person’s moth-

er-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.

§ 18.2-60. Threats of death or bodily injury to a person or member of his family; threats to commit serious bodily harm to persons on school property; penalty.

A. 1. Any person who knowingly communicates, in a writing, including an electronically transmitted communication producing a visual or electronic message, a threat to kill or do bodily injury to a person, regarding that person or any member of his family, and the threat places such person in reasonable apprehension of death or bodily injury to himself or his family member, is guilty of a Class 6 felony. However, any person who violates this subsection with the intent to commit an act of terrorism as defined in § 18.2-46.4 is guilty of a Class 5 felony.

## 22. DEFINING STALKING IN APPLICABLE JURISDICTIONS

Virginia defines stalking as the following:

§ 18.2-60.3. Stalking; penalty.

A. Any person, except a law-enforcement officer, as defined in § 9.1-101, and acting in the performance of his official duties, and a registered private investigator, as defined in § 9.1-138, who is regulated in accordance with § 9.1-139 and acting in the course of his legitimate business, who on more than one occasion engages in conduct directed at another person with the intent to place, or when he knows or reasonably should know that the conduct places that other person in reasonable fear of death, criminal sexual assault, or bodily injury to that other person or to that other person's family or household member is guilty of a Class 1 misdemeanor. If the person contacts or follows or attempts to contact or follow the person at whom the conduct is directed after being given actual notice that the person does not want to be contacted or followed, such actions shall be prima facie evidence that the person intended to place that other person, or reasonably should have known that the

other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member.

B. Any person who is convicted of a second offense of subsection A occurring within five years of a prior conviction of such an offense under this section or for a substantially similar offense under the law of any other jurisdiction is guilty of a Class 6 felony.

C. A person may be convicted under this section irrespective of the jurisdiction or jurisdictions within the commonwealth wherein the conduct described in subsection A occurred, if the person engaged in that conduct on at least one occasion in the jurisdiction where the person is tried. Evidence of any

such conduct that occurred outside the commonwealth may be admissible, if relevant, in any prosecution under this section provided that the prosecution is based upon conduct occurring within the commonwealth.

D. Upon finding a person guilty under this section, the court shall, in addition to the sentence imposed, issue an order prohibiting contact between the defendant and the victim or the victim's family or household member.

E. The Department of Corrections, sheriff, or regional jail director shall give notice prior to the release from a state correctional facility or a local or regional jail of any person incarcerated upon

conviction of a violation of this section, to any victim of the offense who, in writing, requests notice, or to any person designated in writing by the victim. The notice shall be given at least 15 days prior to release of a person sentenced to a term of incarceration of more than 30 days or, if the person was sentenced to a term of incarceration of at least 48 hours but no more than 30 days, 24 hours prior to release. If the person escapes, notice shall be given as soon as practicable following the escape.

The victim shall keep the Department of Corrections, sheriff, or regional jail director informed of the current mailing address and telephone number of the person named in the writing submitted to receive notice.

All information relating to any person who receives or may receive notice under this subsection shall remain confidential and shall not be made available to the person convicted of violating this section.

For purposes of this subsection, “release” includes a release of the offender from a state correctional facility or a local or regional jail (i) upon completion of his term of incarceration or (ii) on probation or parole.

No civil liability shall attach to the Department of Corrections nor to any sheriff or regional jail director or their deputies or employees for a failure to comply with the requirements of this subsection.

F. For purposes of this section:

“Family or household member” has the same meaning as provided in Va. Code

## Procedures Victims Should Follow in Cases of Sexual Violence

### IF THE ASSAULT JUST OCCURRED

- Remember the assault was not your fault.
- Make sure you are in a safe place.
- If you do not feel safe and need immediate police or medical assistance, call 9-1-1. Police can also take you to the hospital or meet you there.
- Contact someone who can help you: a friend, police, WUST’s Student Support
- Get medical attention at a hospital emergency room right away. You do not have to report the incident to the police to be seen in the emergency room or to have an evidence-gathering exam (e.g., using a physical evidence recovery kit, or PERK).
- Seek medical help whether or not you want to report the incident. You may have injuries you are not aware of, and a doctor can help you do what you can to prevent pregnancy or sexually transmitted infections.
- Do not shower, drink or eat, douche, or change your clothes. These activities destroy important physical evidence in the event that you decide to press criminal charges against the assailant.
- As soon as you have a quiet moment, write down everything that you remember happening, with as much detail as possible. This will help with your own healing process and in any legal action you might decide to take.

### PRESERVING PHYSICAL EVIDENCE

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications, should be saved and

not altered in any way. For more information about how to preserve evidence, contact WUST Administrators at 703-992-0601.

#### MEDICAL EXAM FOLLOWING SEXUAL ASSAULT

If you go to a hospital as a result of a sexual assault, you are entitled to a free evidence collection examination performed by a sexual assault nurse examiner. In Northern Virginia, the preferred hospital for such an exam is Inova Fairfax Hospital where they have specially trained nurses on call 24 hours a day for such purposes. Inova Fairfax Hospital provides care to sexual assault victims no matter where in Northern Virginia the crime occurred. The nurse will collect the evidence and ask the police in the jurisdiction where the crime occurred

to pick it up and store it for at least six months. The evidence will be in a box marked only with a number, not your name. You are not required to make an official police report for this evidence to be collected. If you later decide to make such a report, the hospital will give your name to the police and the evidence kit will be tested for possible use in a court case.

#### IF THE ASSAULT OCCURRED SOME TIME AGO

You may just now be realizing that your experience was unwanted, or may finally be ready to call the experience a sexual assault. Even if the incident did not take place recently, you still have options.

- Remember that sexual assault is never your fault. Believe in yourself. Get the support you deserve and give yourself time to heal.
- Consider seeking medical attention. You may still need treatment of physical symptoms.
- Seek counseling. Unresolved experiences of sexual assault can have long-term psychological and social effects.

#### IN CASES OF STALKING

Under no circumstances should you agree to meet with the perpetrator face to face to “work it out” or “talk.” Meeting a stalker in person can be very dangerous.

- Tell someone. Resources like WUST Administrators and Student Support are here to support and assist you. Victims under the age of 18 should tell a parent or other trusted adult about any harassments or threats.
- Send one, clear written warning. This warning should convey that the contact is unwanted, and tell the perpetrator to cease all communications of any kind. Do this only once. Then, no matter the response, under no circumstances have further contact with the stalker.
- Collect and document all evidence. Save all emails, postings, or other communications in both electronic and hard-copy form. If possible, save all of the header information from emails and newsgroup postings (use the Help feature on whatever service you are using for instructions). Record the dates and times of any contact with the stalker. All evidence of stalking should be preserved to aid in obtaining a protection order against a perpetrator.

- Keep a detailed log of stalking behavior. Start a log detailing each communication (e.g., date, time, type of incident, witnesses, etc.). You may also want to document how the stalking is affecting you and any steps you have taken to stop it (e.g., blocked number, unfriended on Facebook, asked the stalker to stop).
- File a report with WUST Administrators or local law enforcement. Save copies of police reports and record all contact with law enforcement officials and the prosecutor's office. Add these notes to your Stalking Log.
- Change your contact information. You may want to consider changing your email address, Internet Service Provider (ISPs), and/or phone number, and consider using encryption software or privacy protection programs.
- File a complaint with both parties' ISPs. Many ISPs offer tools that filter or block communications from specific individuals.
  - Call WUST Administrators at 703-992-0601.
  - Call Virginia State Police Computer Crimes Unit at 804-333-3800.
  - Call the FBI Computer Crimes Unit at 703-762-3160.
  - Contact online directory listings. Request removal from directories such as whitepages.com and whowhere.com.

## IN CASES OF RELATIONSHIP VIOLENCE

### Getting Help

- Violence is never the victim's fault.
- Know that you have legal choices. Call WUST Administrators at 703-992-0601 or Student Support for assistance or to learn about your choices.
- Trust your instincts and do not second-guess your feelings.
- Know that you are not alone. More than two million reports of dating/ domestic violence occur every year.
- Ask a friend, family member, professor, or crisis center for help.
  - If you are physically hurt, seek medical attention.
  - Getting help is the best thing you can do for yourself and your health.

### Giving Help

- Believe the person. He or she will need you to be supportive and understanding.
- Do not ask too much. The person may feel uncomfortable about involving others, and will open up when ready.
- Be supportive by listening or gathering information and resources.

See "Resources for Help" section (page 2) for a full list of available confidential/ nonconfidential on- campus and off-campus resources.



## 23. Orders of Protection

### NO-CONTACT ORDERS ISSUED BY WUST

No-contact orders are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no-contact orders are not to contact each other using ANY means. This includes, but is not limited to: comments, words, or gestures in person, through postal mail, email, social networking sites, or through others (friends, acquaintances, family members, etc.) acting on the student's behalf. An order of no contact will remain in place until both parties agree, in writing, to cancel the order, pending final approval by the Office of Student Conduct.

### PROTECTIVE ORDERS ISSUED BY A COMMONWEALTH OF VIRGINIA CRIMINAL COURT

Protective orders (i.e., no-contact orders) are free, legal documents issued by a judge or magistrate to protect the health and safety of a person who is alleged to be a victim of any act involving violence, force, or threat that results in bodily injury or places that person in fear of death, sexual assault, or bodily injury. Contact WUST Administrators at 703-992-0601

### Victim's Options for Reporting Sexual Violence

As a crime victim, you will have questions. What should you do? Generally speaking, a victim of sexual assault, dating violence, domestic violence, or stalking has four choices:

1. Report the crime to WUST or local police with the intent of pressing criminal charges.
2. Report the crime to WUST Administrators anonymously using the WUST Crime Solvers anonymous tip line at 703-992-0601.
3. Report the crime to the university, including the Title IX Coordinator, with the intent of using the Conduct Process to hold the offender responsible. See page
4. Choose to not report the crime to police or any campus authority.

Only the victim can make this decision. It may be difficult to make complex decisions immediately after the assault. Talking with someone who can give immediate support and information, such as a sexual assault crisis counselor, a victim/witness advocate, or a family member or friend, may help you make a decision.

### REPORTING WITH INTENT TO PRESS CRIMINAL CHARGES

When a victim decides to report the crime to police and to file criminal charges, they need to be aware of the steps involved:

- Initial law enforcement officer's interview
- Medical examination
- Investigator's interview
- Prosecutor's interview
- Court procedures

This may all seem overwhelming. An understanding of the benefits of reporting encourages many victims to choose to press criminal charges, resulting in the convictions of more defendants. Contact WUST Administrators at 703-992-0601.

## OPTION NOT TO REPORT

Not all victims want to report crimes to a law enforcement agency. This is an individual decision. Without an official report, however, the law enforcement agency will not know that a sexual assault has occurred. Law enforcement agencies can only help the community when they are aware of crimes being committed. If the assailant was a stranger, the prospect of identifying the suspect greatly decreases over time, and crucial physical evidence will be lost as well.

Even if you choose not to report, it is important for your own well-being that you receive medical attention immediately after the assault.

## YOUR RIGHTS AS A CRIME VICTIM

The Crime Victim and Witness Rights Act was made law by the Virginia General Assembly in 1995. The purpose of this law is to ensure that victims and witnesses of crime

- are treated with dignity, respect, and sensitivity, and that their privacy is protected where the law allows;
- are informed of their rights;
- have the opportunity to make the courts aware of the full impact of the crime;
- receive authorized services; and
- have the opportunity to be heard at all stages of the criminal justice process.

## COMPENSATION FOR VICTIMS OF CRIME

If you are the victim of a crime in Virginia; physically/emotionally injured during a crime; injured trying to stop a crime; injured trying to catch a person who committed a crime; or are the surviving spouse, parent, grandparent, sibling, or child of a victim who was killed, then you may be awarded benefits up to a maximum award of \$15,000 for certain unreimbursed losses, such as wages, medical expenses, mental health counseling expenses, funeral/burial expenses up to \$3,500, moving expenses up to \$1,000, crime scene clean-up expenses, pregnancy expenses resulting from rape, and other reasonable/necessary expenses incurred as a result of the crime (e.g., prescriptions).

In order to be eligible to apply you must:

- Report the crime to law enforcement within 120 hours (5 days) after the crime (or show good cause for not doing so), cooperate with law enforcement agencies, be willing to press criminal charges, and file a compensation claim within one year from the date of the crime (or show good cause for not doing so).

\*A victim of child sexual assault has 10 years past the date of their 18th birthday to file a claim.

## Sex Offender Registry Access

The federal Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. In Virginia, the information is available at the following Virginia State Police website: [vsp.state.va.us](http://vsp.state.va.us) (select "Sex Offender Registry").

## Drug and Alcohol Policy

## STUDENT DRUG AND ALCOHOL POLICY

The Student Drug and Alcohol Policy applies to all WUST students at all university locations. The full Student Drug and Alcohol Policy is available at [student-conduct.WUST.edu/university-policies/drug-and-alcohol-policies](http://student-conduct.WUST.edu/university-policies/drug-and-alcohol-policies).

### Policy Statement Regarding the Possession, Use, and Sale of Alcoholic Beverages and Enforcement of State Underage Drinking Laws

Virginia state law §4.1-305 prohibits the purchase, possession, or consumption of alcoholic beverages by persons under the age of 21. Those who choose to purchase, possess, and consume alcoholic beverages on campus must do so responsibly and be of legal age (21). WUST Administrators will enforce all applicable local, state, and federal laws in accord with established standing orders, procedures, and guidelines.

1. The possession and consumption of alcoholic beverages is limited to those locations and circumstances authorized by university policy.
2. Alcohol possession or consumption is prohibited in any residence hall room or suite where all residents assigned to that space are under the age of 21. Students over the age of 21 may possess alcoholic beverages in accordance with established university policy.
3. No alcoholic beverages may be consumed in public areas of residence halls. This includes, but is not limited to, hallways, study rooms, and lounges.
4. All offenses of this policy will be adjudicated by a hearing officer within the Office of Housing and Residence Life or the Office of Student Conduct.
5. A common sanction for an alcohol policy violation will be primarily educational, but (depending on severity and frequency of violations) may include a housing assignment change, probation period, suspension and/or dismissal from housing, or suspension and/or expulsion from the university.
6. All cases involving severely intoxicated students and/or police or emergency medical responses will normally be referred to the Office of Student Conduct.  
The hearing officer may mandate an evaluation by the Student Support and Advocacy Center or an equivalent outside agency.
7. The university will encourage parental involvement in accord with the provisions of the Family Educational Rights and Privacy Act (FERPA).

NOTE: Starting in the academic year 2014-15, George WUST University adopted a medical amnesty program for students seeing medical attention due to intoxication. The goal of medical amnesty is to foster and protect the health and safety of the George WUST University community. The details of the Medical Amnesty Program are further described at [studentconduct.WUST.edu](http://studentconduct.WUST.edu).

### Policy Statement Regarding the Possession, Use, and Sale of Illegal Drugs and Enforcement of Federal and State Drug Laws

1. Use and/or possession of illegal drugs and drug paraphernalia are prohibited at WUST. Use and/or possession and distribution of prescription drugs without proper medical documentation is within the scope of this policy. Violation of this community standard will be considered a serious offense. Implementation of this policy will be in accord with established university procedures as contained in the Code of Student Conduct.
2. WUST Administrators will enforce all applicable local, state, and federal laws in accord with established standing orders, procedures, and guidelines.
3. There will be a university review of all reports of drug offenses involving WUST students. Student

Conduct processes will operate independently of the criminal justice system.

4. Any student found responsible for a Code of Conduct policy violation involving drugs may, at the discretion of the hearing officer, be required to undergo an evaluation administered by personnel of the university's Student Support and Advocacy Center office as a sanction, or prior to re-admittance to the university if suspended.
5. The housing status of a residential student found in violation of a campus drug policy will be determined by the hearing officer. Guests and visitors found responsible for violating a campus drug regulation while in a residence hall will likely be issued a trespass order prohibiting their presence in any and all residential buildings of the WUST campuses. This trespass order will be in effect for a minimum of one calendar year.
6. A common sanction for a student's first violation involving possession or use of marijuana is likely to be a disciplinary probation period and an educational referral. Repeated violations are likely to result in a suspension or dismissal from housing, and/or a university suspension.
7. A common sanction for any student found responsible for a violation involving sale or possession of an illegal substance, including prescription drugs, with intent to distribute, is expulsion.
8. A common sanction for any student found responsible for use or possession of an illegal drug other than marijuana, including prescription drugs, is likely to be suspension from the university for a minimum of one year, and/or housing suspension or dismissal. The suspended student may be asked to provide documentation of successful completion of a drug treatment program prior to reinstatement.

#### EMPLOYEE DRUG AND ALCOHOL POLICY

The Employee Drug and Alcohol Policy applies to all administrative and professional faculty, full and part-time classified, and all wage employees of WUST, at all university locations. The full Employee Drug and Alcohol Policy is available at [universitypolicy.WUST.edu/policies/employee-drug-and-alcohol-policy](http://universitypolicy.WUST.edu/policies/employee-drug-and-alcohol-policy).

##### Policy Statement

WUST prohibits unauthorized manufacture, distribution, possession, and use of alcohol or other drugs by employees in the workplace. WUST also prohibits the impairment of an employee in the workplace due to the use of alcohol or other unauthorized drugs. Employees must comply with federal and state laws and regulations regarding alcohol and other drugs. The illicit use of drugs and alcohol could create a serious threat to the safety and welfare of the university community, as well as undermine the productivity of the workforce.

All university employees are expected to comply with federal and state laws regarding the use of alcohol and other drugs, as well as state regulations and university regulations contained in this policy. Employees found in violation of these laws and regulations shall be subject to the full range of disciplinary actions, including discharge. The severity of disciplinary action for violations of this policy shall be determined on a case-by-case basis. Mitigating circumstances that may be considered in determining the appropriate discipline include whether the employee voluntarily admits to, and seeks assistance for, an alcohol or other drug problem.

#### CONTROLLED SUBSTANCE LAWS AND SANCTIONS

In compliance with the Drug-Free Workplace Act of 1988, the Drug-Free Communities and Schools Act Amendments of 1989, and the Commonwealth of Virginia's Policy on Alcohol and Other Drugs of 1991, the following summary is provided for your information. Controlled substances are classified under the

Controlled Substances Act into “schedules” that indicate their relative medicinal use and probability of abuse and dependence (addiction). WUST’s policies address these controlled substances.

#### Controlled Substances Schedules

- Schedule I: The drug or other substance has a high potential for abuse. The drug or other substance has no currently accepted medical use in treatment in the United States. There is a lack of accepted safety for use of the drug or other substance under medical supervision. Some Schedule I substances are heroin, LSD, marijuana, GHB, MDMA (Ecstasy), and methaqualone.
- Schedule II: The drug or other substance has a high potential for abuse. The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions. Abuse of the drug or other substance may lead to severe psychological or physical dependence. Schedule II substances include morphine, PCP, cocaine, methadone, Ritalin, and methamphetamine.
- Schedule III: The drug or other substance has a potential for abuse less than the drugs or other substances in Schedules I and II. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence. Anabolic steroids, codeine and hydrocodone with aspirin or Tylenol, Ketamine, and some barbiturates are Schedule III substances.
- Schedule IV: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III. Included in Schedule IV are Darvon, Talwin, Equanil, Valium, Rohypnol, and Xanax.
- Schedule V: The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV. The drug or other substance has a currently accepted medical use in treatment in the United States. Abuse of the drug or other substances may lead to limited physical dependence

or psychological dependence relative to the drugs or other substances in Schedule IV. Over-the-counter cough medicines with codeine are classified in Schedule V.

#### Penalties

The law prescribes ranges of permissible penalties upon conviction. As required by the Federal Safe and Drug-Free Communities and Schools Act of 1994, the pertinent state laws, including sanctions for their violation, are summarized below.

- Possession of a controlled substance classified in Schedule I or II of the Drug Control Act, upon conviction, exposes the violator to a felony conviction for which the punishment is a term of imprisonment ranging from 1 to 10 years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for up to 12 months and a fine of up to \$2,500, either or both.
- Possession of a controlled substance classified in Schedule III of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to 12 months and a fine of up to \$2,500, either or both.
- Possession of a controlled substance classified in Schedule IV of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to six months and fine of up to \$1,000, either or both.
- Possession of a controlled substance classified in Schedule V of the Drug Control Act, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is a fine

of up to \$500.

- Possession of a controlled substance classified in Schedule I or II of the Drug Control Act with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a felony conviction for which the punishment is imprisonment from 5 to 40 years and a fine of up to \$500,000. Upon conviction, the violator must be imprisoned for not less than five years, but may suffer life imprisonment, and a fine of up to \$500,000.
- Possession of a controlled substance classified in Schedules III, IV, or V of the Drug Control Act or an imitation controlled substance which imitates a controlled substance classified in Schedule III, IV, or V, except for an anabolic steroid classified in Schedule III constituting a violation of Virginia Code 18.2-248.5, with the intent to sell or otherwise distribute, upon conviction, exposes the violator to a misdemeanor conviction for which the punishment is confinement in jail for up to one year and a fine of up to \$2,500, either  
or both.

Virginia Code § 4.1-1105.1. Possession of marijuana or marijuana products unlawful in certain cases.

- A. No person younger than 21 years of age shall consume or possess, or attempt to consume or possess, any marijuana or marijuana products, except by any federal, state, or local law-enforcement officer or his agent when possession of marijuana or marijuana products is necessary in the performance of his duties. Such person may be prosecuted either in the county or city in which the marijuana or marijuana products were possessed or consumed or in the county or city in which the person exhibits evidence of physical indicia of consumption of marijuana or marijuana products.
- B. Any person 18 years of age or older who violates subsection A is subject to a civil penalty of no more than \$25 and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused.
- C. Any juvenile who violates subsection A is subject to a civil penalty of no more than \$25 and the court shall require the accused to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused.

Virginia Code § 4.1-1107. Using or consuming marijuana or marijuana products while in a motor vehicle being driven upon a public highway.

- A. It is unlawful for any person to use or consume marijuana or marijuana products while driving a motor vehicle upon a public highway of the Commonwealth or while being a passenger in a motor vehicle being driven upon a public highway of the Commonwealth.
- B. A judge or jury may make a permissive inference that a person has consumed marijuana or marijuana products in violation of this section if (i) an open container is located within the passenger area of the motor vehicle, (ii) the marijuana or marijuana products in the open container have been at least partially removed and (iii) the appearance, conduct, speech, or other physical characteristic of such person, excluding odor, is consistent with the consumption of marijuana or marijuana products. Such person may be prosecuted either in the county or city in which the marijuana was used or consumed, or in the county or city in which the person exhibits evidence of physical indicia of use or consumption of marijuana.
- C. Any person who violates this section is guilty of a Class 4 misdemeanor.

Virginia Code § 4.1-1108. Consuming marijuana or marijuana products, or offering to another, in public place.

A. No person shall consume marijuana or a marijuana product or offer marijuana or a marijuana product to another, whether accepted or not, at or in any public place.

B. Any person who violates this section is subject to a civil penalty of no more than \$25 for a first offense. A person who is convicted under this section of a second offense is subject to a \$25 civil penalty and shall be ordered to enter a substance abuse treatment or education program or both, if available, that in the opinion of the court best suits the needs of the accused. A person convicted under this section of a third or subsequent offense is guilty of a Class 4 misdemeanor.