

## Rights and Reporting Options For Survivors of Sexual Misconduct or Exploitation, Sexual Assault, Dating Violence, Domestic Violence and/or Stalking

**If you are experiencing an emergency call 9-1-1  
If you are on campus and need immediate help,  
call campus police at (619) 216-6691  
or find an Emergency Blue Pole to connect with College Police dispatch.**

The safety and well-being of our students, employees and community members is a priority for Southwestern Community College District. We are committed to creating and sustaining a safe educational and working environment free of sexual misconduct (includes rape and sexual battery), sexual exploitation, dating and intimate partner violence, domestic violence, and stalking. This publication is required by law and is intended to help you understand your rights and reporting options after experiencing sexual misconduct, sexual exploitation, sexual assault, dating and/or intimate partner violence, domestic violence, and/or stalking. We have processes in place to assist you and resources are available to you.

### Your Rights

You have the right to be treated with dignity and respect while seeking and/or receiving support and resources, exploring and/or exercising your reporting options, and participating in any formal or informal administrative complaint resolution process under the [SWCCD policies](#).

### Your Reporting Options

#### 1. Southwestern College Police

Survivors are strongly encouraged to report crimes to college police or law enforcement to assist in the apprehension of individuals committing these crimes. However, survivors have the right not to report crimes to law enforcement and may decline any involvement with the police. Survivors also have the right to be assisted by college police in making a report to local law enforcement upon request.

**For emergencies call College Police at (619) 216-6691 or x 6691 from a campus phone**

Non-Emergency (619) 482-6380

(619) 216-6628 TTY

Location: Building 22, Chula Vista Campus, 900 Otay Lakes Rd. Chula Vista, CA 91910

#### 2. Local law enforcement where the incident occurred.

If survivors want to report a crime to local law enforcement, they should locate and contact the police where the incident occurred. Below is contact information for law enforcement agencies close to SWC.

**Chula Vista Police Department:**

**For emergencies call 9-1-1.** To file a non-emergency police report, call 619-691-5151.

**National City Police:**

**For emergencies call 9-1-1.** After Hours Emergency Phone: **(619) 336-4411.**

**San Diego Police Department**

**For emergencies call 9-1-1.** For non-emergencies call 619-531-2000.

**Coronado Police Department**

**For emergencies, call 9-1-1.** For 24-hour non-emergencies: (619) 522-7350.

If the incident or crime took place outside of the jurisdictions above **Google ‘the address and law enforcement’** where the incident took place and results should provide the police agency with jurisdiction. You can also call 9-1-1.

**3. Employee Relations and Title IX**

All incidents of sexual exploitation, sexual harassment, sexual misconduct (including sexual battery and rape), dating, intimate partner or domestic violence, and or stalking should be reported to the office of Employee Relations and Title IX. If an employee receives a verbal report from a student or employee, they are required to notify the Employee Relations and Title IX office by filing an online report or by contacting the office by means identified below:

**The Employee Relations and Title IX Coordinator is:**

Mardi Walters, Ed.D.  
Employee Relations and Title IX Coordinator  
Email: [mwalters2@swccd.edu](mailto:mwalters2@swccd.edu)  
Phone: (619) 482-6329

The Title IX office email is [swcertix@swccd.edu](mailto:swcertix@swccd.edu).

**4. Dean of Student Services**

**Dean Aragoza**  
Interim Dean of Student Services  
Email: [daragoza@swccd.edu](mailto:daragoza@swccd.edu)  
Phone: (619) 482-6369

**Janet Bynum**  
Student Conduct and Care Coordinator  
Email: [jbynum@swccd.edu](mailto:jbynum@swccd.edu)  
Phone: (619) 421-6700 x5810

Or visit their [webpage](#).

### 5. Student Health Services (Confidential)

Health Services staff are available to students in-person, via online video conference, webchat, and phone consultation. For more information, you can schedule an appointment through Cranium Café, call 619-482-6354, or email [enurse@swccd.edu](mailto:enurse@swccd.edu).  
[Or visit their webpage.](#)

### 6. Campus Security Authority (CSA)

A Campus Security Authority (CSA) is any individual employee or college organization with significant responsibility for student and campus activities. Campus Security Authorities include all administrators and management personnel, college police personnel, Title IX personnel, student conduct, faculty advisors to student groups, and athletic coaches. For additional information on how to [contact Campus Security Authorities](#).

### 7. Vice President of Human Resources

Angela Riggs  
Assistant Superintendent/Vice President, Human Resources  
Email: [ariggs@swccd.edu](mailto:ariggs@swccd.edu)  
Phone: (619) 482-6328

### Definitions - Privacy, Confidentiality and Privilege

#### Privacy

Privacy refers to a person's right to choose what they want to disclose about themselves, and to decide what they do not wish to share with others.

If you experience sexual misconduct, sexual assault, dating violence, domestic violence, sexual exploitation, and/or stalking you have a right to choose whether to make a report, or keep that information private.

The college will protect the privacy of everyone involved in a report to the greatest degree possible under applicable law and college policy. The college does not publish the name of victims/survivors or other identifiable information regarding victims/survivors in its Daily Crime Log or in the crime statistics that are disclosed in the *Annual Security Report*. Furthermore, if a Timely Warning is issued on the basis of a report of sexual assault, dating violence, domestic violence, sexual exploitation, or stalking, the name of and other personally identifiable information about the victim/survivor will be withheld.

#### Confidentiality

Confidentiality refers to the duty a professional owes to a person to whom they are providing services for, to not to disclose any information surrounding their work with or shared during their work with that person without the consent of that person.

### Legal privilege

Some individuals are required by law to maintain near complete confidentiality when they receive a report of a crime or incident. Often, the report is called a “privileged communication” which are protected from disclosure in legal proceedings. Physicians, psychotherapists, licensed professional counselors, licensed clinical social workers, clergy and certified victim advocates, while acting in such roles may **not** report **any** information shared with them without consent. There are limited exceptions to this rule that are explained below.

1. Professionals such as physicians, psychotherapists, licensed professional counselors, licensed clinical social workers, clergy, and certified victim advocates are mandatory child abuse and neglect reporters and are required to report incidents involving victims under 18 years of age to local law enforcement.
2. Under California law, and college policy, certain college employees, including the Title IX Coordinator, are also mandatory child abuse and neglect reporters, and will explain to victims under 18 years of age they are required to report the incident to the police. The identity of the person who made the report and the report itself are confidential and disclosed only among appropriate agencies.
3. Any health practitioner employed in a health facility, clinic, physician’s office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition of a patient, who they know or reasonably suspect, is suffering from (1) a wound or physical injury inflicted by a firearm or (2) any wound or other physical injury inflicted upon where the injury is the result of assaultive or abusive conduct (including sexual violence, domestic violence and dating violence). Health care practitioners explain this limited exception to patients, if applicable. This does **not** apply to sexual assault and domestic violence counselors and advocates.
4. Finally, some of the professionals identified above may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger or (2) to a court if compelled by court order or subpoena in a criminal proceeding related to a sexual violence incident. If applicable, these professionals will explain this limited exception to victims/survivors.

### **Understanding who does and does not have a duty to report**

If you believe you have been or may have been the victim of sexual misconduct, sexual assault, dating violence, domestic violence, sexual exploitation and/or stalking we encourage you to talk to someone about what happened so you can learn about available support, resources, and options. You may report an incident to one of the areas identified above under the section **Your Reporting Options**.

**Responsible Employees:**

Any college employee, who is not a Confidential Advocate, that receives, in the course of employment, information that a student (undergraduate, graduate, or professional) or employee has suffered sexual violence, sexual harassment, dating or intimate partner violence, domestic violence or stalking, has a mandatory duty to promptly notify the Title IX Coordinator or his/her/their designee, as soon as possible following receipt of a report.

**How to contact the Title IX Coordinator:**

The Employee Relations and Title IX Coordinator is:

Mardi Walters, Ed.D.  
Employee Relations and Title IX Coordinator  
Email: [mwalters2@swccd.edu](mailto:mwalters2@swccd.edu)  
Phone: (619) 482-6329  
Email is [swcertix@swccd.edu](mailto:swcertix@swccd.edu)

The online reporting form for sexual misconduct is available [here](#).

**What support or assistance is available?****Support Services & Supportive Measures**

You have the right to be offered and receive reasonably available support services and supportive measures, available both on and off campus. A formal complaint does not have to be filed in order to receive support services and/or supportive measures. Supportive services and supportive measures include, but are not limited to, counseling, victim/survivor advocates, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

**Please contact the Employee Relations and Title IX office for more information:**

The Employee Relations and Title IX Coordinator is:

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Email: [mwalters2@swccd.edu](mailto:mwalters2@swccd.edu)  
Phone: (619) 482-6329  
Email is [swcertix@swccd.edu](mailto:swcertix@swccd.edu)

## **Personal Wellness**

The Personal Wellness Services available at SWCCD is specially trained to provide high quality behavioral health care to students in order to support the student's emotional well-being, academic success, and retention at the college. These services are strictly confidential and offered to students currently enrolled in classes and have paid their student health service fee.

For more information or to make an appointment, contact Personal Wellness Services at **(619) 421-6700 x5279** or email us at [swcpersonalwellness@swccd.edu](mailto:swcpersonalwellness@swccd.edu).

**Important things to know: If you are a survivor of sexual misconduct, (including rape and sexual battery), dating or intimate partner violence, domestic violence and or stalking:**

### **Importance of Preserving Evidence:**

Victims/survivors are encouraged to preserve all physical evidence, including but not limited to: clothing worn during the assault, bed sheets, and/or photos of any injuries. This evidence may be helpful in proving that a crime occurred, in the event the victim/survivor chooses to report now or in the future. It may also be helpful in obtaining a court-ordered protective or restraining order. If a victim/survivor does not have any evidence preserved, they still have an option to report the crime and request a medical evidentiary examination.

Victims/survivors of sexual misconduct, sexual assault, sexual exploitation, stalking, dating violence and domestic violence are also encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to SWCCD investigators or police should the victim/survivor decide to report now or in the future.

### **Medical Care and Treatment following a sexual assault or dating or domestic violence:**

#### **Medical Checkups, Evidentiary Exams and VAWA Exams**

In some instances, sexual misconduct, sexual assault, sexual exploitation, stalking, dating violence and domestic violence may result in the need for medical care. You have a right to seek important medical care to address any injury or physical health concerns and to preserve evidence if the conduct alleged warrants such consideration. Regardless of whether an incident of sexual violence is reported to the police, it is important to seek immediate medical attention, even if there is no evidence of serious injury. A medical examination is important to check for sexually transmitted infections or other infections/injuries and for pregnancy. If needed, campus advocates can help you find an appropriate medical provider.

In the event you need transportation to a hospital for medical treatment, the Title IX Coordinator can provide you with more information about transportation and/or accompaniment to a hospital.

### **Medical Check-ups**

*Do not require a police report and doesn't collect evidence.*

Students may schedule an appointment with their primary care provider, Student Health Services, or Planned Parenthood. Employees may schedule an appointment with their primary care provider or Planned Parenthood. You may ask them for preventative STI medication or emergency contraceptives. Emergency contraception can also be accessed at your local pharmacy.

### **Evidentiary Exams**

*Requires a police report.*

Victims have the right under state and federal law to receive a medical evidentiary examination anonymously, at no cost to them. If a victim/survivor chooses not to report to law enforcement, they still have the right to a forensic exam (see "VAWA Exams" below). An evidentiary exam requires a police report and is sometimes referred to as a Sexual Assault Forensic Exam (SAFE). It is recommended that the examination occurs within a reasonable timeframe after the assault for optimal evidence collection. Law enforcement can provide transportation to the facility, and the victim/survivor will meet with a victim advocate before the exam begins. A specially trained medical provider, called a Sexual Assault Nurse Examiner (SANE), will conduct the exam.

### **VAWA Exams**

*Doesn't require a police report.*

Victims have the right under state and federal law to receive a medical evidentiary examination anonymously, at no cost to them. If a victim/survivor chooses not to report to law enforcement, they still have the right to a forensic exam. This exam is sometimes referred to as a VAWA (Violence Against Women Act) exam, anyone of any gender identity can receive a VAWA exam. The evidence is collected and preserved for up to two years if the survivor decides to move forward with making a report to law enforcement.

If a victim/survivor visits a medical facility solely for the purpose of requesting a forensic exam, law enforcement will be notified. A victim/survivor has the right not to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time.

## **Law Enforcement & Legal Options**

### **Reporting to law enforcement and making a criminal report:**

You have a right to be informed of law enforcement options and information regarding the availability of a criminal or civil prosecution for victims of crime. It is a victim's/survivor's choice to report a crime. You have the right to report or decline to report an incident to law

enforcement. You have the right to not be forced, coerced, or pressured into reporting to law enforcement.

### **Court-Ordered Restraining Orders**

A victim/survivor may choose to obtain a restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can help protect a victim/survivor who has experienced or is reasonably in fear of physical violence, sexual violence, domestic violence, dating violence and stalking.

### **Emergency Protective Order (EPO)**

An Emergency Protective Order (EPO) is a type of restraining order that only law enforcement can ask for by calling a judge. Typically, this is done by an officer responding to the scene of a domestic violence incident. Judges are available to issue EPOs 24 hours a day. The EPO takes effect immediately and can last up to seven calendar days. The judge can order the alleged abuser to leave the domicile and stay away from the victim and their children for up to a week. This provides the victim with time to go to court to request a temporary restraining order.

### **Temporary Domestic Violence Restraining Order (TRO)**

A TRO is a type of protective order. In order to obtain one, the victim/survivor must fill out paperwork explaining the facts and why a protective order is needed. If a judge agrees that protection is needed, the judge will issue a temporary restraining order. Temporary restraining orders usually last until the court hearing date, typically 20 to 25 days after the petition is filed.

### **Criminal Protective Order (CPO)**

When there is a claim that a domestic violence incident occurred, a criminal charge (or charges) may be filed by a prosecutor (such as the City Attorney or District Attorney) against the person who allegedly committed the criminal act. The prosecutor commonly asks a judge to issue a Criminal Protective Order while the criminal case proceeds. A CPO typically requires the defendant (the person who allegedly committed the criminal act) to stay away from and not to hurt, threaten, or communicate with the victim/accuser. If the defendant is convicted or pleads guilty to the criminal charge(s), the CPO may last for up to ten years after the case is over.

### **Civil Harassment Restraining Order**

This type of court order is available to individuals who have been harassed by any of the following: a neighbor, roommate (as long as no dating/romantic relationship existed or exists), friend, family member more than two degrees removed (e.g., an aunt/uncle, niece/nephew, cousin, or more distant relative), stranger, or another person not closely related to the victim of the harassment.

An individual who has been civilly harassed by a current or former spouse/partner, or



someone with whom a dating/romantic relationship existed, or a close relative (parent, child, brother, sister, grandmother, grandfather, in-law) may qualify for a domestic violence restraining order but would not qualify for a civil harassment restraining order. SWCCD complies with California law in recognizing restraining orders and protective orders. If you obtain a restraining order a copy should be provided to your campus College Police Department. In order to comply with the restraining order, the Title IX Coordinator and campus or College Police may assist with setting up escorts, establishing special parking arrangements, changing classroom or employment locations, or additional measures as needed.

### Campus and Community Resources

#### Campus

**The Employee Relations and Title IX Coordinator is:**

Mardi Walters, Ed.D.  
Employee Relations and Title IX Coordinator  
Email: [mwalters2@swccd.edu](mailto:mwalters2@swccd.edu)  
Phone: (619) 482-6329  
Email is [swcertix@swccd.edu](mailto:swcertix@swccd.edu)

**Personal Wellness Services**

(619) 421-6700 x 5279  
Office: 58A-104

**Health Services**

(619) 482-6354  
Office 62A-106

**Student Services**

(619) 421-6700 x 5810  
Office 68-109

Email [swcpersonalwellness@swccd.edu](mailto:swcpersonalwellness@swccd.edu)

#### Community Resources

**Crisis Lines:**

**Access & Crisis Line S.D. County** (800) 479-3339

**Kaiser Crisis Line** (800) 900-3277

**VA Crisis Line** (800) 273-8255

**Heidorn Lifeline (Lesbian, Gay, Bisexual, Transgender Center)** (858) 212-5433

**National Suicide Prevention Hotline** (800) 273-8255

**Community Resource Information & Referral S.D. County Info Line** (858) 300-1211

**The Trevor Lifeline for LGBTQ Youth** (866) 488-7386

### **Domestic Violence Support:**

**DV 24hr Crisis Line**

(619) 234-3164

**DV Crisis & Referral**

(888) 385-4657

[Website](#)

**Your Safe Place Family Justice Center**

(619) 533-6000

1122 Broadway, 2<sup>nd</sup> Floor

San Diego, CA 92101

**Casa Familiar**

(619) 428-1115

119 W. Hall Avenue

San Ysidro, CA 92173

[Website](#)

**Chicano Federation of San Diego County Inc. (*Se Habla Español*)**

(619) 285-5600

3180 University Avenue, Suite 400

San Diego, CA 92104

[Website](#)

**Lesbian, Gay, Bisexual, Transgender, Questioning, Community Center**

**(619) 692-2077**

3909 Centre Street

San Diego, CA 92103

[Website](#)

**Say San Diego**

(858) 565-4148

4775 Viewridge Avenue

San Diego, CA 92123

[Website](#)

**Rape & Sexual Assault:**

**Rape & Sexual Assault Hotline** (858) 272-1767

**Center for Community Solutions**

(888) 385-4657  
4508 Mission Bay Drive  
San Diego, CA 92109

**Free STD Testing / AHF Wellness Center – San Diego**

(619) 837-2100  
3580 Fifth Avenue, 2<sup>nd</sup> Floor  
San Diego, CA 92103

[Website](#)

**Forensic Rape Examination Resources**

National Sexual Assault Hotline, (800) 656-4673. This Hotline can connect you with a Rape Crisis Center in your area.

California directory of Rape Crisis Centers:

[https://www.valor.us/get-help/wpbdp\\_category/california/](https://www.valor.us/get-help/wpbdp_category/california/)

Information about where to get a medical exam in California:

<https://calsafe.net/about>

California directory for pediatric medical exams:

<https://www.ccfmtc.org/wp-content/uploads/Pediatric-SAFE-Team-Coordiators-003.doc-copy.pdf>

**For more information visit the [California Department of Justice website](#).**