

UCPD Berkeley

resource guide



Officer: _____

Case #: _____

(510) 642-6760 or police@berkeley.edu

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A note from UCPD

If you have been given this booklet, you may have been the victim of, or witness to a crime. We'd like to extend our sincere sympathy at this time. Our goal is that anyone who attends, works at, or visits the University of California, Berkeley has, at most, a minimal exposure to incidents of criminal activity, and we are deeply sorry that you have had this experience. This Resource Guide is designed to answer common questions and concerns, provide guidelines for your response and protection, and offer information about other resources available to you.

Our Response Goals

We are committed to achieving an outcome based both on justice and the best interest of all parties concerned. In cases of violent crime we hope to work with you to ensure your continued safety and well-being, and to apprehend suspect(s). In cases of property crime, our goal is to limit damages, and recover your property. In all cases, we hope you will continue to partner with your case officer and take an active role in the follow-up by giving a detailed verbal statement at the scene, a written statement later, and additional details regarding the incident (or a log of a series of incidents) as needed. We also encourage you to seek counseling or other support if necessary.

Please do not hesitate to contact your case officer or the Patrol Sergeant on duty at any time. Call us at (510) 642-6760, or stop by Room 1, Sproul Hall. As a final note, if you have provided an email address as part of your contact information, we may send you an email invitation to take a brief Follow-Up Survey. We value your feedback, which will help us in our ongoing pursuit of excellence in law enforcement services.

If you have any questions about this resource guide, please contact us at police@berkeley.edu.

Sincerely,
Margo Bennett, Chief of Police
UCPD, Berkeley

Identity Theft

What to do if your wallet is stolen

Immediately cancel your credit cards and ATM cards.

See next page for a listing of major bank telephone numbers. You should maintain a secure list (or photocopies of) all your cards, their account numbers, and expiration dates.

File a police report.

Banks, credit card and insurance companies may require such a report to document the crime.

If your card is fraudulently used, obtain all the details

and forward the information to the police department.

Obtain a credit report.

Call the three credit bureaus listed on the opposite pages. Place a fraud alert on your credit records and request that they deny any "instant credit" applications in your name.

Monitor your credit reports.

Monitor regularly even after your file appears to be clean. Sometimes thieves go dormant for a while, then reappear. This set of documented evidence may be required by insurance companies to verify the crime should you become a victim of identity theft.

What to do if your passport is lost or stolen

Fill out a Form DSP-11 passport application and submit the form in person to the nearest passport acceptance facility. If your most recent passport is still valid, you must also complete a Form DSP-64, Statement Regarding Lost or Stolen Passport. For more information, see the Lost or Stolen section of the U.S. State Department Passport web site at: travel.state.gov/passport/

Local passport acceptance facilities:

Cal Rec Club at RSF
2301 Bancroft Way, first floor
(510) 642-7796
www.recsports.berkeley.edu/

Passport Office
Berkeley City Clerk's Office
2180 Milvia Street
(510) 981-6911

What to do if you are a victim of Identity Theft

It is important to act immediately to stop the thief's further use of your identity. **Call the fraud units of the three credit reporting companies:** Experian, Equifax and TransUnion.

Report the theft of your credit cards or numbers. Ask that your accounts be flagged. Also, add a victim's statement to your report. Be sure to ask how long the fraud alert is posted on your account, and how you can extend it if necessary.

Identity theft: phone numbers and resources

American Express	(800) 528-4800
Fraud Department	(800) 678-0745
Bank of America (MasterCard & Visa)	(800) 732-9194
Fraud Department	(800) 432-1000
Capital One (MasterCard & Visa)	(800) 227-4825
Chase (MasterCard & Visa)	(800) 432-3117
Citibank (MasterCard & Visa)	(800) 843-0777
Fraud Department	(800) 333-2484
Discover Card	(800) 347-2683
Fraud Department	(800) 347-7611
First USA VISA	(800) 955-9900
MBNA (MasterCard & Visa)	(800) 421-2110
Fraud Department	(800) 472-7970
Wells Fargo Bank (MasterCard & Visa)	(800) 642-4720

For any bank not listed above

Mastercard International	(800) 826-2181
Visa International	(800) 336-8472
Telecheck (for stolen checks)	(800) 366-1054

Credit Bureaus/Reporting Agencies (To Report Fraud)

Equifax	(888) 766-0008
Experian	(888) 397-3742
TransUnion	(800) 888-4213

Consumer Credit Counseling Services (800) 388-2227
Social Security Administration Employment Fraud (800) 269-0271

Report the crime to the police immediately. Give them as much documented evidence of the fraud as possible. Get a copy of the police report in order to verify the crime.

Immediately call all your debit and credit card issuers. Close these accounts. Tell them to process the old accounts as “closed at consumer’s request” instead of “card lost or stolen” because this reference can be interpreted as blaming you for the loss. Obtain replacement cards with new account numbers and create new ATM passwords. Notify your bank(s) of the theft. Cancel your checking and savings accounts and obtain new account numbers.

If you have had checks stolen or bank accounts set up fraudulently, report it to TeleCheck, or Equifax. The nearest office of the National Foundation for Credit Counseling might be able to give you advice on removing fraudulent claims from your credit report. Call (800) 388-2227. Keep a log of all conversations with authorities and financial institutions, including dates and names.

Consider seeking legal counsel, especially if you have difficulty clearing up your credit history, or your case is complex and involves a lot of money.

Add yourself to the Identity Theft Registry at the Department of Justice.

Identity theft victims can contact the Department of Justice for information about inclusion to the department’s Identity Theft Registry. This Registry assists victims who are wrongfully identified as criminals due to the illegitimate use of their identities by identity thieves. Basic registration requires the submission of an application along with fingerprints and court verification. Once registered, any inquiries about you to the criminal history system will return a reply that you are a victim of identity theft. You may also have the Department of Justice notify individuals and agencies you designate that you’re an identity theft victim.

Resources

Identity theft response and risk management is addressed in depth at these sites:

Identity Theft Task Force
www.idtheft.gov
(888) 880-0240 toll free.

Federal Trade Commission
www.ftc.gov/idtheft/
California Attorney General
oag.ca.gov

Obtaining a credit report

Equifax (888) 766-0008
Experian (888) 397-3742
TransUnion (800) 680-7289

Remember, you are entitled to a free credit report if you are a victim of identity theft, if you have been denied credit in the past 60 days, if you receive welfare benefits, or if you are unemployed.

Identity Theft Prevention

The crime of identity theft has become more and more prevalent. Taking the following steps in advance, may minimize your losses in case of identity theft:

Reduce access to your personal data.

To minimize the amount of information a thief can steal, do not carry extra credit cards, your Social Security card, birth certificate or passport in your wallet or purse, except when needed.

Reduce the amount of personal information that is "out there."

Consider the following: remove your name from the marketing lists of the three credit reporting bureaus: Equifax, Experian and TransUnion. This will limit the number of pre-approved offers of credit that you receive. Call (888) 5-OPTOUT or (888) 567-8688 to opt out of pre-approved offers of credit or go online to www.optoutprescreen.com.

Practice responsible information handling: Carefully review your credit card statements and phone bills, including cellular phone bills, for unauthorized use. Do not toss pre-approved credit offers in your trash or recycling bin without first tearing them into small pieces or shredding them. Do the same with other sensitive information like credit card receipts, phone bills and so on.

Minimize online posting: You should assume that *any* information you post online can be accessed by someone seeking to defraud you. Be responsible about posting information, whether at social networks, or on other unsecure sites. A determined thief may have the resources to connect a casual post saying you're leaving your home, with a database storing your address, and could take advantage of that information. A site's privacy settings may lend some protection, but your discretion can be the most effective strategy.

Social Security numbers: Protect your Social Security number (SSN). Release it only when absolutely necessary (like taxes, employment records, or banking, stock and property transactions). If the SSN is requested by a government agency, look for the Privacy Act notice. This will tell you if your SSN is required, what will be done with it, and what happens if you refuse to provide it. Order your Social Security Statement once a year to check for fraud.

Bike theft

The following tips may help to prevent bike theft.

Parking: The safest place to store a bicycle is indoors, in a locked room, but this is not always possible, and campus code prohibits parking anywhere impeding emergency access. Some campus buildings allow bicycles to be stored in individual offices or designated bike storage rooms. Parking & Transportation offers some secure bike parking spaces which you can apply for if your bike is licensed. It can also help to know the best ways to lock a bike.

Licensing: Licensing discourages theft, aids in identification, and increases the chances of recovery should a bike be stolen, but it is no longer required by law. During school session, faculty, staff, students as well as members of the public can get their bikes licensed by CSOs, student employees of the UCPD. Licensing will be available all year long.

Bike Licensing: 1 Sproul Hall M–F, beginning at 6 PM to 9 PM

Engraving: In addition to licensing your bike, all major components should be engraved with a driver's license number or state-issued identification number. This information should be recorded and saved along with purchase receipts, manufacturer's information and a photograph of the bicycle. Do not use Social Security numbers for engraving, as they are very difficult for the police to research. An engraver is available for loan from UCPD's Records Unit.

Reporting Theft: If your bicycle is stolen on campus, you should report the theft immediately to the UC Police Department. Provide the police with descriptive information, such as the serial number and license number. If you don't have your purchase receipt, a bike's serial number may sometimes be recovered from the vendor.

Resources

ucpd.berkeley.edu/laws-and-policies/vehicles-and-bicycles-campus
pt.berkeley.edu/campus-transportation-options/bike

Sexual Assault

Who Can Help

In case of sexual assault it is important to seek immediate assistance. The following campus agencies can help right away.

UCPD

1 Sproul Hall (510) 642-6760

Police officers have your well-being as their primary concern. All have had extensive training in handling sexual assault cases, and will treat you with respect and sensitivity. They will ensure that you are taken promptly to a physician if needed. The police can assist you if you file charges.

University Health Services

Tang Center, 2222 Bancroft Way
uhs.berkeley.edu

- Urgent Care (510) 642-3188 M–F, 8 am–6 pm, Sat, 9 am–5 pm Sun, 11 am–3 pm, walk-in. After hours assistance (510) 643-7197.
- Counseling Appointments M–F, 8 am–5 pm. Students: (510) 642-6074. Faculty and staff: (510) 643-7754. 24/7 Urgent Counseling line: (855) 817-5667
- Resources when Tang is closed:
<https://uhs.berkeley.edu/after-hours>

Tang Center provides general medical care for students who have experienced sexual/gender based violence and for faculty and staff who have been assaulted in the course of their work. Clinicians can treat injuries, test for pregnancy and sexually transmitted infections, make referrals, facilitate transportation and accompaniment to a local designated medical center for evidence collection, and provide follow-up care. UHS's Social Services unit provides confidential counseling and emotional support for students who have experienced sexual or partner violence. Counselors work with students to enhance coping skills, offer information on reporting options, and address other immediate concerns (housing, academics). Counselors are experienced in helping students through the recovery process and can be a resource for friends, family,

and others who may be concerned about you. EAP (formerly CARE Services) provides free, confidential counseling and referrals for faculty and staff.

PATH to Care Center

care.berkeley.edu

(510) 642-1988 for appointments

(510) 643-2005 for 24/7 urgent support

The PATH to Care Center provides affirming, empowering, and confidential support for survivors and those who have experienced gendered violence, including: sexual harassment, dating and intimate partner violence, sexual assault, stalking, and sexual exploitation. Confidential advocates bring a non-judgmental, caring approach to exploring all options, rights, and resources. Additionally, the PATH to Care Center advocates can accompany survivors to appointments, including medical, legal, administrative, and academic appointments.

Gender Equity Resource Center

ejce@berkeley.edu

202 César E. Chávez Center

(510) 643-5727, general info

Provides an entry point to access resources and/or report incidents of sexual, relationship, and hate violence.

Office for the Prevention of Harassment and Discrimination (OPHD)

tixco@berkeley.edu

(510) 643-7985

OPHD is the campus resource for concerns and questions regarding sex discrimination, sexual harassment, sexual assault, stalking, domestic violence, and all other forms of sexual violence. OPHD serves students, faculty and staff, who can file administrative (as opposed to criminal) complaints of sexual assault and harassment and/or obtain information on options for resolution. OPHD is responsible for investigating complaints according to applicable campus and University policies.

Center for Student Conduct

sa.berkeley.edu/conduct

(510) 643-9069

The Student Conduct process is used to determine if a student or student organization engaged in behavior that violates the Code of Student Conduct. Students, faculty, staff and community members can report an incident of sexual violence or sexual harassment to the Center for Student Conduct, who will work with the OPHD to resolve the matter under applicable campus and University policies.

Student Legal Services

sa.berkeley.edu/legal/

102 Sproul Hall

(510) 664-7487

The Attorney for Students advises currently registered Cal students regarding their legal questions, rights, and obligations. Please note that Student Legal Services provides counsel and guidance only, and does not represent or advocate for individual students with regard to their potential legal claims or disputes. If your situation requires legal representation, the Attorney for Students will help refer students to appropriate resources.

Student Advocates Office (SAO)

help@berkeleysao.org

advocate.berkeley.edu

(510) 642-6912

The SAO offers representation, help, and advice to any student or student group involved in a dispute with the University. This executive, non-partisan office of the student government helps students with conduct violations, grade disputes, enrollment issues, financial aid problems, establishment of residency, discrimination, harassment, and filing grievances. All assistance is free and confidential. Please email help@berkeleysao.org or feel free to drop by their office in 412B Eshleman during business hours for assistance.

What to Expect If You Go For Evidence Collection

- **Emergency medical treatment.**

The police will take you to the hospital. At the hospital, you can expect to undergo a general physical examination, pregnancy test, and tests for internal injuries and certain sexually transmitted diseases.

- **Evidence collection**

The doctor or police may need to take photographs of any injuries for evidence. Before seeing a physician, do not wash, douche, change clothes or otherwise destroy evidence. The police will also need to view and gather evidence at the location where the assault took place. If it happened in your home, refrain from moving or touching things until the police have examined the scene.

- **Call your local Rape Crisis Center.**

These are organizations outside of campus that help women, men and the who were the victims of rape or other violent crimes. They can assist with counseling to cope with the emotional and physical trauma. Bay Area Women Against Rape (BAWAR) is available 24-hours a day for crisis counseling at the crisis line (510) 845-7273. You may also refer to their website www.bawar.org for comprehensive information about sexual assault issues. BAWAR also has a special unit devoted to individuals who identify as LGBTQ.

- **PATH to Care Center**

PATH to Care Confidential Advocates can discuss your rights, options, and resources as well as accompany you to Highland Hospital during evidence collection.

Managing Threat

The University has established two teams empowered to assess concerning situations and intervene if necessary: the Behavior Risk Assessment Team (BRAT) works to prevent the escalation of threats and violent incidents by students, staff, faculty, or community members; and the Students of Concern Committee (SOCC) provides a means for early intervention of at-risk students. Both BRAT and SOCC are composed of several campus units, each with personnel having special expertise and professional training. BRAT will address behavior perceived as disruptive, intimidating, threatening, or violent, including actions or statements that expresses intent to inflict harm on an individual or property. SOCC focuses on students who are showing signs of being a danger to themselves or others.

The teams have been formed to augment existing systems, and convene when individual service departments don't have adequate resources to respond alone to a situation. Assessment teams will clarify the management of situations (including legal and psychological issues), coordinate communication internally and externally, and monitor resolution of situations.

The Threat Management Unit (TMU) is the law enforcement component of these efforts. In addition to investigating, assessing and managing such incidents, the unit investigates all reported cases of domestic violence and stalking.

Domestic Violence

If you have been battered shoved, or physically abused in any way, it is a crime. Unreasonable jealousy or distrust, verbal abuse, and the destruction of property, are all symptoms of domestic violence. Even if you know the suspect or it is your spouse, in the context of domestic violence, a sexual assault is a crime. Domestic Violence laws apply in many different personal relationships, whether same-sex or opposite-sex, including current and past marriage, cohabitation, a dating relationship, and when there are children in common. When legally able, police officers will make an arrest; however, there are some situations when an officer cannot make an arrest, such as for a misdemeanor that

did not occur in their presence. In this type of situation, you may have the option of making a private person's arrest. Any private person may arrest another for a public offense committed in their presence, so you have the right to arrest anyone who is causing you physical harm or violating a court order. An officer should neither encourage nor dissuade you from making such an arrest, and should instead limit advice to legal requirements for the arrest. You should also take into consideration whether you will feel safe making a private person's arrest. In domestic violence incidents where an arrest of an alleged perpetrator is made, it is important to note that this person may be released at any time. All people arrested for crimes have a legal right to post bail, or they may be released for other legal reasons. It is necessary to take further steps (e.g. restraining orders, personal safety plans, etc.) to continue to protect yourself. The Alameda County Sheriff's Office has in place a custody release notification system called VINE. Victims and other concerned citizens can register to be notified by phone, email, text message (SMS) or TTY device when an offender's custody status changes when the arrested party is released from custody by calling 1 (800) 511-1687 or visiting www.vinelink.com. You must wait approximately 3 hours for the booking procedure to be completed before being able to see the status of the offender. After a police report is filed, you have the right to file a civil suit to recover losses suffered as a result of the abuse. These losses may include the cost of medical care required if you sustained injuries, your loss of earnings due to inability to work, the cost of damage to property or any other related expenses, whether incurred by the victim or any agency that shelters the victim. You can begin to work with the District Attorney's Office on your civil suit once the police report is filed. Contact the DA's Office at (510) 268-7500. Domestic violence incidents are often followed by periods of time when the abuser feels remorse and claims that it will never occur again. In many situations, the violence will reoccur once the abuser is placed under comparable stress. If you believe that you may be involved in a relationship involving physical and emotional abuse it is important to obtain assistance in breaking the cycle. There are many campus and community resources to assist victims of domestic violence. UC Berkeley affiliates may contact the Gender Equity Resource Center (510) 643-5727, the University Health Social Services (510) 642-6074, or UCPD's Threat Management Unit (510) 642-6760, ask for TMU, if you have any concerns regarding current or possible future relationship violence.

Domestic Violence Shelter and Crisis Phone Numbers

A Safe Place (Oakland)	(510) 536-7233
Asian Women's Shelter	(877) 751-0880
Bay Area Crisis Nursery (for children)	(925) 685-8052
Ruby's Place (Hayward)	(888) 339-SAFE
La Casa de las Madres (San Francisco)	(877) 503-1850
La Casa Teen Crisis Line	(877) 923-0700
Marin Men's Hotline	(415) 924-1070
STAND! Against Domestic Violence (Concord)	(888) 215-5555
Tri-Valley Haven (Livermore)	(800) 884-8119
Woman Inc.	(415) 864-4777

Other Domestic Violence Resource Phone Numbers

The Care Line (for 24/7 urgent support)	(510) 643-2005
Alameda County Family Justice Center	(510) 267-8880
Building Futures with Women and Children	(800) A-WAY-OUT
Contra Costa County Family Justice Center Richmond	(510) 974-7200
Contra Costa County Family Justice Center Concord	(925) 521-6366
Family Violence Law Center (24-hour crisis line)	(800) 947-8301
Narika (support for South Asian community)	(800) 215-7308
Superior Court of Alameda County, René C. Davidson Courthouse (Restraining Orders, Hayward)	(510) 891-6028
UCPD Threat Management Unit (TMU)	(510) 642-6760
University Health Services (UHS)	(510) 642-6074
University Gender Equity Center	(510) 643-5727
Victim Information and Notification Everyday (V.I.N.E.)	(510) 272-6180

Online Self-Help Center, California Courts www.courtinfo.ca.gov/selfhelp

Restraining Orders

If you have been threatened, harassed, abused or assaulted, whether or not you're married, and whether or not you live with the person threatening or attacking, you can apply for a restraining order. If you're married, you don't have to get a divorce to get a restraining order.

Where to obtain one

Restraining orders are granted by the Superior Court of California, County of Alameda. A restraining order is not valid until it has been served to the defendant. UC Police can help with the service of restraining orders.

What a restraining order can do

It can order the respondent not to contact or abuse you, your family and/or household. It can order the respondent/defendant to:

- Stay a specified distance away from you, your family and/or your household
- Stay away from your home, work, family's home, or almost any location you ask the court to put in the order
- Move out of your home or apartment, even if the defendant's name is on the lease, or he/she is co-owner.
- Reimburse you for lost earnings and/ or actual expenses caused directly by the violence or pay household debts.
- Go to batterer's counseling.
- Give you sole possession of any pets
- Temporarily give you custody of your children and make visitation orders.
- Temporarily order child support.
- Give you use of some of your property.
- It may order one or both of you to get counseling, if both agree to this

Who can help in obtaining a restraining order

- Confidential advocates at the PATH to Care Center can help to set up an appointment (510) 642-1988.
- If you live in Alameda County, contact the Family Violence Law Center (800) 947-8301.
- Other resources for victims of domestic violence can be found at California Courts Self Help Site www.courtinfo.ca.gov/selfhelp/protection/

How long does it take to obtain?

It can take as little as 24 hours for the court to return the TRO (Temporary Restraining Order), but it is not valid until the respondent is served. Our police department can assist with service of restraining orders.

What to do if the defendant violates the Restraining Order

- Call the police, and ask that a formal police report be taken, even if the defendant has left.
- If the defendant is still there when the police arrive, and if the restraining order has been served, the police may arrest him/her, or they may ask if you want to sign a private person's arrest
- For information on how to follow through with the criminal case, call UCPD's Threat Management Unit at (510) 642-6760, ask for TMU, on the next workday after the offense has occurred.

NOTE: It is best to keep a copy of the restraining order and proof of its service with you at all times. Follow through on any criminal charges made and consistently invoke your restraining order any time you witness his/her behavior violating it.

Harassing Or Threatening Communications

Harassing or annoying communications, whether made by phone or any other electronic communications device, made by pranksters or by people with whom you have been acquainted, might include those made at hours when you are sleeping; that are obscene; or are frequent and pointless. Harassing communications might be made with intent to defraud, but could also be made just to get a reaction from you. Most can be stopped if you use some simple techniques. Remember, you are not obligated to talk or respond to anyone.

- Disconnect if the caller doesn't speak or you simply don't feel comfortable talking.
- If the caller asks, "Who is this?" or "What number have I reached?" don't answer. Instead ask, "Who are you trying to reach?" or "What number did you call?" If the call is not legitimate, that will probably end it.
- Under no circumstances should you give the names of others living with you to someone who doesn't already know them.
- Don't give out any information to anyone whom you don't recognize or who fails to give you satisfactory ID or affiliation. If the caller can't respond to your request for identification or does not respond immediately, hang up.
- If they persist after you have made it clear you don't want to communicate, the simplest response is to hang up. Remember, don't speak unless you want to, don't give out any information, and don't respond to questions if you don't know the caller. If you are experiencing harassing calls, you should keep a log of all incidents. This documentation will help us in our law enforcement efforts. Refer to the Incident Log in the back of this guide as a model. If calls or texts are frequent, begin a log of the dates and times you receive them. Your log can be provided to law enforcement if necessary.

Threatening Phone Calls

If a caller threatens you, your property or those with whom you live, notify UC Police immediately at the non-emergency number (510) 642-6760. UC Police will assist you in working with telephone service providers to put a stop to the calls.

Stalking

Every case of stalking must be considered as potentially dangerous and early intervention is critical. UCPD's Threat Management Unit (TMU) takes incidents of stalking seriously and officers have extensive experience coping with stalkers, developing safety plans for targets, and intervening when appropriate. Ask for the TMU detective at (510) 642-6760 when you have questions about steps you can take which may further ensure your safety. Additional resources for making a safety plan are www.ncdavi.org/protectyourself/SafetyPlan.php www.stopvaw.org/safety_planning

In cases of stalking, one of the most effective and worthwhile things you can do is to make and keep a detailed log of all incidents that pertain to your stalking case. Refer to the Incident Log at back of this resource guide as a model for your own log. Unlike other crimes, which normally consist of a single illegal act, stalking is a series of actions that, when taken individually, may be perfectly legal, so your log will be invaluable to law enforcement officers, enabling us to more accurately understand and substantiate your case.

If a suspect was arrested

The following information is provided for crime victims & witnesses in cases where the suspect has been arrested/cited.

Private Person's Arrest

If you signed a Private Person's arrest, the suspect will be arrested and/or cited. The case will be forwarded to the District Attorney's office. If you are needed for trial, the DA's office will send a subpoena to the address in the police report. If you have questions about a Private Person's arrest case, wait at least one week, then call the DA's office at (510) 268-7500. You will need the suspect's name, the arresting agency, and its report number.

Safety Planning

Confidential advocates can help you with the many impacts and concerns of a stalking situation. For urgent 24/7 support call (510) 643-2005. To set up an appointment call (510) 642-1988.

In-Custody Felony

If you are the victim/witness in a felony case where the suspect was arrested, ask the case officer about the VINE program, if s/he did not provide it. The VINE program is an automated system by which you can be notified when the suspect is released from custody. If the suspect remains in custody, and does not waive his right to a timely trial, a preliminary hearing must occur within ten court days of the arrest. If you are needed to appear in court, the District Attorney's office will mail a subpoena to the address provided in the police report.

If the suspect is released from custody and/or waives his timely trial rights, the case may be postponed for several weeks, and sometimes months. If you have questions about an in-custody case, wait at least two working days and then call the Alameda County DA's office in Oakland at (510) 268-7500. You will need the suspect's name, the arresting agency, and the agency report number. If the arrestee is in the Alameda County system, you can check their status and location by visiting the Inmate Locator web site at: www.acgov.org/sheriff_app/

In any case, if you have questions regarding your initial UCPD report, contact the case officer at (510) 642-6760. Have your report number available.

Recovery

Medical Care at UHS

Medical care is available to *all* registered students, whether or not they have SHIP insurance. Occupational Health provides a full scope of services for employees, including treatment for work-related injuries, screenings for occupational needs, and information concerning health-related occupational hazards.

UHS Appointments:	(510) 642-2000
Urgent Care:	(510) 642-3188
Occupational Health:	(510) 642-6891

University Health Services

2222 Bancroft Way
uhs.berkeley.edu

Employee Assistance (EAP) Services for Faculty and Staff employeeassistance.berkeley.edu	(510) 643-7754
Counseling and Psychological Services (CPS) After Hours Line uhs.berkeley.edu/counseling	(510) 642-9494 (855) 817-5667
Health Promotion uhs.berkeley.edu/hp	(510) 642-7202
Social Services uhs.berkeley.edu/socialservices	(510) 642-6074
Urgent Care Clinic Advice After Hours	(510) 642-3188 (510) 643-7197
University Village (Counseling for Village Residents)	(510) 520-7031

Counseling Services at UHS

Counseling & Psychological Services and Social Services provide confidential, emotional support and counseling for students. uhs.berkeley.edu/counseling

Employee Assistance (formerly CARE Services) is the campus faculty/staff program providing free, confidential problem assessment and referral for UC Berkeley faculty and staff. It is also the employee assistance program for the Lawrence Berkeley National Laboratory.

Counseling & Psychological Services	(510) 642-9494
Social Services (for students)	(510) 642-6074
Employee Assistance Services (for faculty/staff)	(510) 643-7754
University Village in Albany (for Village residents)	(510) 520-7031

Restitution

Types of Restitution

Victims of crime have three ways to seek compensation for the financial, emotional, and physical losses they may have suffered: a restitution order, the State Restitution Fund, or a civil lawsuit.

Civil Lawsuit for Damages

You may be able to sue either the person who committed the crime or the responsible party. A civil lawsuit must be filed in a timely manner. For information regarding recovery of damages through a civil lawsuit, you may wish to speak to an attorney. If the amount you are seeking is less than \$5,000, you may be able to file an action in small claims court. If you need help finding an attorney, call your local County Bar Association for the name of an attorney, or check the Yellow Pages under "attorneys" for the number of a State Bar-certified lawyer referral service for your area.

Restitution Orders

The California Constitution requires the court to order a convicted person to pay restitution to the victim. At the time the convicted person is sentenced, the judge will order him or her to pay you for losses caused by the crime. (Penal Code sections 1202.4 and 1214; Welfare and Institutions Code sections 730.6 and 730.7)

Losses and Expenses

The convicted person may be ordered to compensate you for the following types of losses:

- Property
- Medical expenses
- Lost wages
- Attorney fees
- Interest
- Psychological harm and other nonfinancial losses for felony violations of Penal Code section 288 (certain crimes against children)

You have certain rights and obligations:

You have the right to attend and participate in sentencing proceedings.

You have the right to obtain a copy of the restitution order from the court.

You have the right to enforce a restitution order as a civil judgment.

This means you may collect the money ordered by garnishing the defendant's wages or attaching his or her property and other assets. To exercise these rights you must cooperate with the probation officer and district attorney assigned to your case and furnish written proof of your losses and expenses.

For more information, you may contact the victim-witness center at your local district attorney's office or probation department, or call 1 (800) VICTIMS (842- 8467), toll free, for a referral to the victim assistance program in your area.

What Is the State Restitution Fund?

The State Restitution Fund was established to assist victims of crime. The money in the fund comes from persons convicted of crimes. To receive payment from the fund, you must apply within one year of the crime, unless you are a victim under the age of 18. You must also cooperate with law enforcement agencies and provide written proof of your losses and expenses. If you are eligible, you may be paid for medical or medically related expenses, mental health counseling for the victim and family members, funeral and burial expenses, and loss of income or support. If you have insurance that covers these losses, you cannot receive compensation from the fund until you have exhausted the resources available from the insurance company. Learn more at www.boc.ca.gov/victims.

You may obtain an application for victim compensation from the California Victim Compensation Board, <http://vcgcb.ca.gov/victims/>, or call toll free, (800) 777-9229 (English), (800) 735-2929 (for other languages).

Defensive Sprays

Any person, excepting those persons listed below, may purchase and carry Mace (CS or CN) or Pepper Spray (Oleoresin Capsicum (OC) for defensive purposes.

A person may not purchase/carry/use tear gas products if they:

- were convicted of a felony or any crime involving an assault under the laws of the United States, or of any other state, government, or country.
- were convicted of misuse of tear gas.
- are addicted to any narcotic drug.
- are under the age of 18.

If you decide to carry a defensive spray (also referred to as *tear gas*), and you are ever in a situation where you have to use it, after using your spray:

- **Get out of the area.** Run in the opposite direction of your attacker if possible. This is extremely important because your attacker may still be able to grab you.
- **Report the attack to a local law enforcement agency** (if on campus call UCPD). Be sure to tell them when and where it happened, and give a description of the attacker.

Misuse of Tear Gas

Use of tear gas or tear gas weapons EXCEPT in self-defense can be a felony. (California Penal Code Section 12403.7[a] [7]) Use against a peace officer engaged in their official duties is a felony.

Night Safety

Campus Night Safety Services

The University offers free and safe transit after dark, from dusk to 6 AM, from locations on campus to nearby residences, public transportation or parking facilities. If you must be on campus late at night for meetings, evening classes, study, or research, we recommend using these free services. Current information is available at nightsafety.berkeley.edu

You can easily make a service request using the automated dispatch system available at:

(510) 642-9255 (2-WALK) or bearwalk.berkeley.edu.

Make a request no earlier than 15 minutes before the time you'll be ready to go. A walking escort (BearWALK) is available from dusk until 3 AM, while Door-to-Door shuttle rides are dispatched from 3 AM until 5:30 AM. Walkers and dispatchers are student employees of UCPD known as Community Service Officers, or CSOs. The campus also offers Night Safety Shuttles, which run regularly on set routes that include stops at the residence halls and BART; making regular stops at Moffitt Library until 3:15 AM Door-to-door shuttle service from campus locations to destinations within extended service boundaries on the North and South sides of campus, begins at 3 AM.

Be Street Smart!

- Stay alert and aware of your surroundings.
- Stick to well-lit, busy streets.
- Walk with a companion whenever possible.
- Keep electronics out of view
- Keep your car locked and check the back seat and floor before getting in.
- Have your car or house key in hand as you approach your vehicle or home.

Whenever you walk at night, make a plan. When you have chosen a safe route, or are walking with others, you will be calm, confident and know where you are going, and it will be less likely that you will be victimized.

Resources

For all emergencies: **911**
From a cellular phone on campus: **(510) 642-3333**

*Lawrence Berkeley National Lab
(LBNL) emergency line* **7-911**

University of California Police Department

business line, 24-hours (510) 642-6760

1 Sproul Hall #1199 Berkeley, California 94720-1199

website: police.berkeley.edu
email: police@berkeley.edu

Chief of Police (510) 642-1133
Crime Prevention Unit (510) 642-3722

Night Safety Services

BearWALK and Night Safety Shuttles (510) 642-9255
nightsafety.berkeley.edu
bearwalk.berkeley.edu

University Health Services

2222 Bancroft Way

uhs.berkeley.edu

Employee Assistance for Faculty and Staff (510) 643-7754
employeeassistance@uhs.berkeley.edu

Counseling and Psychological Services (510) 642-9494
cps@uhs.berkeley.edu
uhs.berkeley.edu/students/counseling/

Health Promotion (510) 642-7202
hp@uhs.berkeley.edu

Social Services (510) 642-6074
socsrvs@uhs.berkeley.edu

Urgent Care Clinic (work-related) (510) 642-3188
(advice after hours) (510) 643-7197

University Village UHS (510) 520-7031

PATH to Care Center

(510) 642-1988 for appointments
(510) 643-2005 24/7 urgent support
care.berkeley.edu

Gender Equity Resource Center

(510) 643-5727
geneq.berkeley.edu

Office for the Prevention of Harassment and Discrimination

(510) 643-7985
ophd.berkeley.edu

Center for Student Conduct

(510) 643-9069
sa.berkeley.edu/conduct

Ombudsperson for Students

(510) 642-5754 for referral
UC Police Review Board
(510) 642-3100

City of Berkeley Police Department

2100 Martin Luther King Blvd.
Berkeley, California 94703
(510) 981-5900
(510) 981-5911 emergency from cell
ci.berkeley.ca.us/police/

Domestic Violence Services

Narika (support for South Asian community)
(800) 215-7308
narika.org/

Asian Women's Shelter (SF)
(415) 751-7110 (business)
1 (877) 751-0880 (24-hour crisis line)
sfaws.org

STAND! Against Domestic Violence (Concord)
(925) 676-2845 (business)
1 (888) 215-5555 (24-hour crisis line)
standagainstdv.org

Ruby's Place (Hayward)
(510) 786-1246

1 (888) 339-SAFE (7233) (24-hour crisis line)
(for battered/homeless women)
espca.org

Family Violence Law Center
(800) 947-8301 (24-hour crisis line)
(510) 208-0220
(help with emergency relocation, restraining orders, other advice)
<http://fvlc.org/>

A Safe Place
(510) 536-7233 (24-hour crisis line)
www.asafepacedvs.org

Marin Men's Hotline
(415) 924-1070
(batterer's intervention/men's counseling)

La Casa de Las Madres (SF)
Adults 1 (877) 503-1850 (24-hour crisis line)
Teens 1 (877) 923-0700 (24-hour crisis line)
www.lacasa.org

Woman Inc.
(415) 864-4722 (24-hour crisis line in
San Francisco) (serves women of all
sexual orientations) www.womaninc.org

West Oakland Health Council (510)
835-9610
(batterer's intervention and men's counseling)
www.wohc.org

Other Community Services

Bay Area Women Against Rape (BAWAR)
(510) 845-7273 (24-hour crisis line)
bawar@bawar.org
www.bawar.org

Berkeley Free Clinic
(510) 548-2570 or (800) 6-CLINIC
www.berkeleyfreeclinic.org

Other Local Law Enforcement Agencies *(all general business lines)*

Alameda County Sheriff's Department
(also police services for AC Transit)
(510) 667-7721
alamedacountysheriff.org/

Albany Police Department
(510) 525-7300
albanyca.org/departments/police-department

BART Police Department
1 (877) 679-7000
bart.gov/about/police

El Cerrito Police Department
(510) 233-1214 7-3233 (dispatch)
el-cerrito.org/index.aspx?nid=135

Emeryville Police Department
(510) 596-3700
ci.emeryville.ca.us/123/Police

Kensington Police Department
(510) 526-4141
kensingtoncalifornia.org/police-department/

Oakland Police Department
(510) 777-3333
oaklandpolice.com

Richmond Police Department
(510) 233-1214
ci.richmond.ca.us/82/Police-Department

San Francisco Police Department
(415) 553-0123
sanfranciscopolice.org/

Alameda County Criminal Justice Agencies

Child Protective Services
(510) 259-1800

District Attorney
(510) 267-8861 OR 268-7500

District Attorney: Superior Court
(510) 272-6222

Victim/Witness Assistance
(510) 272-6180

Alameda County Superior Court:
René Davidson Courthouse
1225 Fallon Street
Oakland, CA 94612
(510) 891-6003 (Civil)
(510) 891-6009 (Criminal)
(510) 891-6028 (Restraining Orders, Family Law)
(510) 891-6003 (Small Claims)_
www.alameda.courts.ca.gov/

Online Self-help Resource

www.courtinfo.ca.gov/selfhelp

(This site will help you work better with an attorney, or maybe represent yourself)

Victims' Bill of Rights

Victims' Bill of Rights (Marsy's Law)

The California Constitution, Article 1, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

1. Fairness and Respect

To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

2. Protection from the Defendant

To be reasonably protected from the defendant and persons acting on behalf of the defendant.

3. Victim Safety Considerations in Setting Bail and Release Conditions

To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

4. The Prevention of the Disclosure of Confidential Information

To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

5. Refusal to be Interviewed by the Defense

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

6. Conference with the Prosecution and Notice of Pretrial Disposition

To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite

the defendant, and upon request, to be notified of and informed before any pretrial disposition of the case.

7. Notice of and Presence at Public Proceedings

To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

8. Appearance at Court Proceedings and Expression of Views

To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

9. Speedy Trial and Prompt Conclusion of the Case

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

10. Provision of Information to the Probation Department

To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

11. Receipt of Pre-Sentence Report

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

12. Information About Conviction, Sentence, Incarceration, Release, and Escape

To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

13. Restitution

A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. The Prompt Return of Property

To the prompt return of property when no longer needed as evidence.

15. Notice of Parole Procedures and Release on Parole

To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

16. Safety of Victim and Public are Factors in Parole Release

To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

17. Information about These 16 Rights

To be informed of the rights enumerated in paragraphs (1) through (16).

This information is provided by UCPD in compliance with the California Attorney General's Office.

For more information on Marsy's Law, visit the Attorney General's website at: www.ag.ca.gov/victimservices or call the Victims of Crime Resource Center at 1 (800) VICTIMS (842-8467)
www.1800victims.org

To obtain information on the Victim Witness Assistance Center nearest you, please contact: Attorney General's Victim Services Unit at 1 (877) 433-9069 <https://oag.ca.gov/victimservices>



1-65900-23396-72

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1 Sproul Hall # 1199
Berkeley, CA 94720-1199