

Common Student Code Provisions

- **Conduct that obstructs or disrupts any college learning, teaching, research, administration, adjudicative process, public service functions or college-sponsored events or activities.**
- **Failure to comply with the direction of or failure to identify yourself to a college official or other public official acting in the performance of their duties.**
- **Unauthorized entry into or onto, or the unauthorized remaining in, or upon, any college premises;** or the unauthorized possession, duplication, or use of a college key or other access device.
- **Damaging, defacing, destroying, or tampering with, college property** or other personal or public property. This includes, but is not limited to, graffiti and vandalism.
- **Possessing firearms or other dangerous weapons** other than to secure them with police services; the unauthorized use, possession or storage of any explosives, fireworks, dangerous chemicals, or substances; or the use of any instrument designed to cause harm, or realistic replica of such instrument, in such a manner which might reasonably threaten or cause fear or alarm to others.
- **Harm**, which is behavior directed at an individual that is sufficiently severe, pervasive, or persistent such that it diminishes or interferes with the ability of an individual to **participate in or benefit from the services, activities, or privileges provided by the college or an employee to engage in their work duties.** This includes verbal abuse, bullying, or other conduct which threatens or is reasonably perceived as threatening.
- **Harassment**, which is conduct against a person on the basis of protected status that is sufficiently severe, pervasive, or persistent such as to interfere with or diminishes the ability of a person to participate in or benefit from the services, activities, or privileges provided by the college, or an employee to engage in work duties.
- **Knowingly assisting another person to violate the code** or failing to report to a college official conduct that constitutes significant damage to property or a serious danger to the health or personal safety of an individual.
- **Being charged with violation of federal, state, or local law by law enforcement**, or conviction of a felony or misdemeanor, under circumstances where it is reasonable to conclude that the presence of the person on college premises would constitute a danger to the health, or personal safety of members of the college community.
- **Physical abuse** of any person including, but not limited to, physical assault with bodily injury or the threat of physical harm to another person.

Criminal Statutes

- **Obstructing a law enforcement officer, RCW 9A.76.020.** (gross misdemeanor¹) Obstructing a law enforcement officer occurs when a person willfully hinders, delays, or obstructs any law enforcement officer in the discharge of his or her official powers or duties.
- **Failure to disperse, RCW 9A.84.020.** (misdemeanor) Failure to disperse occurs when: 1) three or more persons congregate; 2) there is conduct that creates a substantial risk of injury to any person; 3) a peace officer or other public servant who is enforcing or executing the law orders them to disperse; and 4) the person refuses or fails to disperse.
- **Disorderly conduct, RCW 9A.84.030.** (misdemeanor) Disorderly conduct occurs when a person: 1) uses abusive language and thereby intentionally creates a risk of assault; 2) intentionally disrupts any lawful assembly or meeting of persons without lawful authority; or 3) intentionally obstructs vehicular or pedestrian traffic without lawful authority.
- **Criminal mischief, RCW 9A.84.010.** (gross misdemeanor) Criminal mischief occurs when a person: 1) acts with three or more people; and 2) knowingly or unlawfully uses or threatens to use force. It also occurs if a person participates in any way in the use of such force against a person or property.
- **Intimidating a public servant, RCW 9A.76.180.** (class B felony) Intimidating a public servant occurs when they use a threat to influence, or attempt to influence, a public servant's vote, opinion, decision, or other official action as a public servant. Public servant means, among other things, any person who presently occupies the position of any officer or employee of government. A threat can occur in a number of ways including, but not limited to, direct or indirect communication of the intent: 1) to immediately use force against any person who is present when the threat is made; 2) to subject the person threatened or any other person to physical confinement or restraint; or 3) to cause physical damage to the property of another. Indirect communication might include conduct such as blocking a person when they attempt to leave.
- **Coercion, RCW 9A.36.070.** (gross misdemeanor) Coercion occurs if a person: 1) by use of threat (see definition above); 2) compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or abstain from conduct which he or she has a legal right to engage in.
- **Unlawful imprisonment, RCW 9A.40.040.** (class C felony) Unlawful imprisonment occurs if a person knowingly restrains another person. Restrain means to restrict a person's movement without consent and without legal authority in a manner which interferes substantially with his or her liberty. Restraint is "without consent" if it is accomplished by physical force, intimidation, or deception

¹ The terms misdemeanor, gross misdemeanor, and class B, or C felony correlate with the authorized maximum sentence available for each offense. A misdemeanor carries a maximum punishment of 90 days in jail, a fine of up to \$1,000, or both. A gross misdemeanor carries a maximum punishment of up to 364 days in jail, a fine of up to \$5,000, or both. A class C felony carries punishment of up to five years in prison, a fine of up to \$10,000, or both. A class B felony carries punishment of up to ten years in prison, a fine of up to \$20,000, or both.

Language for Dispersal Order

*I am (Rank and Name) of the (Name of Agency). I am now issuing you a public safety order to disperse or move from this area. You have ____ **minutes** to disperse or leave by moving toward (give direction). Your conduct is in violation of city and/or state law. Your failure to disperse will subject you to arrest for Failure to Disperse 9A.84.020 and may subject you to arrest for Disorderly Conduct 9A.84.030.*

