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# **SEX OFFENDER AND RESOURCES**

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**Violence Against Women Act (VAWA)**



**OCTOBER 10, 2016**  
**CLOVIS COMMUNITY COLLEGE**  
**417 Schepps Blvd Clovis, NM 88101**

## **Sex Offender Information, Violence Against Women Act (VAWA) and Resources for Criminal Offenses**

Clovis Community College is committed to ensuring that we provide a safe and secure campus as much as possible and the Security Team is also committed to making sure that we are providing up to date information on Sexual Offenders who are required to list the locations of all institutions of postsecondary education where they volunteer or are enrolled or employed. Therefore with the assistance of the following websites through The State of New Mexico, who maintains a database identifying all such persons and who also makes it available to the public.

The Clovis Community College Security Department provides this information, which is easy to navigate from the New Mexico Sex Offender Information page which is located at the following website: [www.nmsexoffender.dps.state.nm.us](http://www.nmsexoffender.dps.state.nm.us). The Clovis Community Campus community can also obtain information by contacting the Curry County Sheriff's Department at 575.769-2335.

Also due to the fact that Clovis Community College is located on the Eastern most part of New Mexico and we border with the State of Texas, Clovis Community College also provides information on Texas Sexual Offenders that could be residing in neighboring Texas counties that could have registered sexual offenders enrolled in our institution, Therefore, the registry or website for Texas registered sexual offenders is: [http://records.txdps.state.tx.us/ >](http://records.txdps.state.tx.us/)  
[Sexual Offender Registry.](#)

Furthermore, the Clovis Community College Security Department maintains an up to date notebook in the security office that is available to the faculty, staff, students and public, during business hours or you can contact the security office at 575-769-4143 for an appointment.

Although the Clovis Community College and Security Team is diligently working to ensure your safety and security, we cannot guarantee 100% safety, since it is the primary responsibility of registered sexual offenders to inform the security department that they are indeed a registered sexual offender and that they have enrolled in our institution and that they have reported all up to date information on residence and contact information with the Curry County Sheriff's office.

Below is the New Mexico State Statute requirement for registered sex offenders:

### **Section 29-11A-4 Registration of sex offenders; information required; criminal penalty for noncompliance.**

C. A sex offender who is a resident of another state but who is employed in New Mexico or attending public or private school or an institution of higher education in New Mexico shall register with the county sheriff for the county in which the sex offender is working or attending school or an institution of higher education.

D. A sex offender who is a resident of another state but who is employed in New Mexico or attending public or private school or an institution of higher education in New Mexico shall register with the county sheriff no later than ten days after beginning work or school.

See New Mexico Criminal Laws **Section 30-9-11 Criminal sexual penetration** for offenses involving criminal sexual activities

## **Safety Tips to Prevent Crime**

- Always be aware of your surroundings and of any strangers near you. If someone is acting suspiciously, move away toward large groups and well-lit areas.
- When walking to your vehicle at night, or through dark walkways or secluded areas, walk with friends or in groups, there is safety in numbers.
- Feel free to contact a member of the Clovis Community College Security Team for an escort when leaving the building and going to your car.
- If you are going to be on the campus doing late studying in a secluded area, or in a general area on the campus, please inform a member of your family where you are going to be located and when they can expect for you to return home.
- When walking to your vehicle late at night or if your vehicle is parked in a poorly lit area of the parking lot, have your keys ready in your hand ready to unlock your vehicle.
- Before entering your vehicle quickly scan the front and back seat of your vehicle to ensure that no one is inside your vehicle that is not authorized.
- Lock the doors to your vehicle every time you park anywhere on campus. Do not leave valuables where they can be easily seen by someone passing by, even if it is just for a few minutes.
- When you enter your vehicle immediately lock your vehicle door
- Do not hesitate to scream or yell if you feel threaten or attacked
- Report any suspicions persons or activities to the security team or call 911 if necessary.
- Have emergency contact phone numbers programmed into your cell phone book. Clovis Police 575-769-1921, CCC Security 575-769-4143; 575-799-3468; 575 760-4105.

## **If You are the Victim of a Crime**

- If you are the victim of a crime while at Clovis Community College, report it immediately to the Clovis Police Department or to the Clovis Community College Security Team. In case of emergency, call 911.
- When you call, give your name, the location you are calling from, a brief description of what occurred and whether the person who committed the crime is still in the area.
- Prompt reporting and specific information will increase the chances of solving your case.
- A Clovis Police Officer and/or Clovis Community College Security Officer will be dispatched to meet with you and obtain all of the necessary information.
- If evidence from the crime is still intact, please do not move or destroy it. This is especially important in sexual assault cases. NOTE: Showering, changing clothes, or grooming can destroy vital evidence.
- Many students worry about reporting crimes to the police because they do not want to testify in a trial.
- Victims are nevertheless encouraged to at least contact the Clovis Police Department so they can be made aware of other services (such as counseling and medical treatment) that might lessen the trauma of the incident.
- If a victim does not wish to pursue criminal charges, his or her wishes will be respected with the discretion of the Criminal District Attorney's Office.

- Students who are victims of crimes may also pursue recourse through the Office of Executive Vice President at Clovis Community College.
- While this is not a substitute for the criminal justice system, it affords students options for additional resources.
- Students interested in this course of action may call the Office of the Executive Vice President at 575-769-4113. Also information can be obtained at the Clovis Community College Student Handbook or through the Office of Campus Security at 575-769-4143.

## **Other Services Available**

- Clovis Community College offers confidential short term counseling services free of charge to students at the Office of Academic Advising and Counseling (575-769-4015).
- Clovis Community College employs a licensed professional counselor who can help students with a wide range of resources.
- Students interested should call the Clovis Community College Academic Advising and Counselors Office at 575-769-4015.
- Students seeking counseling services off campus may obtain a list of the services available and their phone numbers by calling the Office of Campus Security or the Academic Advising Office.
- Additional services available the Clovis Community College campus are services through the Office of Special Services at 575-769-4099.

## **Sexual Assault Facts and Myths**

Sexual assault is a crime of violence, not sexual passion. It is meant to degrade, humiliate and control. The attacker can be a stranger or someone known and trusted. It can happen to anyone, at any time, at any place. The trauma of being assaulted is a shock from which many victims never fully recover.

No matter which form it takes, sexual assault is as much a problem today as it has been throughout history. While those most at risk are people between the ages of 10 and 29, it can happen to anyone at any age.

There is no portrait of a "typical" rapist. These men (in most cases), like their victims, are all ages and come from all racial and social backgrounds. They can be college students, married, doctors, teachers, or unemployed transients. Most are not crazy or deranged people looking for sex. In fact the majority of offenders are highly intelligent, married with families and have ready access to consensual sex; but they rape to control, dominate and humiliate the victim.

### **Statistics**

- Sexual assault continues to represent the most rapidly growing violent crime in America
- Over 700,000 women are sexually assaulted each year
- It is estimated that fewer than 50% of rapes are reported
- Approximately 20% of sexual assaults against women are perpetrated by assailants unknown to the victim. The remainder are committed by friends, acquaintances, intimates, and family members.

- Acquaintance rape is particularly common among adolescent victims.
- Male victims represent 5% of reported sexual assaults.
- Among female rape victims 61% are under 18.
- At least 20% of adult women, 15% of college women and 12% of adolescent women have experienced some form of sexual abuse or assault during their lifetimes
- Over 50% of the attacks occur in the home, and most of these are planned.
- In 85% of the cases, some type of direct force is used, whether it is choking, beating or plain physical force. A weapon is used 1/3 of the time.
- Rapists rarely attack once. They have one of the highest repeat rates of all criminals. More than 70% of those arrested for the crime are re-arrested within seven years.

## **Myths**

**Myth:** Sexual assault is a crime of passion and lust.

Sexual assault is a crime of violence. Assailants seek to dominate, humiliate and punish their victims.

**Myth:** You cannot be assaulted against your will.

Assailants overpower their victim with the threat of violence or with actual violence. In cases of acquaintance rape or incest, an assailant often uses the victim's trust in assailant to isolate the victim.

**Myth:** A person who has really been assaulted will be hysterical.

Survivors exhibit a spectrum of emotional responses to the assault: calm, hysteria, laughter, guilt, anger, apathy, shock. Each survivor copes with the trauma of the assault in a different way.

**Myth:** Sexual assault is an impulsive act.

Seventy-five percent of all assaults are planned in advance. When three or more assailants are involved, 90% are planned. If two assailants are involved, 83%. With one assailant, 58% are planned.

**Myth:** Assailants are usually crazed psychopaths who do not know their victims.

As many as 80% of all assaults involve either a known acquaintance, or someone the victim has had contact with, but does not know personally.

**Myth:** Gang rape is rare.

In 43% of all reported cases, more than one assailant was involved.

**Myth:** Many women claim they have been sexually assaulted because they want revenge upon the man they accuse.

Only 4-6% of sexual assault cases are based on false accusations. This percentage of unsubstantiated cases is the same as with many other reported crimes.

**Myth:** Persons who dress or act in a sexy way are asking to be sexually assaulted.

Many convicted sexual assault assailants are unable to remember what their victims looked like or were wearing.

**Myth:** All women secretly want to be raped.

While women and men may fantasize about being overpowered during sexual relations it is usually with a person of their choosing, who they trust. They are in control of the fantasy. No one wants the physical and emotional pain caused by a sexual assault.

**Myth:** Only young, pretty women are assaulted.

There is no such thing as a "typical victim." Both men and women are assaulted by both male and female assailants. Victims have ranged in age from newborns to 100 years old.

**Myth:** It is impossible to sexually assault a man.

Men fall victim for the same reasons as women: they are overwhelmed by threats or acts of physical and emotional violence. Also, most sexual assaults that involve a male victim are gang assaults, by other males.

**Myth:** If you do not struggle or use physical force to resist you have not been sexually assaulted. If you are forced to have sex without your consent, you have been assaulted whether or not a struggle was

## Factsheet: The Violence Against Women Act:

Under the leadership of then-Senator Joe Biden, Congress recognized the severity of violence against women and our need for a national strategy with the enactment of the Violence Against Women Act in 1994. This landmark federal legislation's comprehensive approach to violence against women combined tough new provisions to hold offenders accountable with programs to provide services for the victims of such violence. VAWA has improved the criminal justice response to violence against women by

- Holding rapists accountable for their crimes by strengthening federal penalties for repeat sex offenders and creating a federal "rape shield law," which is intended to prevent offenders from using victims' past sexual conduct against them during a rape trial.
- Mandating that victims, no matter their income levels, are not forced to bear the expense of their own rape exams or for service of a protection order.
- Keeping victims safe by requiring that a victim's protection order will be recognized and enforced in all state, tribal, and territorial jurisdictions within the United States;
- Increasing rates of prosecution, conviction, and sentencing of offenders by helping communities develop dedicated law enforcement and prosecution units and domestic violence dockets.
- Ensuring that police respond to crisis calls and judges understand the realities of domestic and sexual violence by training law enforcement officers, prosecutors, victim advocates and judges; VAWA funds train over 500,000 law enforcement officers, prosecutors, judges, and other personnel every year
- Providing additional tools for protecting women in Indian country by creating a new federal habitual offender crime and authorizing warrantless arrest authority

for federal law enforcement officers who determine there is probable cause when responding to domestic violence cases.

- VAWA has ensured that victims and their families have access to the services they need to achieve safety and rebuild their lives by:
- Responding to urgent calls for help by establishing the National Domestic Violence Hotline, which has answered over 3 million calls and receives over 22,000 calls every month; 92% of callers report that it's their first call for help.
- Improving safety and reducing recidivism by developing coordinated community responses that bring together diverse stakeholders to work together to prevent and respond to violence against women.
- Focusing attention on the needs of underserved communities, including creating legal relief for battered immigrants so that abusers cannot use the victim's immigration status to prevent victims from calling the police or seeking safety, and supporting tribal governments in building their capacity to protect American Indian and Alaska Native women. VAWA has created positive change.
- Since VAWA was passed: Fewer people are experiencing domestic violence. Between 1993 to 2010, the rate of intimate partner violence declined 67%
- Between 1993 to 2007, the rate of intimate partner homicides of females decreased 35% and the rate of intimate partner homicides of males decreased 46%
- More victims are reporting domestic and sexual violence to police, and reports to police are resulting in more arrests.
- States have reformed their laws to take violence against women more seriously:
- All states have reformed laws that previously treated date or spousal rape as a lesser crime than stranger rape;
- All states have passed laws making stalking a crime;
- All states have authorized warrantless arrests in misdemeanor domestic violence cases where the responding officer determines that probable cause exists;
- All states provide for criminal sanctions for the violation of a civil protection order;
- Many states have passed laws prohibiting polygraphing of rape victims;
- Over 35 states, the District of Columbia, and the U.S. Virgin Islands have adopted laws addressing domestic and sexual violence, and stalking in the workplace. These laws vary widely and may offer a victim time off from work to address the violence in their lives, protect victims from employment discrimination related to the violence, and/or provide unemployment insurance to survivors who must leave their jobs because of the abuse.

## **Violence or threats of Domestic Violence and Stalking/Harassment**

### **Section 30-3-9 Assault; battery; school personnel.**

A. As used in this section:

(1) "In the lawful discharge of his duties" means engaged in the performance of the duties of a school employee; and

(2) "School employee" includes a member of a local public school board and public school administrators, teachers and other employees of that board.

B. Assault upon a school employee consists of:

(1) An attempt to commit a battery upon the person of a school employee while he is in the lawful discharge of his duties; or

(2) Any unlawful act, threat or menacing conduct which causes a school employee while he is in the lawful discharge of his duties to reasonably believe that he is in danger of receiving an immediate battery.

Whoever commits assault upon a school employee is guilty of a misdemeanor.

### **Section 30-3-12 Assault against a household member.**

A. Assault against a household member consists of:

(1) An attempt to commit a battery against a household member; or

(2) Any unlawful act, threat or menacing conduct that causes a household member to reasonably believe that he is in danger of receiving an immediate battery.

B. Whoever commits assault against a household member is guilty of a petty misdemeanor.

### **Section 30-3-13 Aggravated assault against a household member.**

A. Aggravated assault against a household member consists of:

(1) Unlawfully assaulting or striking at a household member with a deadly weapon; or

(2) Willfully and intentionally assaulting a household member with intent to commit any felony.

B. Whoever commits aggravated assault against a household member is guilty of a fourth degree felony.

### **Section 30-3-14 Assault against a household member with intent to commit a violent felony.**

A. Assault against a household member with intent to commit a violent felony consists of any person assaulting a household member with intent to kill or commit any murder, mayhem, criminal sexual penetration in the first, second or third degree, robbery, kidnapping, false imprisonment or burglary.

B. Whoever commits assault against a household member with intent to commit a violent felony is guilty of a third degree felony.

### **Section 30-3A-2 Harassment; penalties.**

A. Harassment consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress.

B. Whoever commits harassment is guilty of a misdemeanor.

### **Section 30-3A-3 Stalking; penalties.**

A. Stalking consists of a person knowingly pursuing a pattern of conduct that would cause a reasonable person to feel frightened, intimidated or threatened. The alleged stalker must intend to place another person in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint or the alleged stalker must intend to cause a reasonable person to fear for his safety or the safety of a household member. In furtherance of the stalking, the alleged stalker must commit one or more of the following acts on more than one occasion:

- (1) Following another person, in a place other than the residence of the alleged stalker;
- (2) placing another person under surveillance by being present outside that person's residence, school, workplace or motor vehicle or any other place frequented by that person, other than the residence of the alleged stalker; or
- (3) Harassing another person.

B. As used in this section, "household member" means a spouse, former spouse, family member, including a relative, parent, present or former step-parent, present or former in-law, child or co-parent of a child, or a person with whom the victim has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the purposes of this section.

C. Whoever commits stalking is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.

D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of stalking to participate in and complete a program of professional counseling at his own expense.

### **Section 30-3A-3.1 Aggravated stalking; penalties.**

A. Aggravated stalking consists of stalking perpetrated by a person:

- (1) Who knowingly violates a permanent or temporary order of protection issued by a court, except that mutual violations of such orders may constitute a defense to aggravated stalking;
- (2) In violation of a court order setting conditions of release and bond;
- (3) When the person is in possession of a deadly weapon; or
- (4) When the victim is less than sixteen years of age.

B. Whoever commits aggravated stalking is guilty of a fourth degree felony. Upon a second or subsequent conviction, the offender is guilty of a third degree felony.

C. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of aggravated stalking to participate in and complete a program of professional counseling at his own expense.