Annual Safety & Security Report 2026

Scioto County Career Technical Center

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www.sciototech.org

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Introduction and Purpose

The safety of students, associates, employees and visitors is an important concern of the Scioto County Career Technical Center (Scioto Tech). We prepared this report to increase your awareness of a number of programs and provide information to protect your safety and well-being.

Scioto Tech prepares the Annual Security Report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act)*. Scioto Tech participating in federal student financial aid must present to current and future students, and employees, certain crime statistics and policies in accordance with the *Clery Act*. The purpose of this report is to provide information relating to campus safety and security in an effort to aid future and current students and employees in making informed decisions regarding Scioto Tech.

The Annual Security Report is published every year by October 1st and contains three years of campus crime statistics and campus security policy statements in accordance with the *Clery Act*. Scioto Tech administrators prepare this report which includes reported campus crime, arrest and referral statistics to local law enforcement agencies and designated campus officials.

Scioto Tech does not have on or off campus housing, nor does Scioto Tech have student organizations. Therefore, no crime statistics or policies pertaining to such are included in this report.

Dissemination of the report includes written and email notifications to students, faculty, and staff providing the website address to the Annual Security Report. Potential students and employees are notified that they have access to the report on our Consumer Information web page at http://www.sciototech.org. A printed copy of the report is also available upon request.

Annual Report and Policy Biennial Review

Every other year, Scioto Tech organizes a committee that evaluates the effectiveness of its Safety and Security and Drug and Alcohol policies. This committee consists of the Secondary-Principal, Director of Post-Secondary Education, Facilities Supervisor, Satellite Programs Supervisor (Safety/Security Director) and Superintendent. Minutes are kept from this meeting and the Safety/Security Director is responsible for implementing addendums to said policies. Scioto Tech maintains Incident Reports wherein all events related to safety and/or security are kept and documented. These Incident Reports, along with local Police reports, are evaluated by the Committee at the monthly meeting in order to evaluate the effectiveness of such policies.

Crime Reporting Procedures

Reporting Crimes

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1-1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or other areas should be reported to the local law enforcement agency or SCCTC staff.

Local Law Enforcement Agency	Local Phone Number	Emergency Number
740-354-7566 Sheriff Department	740-354-2888 Highway Patrol	9-1-1

In addition, students, faculty and staff should report a crime to the following areas:

SCCTC Security	740-357-0341

Timely reporting of criminal activity enables Scioto Tech to respond to crime in a timely manner and potentially reduce the recurrence of that crime. Timely manner shall be defined to mean immediately or as immediately as possible under the circumstances.

Scioto Tech works cooperatively with local law enforcement agencies when necessary, additionally, there is a written contract between Scioto Tech and the local Sheriff's Department for an on-site Deputy Monday - Friday 7 am - 3 pm during the months of August - May and local law enforcement agencies to investigate alleged crimes. Scioto Tech does, in good faith effort, contact local law enforcement agencies if necessary to obtain data on Clery Act crimes that occurred near the campus. Not all agencies respond to our requests for data. Scioto Tech does have a security department; however, no Scioto Tech employee or staff member (excluding on-site Deputy) possesses arrest authority.

Confidential Crime Reporting

Victims of crime may not want to pursue action with Scioto Tech or the criminal justice system and may still want to consider making a confidential report. With permission, the Director of Post-Secondary & Continuing Education, Principal, or a designee of Scioto Tech, can complete an incident report on the details of the incident without revealing the victim's identity. The purpose of confidential reporting is to comply with the wish to keep matters confidential while taking measures to keep the campus community safe. With such information, Scioto Tech can keep accurate records and become aware of any patterns of crime that may warrant action. Reports filed in this manner are counted and disclosed in the annual crimes statistics for Scioto Tech.

Scioto Tech does not employ or contract with any pastoral counselors who provide confidentiality services to students or employees. However, Scioto Tech provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency. In addition, Scioto Tech offers counseling services referrals through the Human Resources Office for all employees.

Emergency Response and Evacuation

Response and Evacuation Procedures

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. Emergencies may be related to natural disasters such as earthquakes, criminal activity such as armed robberies, environmental disasters, or highly contagious health concerns.

Scioto Tech issues an Emergency Action Plan that includes emergency response and evacuation procedures and outlines actions staff, faculty, and students must take to protect their mutual health and safety.
Scioto Tech will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate its Emergency Notification System (ENS), unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. More information about Scioto Tech's ENS can be found in the Emergency Action Plan. The Campus Safety Coordinator and the Crisis Response Team have the authority and are responsible for overall management and administration of the plan. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole.

The Campus Safety Coordinator will create the notification and Scioto Tech's Crisis Response Team will assist in notifying students/employees. If deemed necessary, the outside of the campus community will be notified of the emergency through local law enforcement and/or public health agency. In addition, Scioto Tech's administrative staff will contact parents, guardians, spouses and those listed as emergency contacts by the student via phone. Other staff and faculty members may be designated as back-ups and to assist with assigned tasks.

Emergencies are identified by campus staff, by other campus community members, emergency alert radio, and forms of public media and notification. Anyone wishing to report an emergency should contact the Campus Safety Coordinator (Principal) or other available administrative staff as soon as safely possible using the most efficient means available.

Upon confirmation of a significant on campus emergency or dangerous situation involving an immediate threat to the health or safety of students and employees, the Campus Safety Coordinator or designee will issue an emergency notification and also notify the appropriate local emergency response teams, law enforcement, and individuals on campus who are in harm's way. Local authorities will determine when and if it is necessary to notify the surrounding community. The Campus Safety Coordinator and the Crisis Response Team will determine what information should be contained in the alert. Campus alerts may be issued via e-mail, classroom announcement, alarm, or any combination of methods determined to be necessary. Students and employees should regularly check their Scioto Tech e-mail account. The alerts will identify the appropriate action to take in an effort to have students and employees avoid the confirmed danger and minimize injuries. Depending on the situation, additional alerts will be disseminated as information becomes available.

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, or public emergency response teams or law enforcement agencies during actual emergencies and drills for their

personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.
The plan, including any updates, is reviewed with new students and employees during orientation, and during some faculty meetings throughout the year. Evacuation routes are identified in each classroom and other areas the Crisis Response Team deems necessary.

Emergency response and evacuation drills are conducted, at minimum, annually and all student, faculty, and staff participate and conduct themselves appropriately. Tests may be announced or unannounced at the discretion of the Campus Safety Coordinator. Tests are evaluated for needed improvement. At a later drill any needed improvements will be tested, and if successful, included in the campus procedures. If not successful, different approaches will be tried until acceptable results are achieved.

Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to unforeseen emergencies.
The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Campus Safety Coordinator, Director of Post-Secondary & Continuing Education, or other administrative staff as soon as possible. Persons responsible for carrying out the emergency response and evacuation procedures include: Campus Safety Coordinator, Secondary-Principal, Director of Post-Secondary & Continuing Education, Assistant Principals, and Crisis Response Team.

Timely Warnings for an Emergency

In the event of an ongoing or continuing threat to the campus community, a timely warning is issued verbally, notices are posted in common on-campus areas and email notification may be sent. Timely shall be defined to mean immediately, or as immediately as possible under the circumstances. The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report it immediately to the Campus Safety Coordinator, or Crisis Response Team member. The Campus Safety Coordinator and Crisis Response Team are responsible for ensuring timely warnings are issued to the campus community.

Facilities Security and Access

The campus facilities are open during day and evening business hours and are accessible to students, employees, contractors, guests, and invitees. The campus is secured during non-business hours by locking doors and only accessible by issued key and/or badge bar code. Maintenance personnel enter the facilities during the evening or early morning non

business hours by issued key and/or badge bar code. Scioto Tech does not have on or off campus residences or official off campus student organizations. Scioto Tech does have a security department. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Campus Safety Coordinator and staff regularly reviews the campus and reports malfunctioning lights and other unsafe physical conditions to Scioto Tech's Facilities Department for correction.

Security Awareness Programs for Students and Employees

Safety and security awareness programs are in place for students and employees. The common theme of awareness and crime prevention programs are to encourage students and employees to be aware of their responsibility for their own security and the security of others. The safety rules, including crime prevention, are available in the Scioto Tech Student Handbook and reviewed with students during orientation. Security, including crime prevention, is reviewed with employees at hire dates and during staff and faculty meetings.

Instructors are required to discuss emergency evacuation procedures and safety policy on the first day of class. Visual emergency exiting layouts are posted at the entrances of all campus rooms and Emergency Classroom Procedures shall be posted in each lab.

In the event of eminent danger or immediate emergency, information is released through e-mail, voice mail, or classroom and campus announcements.

Alcoholic and Drug Prevention Policy

Scioto Tech is a drug-free work place, complying with the Drug Free Work Place Act, and the Drug Free Schools and Campuses Act.

Prevention and Treatment

Scioto Tech has developed a policy to prevent the illicit use of drugs and the abuse of alcohol by students and employees on campus or at off campus student related activities. The policy provides services related to drug use and abuse including dissemination of informational materials, disciplinary actions and a list of educational programs, counseling services, and treatment programs.

The Campus Safety Coordinator provides an overall coordination of the Drug-Free School Program. Drug and Alcohol education materials are available to students and employees.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol at Scioto Tech is governed by Scioto Tech's Drug and Alcohol Policy and state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the state's Department

of Commerce. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Principal, Director of Post-Secondary & Continuing Education, and local law enforcement agencies. Scioto Tech has been designated "Drug free" and under no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Safety Coordinator, staff, and local law enforcement agencies. Violators are subject to Scioto Tech's disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under the age of 21 in a public place, or a place open to the public, is illegal. It is also a violation of Scioto Tech's Drug and Alcohol Policy for anyone to consume or possess alcohol in any public or private area of Scioto Tech. Students and employees violating alcohol/substance policies or laws will be subject to disciplinary action by Scioto Tech. For more information, please refer to the most recent student/staff handbook.

Health Risks Associated with Substance Abuse

Substance abuse can cause very serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. For additional information on health risks of substance abuse reference: **https://www.drugabuse.gov/publications/drugs-brains-behavior-science-addiction/references.** (See Appendix B)

Illegal Drug Possession

Scioto Tech has been designated "Drug free". The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Safety Coordinator, staff and local law enforcement agencies. Violators are subject to Scioto Tech's disciplinary action, criminal prosecution, fine and imprisonment. For more information, please refer to the most recent student/staff handbook policy.

Disciplinary Action for Weapons, Drug, and Alcohol Violation

Scioto Tech is committed to helping students meet their educational and career goals. Employees are held to a high standard and are required to conduct themselves in a professional manner. When students or employees violate weapon, drug, or alcohol laws, disciplinary action will result as described. Scioto Tech provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency.

The results of any investigation are available upon request to victims or if necessary, the victims next of kin as determined and required by Federal and State laws.

Legal Sanctions – Laws Governing Alcohol

The Clery Act requires Scioto Tech to inform students and employees of laws governing Alcohol. The State of Ohio has set 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the State Department of Commerce. (See Appendix A)

Scioto Tech Sanctions

A violation of any law regarding the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees is also a violation of Scioto Tech's Drug and Alcohol policy and will be treated as a separate disciplinary matter by Scioto Tech. For more information, please refer to the most recent student/staff handbook.

After alleged misconduct becomes known to school administrators, the student will be given notice of the possibility of sanctions and the reasons for the sanctions. The student will be given an opportunity to meet with the program coordinator to explain his/her actions. The student will receive written notification if and what sanctions are to be imposed.

Sexual Offense Policy and Other Information

Scioto Tech is required by the Clery Act to include in its Annual Security Report information about Sex offense policy and procedures, prevention and how to access information on registered sex offenders in the campus community.

Sexual Offense Policy

Sexual assault is not tolerated by Scioto Tech. All allegations of sexual assault will be promptly investigated and appropriate action taken if required. For instance, Scioto Tech will monitor student locations by restricting access to program, classroom, lab and other public areas as needed.

Actions to take if Sexually Assaulted

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. Scioto Tech strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. Victims of an assault should be reported directly to the local law enforcement agency but reporting is at the victim's discretion. In addition, the Campus Safety Coordinator or staff will assist the student in notifying these authorities at the student's request.

Numbers to local law enforcement agencies are as follows:

Local Law Enforcement Agency	**Local Phone Number**	**Emergency Number**
740-354-7566 Sheriff Department	**740-354-2888** Highway Patrol	**9-1-1**

In addition, students, faculty and staff should report a crime to the following areas: Report crimes to:

Campus Security Office	
SCCTC Security	**740-357-0341**

Filing a police report with the local law enforcement agency will not obligate the victim to prosecute. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Sexual Assault Counseling Services

Scioto Tech does not provide on-campus or off-campus counseling services. However, Scioto Tech can and will refer the victim to a non-related, outside counseling service such as a local rape counseling center. In addition, Scioto Tech offers assistance and referral through the Human Resources Office and the Title 9 Coordinator.

Sexual Assault Disciplinary Action

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and Scioto Tech, or only the latter. To initiate disciplinary action against a student or employee for sexual assault, a report must be made to the Principal, Director of Post-Secondary & Continuing Education, or Human Resources.

The following disciplinary procedures will be conducted in cases of an alleged sex offense:

- Scioto Tech will delegate an investigator to review the specifics in the case, interview the accuser and accused, and any witnesses.
- Scioto Tech will conduct a meeting during which the accuser and the accused are entitled to participate and have the option of one person who has had no formal legal training to accompany them throughout the meeting.
- Both the accuser and the accused will be informed in writing of Scioto Tech's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Sanctions

A student or employee found guilty of a sexual assault will be dismissed, expelled or terminated.

Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

Scioto Tech will, upon written request, disclose to the victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by Scioto Tech against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the results of the disciplinary action may be provided to the victim's next of kin, if requested.

Prevention Programs

Educational information regarding sexual assaults, date rape, acquaintance rape, and other forcible and non-forcible sex offenses is addressed to all students. Scioto Tech also has information concerning these topics available in the Post-Secondary and Student Services offices.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance

Risk Reduction

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.

8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
    e. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
    f. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Availability of Sex Offender Registry

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Scioto Tech is providing a link to the State of Ohio Department of Justice's register sex offender's website. This act requires institutes of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Ohio convicted sex offenders must register with local law enforcement under Megan's Law.
The registry is available via Internet and is available at the following web address: Ohio Sex Offender Registry or Megan's Law

The state of Ohio web site is **http://www.communitynotification.com/cap_main.php?office=55149**

Information on registered sex offenders can also be obtain by contacting the Scioto County Sheriff's Office at 1025 16th Street Portsmouth, Ohio 45662 or by calling (740) 355.8261, or visit their website at: **Scioto County Sheriff**

Violence Against Women Reauthorization Act of 2013 (VAWA)

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act and will require Scioto Tech to compile statistics for additional crimes that are reported to Scioto Tech or to local police agencies. These additional crimes include sexual assault, domestic violence, dating violence, and stalking. Scioto Tech will begin to compile statistics on VAWA crimes in 2013 and as additional guidance is provided to Scioto Tech, future Annual Security Reports may have more details on this new law.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

Portsmouth Area:

- Portsmouth Police Department 728 2nd Street, Portsmouth, Ohio 740.353.4101
- Southern Ohio Medical Center (SOMC) 1805 27th Street, Portsmouth, Ohio 740.356.5000
- Southern Ohio Shelter / Southern Ohio Task Force On Domestic Violence 2315 Grant Street, Portsmouth, Ohio 740.456.8217
- Southern Ohio Sexual Assault 2315 Grant St, Portsmouth, Ohio 740.355.3528
- Kings Daughters Medical Center (KDMC) 2001 Scioto Trail, Portsmouth, Ohio 740.353.1978
- Shawnee Mental Health Center, Inc. 901 Washington Street Portsmouth, Ohio 45662 740.354.7702
- City Health Department 605 Washington Street, Portsmouth, Ohio 740.353.5153
- Scioto County Prosecutor's Office 602 7th Street, Portsmouth, Ohio 740.355.8215
- Portsmouth Municipal Court 728 2nd Street, Portsmouth, Ohio 740.354.3283
- Portsmouth Solicitor's Office 728 2nd Street, Portsmouth, Ohio 740.353.5229

Assistance with obtaining protection orders may be available through **The Southern Ohio Task Force on Domestic Violence** by calling 740.456.8217 (office) or 1-800-411-2267 (Hotline).

Online State and National Resources offer resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- Ohio Alliance to End Sexual Violence - http://www.oaesv.org/
- Ohio Domestic Violence Network - http://www.odvn.org/
- Male survivor/Overcoming Sexual Victimization of Boys & Men - http://www.malesurvivor.org/index.php
- Rape, Abuse and Incest National Network - http://www.rainn.org
- Department of Justice - https://www.justice.gov/
- Department of Education, Office of Civil Rights - http://www2.ed.gov/about/offices/list/ocr/index.html

In Ohio, a victim of domestic violence, dating violence, sexual assault or stalking has rights. For a complete list of victim's rights:

- http://www.ohioattorneygeneral.gov

Hate Crimes

There were **___O___** reported incidents of hate crimes reported for 2023, 2024 or 2025.

Hate crime statistics are presented in narrative format when there are no hate crimes to report or if there are a limited number of hate crimes reported.

A *Clery Act* hate crime is committed when the victim was intentionally targeted because of bias. Bias for the purpose of *Clery Act* hate crime reporting is *a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin.*

Hate crime categories include murder/non-negligent manslaughter, sex offenses – forcible, sex offences – non forcible, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny-theft, intimidation, destruction/damage/vandalism of property.

Scioto Tech takes hate crimes and all criminal offences seriously and encourages the campus community to report any crime to the Campus Safety Coordinator, Sheriff Deputy or Security. Crimes also can be reported by calling 911.

Annual Disclosures Preparation

The Annual Safety and Security Report is required by federal law and contains policy statements and crime statistics for the district. This report is in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It includes certain types of reported crimes that may have occurred on properties owned or controlled by the district being used for educational purposes, and on public property within or immediately adjacent

to district properties. This report is available online at https://www.sciototech.org. Scioto Tech maintains Incident Reports wherein all events related to safety and/or security are kept and documented. At the conclusion of each year, Scioto Tech assembles this data, along with local Police reports, in order to produce the data found below.

Campus Crime Statistics

SCIOTO TECH Crime Statistics 2023 – 2025 Criminal Offenses						
	On Campus & Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Sex offenses-Non-forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Totals	0	0	0	0	0	0

SCIOTO TECH Crime Statistics 2023 – 2025 Hate Crimes						
	On Campus & Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0

Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction, Damage, Vandalism of Property	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0
Totals	0	0	0	0	0	0

Arrests & Disciplinary Actions

SCIOTO TECH Crime Statistics 2023 – 2025 Arrests						
	On Campus & Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
VAWA Crimes	0	0	0	0	0	0
Totals	0	0	0	0	0	0

SCIOTO TECH Crime Statistics 2023 – 2025 Disciplinary Actions						
	On Campus & Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Liquor Law Violations	2	0	1	0	0	0
Drug Law Violations	9	6	4	0	0	0
Illegal Weapons Possession	0	1	1	0	0	0
Totals	11	7	6	0	0	0

SCIOTO TECH Crime Statistics 2023 – 2025 Violence Against Women(VAWA)						
	On Campus & Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025
Domestic Violence	0	0	0	0	0	0
Dating Violence/VAWA	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Totals	0	0	0	0	0	0

Clery Act Crimes and Reportable Locations (Definitions)

A. Crime Definitions used for Collecting Clery Crime Statistics:

1. Clery Act Reportable Crimes:

Murder and Non-negligent Manslaughter. The willful (non-negligent) killing of one human being by another. Note: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiably homicides are excluded.

Manslaughter by Negligence. The killing of another person through gross negligence. Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the

consequences as affecting the life or property of another.

Sex Offenses. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

• Rape. The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

• Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

• Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

• Statutory Rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent (age 16 in Ohio).

Robbery. The taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force or violence and/or putting the victim in fear. The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear. (Includes attempts).

Aggravated Assault. An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury. (Includes attempts, and whether or not an injury occurred).

Burglary. The unlawful entry of a structure with intent to commit a felony or theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft. The theft or attempted theft of a motor vehicle. (Classify as motor vehicle

theft all cases where vehicles are taken by a person not having lawful access even though the vehicle may later be abandoned, including joyriding).

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

Domestic Violence. A felony or misdemeanor crime of violence committed by: (1) a current or former spouse of the victim, (2) by a person with whom the victim shares a child in common, (3) by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, (4) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Ohio or the jurisdiction in which the crime of violence occurred, (5) or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Ohio or the jurisdiction in which the crime of violence occurred.

Dating Violence. Violence committed by a person – (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, (iii) the frequency of interaction between the persons involved in the relationship.

Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

2. Clery Act Reportable Hate Crimes:

Hate Crimes. A crime involving one or more of the above listed Clery Reportable Crimes, the crimes of larceny-theft, simple assault, intimidation and/or vandalism (defined below) that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived race, religion, gender, gender-identity, sexual orientation, ethnicity, national origin, and disability.

• Larceny-theft. (Except Motor Vehicle Theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

• Simple Assault. An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

• Intimidation. To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

• Destruction/Damage/Vandalism of Property. To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

3. Clery Act Reportable Arrests and Referrals

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

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

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

B. Definitions of Geographical Categories used to Report Clery Crimes

The crime statistics are required to be reported in four geographical categories: “On Campus”,

“On Campus Student Housing Facilities”, “Non-Campus Buildings or Property”, and “Public Property”.

• On Campus: means (1) any building or property owned or controlled by the university within the same reasonably contiguous geographical area and used by the university in direct support of, or in a manner related to the university’s educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to part (1) of this definition, that is owned by the university but controlled by another person, is frequently used by students, and supports university purposes (such as food or other retail vendor).

• Non-Campus: means any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is being used in direct support of, or in relation to, the institution’s educational purposes, is frequented by students and is not within the same reasonably contiguous geographic area of the institution.

• On Campus Student Housing Facilities: means any student housing facility that is owned or controlled by the university, or is located on property that is owned or controlled by the university, and is within a reasonable contiguous area that makes up the campus. The SCCTC does not own/control or lease any student housing.

• Public Property: means all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. The Clery Act does not require disclosure of crime statistics for public property that surrounds non-campus buildings or property

APPENDIX A

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

21.U.S.C. 884(a)

1st conviction: Up to 1 year imprisonment and fined at least $1,000.00, but not more than $100,000.00 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined $2,500.00, but not more than $250,000.00 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least$5,000.00, but not more than $250,000.00 or both.

Special sentencing provisions for possession of crack cocaine; Mandatory at least 5 years years in prison, not to exceed 20 years and fined up to $250,000.00 or both.

A) 1st conviction and the amount of crack possessed exceeds 5 grams.
B) 2nd conviction and the amount of crack possessed exceeds 3 grams
C) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram

22.U.S.S. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance, that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack).

21,U.S.C.881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21.U.S.C.884a

Civil fine of up to $10,000.00 (Pending adoption of final regulations.

21.U.S.C.853a

Denial of Federal benefits such as student loans, grants, contracts and professional and commercial licenses, up to 1 year for 1st offense, up to 5 years for 2nd and subsequent offenses.

18.U.C.933(g)

Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain Federal licensees and benefits, e.g. pilot license, public housing tenancy, etc., are vested within the authorities of individual Federal Agencies.

*****NOTE: These are only Federal penalties and sanctions. Additional State penalties and sanctions do apply**

APPENDIX B

HEALTH RISKS ASSOCIATED WITH ALCOHOL

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required in driving a car safely, increasing the likelihood that the driver will be involved in a car accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol caused marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal symptoms can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

As described in What Works: Schools Without Drugs (1989 Edition, Department of Education).

Appendix C

Ohio Law, Chapter 2907: SEX OFFENSES

2907.01 Sex offenses general definitions.

As used in sections 2907.01 to 2907.38 of the Revised Code:

(A) "Sexual conduct" means vaginal intercourse between a male and female; anal intercourse, fellatio, and cunnilingus between persons regardless of sex; and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal opening of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.

(B) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.

(C) "Sexual activity" means sexual conduct or sexual contact, or both.

(D) "Prostitute" means a male or female who promiscuously engages in sexual activity for hire, regardless of whether the hire is paid to the prostitute or to another.

(E) "Harmful to juveniles" means that quality of any material or performance describing or representing nudity, sexual conduct, sexual excitement, or sado-masochistic abuse in any form to which all of the following apply:

(1) The material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex.

(2) The material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles.

(3) The material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

(F) When considered as a whole, and judged with reference to ordinary adults or, if it is designed for sexual deviates or other specially susceptible group, judged with reference to that group, any material or performance is "obscene" if any of the following apply:

(1) Its dominant appeal is to prurient interest;

(2) Its dominant tendency is to arouse lust by displaying or depicting sexual activity, masturbation, sexual excitement, or nudity in a way that tends to represent human beings as mere objects of sexual appetite;

(3) Its dominant tendency is to arouse lust by displaying or depicting bestiality or extreme or bizarre violence, cruelty, or brutality;

(4) Its dominant tendency is to appeal to scatological interest by displaying or depicting human bodily functions of elimination in a way that inspires disgust or revulsion in persons with ordinary sensibilities, without serving any genuine scientific, educational, sociological, moral, or artistic purpose;

(5) It contains a series of displays or descriptions of sexual activity, masturbation, sexual excitement, nudity, bestiality, extreme or bizarre violence, cruelty, or brutality, or human bodily functions of elimination, the cumulative effect of which is a dominant tendency to appeal to prurient or scatological interest, when the appeal to such an interest is primarily for its own sake or for commercial exploitation, rather than primarily for a genuine scientific, educational, sociological, moral, or artistic purpose.

(G) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(H) "Nudity" means the showing, representation, or depiction of human male or female genitals, pubic area, or buttocks with less than a full, opaque covering, or of a female breast with less than a full, opaque covering of any portion thereof below the top of the nipple, or of covered male genitals in a discernibly turgid state.

(I) "Juvenile" means an unmarried person under the age of eighteen.

(J) "Material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, phonographic record, or tape, or other tangible thing capable of arousing interest through sight, sound, or touch and includes an image or text appearing on a computer monitor, television screen, liquid crystal display, or similar display device or an image or text recorded on a computer hard disk, computer floppy disk, compact disk, magnetic tape, or similar data storage device.

(K) "Performance" means any motion picture, preview, trailer, play, show, skit, dance, or other exhibition performed before an audience.

(L) "Spouse" means a person married to an offender at the time of an alleged offense, except that such person shall not be considered the spouse when any of the following apply:

(1) When the parties have entered into a written separation agreement authorized by section 3103.06 of the Revised Code;

(2) During the pendency of an action between the parties for annulment, divorce, dissolution of marriage, or legal separation;

(3) In the case of an action for legal separation, after the effective date of the judgment for legal separation.

(M) "Minor" means a person under the age of eighteen.

(N) "Mental health client or patient" has the same meaning as in section 2305.51 of the Revised Code.

(O) "Mental health professional" has the same meaning as in section 2305.115 of the Revised Code.

(P) "Sado-masochistic abuse" means flagellation or torture by or upon a person or the condition of being fettered, bound, or otherwise physically restrained.

Effective Date: 01-01-2004; 08-03-2006; 08-17-2006; 2007 SB10 01-01-2008

2907.02 Rape.

(A)

(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

(a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.

(c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

(B) Whoever violates this section is guilty of rape, a felony of the first degree. If the offender under division (A)(1)(a) of this section substantially impairs the other person's judgment or control by administering any controlled substance described in section 3719.41 of the Revised Code to the other person surreptitiously or by force, threat of force, or deception, the prison term imposed upon the offender shall be one of the prison terms prescribed for a felony of the first degree in section 2929.14 of the Revised Code that is not less than five years. Except as otherwise provided in this division, notwithstanding sections 2929.11 to 2929.14 of the Revised Code, an offender under division (A)(1)(b) of this section shall be sentenced to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code. If an offender is convicted of or pleads guilty to a violation of division (A)(1)(b) of this section, if the offender was less than sixteen years of age at the time the offender committed the violation of that division, and if the offender during or immediately after the commission of the offense did not cause serious physical harm to the victim, the victim was ten years of age or older at the time of the commission of the violation, and the offender has not previously been convicted of or pleaded guilty to a violation of this section or a substantially similar existing or former law of this state, another state, or the United States, the court shall not sentence the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, and instead the court shall sentence the offender as otherwise provided in this division. If an offender under division (A)(1)(b) of this section previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of this section or to violating an existing or former law of this state, another state, or the United States that is substantially similar to division (A)(1)(b) of this section, if the offender during or immediately after the commission of the offense caused serious physical harm to the victim, or if the victim under division (A)(1)(b) of this section is less than ten years of age, in lieu of sentencing the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, the court may impose upon the offender a term of life without parole. If the court imposes a term of life without parole pursuant to this division, division (F) of section 2971.03 of the Revised Code applies, and the offender automatically is

classified a tier III sex offender/child-victim offender, as described in that division.

(C) A victim need not prove physical resistance to the offender in prosecutions under this section.

(D) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(E) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(F) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(G) It is not a defense to a charge under division (A)(2) of this section that the offender and the victim were married or were cohabiting at the time of the commission of the offense.

Effective Date: 06-13-2002; 01-02-2007; 2007 SB10 01-01-2008

Additional Ohio Revised Code section related to VAWA crimes:

The State of Ohio does not define Consent in the Ohio Revised Code.

Ohio Revised Code Definition for Sexual Assaults

Section 2907.02 Rape.

(A)

(1) No person shall engage in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following applies:

(a) For the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(b) The other person is less than thirteen years of age, whether or not the offender knows the age of the other person.

(c) The other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age.

(2) No person shall engage in sexual conduct with another when the offender purposely compels the other person to submit by force or threat of force.

(B) Whoever violates this section is guilty of rape, a felony of the first degree. If the offender under division (A)(1)(a) of this section substantially impairs the other person's judgment or control by administering any controlled substance described in section 3719.41 of the Revised Code to the other person surreptitiously or by force, threat of force, or deception, the prison term imposed upon the offender shall be one of the prison terms prescribed for a felony of the first degree in section 2929.14 of the Revised Code that is not less than five years. Except as otherwise provided in this division, notwithstanding sections 2929.11 to 2929.14 of the Revised Code, an offender under division (A)(1)(b) of this section shall be sentenced to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code. If an offender is convicted of or pleads guilty to a violation of division (A)(1)(b) of this section, if the offender was less than sixteen years of age at the time the

offender committed the violation of that division, and if the offender during or immediately after the commission of the offense did not cause serious physical harm to the victim, the victim was ten years of age or older at the time of the commission of the violation, and the offender has not previously been convicted of or pleaded guilty to a violation of this section or a substantially similar existing or former law of this state, another state, or the United States, the court shall not sentence the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, and instead the court shall sentence the offender as otherwise provided in this division. If an offender under division (A)(1)(b) of this section previously has been convicted of or pleaded guilty to violating division (A)(1)(b) of this section or to violating an existing or former law of this state, another state, or the United States that is substantially similar to division (A)(1)(b) of this section, if the offender during or immediately after the commission of the offense caused serious physical harm to the victim, or if the victim under division (A)(1)(b) of this section is less than ten years of age, in lieu of sentencing the offender to a prison term or term of life imprisonment pursuant to section 2971.03 of the Revised Code, the court may impose upon the offender a term of life without parole. If the court imposes a term of life without parole pursuant to this division, division (F) of section 2971.03 of the Revised Code applies, and the offender automatically is classified a tier III sex offender/child-victim offender, as described in that division.

(C) A victim need not prove physical resistance to the offender in prosecutions under this section.

(D) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(E) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(F) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

(G) It is not a defense to a charge under division (A)(2) of this section that the offender and the victim were married or were cohabiting at the time of the commission of the offense.

Effective Date: 06-13-2002; 01-02-2007; 2007 SB10 01-01-2008

Section 2907.03 Sexual battery.

(A) No person shall engage in sexual conduct with another, not the spouse of the offender, when any of the following apply:

(1) The offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution.

(2) The offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired.

(3) The offender knows that the other person submits because the other person is unaware that the act is being committed.

(4) The offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse.

(5) The offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person in loco parentis of the other person.

(6) The other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the other person.

(7) The offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code, the other person is enrolled in or attends that

school, and the offender is not enrolled in and does not attend that school.

(8) The other person is a minor, the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is enrolled in or attends that institution.

(9) The other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person.

(10) The offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes.

(11) The other person is confined in a detention facility, and the offender is an employee of that detention facility.

(12) The other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric.

(13) The other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.

(B) Whoever violates this section is guilty of sexual battery. Except as otherwise provided in this division, sexual battery is a felony of the third degree. If the other person is less than thirteen years of age, sexual battery is a felony of the second degree, and the court shall impose upon the offender a mandatory prison term equal to one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the second degree.

(C) As used in this section:

(1) "Cleric" has the same meaning as in section 2317.02 of the Revised Code.

(2) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code.

(3) "Institution of higher education" means a state institution of higher education defined in section 3345.011 of the Revised Code, a private nonprofit college or university located in this state that possesses a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713. of the Revised Code, or a school certified under Chapter 3332. of the Revised Code.

(4) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

Section 2907.04 Unlawful sexual conduct with minor.

(A) No person who is eighteen years of age or older shall engage in sexual conduct with another, who is not the spouse of the offender, when the offender knows the other person is thirteen years of age or older but less than sixteen years of age, or the offender is reckless in that regard.

(B) Whoever violates this section is guilty of unlawful sexual conduct with a minor.

(1) Except as otherwise provided in divisions (B)(2), (3), and (4) of this section, unlawful sexual conduct with a minor is a felony of the fourth degree.

(2) Except as otherwise provided in division (B)(4) of this section, if the offender is less than four years older than the other person, unlawful sexual conduct with a minor is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (B)(4) of this section, if the offender is ten or more years older than the other person, unlawful sexual conduct with a minor is a felony of the third degree.

(4) If the offender previously has been convicted of or pleaded guilty to a violation of section 2907.02, 2907.03, or 2907.04 of the Revised Code or a violation of former section 2907.12 of the Revised Code, unlawful sexual conduct with a minor is a felony of the second degree.

Section 2907.05 Gross Sexual Imposition.

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

(1) The offender purposely compels the other person, or one of the other persons, to submit by force or threat of force.

(2) For the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception.

(3) The offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery.

(4) The other person, or one of the other persons, is less than thirteen years of age, whether or not the

offender knows the age of that person.

(5) The ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age.

(B) No person shall knowingly touch the genitalia of another, when the touching is not through clothing, the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

(C) Whoever violates this section is guilty of gross sexual imposition.

(1) Except as otherwise provided in this section, gross sexual imposition committed in violation of division (A)(1), (2), (3), or (5) of this section is a felony of the fourth degree. If the offender under division (A)(2) of this section substantially impairs the judgment or control of the other person or one of the other persons by administering any controlled substance described in section 3719.41 of the Revised Code to the person surreptitiously or by force, threat of force, or deception, gross sexual imposition committed in violation of division (A)(2) of this section is a felony of the third degree.

(2) Gross sexual imposition committed in violation of division (A)(4) or (B) of this section is a felony of the third degree. Except as otherwise provided in this division, for gross sexual imposition committed in violation of division (A)(4) or (B) of this section there is a presumption that a prison term shall be imposed for the offense. The court shall impose on an offender convicted of gross sexual imposition in violation of division (A)(4) or (B) of this section a mandatory prison term equal to one of the prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree if either of the following applies:

(a) Evidence other than the testimony of the victim was admitted in the case corroborating the violation;

(b) The offender previously was convicted of or pleaded guilty to a violation of this section, rape, the former offense of felonious sexual penetration, or sexual battery, and the victim of the previous offense was less than thirteen years of age.

(D) A victim need not prove physical resistance to the offender in prosecutions under this section.

(E) Evidence of specific instances of the victim's sexual activity, opinion evidence of the victim's sexual activity, and reputation evidence of the victim's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, or the victim's past sexual activity with the offender, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

Evidence of specific instances of the defendant's sexual activity, opinion evidence of the defendant's sexual activity, and reputation evidence of the defendant's sexual activity shall not be admitted under this section unless it involves evidence of the origin of semen, pregnancy, or disease, the defendant's past sexual activity with the victim, or is admissible against the defendant under section 2945.59 of the Revised Code, and only to the extent that the court finds that the evidence is material to a fact at issue in the case and that its inflammatory or prejudicial nature does not outweigh its probative value.

(F) Prior to taking testimony or receiving evidence of any sexual activity of the victim or the defendant in a proceeding under this section, the court shall resolve the admissibility of the proposed evidence in a hearing in chambers, which shall be held at or before preliminary hearing and not less than three days before trial, or for good cause shown during the trial.

(G) Upon approval by the court, the victim may be represented by counsel in any hearing in chambers or other proceeding to resolve the admissibility of evidence. If the victim is indigent or otherwise is unable to obtain the services of counsel, the court, upon request, may appoint counsel to represent the victim without cost to the victim.

Effective Date: 03-10-1998; 08-03-2006; 2007 SB10 01-01-2008

Section 2907.06 Sexual Imposition.

(A) No person shall have sexual contact with another, not the spouse of the offender; cause another, not the spouse of the offender, to have sexual contact with the offender; or cause two or more other persons to have sexual contact when any of the following applies:

(1) The offender knows that the sexual contact is offensive to the other person, or one of the other persons, or is reckless in that regard.

(2) The offender knows that the other person's, or one of the other person's, ability to appraise the nature of or control the offender's or touching person's conduct is substantially impaired.

(3) The offender knows that the other person, or one of the other persons, submits because of being unaware of the sexual contact.

(4) The other person, or one of the other persons, is thirteen years of age or older but less than sixteen years of age, whether or not the offender knows the age of such person, and the offender is at least eighteen years of age and four or more years older than such other person.

(5) The offender is a mental health professional, the other person or one of the other persons is a mental health client or patient of the offender, and the offender induces the other person who is the client or patient to submit by falsely representing to the other person who is the client or patient that the sexual contact is necessary for mental health treatment purposes.

(B) No person shall be convicted of a violation of this section solely upon the victim's testimony unsupported by other evidence.

(C) Whoever violates this section is guilty of sexual imposition, a misdemeanor of the third degree. If the offender previously has been convicted of a violation of this section or of section 2907.02, 2907.03, 2907.04, 2907.05, or 2907.12 of the Revised Code, a violation of this section is a misdemeanor of the first degree.

Effective Date: 05-14-2002

Ohio Revised Code Definition for Domestic Violence

2919.25 Domestic violence.

(A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.

(B) No person shall recklessly cause serious physical harm to a family or household member.

(C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

(D)

(1) Whoever violates this section is guilty of domestic violence, and the court shall sentence the offender as provided in divisions (D)(2) to (6) of this section.

(2) Except as otherwise provided in divisions (D)(3) to (5) of this section, a violation of division (C) of this section is a misdemeanor of the fourth degree, and a violation of division (A) or (B) of this section is a misdemeanor of the first degree.

(3) Except as otherwise provided in division (D)(4) of this section, if the offender previously has pleaded guilty to or been convicted of domestic violence, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to domestic violence, a violation of section 2903.14, 2909.06, 2909.07, 2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of the violation was a family or household member at the time of the violation, a violation of an existing or former municipal ordinance or law of this or any other state or the United States that is substantially similar to any of those sections if the victim of the violation was a family or household member at the time of the commission of the violation, or any offense of violence if the victim of the offense was a family or household member at the time of the commission of the offense, a violation of division (A) or (B) of this section is a felony of the fourth degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the second degree.

(4) If the offender previously has pleaded guilty to or been convicted of two or more offenses of domestic violence or two or more violations or offenses of the type described in division (D)(3) of this section involving a person who was a family or household member at the time of the violations or offenses, a violation of division (A) or (B) of this section is a felony of the third degree, and, if the offender knew that the victim of the violation was pregnant at the time of the violation, the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the first degree.

(5) Except as otherwise provided in division (D)(3) or (4) of this section, if the offender knew that the victim of the violation was pregnant at the time of the violation, a violation of division (A) or (B) of this section is a felony of the fifth degree, and the court shall impose a mandatory prison term on the offender pursuant to division (D)(6) of this section, and a violation of division (C) of this section is a misdemeanor of the third degree.

(6) If division (D)(3), (4), or (5) of this section requires the court that sentences an offender for a violation of division (A) or (B) of this section to impose a mandatory prison term on the offender pursuant to this division, the court shall impose the mandatory prison term as follows:

(a) If the violation of division (A) or (B) of this section is a felony of the fourth or fifth degree, except as otherwise provided in division (D)(6)(b) or (c) of this section, the court shall impose a

mandatory prison term on the offender of at least six months.

(b) If the violation of division (A) or (B) of this section is a felony of the fifth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of twelve months.

(c) If the violation of division (A) or (B) of this section is a felony of the fourth degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, the court shall impose a mandatory prison term on the offender of at least twelve months.

(d) If the violation of division (A) or (B) of this section is a felony of the third degree, except as otherwise provided in division (D)(6)(e) of this section and notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of six months or one of the prison terms prescribed in section 2929.14 of the Revised Code for felonies of the third degree.

(e) If the violation of division (A) or (B) of this section is a felony of the third degree and the offender, in committing the violation, caused serious physical harm to the pregnant woman's unborn or caused the termination of the pregnant woman's pregnancy, notwithstanding the range of prison terms prescribed in section 2929.14 of the Revised Code for a felony of the third degree, the court shall impose a mandatory prison term on the offender of either a definite term of one year or one of the prison terms prescribed in section 2929.14 of the Revised Code for felonies of the third degree.

(E) Notwithstanding any provision of law to the contrary, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of charges against a person alleging that the person violated this section or a municipal ordinance substantially similar to this section or in connection with the prosecution of any charges so filed.

(F) As used in this section and sections 2919.251 and 2919.26 of the Revised Code:

(1) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the offender:

(i) A spouse, a person living as a spouse, or a former spouse of the offender;

(ii) A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

(4) "Termination of the pregnant woman's pregnancy" has the same meaning as "unlawful termination of another's pregnancy," as set forth in section2903.09 of the Revised Code, as it relates to the pregnant woman. Division (C) of that section applies regarding the use of the term in this section, except that the second and third sentences of division (C)(1) of that section shall be construed for purposes of this section as if they included a reference to this section in the listing of Revised Code sections they contain.

Amended by 128th General AssemblyFile No.50, SB 58, §1, eff. 9/17/2010.

Amended by 128th General AssemblyFile No.21, HB 10, §1, eff. 6/17/2010.

Effective Date: 11-09-2003; 2008 HB280 04-07-2009

The State of Ohio does not have a Section in the Revised Code specific to Dating Violence.

Sections of the Ohio Revised Code that would be relevant to dating violence are; Felonious Assault - 2903.11, Aggravated Assault - 2903.12, Assault – 2903-13, Aggravated Menacing – 2903.21, Menacing – 2903.22, Kidnapping – 2905.01, Abduction – 2905.02, Unlawful Restraint – 2905.03, Telecommunication Harassment – 2917.21, Disorderly Conduct – 2917.11. Specific language for these sections can be found at the following link: http://codes.ohio.gov/orc/29

Ohio Revised Code Definition for Stalking

2903.211 Menacing by stalking.

(A)

(1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's mental distress, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.

(2) No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section.

(3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section.

(B) Whoever violates this section is guilty of menacing by stalking.

(1) Except as otherwise provided in divisions (B)(2) and (3) of this section, menacing by stalking is a misdemeanor of the first degree.

(2) Menacing by stalking is a felony of the fourth degree if any of the following applies:

(a) The offender previously has been convicted of or pleaded guilty to a violation of this section or a violation of section 2911.211 of the Revised Code.

(b) In committing the offense under division (A)(1), (2), or (3) of this section, the offender made a threat of physical harm to or against the victim, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message made a threat of physical harm to or against the victim.

(c) In committing the offense under division (A)(1), (2), or (3) of this section, the offender trespassed on the land or premises where the victim lives, is employed, or attends school, or as a result of an offense committed under division (A)(2) or (3) of this section, a third person induced by the offender's posted message trespassed on the land or premises where the victim lives, is employed, or

attends school.

(d) The victim of the offense is a minor.

(e) The offender has a history of violence toward the victim or any other person or a history of other violent acts toward the victim or any other person.

(f) While committing the offense under division (A)(1) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(1) of this section, the offender had a deadly weapon on or about the offender's person or under the offender's control. Division (B)(2)(f) of this section does not apply in determining the penalty for a violation of division (A)(2) of this section or a violation of division (A)(3) of this section based on conduct in violation of division (A)(2) of this section.

(g) At the time of the commission of the offense, the offender was the subject of a protection order issued under section 2903.213 or 2903.214 of the Revised Code, regardless of whether the person to be protected under the order is the victim of the offense or another person.

(h) In committing the offense under division (A)(1), (2), or (3) of this section, the offender caused serious physical harm to the premises at which the victim resides, to the real property on which that premises is located, or to any personal property located on that premises, or, as a result of an offense committed under division (A)(2) of this section or an offense committed under division (A)(3) of this section based on a violation of division (A)(2) of this section, a third person induced by the offender's posted message caused serious physical harm to that premises, that real property, or any personal property on that premises.

(i) Prior to committing the offense, the offender had been determined to represent a substantial risk of physical harm to others as manifested by evidence of then-recent homicidal or other violent behavior, evidence of then-recent threats that placed another in reasonable fear of violent behavior and serious physical harm, or other evidence of then-present dangerousness.

(3) If the victim of the offense is an officer or employee of a public children services agency or a private child placing agency and the offense relates to the officer's or employee's performance or anticipated performance of official responsibilities or duties, menacing by stalking is either a felony of the fifth degree or, if the offender previously has been convicted of or pleaded guilty to an offense of violence, the victim of that prior offense was an officer or employee of a public children services agency or private child placing agency, and that prior offense related to the officer's or employee's

performance or anticipated performance of official responsibilities or duties, a felony of the fourth degree.

(C) Section 2919.271 of the Revised Code applies in relation to a defendant charged with a violation of this section.

(D) As used in this section:

(1) "Pattern of conduct" means two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, or two or more actions or incidents closely related in time, whether or not there has been a prior conviction based on any of those actions or incidents, directed at one or more persons employed by or belonging to the same corporation, association, or other organization. Actions or incidents that prevent, obstruct, or delay the performance by a public official, firefighter, rescuer, emergency medical services person, or emergency facility person of any authorized act within the public official's, firefighter's, rescuer's, emergency medical services person's, or emergency facility person's official capacity, or the posting of messages or receipt of information or data through the use of an electronic method of remotely transferring information, including, but not limited to, a computer, computer network, computer program, computer system, or telecommunications device, may constitute a "pattern of conduct."

(2) "Mental distress" means any of the following:

(a) Any mental illness or condition that involves some temporary substantial incapacity;

(b) Any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, whether or not any person requested or received psychiatric treatment, psychological treatment, or other mental health services.

(3) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section 2133.21 of the Revised Code.

(4) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section 2909.04 of the Revised Code.

(5) "Public official" has the same meaning as in section 2921.01 of the Revised Code.

(6) "Computer," "computer network," "computer program," "computer system," and "telecommunications device" have the same meanings as in section 2913.01 of the Revised Code.

(7) "Post a message" means transferring, sending, posting, publishing, disseminating, or otherwise communicating, or attempting to transfer, send, post, publish, disseminate, or otherwise

communicate, any message or information, whether truthful or untruthful, about an individual, and whether done under one's own name, under the name of another, or while impersonating another.

(8) "Third person" means, in relation to conduct as described in division (A)(2) of this section, an individual who is neither the offender nor the victim of the conduct.

(9) "Sexual motivation" has the same meaning as in section 2971.01 of the Revised Code.

(10) "Organization" includes an entity that is a governmental employer.

(E) The state does not need to prove in a prosecution under this section that a person requested or received psychiatric treatment, psychological treatment, or other mental health services in order to show that the person was caused mental distress as described in division (D)(2)(b) of this section.

(F)

(1) This section does not apply to a person solely because the person provided access or connection to or from an electronic method of remotely transferring information not under that person's control, including having provided capabilities that are incidental to providing access or connection to or from the electronic method of remotely transferring the information, and that do not include the creation of the content of the material that is the subject of the access or connection. In addition, any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control shall not be liable for any action voluntarily taken in good faith to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section.

(2) Division (F)(1) of this section does not create an affirmative duty for any person providing access or connection to or from an electronic method of remotely transferring information not under that person's control to block the receipt or transmission through its service of any information that it believes is, or will be sent, in violation of this section except as otherwise provided by law.

(3) Division (F)(1) of this section does not apply to a person who conspires with a person actively involved in the creation or knowing distribution of material in violation of this section or who knowingly advertises the availability of material of that nature.

Amended by 130th General Assembly File No. TBD, HB 129, §1, eff. 9/17/2014.

Effective Date: 08-29-2003; 2007 SB10 01-01