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Safety and Security Report

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2021

### Safety and Security on Campus: Annual Security and Fire Safety Report 2021

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2021 Annual Security and Fire Safety Report

UNIVERSITY OF MINNESOTA  
**MORRIS**

Morris Campus

## Message from the President



Campus safety is critical to keeping the University of Minnesota a place where students, faculty, staff, and visitors from throughout Minnesota and around the world can work together to achieve our goals and advance discovery and impact.

Our University of Minnesota Police and Security Departments do an extraordinary job of helping the University of Minnesota remain a safe place to learn, work, and live. Officers patrol our buildings and grounds, get to know our community, and work in conjunction with both campus and metropolitan units committed to safety. This report details their efforts.

We are also working through policy and united action to improve public health on campus. The President's Initiative to Prevent Sexual Misconduct continues to proceed with its comprehensive public health approach, consistent with research on effective prevention among populations as large and diverse as ours.

We are beginning to work as well in the public health area of student mental health. This is a national crisis that affects many of our own students, and we need our best and brightest minds to focus on this issue. We are clearly positioned to be leaders in the area of student mental health, and as a first step, I have charged three of our senior leaders to complete a systemwide inventory of all activities, resources, and programs related to mental health, so that we know where we stand, where we have gaps, and where to move forward.

Positive culture change is a community effort and shared responsibility. Each of us can contribute to a safer campus by keeping our eyes and ears open, and immediately reporting all crimes and public safety problems or concerns by calling 911.

Thank you for helping to keep our University safe.

Joan T. A. Gabel  
President

## Message from the Chancellor



Safety and security are important issues for the members of the University of Minnesota Morris community and are central to advancing our strategic commitments to excellence for everyone and to a vital campus community. UMN Morris's peace officers are dedicated to ensuring the wellbeing of all of us who live and work on this beautiful campus. These officers have strong relationships with the University of Minnesota Twin Cities Police Department, the Morris Police Department, and the Stevens County Sheriff's Office.

Ensuring that we live, work, and learn in a safe environment requires more than an able police force: it requires the active cooperation of all of us. We can each do our part in promoting campus safety by being observant, by caring for each other, and by reporting all crimes and public safety issues to the proper authorities. Thank you for helping to keep this university safe.

Janet Schrunk Ericksen  
Acting Chancellor

# University of Minnesota System

The University of Minnesota System comprises five distinct campuses—Crookston, Duluth, Morris, Rochester, and Twin Cities—serving all regions of the state. Each campus has unique strengths, enriched by its surrounding communities, and all are focused on meeting the needs of students and the state.

Collectively, the University of Minnesota System is one of the most comprehensive in the nation, with offerings to meet the interests of every student and the changing needs of our society. We're proud of our land-grant mission of world-class education, groundbreaking research, and community-engaged outreach, and we are unified in our drive to serve Minnesota.

Known for its focus on experiential learning for its campus-based students, the [University of Minnesota Crookston](#) is also one of the nation's pioneers in online and distance education.

The [University of Minnesota Duluth](#) is a highly-ranked regional research and liberal arts university with a global reputation for freshwater research.

The [University of Minnesota Morris](#) is a nationally ranked undergraduate-focused liberal arts campus with a deep commitment to environmental sustainability and diversity.

The [University of Minnesota Rochester](#) prepares health science professionals and maintains unique collaborations with world-renowned medical organizations in the community.

The flagship [University of Minnesota Twin Cities](#) is the state's land-grant university and one of the most prestigious public research universities in the nation.



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## Quick Contact Guide—UMN Morris

### Police

#### University of Minnesota Morris Department of Public Safety

Emergency .....911  
 Non-Emergency ..... 320-287-1601  
 6 Belmer Hall  
<https://www4.morris.umn.edu/morris-campus-police>

#### Morris Police Department

Emergency .....911  
 Non-Emergency ..... 320-208-6500  
 400 Colorado Ave, Morris, MN 56267  
<http://ci.morris.mn.us/pd/>

### Campus Service Offices

#### Student Affairs

Phone..... 320-589-6013  
 309 Behmler Hall  
<https://students.morris.umn.edu/student-affairs>

#### Human Resources

Phone..... 320-589-6021  
 201 Behmler Hall  
<https://www4.morris.umn.edu/human-resources>

### Health Services

Phone ..... 320-589-6070  
 18 Clayton A. Gay Hall  
<https://students.morris.umn.edu/health-and-wellness/health-service>

### Student Counseling

Phone ..... 320-589-6060  
 235 Behmler Hall  
<https://students.morris.umn.edu/health-and-wellness/mental-health/student-counseling>

### Community Resources

#### Stevens County Victim Services

Phone ..... 320-208-6590  
 400 Colorado Ave, Morris, MN 56267  
<http://www.co.stevens.mn.us/index.aspx?NID=1072>

# Annual Security and Fire Safety Report

## Preparing the Annual Security Report and Disclosure of Crime Statistics

This report has been prepared in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (informally known as the “Clery Act”). For more information on the Clery Act please visit: [www.ed.gov/admins/lead/safety/campus.html](http://www.ed.gov/admins/lead/safety/campus.html)

This report includes information for the Morris campus of the University of Minnesota.

This report is published annually by the University and made available to all current and prospective students, staff, and faculty. Statistics are compiled by the Clery officer on each campus in cooperation with the local law enforcement agencies with jurisdiction over University of Minnesota Clery Geography. Additional crime information is collected from a wide range of University personnel who have been identified as Campus Security Authorities (CSAs) under the Clery Act.

The Clery Compliance Director and campus Clery officers review and update the information contained in this report annually.

Crime Statistics reported in this document reflect specific crimes that occurred in specific geographic locations established by federal law and were reported to University of Minnesota Campus Security Authorities. Statistics reflect reports of crime and not criminal charges or convictions.

## Definitions of Terms Used in this Report

### Campus Security Authorities

Campus Security Authorities are individuals on campus who are required to report any allegations of crimes they receive for inclusion in the Annual Statistical Disclosure.

The Clery Act defines four categories of Campus Security Authorities as stated below:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities.

## Clery Geography

Clery Geography is the geographic area for which an institution is responsible for disclosing crime statistics. The following definitions describe the areas that cumulatively account for an institution's Clery Geography.

**On Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. Also, any building or property that is within or reasonably contiguous to the area identified in the first part of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes

**On Campus- Residential:** any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility

**Non-Campus Property:** 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 used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

## Personally Identifying Information

Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including:

- a first and last name
- a home or other physical address
- contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number)
- a social security number, driver's license number, passport number or student identification number
- any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

## Criminal Offenses

The following definitions of criminal offenses detail the elements of each crime, crimes in the annual statistical disclosure found in this report are categorized according to the below definitions. The majority of the definitions are from the FBI's Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

### Aggravated Assault

The unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is 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 aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

### **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, personal property of another, etc.

### **Burglary**

The unlawful entry of a structure to commit a felony or a 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.

### **Murder and Non-negligent Manslaughter**

The willful (non-negligent) killing of one human being by another.

### **Manslaughter by Negligence**

The killing of another person through gross negligence.

### **Robbery**

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

### **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**

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### **Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

## **Hate Crimes**

### **Hate Crime**

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act the following bias categories are used: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, Disability.

Any criminal offense which also meets the definition of a hate crime will be included in the statistical disclosure in both the criminal offense category and in the hate crime category (i.e. an on-campus aggravated assault motivated by religious bias will be counted in the on-campus aggravated assault category and in the on-campus aggravated assault motivated by religious bias category).

### **Additional Hate Crime categories**

In addition to the criminal offenses listed under the “Criminal Offenses” section, the following crimes are included if it is determined that the crime was motivated by bias

#### **Larceny-Theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: constructive possession is defined by Black’s Law Dictionary, sixth ed. as “where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.”)

#### **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 (Except Arson)**

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.

## **Violence Against Women Act (VAWA) Offenses**

### **Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

### **Domestic Violence**

a felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- 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 the jurisdiction in which the crime of violence occurred

## Stalking

engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person’s safety or the safety of others; or Suffer substantial emotional distress. For the purposes of this definition—
- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

## Unfounded Crimes

Are reported crimes which are thoroughly investigated by sworn or commissioned law enforcement personnel; and found through investigation to be false or baseless, meaning that the crime did not occur and was never attempted.

# Arrests and Referrals for Discipline for Weapons, Drug, and Liquor Law Violations

## Weapons Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

## Drug Law Violations

The Violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and equipment or devices utilized in their preparation and or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

## Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

# Reporting an Emergency or Crime

The University of Minnesota encourages the accurate and prompt reporting of all crimes to the University of Minnesota Department of Public Safety or appropriate local law enforcement agency when the victim of a crime elects to or is unable to make such a report. If the victim of a crime is unable to file a report, third parties who have information regarding the crime are encouraged to file a report to ensure that the police are aware of the crime. The prompt and accurate reporting of all crime enables the police department to identify and respond to patterns of crime and when necessary to distribute pertinent crime information to the community, which may help prevent similar occurrences of crime.

## Report an Emergency or Crime in Progress to the Police

### Dial 911

Dialing 911 will connect you with a trained public safety dispatcher. Be prepared to give the dispatcher the following information:

- Type of emergency
- Your name
- Your location and location of the emergency
- Your phone number
- If applicable (e.g., after a crime), a description of individuals involved (gender, clothing description, height, weight, hair color, tattoos, etc.)
- If applicable (e.g., after a car accident), a description of vehicles involved (color, make, model, license plate number)

Please remain on the line until the dispatcher tells you it is okay to hang up.

Based on the information provided, the dispatcher will send the appropriate help to respond to the reported incident.

## Report a Non-Emergency to the police

### By phone

*University of Minnesota*  
*Morris Department of Public*  
*Safety*

6 Belmer Hall  
Hours: Monday- Friday 8 AM – 4:30 PM

320-287-1601

When reporting a non-emergency to the police, an officer will either be sent to your location or will request that you file a report in person at the police department. An officer will ask questions to obtain detailed information about what happened. The officer will be able to provide you with information on victim services, next steps and crime prevention information.

When reporting a crime, you will be asked many questions. Be prepared to answer the following questions:

- When the crime happened (date and time)
- Where it happened
- Your name, contact information, State Driver's License or ID number
- Details of the event
- Other people involved (suspect, if known; witnesses)
- Condition, etc.
- If property was involved, who owns it
- The property owner's contact information
- For vehicles: Make, Model, Color, License Plate Number, Insurance-company name & policy number, etc.
- Property other than vehicles: Serial Number, Product Name, Manufacturer, Description,

## Walk in

You may file a police report in person at the following locations:

<b>University of Minnesota</b> <b>Morris Department of Public</b> <b>Safety</b>	6 Belmer Hall Hours: Monday- Friday 8 AM – 4:30 PM	320-287-1601
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## Report a Crime to a Non-Police Campus Security Authority

The University of Minnesota encourages all reports of crime to be made to the University of Minnesota Police Department or appropriate local law enforcement agency; however, crimes may also be reported to individuals on campus who have been identified as Campus Security Authorities. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that some individuals may be inclined to report such incidents to other individuals on campus.

Campus Security Authorities include but are not limited to: Residence Hall Directors, Assistant Residence Hall Directors, Community/Resident Advisors, Advisors to student organizations, athletics coaching staff and others who have significant responsibility for student and campus activities.

Campus Security Authorities have been trained to act as a resource for anyone who wishes to report the occurrence of a crime. Crime reports made to Campus Security Authorities are forwarded to the appropriate campus department for inclusion on the Daily Crime Log and to be evaluated for the need to issue a Timely Warning Notification.

While there are many non-police Campus Security Authorities on each campus, the University of Minnesota prefers reports be made to the following non-police CSAs:

<b><i>Student Affairs</i></b>	309 Behmler Hall	320-589-6013
<b><i>Human Resources</i></b>	201 Behmler Hall	320-589-6021
<b><i>Residential Life</i></b>	74 Gay Hall	320-589-6475

## Voluntary, Confidential Reporting

If you are the victim of a crime and are unsure if you would like to pursue action through the University or the criminal justice system, you may want to consider speaking with a Campus Security Authority.

Campus Security Authorities can explain the different reporting options available to help you decide which option is best for you.

Police reports are public records under state law. University Police cannot hold reports of crime in confidence.

In many cases, a non-police CSA may be able to assist you in making a confidential report that would not initiate any additional action through the University or the criminal justice system. A confidential report is forwarded directly to the University of Minnesota Morris Police Department to be added to the Daily Crime Log, evaluated for the need to issue a Timely Warning Notice, and for inclusion in the Annual Statistical Disclosure. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the safety of yourself and the campus community.

With this information, the University of Minnesota can keep an accurate record of the number of incidents occurring on campus Clery Geography, determine crime patterns, and alert the campus community of potential danger.

All reports of dating violence, domestic violence sexual assault, and stalking that are made to University employees who have an obligation to report the occurrence of such crimes will be forwarded to the Title IX office or its designee. Per University policy mandated reporters are required to provide the following information to the Title IX office or designee in cases of alleged dating violence, domestic violence, sexual assault and stalking:

- The names of the complainant(s), respondent(s) and possible witnesses:
- The date, time and location of the alleged prohibited conduct; and
- Other relevant details about the alleged prohibited conduct that the University would need to determine what occurred and address the situation.

After receiving a report of alleged dating violence, domestic violence, sexual assault or stalking the Title IX coordinator will contact the complainant to provide resources for personal support and information about the investigation process. In cases involving a student respondent, the campus Title IX office or its designee will only begin investigating the report after receiving verbal or written confirmation that the complainant wishes to initiate an investigation.

When a complainant requests that their identity be kept confidential or that the University refrain from conducting an investigation, the campus Title IX office or its designee will make an individualized determination of whether to conduct an investigation, including consideration of the complainant's wishes, the University's responsibility for providing a safe and non-discriminatory campus environment, and whether the University possess other means to obtain relevant evidence. In making this determination, the campus Title IX office or its designee will consider the following factors, among others; whether the respondent is alleged to have used a weapon while committing prohibited conduct; whether the respondent is alleged to have used force while committing prohibited conduct; and whether the respondent has been alleged or found to have committed prohibited conduct against other complainants.

## Professional Mental Health Counselors and Pastoral Counselors Exemption

Campus professional mental health counselors and pastoral counselors, when acting in their professional capacity, are not required to report crimes for inclusion in the annual disclosure of crime statistics.

The Clery Act defines a Professional Mental Health Counselor is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

A Pastoral Counselor as an employee of an institution, who is associated with a religious order or denomination, recognized by that denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Mental Health counselors at the University of Minnesota are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual statistical disclosure.

Professional counselors can be found at the following campus locations:

*Student Counseling*

235 Behmler Hall

320-589-6060

## University of Minnesota Morris Department of Public Safety

### Authority

University of Minnesota Morris Department of Public Safety employees police officers who are licensed as peace officers by the State of Minnesota. Minnesota State Statute 629.40 gives peace officers statewide arrest powers while acting in the course and scope of employment.

### Jurisdiction

UMM Department of Public Safety is responsible for all property owned by the University in the Morris area. UMM Department of Public Safety officers provide services in directed, proactive patrol, crime prevention, investigation, law enforcement, and emergency response.

### Relationship with other Law Enforcement Agencies

UMM Department of Public Safety has a mutual aid agreement with the City of Morris, which includes the sharing of law enforcement resources. UMM Department of Public Safety collaborates with the Stevens County Sheriff's Office, Morris Police Department, the Stevens County Attorney's Office, Stevens Community Medical Center, Stevens County Human Services, and Someplace Safe as members of the Stevens County Violence Prevention Task Force to reduce the incidence of and provide a coordinated response to sexual assault, relationship violence, and stalking. The Task Force provides for the coordinated investigation of the crimes of sexual assault, dating violence, domestic violence, and stalking. The University of Minnesota Morris does not currently have a Memorandum of Understanding (MOU) for the investigation of any other criminal offenses other than those listed above. UMM Department of Public Safety works closely with federal, state, and local police agencies including the Morris Police Department and Stevens County Sheriff's Office. When UMM Department of Public Safety receives information about an off-campus crime that requires secondary investigation, it forwards the information to the proper local police department.

### Monitoring of Noncampus Locations

The University of Minnesota Morris Department of Public Safety works cooperatively with the Morris Police Department and other area law enforcement agencies to share information about criminal activity that occurs off-campus but may affect members of the UMM community. Students accused of criminal misconduct may additionally be subject to the University student conduct process. This process neither substitutes for nor interferes with the outside legal processes. The Student Code of Conduct outlines the jurisdiction the University has to apply disciplinary action in these cases.

# Response to Reported Crime or Emergencies

Crimes reported to the UMM Department of Public Safety and to non-police CSAs will be considered for the need to issue a Timely Warning Notification, documented on the Daily Crime Log, and all applicable crimes will be included in the annual statistical disclosure. These public disclosures will not include any personally identifying information of any reporting parties, witnesses or victims.

UMM Department of Public Safety will investigate all criminal allegations reported to the police. These investigations may be done in conjunction other law enforcement agencies involved in the matter.

Students accused of criminal misconduct may additionally be subject to the University student conduct process; this process neither substitutes nor interferes with the outside legal processes. The major objective of the disciplinary system at the University of Minnesota is to maintain standards of conduct and order commensurate with the educational goals of the institution.

## Daily Crime Log

UMM Department of Public Safety maintains a Daily Crime Log which available for public viewing at 6 Behmler Hall during regular business hours.

The daily crime log includes crime information for crimes that have been reported to directly to UMM Department of Public Safety and to UMM Department of Public Safety by non-police Campus Security Authorities which occurred within the University of Minnesota Morris campus Clery geography.

The Daily Crime Log includes; case number, nature of the offense, the reported time and date the offense occurred, the date the incident was reported to UMM Department of Public Safety, a general description of the location in which the incident occurred, as well as the disposition of the case, if known. Crimes initially reported to non-police CSAs are classified according to Clery crime definitions, while crimes reported directly to the police are classified according to Minnesota State Code.

Entries in the Daily Crime Log do not include personally identifying information of the victim, witnesses or reporting party.

## Timely Warning Notification

The University of Minnesota issues Timely Warning Notifications, called Crime Alerts on the Morris campus, to the campus community for reported Clery Act crimes that occur within the Morris campus Clery Geography and are believed to pose a serious or continuing threat to the University community.

Timely Warning Notifications are designed to give the University community information which may aid in the prevention of similar crimes.

Incidents reported to UMM Department of Public Safety will be evaluated on a case-by- case basis by the Chief Law Enforcement Officer or designee to determine if a Timely Warning Notification is warranted.

When the Chief Law Enforcement Officer or designee determines that a reported crime poses a serious or continuing threat and a Timely Warning Notification is warranted, the Chief Law Enforcement Officer or designee, in consultation with the Chancellor and/or Vice Chancellors for Student Affairs and Finance and Facilities, will compose the warning. The Chief Law Enforcement Officer or designee will approve the draft and it will be forwarded to the Office of Communications and Marketing for review and distribution.

Timely Warning Notifications will be electronically distributed to all Morris Campus students, staff and faculty via the University of Minnesota email system.

Timely Warning Notifications may include the following details (if available):

- Date and time of the incident
- Location
- Type of crime
- Description of the incident
- Physical description of suspect, including a photograph (when available)
- Apparent connection to previous incidents, if applicable
- Pertinent crime prevention tips

Personally Identifying Information of victims and reporting parties will not be disclosed in a timely warning. Except in instances where the information is relevant to the crime— for example, in crimes which are motivated by Bias the victim's inclusion in a protected class may be released if this information is not determined to be explicitly personally identifiable.

UMM Department of Public Safety works closely with the Morris Police Department and Stevens County Sheriff's Office and is routinely made aware of crimes which have been reported to these agencies which may warrant the issuance of a timely warning notice.

## Emergency Response, Notification & Testing

### Emergency Response

Emergency response operations include coordination of campus and community resources to save lives, protect property, and provide for the continuity of University operations.

The University uses the National Incident Management System (NIMS) as its standard for responding to incidents. UMM Department of Public Safety police officers and University administrators who have responsibility during an incident have been trained in NIMS. Depending on the incident, other University departments and/or other local or federal agencies may be involved in responding.

When an incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually from UMM Department of Public Safety. The Morris Police Department, Morris Fire Department, and Stevens County Sheriff assist UMM Department of Public Safety as the situation requires. These agencies have been asked to inform the University of Minnesota regarding any situations that are reported to them which may warrant a campus emergency response.

# Emergency Notification Systems

The University of Minnesota Morris has several methods for communicating important safety information quickly in the event of a significant emergency or dangerous situation that poses an immediate threat to the health and safety of the campus community. The situation will dictate which notification methods are used, in some situations multiple notification systems will be used.

## SAFE-U

SAFE-U is the University's emergency mass notification system. SAFE-U is used specifically to notify University students and employees of emergency situations which are likely to impact campus as a whole or impact University operations. Students, faculty, and staff who have provided contact information are automatically registered to receive SAFE-U notifications. Only University of Minnesota students, faculty, staff and those with a legitimate need are registered for SAFE-U.

## Campus Email

In an emergency situation, campus email may be utilized to communicate important safety information.

## Campus-Wide Emergency Alert System (CWEAS)

CWEAS is the University of Minnesota's outdoor emergency notification system. CWEAS is not a tornado siren; it is an outdoor warning system that can convey both an alert tone and voice messages. If you hear the outdoor warning system, it means go inside and seek more information.

## Tone Alert Radio

The University uses Tone Alert Radios strategically placed throughout campus to add another layer of alert coverage. At the Morris campus, Tone Alert Radios receive emergency broadcasts directly from Stevens County dispatch. Stevens County dispatch will activate the radios when there is urgent information that needs to be transmitted (e.g., severe weather, building evacuation). Tone Alert Radios also provide emergency notification that can be received in areas that are out of cellular service.

## Fire Panel Annunciation

The University of Minnesota Department of Emergency Management has equipped some buildings with an annunciation capability that can be set off by the PSECC in case of an emergency. The annunciation system allows the fire alert system to communicate the source of the emergency, which will allow for a quicker and more efficient response. These panels also help control emergency communications systems where they are installed. As existing systems reach the end of their lifecycle, additional capacity in this area is being added.

## Social Media

Emergency information may also be communicated on University of Minnesota Morris Facebook and Twitter accounts.

## Digital Signs

Most digital signs on campus can be updated quickly to include an emergency message.

## Web Announcements

Weather-related closings and other emergencies may be announced by placing an announcement on the University of Minnesota Morris website.

### On-Scene Emergency Personnel

On-scene emergency personnel may be able to provide valuable emergency communication depending upon the emergency situation.

## Activation of Emergency Notification Systems

Prior to issuing an emergency notification, UMM Department of Public Safety in collaboration with the Chancellor, Vice Chancellor for Facilities and Finance and Vice Chancellor for Student Affairs, will confirm the existence of an emergency or dangerous situation via dispatched officers or other emergency professionals on the scene, video monitoring, or notification from the National Weather Service. Information obtained from these sources will be used to determine the scope and content of the notification.

Upon confirmation of an emergency or dangerous situation, Campus Police, in consultation with the Chancellor or designee and the Emergency Lead—Designated Authority (ELDA) will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system.

In the event of a potential emergency or dangerous situation, that poses and imminent threat to the campus community, the Chief Law Enforcement Officer or Designee has the authority to initiate the appropriate notification system(s) immediately.

A notification may be delayed if 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.

SAFE-U notifications will consist of basic information about the type of emergency or dangerous situation and information on how to avoid danger. Updated information will be disseminated as it becomes available and as time allows or when the immediate threat has been mitigated.

SAFE-U notifications can be authorized by the following individuals: Chancellor or designee; Chief Law Enforcement Officer or designee; Vice Chancellor for Student Affairs; and Vice Chancellor for Finance and Facilities, Director of Communications and Marketing or designee or Director of Residential Life or designee, and Public Safety Emergency Communication Center.

Dissemination of emergency information to the larger community (i.e., parents, the Morris community) will take place at the discretion of the University's Incident Response Team and as time allows. Campus Police will work with the Incident Response Team to determine how much information is appropriate to disseminate at different times. Depending on the nature of the incident, the University could utilize such avenues as the University home page <https://www4.morris.umn.edu/> or the media. The first concern of the University will be to disseminate information to those people directly affected by the emergency.

## Emergency Response Testing

The University Department of Emergency Management, in conjunction with UMM Department of Public Safety, conducts an annual exercise to test the emergency response and evacuation procedures of the Morris campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. This test is often announced to the campus community and publicized via campus email.

The Department of Emergency Management is responsible for documenting and analyzing the effectiveness of each test. The Department of Emergency Management retains documentation of each test including a description of the test, the date and time of the test, and whether the test was announced or unannounced.

At least once a year the University community will be notified of emergency response and evacuation procedures and where these procedures can be found.

The most recent test was completed on December 2, 2020. During this test, University of Minnesota Morris Emergency Management group participated in a tabletop exercise.

The next test will be completed in late Fall of 2021.

## Emergency and Evacuation Plans

The Department of Emergency Management coordinates the development of emergency plans. The Department of Emergency Management tasks each area of the University to develop and maintain emergency procedures and guidelines for their buildings and employees. The following are general evacuation procedures, for building specific evacuation procedures consult that buildings Building Emergency Plan.

### General Building Evacuation Procedure

At the sound of the emergency alarm, it is the responsibility of all building occupants to evacuate immediately and proceed to predetermined assembly points, away from the building.

Building occupants are also responsible for ensuring that their visitors, customers, and contractors in their department follow the evacuation procedure described herein and leave the building along with all other occupants.

Faculty and instructors are responsible for dismissing their classes and directing students to leave the building by the nearest building exit upon hearing the building alarm or being notified of an emergency.

Designated essential personnel needed to continue or shut down critical operations, while an evacuation is underway, are responsible for recognizing and/or determining when to abandon the operation and evacuate themselves.

#### Evacuation Instructions

Whenever you hear the building alarm or are informed of a building emergency:

- Do not panic.
- Do not ignore the alarm.
- Leave the building immediately, in an orderly fashion.
- Do not use elevators.
- Classes and meetings in session must be dismissed and students directed to leave.
- Follow quickest evacuation route from where you are (see posted floor evacuation diagram/map).
- Do not go back to your office area for any reason.
- Proceed to the designated emergency assembly point for your area. If the designated assembly point/area is unsafe or blocked due to the emergency, proceed to the alternate assembly point.
- Report to your Building/Work Area Rep at the assembly point to be checked off as having evacuated safely; also report any knowledge you may have of missing persons or those located in an Area of Refuge.

- Return to the building only after emergency officials or building coordinator give the all-clear signal. Silencing the Alarm doesn't mean the emergency is over.

## Chemical Spill Lab Evacuation instructions

In the event of the release of hazardous chemical substances which threaten human health and the immediate lab needs to evacuate, but other building occupants are safe, please follow the steps below:

- Notify other lab occupants in immediate area.
- Everyone who can safely leave, should leave lab away from spill.
- While exiting, close double doors leading into other labs.
- A lab occupant leaving the lab should immediately call 911 (or head to area of refuge button (near freight elevator on each floor) if applicable).
- Notify operator of spill and location.
- Operator can remotely activate fire alarm (for some buildings) and send emergency personnel.
- Evacuate building according to general evacuation procedures.

## Building Emergency Instructions

In the event of a loss of power, water leak or flood, elevator failure or other building emergency:

- Call the Facilities Management at 320-589-6100 notify them of the emergency. Call 911 for emergencies with injuries.
- Notify staff that is located near the emergency so they may take appropriate precautions.
- Follow evacuation instructions, if evacuation is necessary.

## Shelter Emergency Instructions

In the event of notification of severe weather, safely discontinue work and go to the nearest designated safe shelter location.

## Active Threat Instructions: Run, Hide, Fight

The guidelines below should be considered during this type of emergency, but your specific situation may require deviation from these suggestions.

### Run

- Have an escape route and plan in mind
- Leave your belongings behind
- Keep your hands visible
- Run to a place of refuge, well beyond the norm

### Hide

- If running is not possible, hide
- Lock and barricade doors; shut off lights
- Remain silent, yet vigilant
- Avoid huddling together

**Fight**

- Fighting is a last resort, use only when your life is in imminent danger
- Use improvised weapons, i.e. chair, fire extinguisher
- Attempt to incapacitate the active threat
- There is strength in numbers; work together against the active threat

**Call 9-1-1**

- Call ONLY if safe and with information about the active threat
- Clarify you are on the University of Minnesota campus and where you are
- Give the location of the active threat(s)
- Provide physical description of active threat(s)
- Describe type of weapons held by the active threat(s)
- Notify the dispatcher of victims and their location

**How to React When Law Enforcement Arrives:**

- Remain calm
- Follow officers' instructions
- Keep your hands up and out in front of you, assuring your hands are empty
- Keep hands visible at all times
- Avoid making quick movements towards officers such as attempting to hold on to them for safety
- Avoid pointing, screaming and/or yelling
- Move quickly towards the nearest exit or where directed to by police
- Do not stop to ask officers for help or directions when evacuating

**Once in a Safe Place**

Once you are in a safe place, DO NOT LEAVE. Emergency responders need to account for everyone. As the event unfolds and is better understood, law enforcement will provide additional instructions as to where you should be or when you will be able to leave. Please be patient. Your safety is our most important concern.

# Crime Statistics

## Criminal Offenses

2020 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
Murder/non negligent manslaughter	0	0	0	0
Negligent manslaughter	0	0	0	0
Rape	3	3	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated assault	0	0	0	0
Burglary	0	0	0	0
Motor vehicle theft	0	0	0	0
Arson	0	0	0	0

<b>2019 Morris</b>	<b>On campus (Total)</b>	<b>On campus (Residential only)</b>	<b>Non- campus</b>	<b>Public</b>
<b>Murder/non negligent manslaughter</b>	0	0	0	0
<b>Negligent manslaughter</b>	0	0	0	0
<b>Rape</b>	3	3	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated assault</b>	1	1	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor vehicle theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0

<b>2018 Morris</b>	<b>On campus (Total)</b>	<b>On campus (Residential only)</b>	<b>Non- campus</b>	<b>Public</b>
<b>Murder/non negligent manslaughter</b>	0	0	0	0
<b>Negligent manslaughter</b>	0	0	0	0
<b>Rape</b>	1	1	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor vehicle theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0

## Bias Crimes

### 2020

There were no hate crimes reported occurring on UMM Clery Geography in 2020.

### 2019

There were no hate crimes reported occurring on UMM Clery Geography in 2019.

### 2018

There were no hate crimes reported occurring on UMM Clery Geography in 2018.

## Violence Against Women Act (VAWA) Offenses

2020 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	1	1	0	0

2019 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

2018 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
Domestic Violence	0	0	0	0
Dating Violence	2	1	0	0
Stalking	0	0	0	0

## Arrests and Referrals for Disciplinary Action

2020 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
<b>Liquor law violations</b>				
Arrest	11	11	0	0
Referral	0	0	0	0
<b>Drug Abuse Violations</b>				
Arrest	6	4	0	2
Referral	1	1	0	0
<b>Weapons: Carrying, Possessing, Etc.</b>				
Arrest	0	0	0	0
Referral	0	0	0	0

2019 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
<b>Liquor law violations</b>				
Arrest	8	7	0	0
Referral	5	5	0	0
<b>Drug Abuse Violations</b>				
Arrest	8	7	0	2
Referral	2	2	0	0
<b>Weapons: Carrying, Possessing, Etc.</b>				
Arrest	0	0	0	0
Referral	0	0	0	0

2018 Morris	On campus (Total)	On campus (Residential only)	Non-campus	Public
<b>Liquor law violations</b>				
Arrest	18	18	0	0
Referral	2	2	0	0
<b>Drug Abuse Violations</b>				
Arrest	7	6	0	0
Referral	0	0	0	0
<b>Weapons: Carrying, Possessing, Etc.</b>				
Arrest	0	0	0	0
Referral	0	0	0	0

## Unfounded Crimes

A reported crime is only considered unfounded if sworn or commissioned law enforcement personnel, investigate the reported crime and make a formal determination that the report is false or baseless.

**2020**

No unfounded crimes

**2019**

No unfounded crimes

**2018**

No unfounded crimes

# Security of and access to campus facilities

## Access to Campus Facilities

There are three distinct levels of access to buildings, public hours, university hours and restricted hours. Building hours vary according to building use.

### Public Hours

During Public Hours, buildings will remain open to everyone in the University community and to the general public. Public Hours will generally coincide with the standard business day of 7 a.m. to 5 p.m. For classroom buildings, Public Hours will generally be 7 a.m. to 7 p.m. to accommodate evening classes. Libraries, museums, galleries, and the like will have public hours that match their business hours.

### University Hours

University Hours are the hours just before and just after Public Hours in the morning and the evenings. As an example, University Hours in a classroom building would typically be 6 a.m. to 7 a.m., and 7 p.m. to 10 p.m. During University Hours, a U Card will be required to enter the building.

### Restricted Hours

During Restricted Hours, buildings are closed to the general public and to the general University community. Only people who have been previously granted permission to enter the building are allowed to do so. Typically, the people granted access during Restricted Hours are the people who would logically have permission to enter a building when it is locked, for example, faculty who teach or staff who work in a specific building. Again using a classroom building as an example, the Restricted Hours would be between 10 p.m. and 6 a.m.

For information on specific building hours, go to <https://www4.morris.umn.edu/maps> and select a building to learn more.

## Security of Campus Facilities

The University controls and monitors access to its space by using traditional key systems, electronic card reader systems, and intrusion alarm systems. Outside doors of all University buildings are equipped with electronic card access control systems.

Campuses, departments and units are required to manage all keys and access control devices held by their employees. Each campus, department or unit has a Department Facilities Representative to enforce this policy at the local level.

Individuals are prohibited from unauthorized possession, use, duplication and changes to keys or access control devices. Individuals are also prohibited from bracing open doors equipped with access control devices. Violators of this policy will be subject to disciplinary actions for the University or criminal charges where appropriate.

Students, faculty and staff are required to carry their University issued UCard when in University buildings outside of public hours. The UCard must be presented upon request by law enforcement or security personnel, or by a University employee acting within the purview of their job responsibilities. Anyone in a University building that is unable to present their UCard outside of public hours may be asked to leave. Additional restrictions may apply to areas deemed to have a higher security standard.

## Access & Security in Student Housing Facilities

The University of Minnesota Morris has six traditional dormitory-style student residential facilities and one apartment-style student residential facility.

All exterior residence hall doors, except Gay Hall, are locked 24 hours a day, seven days a week. Gay Hall-NS Blakely Hall exterior doors are unlocked from 8:00 a.m. to 4:30 p.m. to provide access to the offices of Residential Life, Health Service, and education classrooms. In these buildings, however, access to living areas remain locked 24 hours a day and require card access. Guests and visitors may access residence hall living areas only when escorted by a resident of that hall, or with prior approval from the Office of Residential Life. Residents are encouraged not to open doors for anyone other than their guests.

On-call CAs are available every night from 8 p.m. until 7 a.m. to ensure the safety and security of each residential building during the evening and night hours. All residence halls have published policies for guests. A residence director is available 24/7 for emergencies.

## Security Considerations used in the maintenance of campus facilities

Facilities Management is responsible for the maintenance of campus facilities and grounds. Facilities Management has departmental standard procedures and practices that are aligned with the Board of Regents Policy “Health and Safety” to address security considerations used in the maintenance of campus facilities. For example, Facilities Management employees fix problems with lighting identified by Campus Police. Grounds and Custodial teams ensure safe and accessible exterior environments through regular ground maintenance, snow removal, and cleanliness.

Campus Police completes weekly checks of outdoor lighting and emergency call boxes, as well as daily checks of building access. Campus Police completes daily work orders for Facilities Management to address any concerns reported.

To report a building or facility issue contact:

***Facilities Management***

9 Camden Hall

320-589-6100

Please notify Facilities Management if you notice lights that are out or see other maintenance needs. After normal business hours, contact the Department of Public Safety.

## Crime Prevention and Safety Programming

The following units offer annual programming to inform the campus community about campus security procedures and practices, to encourage the campus community to be responsible for their own security and the security of others, and to inform students and employees about methods of crime prevention.

# University of Minnesota Morris Department of Public Safety

The University of Minnesota Morris Public Safety Department emphasizes crime prevention by minimizing crime opportunities and encouraging students and employees to be responsible for the security of themselves and others.

## Personal Safety Training

Campus Police personnel facilitate programs for students, parents, faculty, staff, resident advisers and directors, student organizations, and community organizations. They provide a variety of educational strategies and tips on how to protect one's self from theft, sexual assault and other crimes.

UMM Department of Public Safety, Residential Life, Peer Health Educators, Student Counseling, and the violence prevention coordinator often collaborate in presenting crime prevention awareness sessions on sexual assault, relationship violence, stalking, alcohol and drug abuse, as well as educational sessions on personal safety and residence hall safety.

## Rape Aggression Defense

The Rape Aggression Defense (RAD) System is a program of realistic, self-defense tactics and techniques. The RAD System is a comprehensive course that focuses upon awareness, prevention, risk reduction, and avoidance, while progressing on to the basics of hands-on defense training. The course is taught by certified RAD instructors.

## Residential Life

Residential Life staff receives training on security measures and emergency/crisis management. Residence hall staff members inform residents of safety and security information via handbooks, floor meetings, and programming in the halls.

# University Policy on Drugs and Alcohol

The University is committed to providing a healthy learning and working environment for all students and employees and strives to meet this commitment through prevention and awareness programs. Alcohol abuse and illegal drug use endangers the health and safety of all students and employees.

Students, faculty, and staff are prohibited from engaging in:

- the illegal possession, use, or distribution of alcohol, drugs, and drug paraphernalia on all University premises, in University-supplied vehicles, and as part of University activities and business; and
- the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on all University premises, in University-supplied vehicles, and as part of University activities and business.

University students, employees, and others who conduct research and teaching activities with controlled substances must comply with Administrative Policy: Using Controlled Substances for Research in order to ensure that they follow all applicable regulations and safely handle and prevent diversion of controlled substances.

University community members are expected to refer suspected illegal situations to University police or local law enforcement agencies for criminal investigation leading to possible prosecution.

On the Morris campus, the University of Minnesota Morris Police Department is responsible for enforcing state laws related to underage drinking and state and federal law regulating the possession, use and sale of illegal drugs.

For more information on the University of Minnesota Drug Free University policy visit:

<https://policy.umn.edu/operations/drugfree>

## Health Risks

To make informed choices about drug and alcohol use, students and employees should educate themselves about the serious health consequences of the use, misuse, and abuse of alcohol and other drugs as described in the Drug and Alcohol Health Risks Chart below.

### Alcohol

Alcohol is a depressant that slows down a person's central nervous system, including breathing and heart rates. Short-term risks of alcohol use include: impaired judgment, poor motor coordination, emotional instability, and increased aggression. Long-term risks include: irreversible damage to brain, liver, pancreas, kidneys; memory problems and nutritional deficiencies; and high risk of fetal damage if used during pregnancy.

[Centers for Disease Control and Prevention alcohol fact sheets](#)

### Marijuana

Marijuana is an illegal drug that can cause changes in the way people think and feel. Marijuana use can make it harder for students and employees to function in school and work-related activities. It slows reflexes and impairs visual perceptions.

[National Institute on Drug Abuse marijuana information](#)

### Cocaine

Cocaine is an illegal drug that is a strong central nervous system stimulant. It is a powerfully addictive drug.

[National Institute on Drug Abuse health effects of commonly abused drugs](#)

### Club Drugs

Club drugs, such as MDMA (Ecstasy), Rohypnol, GHB, and Ketamine sometimes are used in a nightclub, bar, or rave drug scene. They have varying effects and can cause changes to critical parts of the brain.

[National Institute on Drug Abuse club drugs information](#)

## Legal Sanctions

Students and employees also should be aware that they may be subject to criminal prosecution under federal, state, and local laws that specify fines or imprisonment or loss of federal financial student aid for conviction of alcohol and drug-related offenses as described in the Drug and Alcohol Legal Sanctions Chart below. These legal sanctions are in addition to disciplinary sanctions by the University.

## Students—Disciplinary Sanctions

Students who violate the prohibitions of the Drug Free policy are subject to progressive disciplinary procedures as described in the Student Conduct Code: warning; probation; required compliance; confiscation of goods; restitution; restriction of privileges; University housing suspension or expulsion; suspension or expulsion; withholding of diploma or degree; and revocation of admission or degree.

## Employees—Disciplinary Sanctions

Employees who violate the prohibitions of the Drug Free policy are subject to discipline ranging from an oral warning, written warning, or unpaid suspension up to termination consistent with policies, rules, and contracts governing the terms and conditions of their employment. Supervisors also may require an employee to provide documentation of satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

Employees who are convicted of any criminal drug statute violation in the workplace must report it to a supervisor within five days of the conviction. Supervisors, department heads, and principal investigators who are aware of any drug crime convictions of individuals (students or employees) who work on sponsored projects for violations that occurred in the workplace must report them to the Office of the Associate Vice President for Sponsored Projects Administration (SPA) within three calendar days of their notice of the conviction.

## Medical Amnesty

Medical Amnesty to ensure that minors at medical risk as a result of alcohol intoxication receive prompt and appropriate medical attention, Minnesota law provides immunity from prosecution for minors under certain circumstances. Refer to Minnesota Statutes 340A.503 subd. 8 for further details.

The University of Minnesota maintains the discretion to refer these individual(s) for appropriate educational intervention(s).

## Relevant Laws and Related Civil and Criminal Sanctions

In addition to disciplinary sanctions by the University, students and employees who violate the administrative policy: Drug Free University may be subject to criminal prosecution under federal, state, and local laws that specify imprisonment, fines, and loss of federal benefits for conviction of alcohol and drug-related offenses. To ensure students and employees are aware of these legal sanctions, this appendix briefly describes some relevant laws with sanctions and provides links to more information.

## Federal Laws and Sanctions

Controlled substance convictions under federal laws carry penalties ranging from up to one year imprisonment and a minimum fine of \$1,000 for simple possession to up to life imprisonment and a minimum fine of \$2,000,000 for an individual engaging in a continuing criminal enterprise. Federal controlled substance convictions also can lead to forfeiture of both real and personal property; the denial of federal benefits, such as grants and student loans; and the denial of federally-provided or supported professional and commercial licensures. The seriousness of the offense and the penalty imposed generally depends on the type and amount of the drugs involved.

[Provisions of the federal Controlled Substances Act, 21 U.S.C. 801 et al](#)

[Federal trafficking penalties](#)

## Minnesota Laws and Sanctions

Controlled substance convictions under Minnesota laws carry penalties including a prison sentence for not more than 30 years and a maximum fine of \$1,000,000 for sales and possession crimes. Subsequent controlled substance convictions result in commitment to the commissioner of corrections for four to 40 years and a maximum fine of \$1,000,000.

### [Minnesota controlled substances laws and sanctions](#)

The misuse of alcohol also can result in criminal penalties under Minnesota laws. Anyone under 21 years of age is guilty of a misdemeanor and subject to a minimum fine of \$100 if convicted of purchase, possession, or consumption of alcohol or misrepresentation of age in order to purchase alcohol. Anyone who provides alcohol to individuals under 21 years of age also is subject to criminal sanctions.

### [Minnesota law – underage alcohol offenses](#)

### [Minnesota law – violations and penalties related to liquor laws](#)

In addition, Minnesota state law imposes stiff penalties on individuals who are convicted of driving under the influence of alcohol, a controlled substance, or a hazardous substance. For example, a felony conviction of first-degree driving while impaired carries penalties of imprisonment for not more than seven years and a minimum fine of \$14,000. Administrative penalties for driving under the influence convictions include driver's license suspension, revocation, cancellation, denial, or disqualification.

### [Minnesota law – driving while impaired, including underage drinking and driving](#)

## Drug and Alcohol Abuse Education Programs

The University demonstrates its commitment to maintaining a safe and healthy campus environment by offering a variety of drug and alcohol abuse prevention and education services for students and employees, including confidential diagnosis and assessment, short-term counseling, referral, and support groups.

All incoming first-year undergraduate students and transfer undergraduate students <21 must complete AlcoholEdu, an online alcohol primary prevention course. This course covers the following topics:

- Standard Drink Definition
- Risk Factors and Choices
- How Choices Affect Goals
- Factors that Influence Drinking Decisions
- BAC Basics
- Sexual Assault and Understanding Consent
- Creating an Action Plan
- Laws & Policies
- How to Take Care of Yourself and Others

Supervisors who are concerned that employees may have alcohol or drug-related problems should consult with the Employee Assistance Programs. Disciplinary sanctions will not be taken against students for seeking assistance from student health services or against employees for seeking assistance from the Employee Assistance Programs.

## University of Minnesota Resources

### Chemical Health Consultations

- Confidential (the only information released is a notification that the student attended the informal assessment.)
- An exploration of the student's chemical health.
- An opportunity to identify potential problem areas.
- An opportunity to increase the student's insight and awareness into their chemical health decisions.
- An opportunity to learn (a referral is not meant to be a punitive measure).
- Usually 2 sessions; about 30 to 45 minutes each.
- If you are interested in a Chemical Health Consultation, please contact Student Counseling 320-589-6060.

### ECheckup To Go

eCHECKUP TO GO is a brief confidential self-assessment tool, designed to give students personalized feedback about their alcohol use. The assessment takes about 10 minutes to complete, is self-guided, and requires no face-to-face contact time with a counselor or administrator.

- [Take an online self-assessment](#)

## Dating Violence, Domestic Violence, Sexual Assault and Stalking

The University of Minnesota prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those crimes are defined by the Clery Act. The University of Minnesota issues this statement of policy to inform the community of its comprehensive plan to address the crimes of dating violence, domestic violence, sexual assault and stalking. This section includes information on University of Minnesota primary and on-going prevention and awareness programs, important information for victim/survivors of these crimes and the relevant procedures pertaining to the University's response to reports of these crimes.

No one acting on behalf of the University may retaliate against an individual for having made a report in good faith under this policy or having participated in an investigation of dating violence, domestic violence, sexual assault and stalking. Retaliation against any individual for reporting under this policy is prohibited and may result in disciplinary action. Reports of retaliation will be reviewed and investigated in the same manner in which other allegations of misconduct are handled.

## Definitions

### Clery Act VAWA Crime Definitions

For the purpose of classifying incidents for inclusion in the Annual Statistical Disclosure, the following definitions are used.

#### Dating Violence

The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and; the existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

#### Domestic Violence

The term “domestic violence” means

Felony or misdemeanor crimes of violence committed—

- By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; 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 the jurisdiction in which the crime of violence occurred.

#### Sexual Assault

Sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is generally defined as sexual contact 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 parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

##### Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

##### Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

## **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—  
fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition—

- “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person’s property.
- “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable persons” means a reasonable person under similar circumstances and with similar identities to the victim.

## **Minnesota State law definitions of VAWA Crimes and Terms**

The following definitions are for the purpose of educating readers regarding jurisdictional crime definitions. Legal citations are given to enable the reader to access information on where the applicable definitions can be referenced under Minnesota law. Some terms are not explicitly defined under Minnesota law; in these instances information is given to help readers situate VAWA terms in Minnesota State law.

### **Consent**

MN 609.341 Subd. 4.

“Consent” means words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

A person who is mentally incapacitated or physically helpless as defined by this section cannot consent to a sexual act.

Corroboration of the victim’s testimony is not required to show lack of consent.

### **Dating Violence**

Minnesota law does not define dating violence.

### **Domestic Violence**

MN 518B.01 Subd. 2

“Domestic abuse” means the following, if committed against a family or household member by a family or household member:

physical harm, bodily injury, or assault;

the infliction of fear of imminent physical harm, bodily injury, or assault; or

terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

“Family or household members” means:

- spouses and former spouses;
- parents and children;
- persons related by blood;
- persons who are presently residing together or who have resided together in the past;
- persons who have a child in common regardless of whether they have been married or have lived together at any time;
- a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- persons involved in a significant romantic or sexual relationship.

Additional Information

Minnesota State Statute 609.2242 DOMESTIC ASSAULT: <https://www.revisor.mn.gov/statutes/?id=609.2242>

Minnesota State Statute 518B.01 DOMESTIC ABUSE ACT: <https://www.revisor.mn.gov/statutes/?id=518b.01>

### **Sexual Assault**

The term sexual assault is not defined by Minnesota Law. The comparable crimes of rape, fondling, statutory rape, and incest are generally coded as criminal sexual conduct in the state of Minnesota.

“Minnesota law classifies the crime of criminal sexual conduct into five categories: first- through fifth-degree criminal sexual conduct, with first-degree carrying the most severe penalties and fifth-degree the least. Minn. Stat. §§ 609.342 to 609.3451.”

“Generally speaking, the first-degree and third-degree crimes apply to sexual conduct involving sexual penetration of the victim; the second-, fourth-, and fifth-degree crimes apply to sexual conduct involving sexual contact with the victim without sexual penetration.”

“Criminal sexual conduct in the first and second degree typically apply to conduct involving personal injury to the victim; the use or threatened use of force, violence, or a dangerous weapon; or victims who are extremely young.”

“Criminal sexual conduct in the third, fourth, and fifth degree typically address less aggravated conduct and apply to other situations in which the victim either did not consent to the sexual conduct, was relatively young, or was incapable of voluntarily consenting to the sexual conduct due to a particular vulnerability or due to the special relationship between the offender and the victim.”

The above information is from the following source: <http://www.house.leg.state.mn.us/hrd/pubs/ss/ssovrcsc.pdf>

### **Stalking**

MN 609.749 Subd. 1

“stalking” means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

### **Affirmative Consent as defined by University of Minnesota Policy**

Affirmative consent is freely and affirmatively communicated words or actions given by an informed individual that a sober reasonable person under the circumstances would believe communicate a willingness to participate in the sexual contact.

The following factors will be considered when determining whether affirmative consent was given.

- Each individual who wishes to engage in sexual contact is responsible for obtaining consent from the other individual or individuals who intend to be involved in the sexual contact.
- A lack of protest, the absence of resistance, and silence do not by themselves indicate consent.
- The existence of a present or past sexual, dating, or other romantic relationship between the individuals involved does not by itself imply consent to sexual contact.
- Consent must be present throughout the sexual contact and may be given and withdrawn at any time.
- When consent is withdrawn, all sexual contact must stop. Where there is confusion about the state of consent, sexual contact must stop until the individuals have verified the affirmative consent of all individuals involved.
- Consent to one form of sexual contact does not by itself constitute consent to another form of sexual contact.
- 

Consent is not obtained where:

- An individual is compelled to engage in unwanted sexual contact through the use of coercion. Coercion may consist of physical force, intimidation, threats, or severe or persistent pressure that would reasonably cause an individual to fear significant consequences if they refuse to engage in sexual contact.
- An individual involved in sexual contact is incapacitated due to the influence of drugs or alcohol, and a reasonable person would know of this incapacitation. Incapacitation due to the influence of drugs or alcohol is a state beyond mere intoxication or impaired judgment. Some indicators of incapacitation due to the influence of drugs or alcohol may include:
  - A lack of control over one's physical movement (for example, an inability to walk or stand without stumbling or assistance).
  - An inability to effectively communicate (for example, where one's speech is heavily slurred, incomprehensible, or nonsensical).
  - A lack of awareness of one's circumstances or surroundings (for example, a lack of awareness of where one is, how one got there, who one is with, and how or why one became engaged in sexual contact).
- An individual involved in sexual contact is unable to communicate or understand the nature or extent of the sexual situation because of a physical or mental condition.
- An individual involved in sexual contact is asleep, unconscious or involuntarily physically restrained.
- Sexual intercourse occurs with an individual who is not of legal age to give consent pursuant to Minnesota state law.
- Sexual intercourse occurs between parties who are related to each other within the degrees wherein marriage is prohibited by Minnesota state law.

## Education and Prevention Programs

The University engages in and is in the process of developing additional comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and

Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

### Primary Prevention and Awareness Programming

The University utilizes online educational primary prevention and awareness programs, developed by EverFi, for all employees and incoming students. All incoming first-year and transfer undergraduate students, post secondary enrollment options (PSEO) students, and graduate and professional students must complete a sexual assault prevention course. Students take one of the following, depending on their status: "Sexual Assault Prevention for Undergraduates," "Sexual Assault Prevention for Graduate Students," or "Sexual Assault Prevention for Adult Learners." Employees must complete a training titled "Preventing and Responding to Sexual Misconduct." Each of these trainings were developed to be compliant with the requirements of the Clery Act and to educate individuals about the following topics:

- Values, Identities, and Relationships
- Gender Identities and Stereotypes
- Sexual Harassment and Stalking
- Consent, Coercion, and Stepping In
- Reporting Options and Responding to a Survivor

Additionally, these courses cover:

- Identify domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Use definitions provided both by the Department of Education as well as state law to define what behavior constitutes dating violence, domestic violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of Minnesota and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.
- Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victim/survivors in order to promote safety and to help individuals and communities address conditions that facilitate violence.

## **Speak About It Flagship Show**

Starting in Fall, 2021, Speak About It will be embedded into our First Year Experience course. Speak About It offers innovative, performance-based prevention education that aims to 1) promote healthy sexuality and relationships, 2) inform students about the realities of sexual assault, 3) provide tangible strategies for bystander intervention, and 4) connect audience members to campus and community resources relevant to sexual violence prevention, response, and education. The group is a nonprofit organization that partners with high schools and colleges and uses entertaining and educational performances and programs to empower students to prevent sexual violence, advocate for and practice healthy relationship habits, and create positive change within their communities.

Speak About It is a performance-based presentation about consent, boundaries and healthy relationships intended for a mature high school or college audience. Using a combination of humorous yet provocative skits, interactive dialogue, and powerful monologues written by real college students, Speak About It covers a broad range of key topics in prevention education, including: consent, sexual assault, and bystander intervention.

## **Ongoing Prevention & Awareness Education**

### **Red Flag Program**

The Red Flag Campaign is a public awareness campaign that addresses dating violence and sexual assault on college campuses. The campaign uses a positive strategy to help promote healthy relationships. That is, the focus is on bystander intervention. It encourages people to "say something" if they see "red flags" or warning signs of abuse, or sexual violence in friend's relationships.

Many times people want to "stay out of it" or "ignore" abusive behavior. The University of Minnesota, Morris wants people to stand up against all forms of violence.

The poster series features "Red Flags" with scenarios and issues that might be present in a relationship with dating violence. The themes included, Coercion, Emotional abuse, Sexual assault, victim-blaming, excessive jealousy, isolation and stalking

### **Someplace Safe Programming**

The University of Minnesota Morris partners with Someplace Safe to promote advocacy services and provide additional programming for Denim Day and awareness months.

## **Safe and Positive Options for Bystander Intervention**

"Bystander intervention" means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.

Bystander intervention includes:

- recognizing situations of potential harm
- understanding institutional structures and cultural conditions that facilitate violence
- overcoming barriers to intervening
- identifying safe and effective intervention options
- taking action to intervene

Active bystanders recognize emergency situations (sexual assault, alcohol abuse, safety) and non-emergency situations (noticing a friend is depressed, gambling, academic problems) and have the skills to intervene directly or indirectly.

## How Can I Prevent Violence?

Be a good bystander. If you recognize an emergency or non-emergency situation happening, use the “3 Ds” to determine how to act.

Direct	Distract	Delegate
<ul style="list-style-type: none"><li>• If you feel safe, confront the situation directly</li><li>• Be calm, confident and respectful- the main goal is to stop the behavior</li><li>• Ask if the involved parties are okay, seek to help</li></ul>	<ul style="list-style-type: none"><li>• Diffuse the situation- interject humor</li><li>• Change the subject- ask the parties involved about a class assignment or current event</li><li>• Interrupt the flow of the behavior- spill a drink, create noise, any action which will interrupt the negative behavior</li></ul>	<ul style="list-style-type: none"><li>• Ask others for help when you don't feel safe or comfortable approaching the situation alone</li><li>• There is strength in numbers, enlist the help of friends</li><li>• Call 911</li></ul>

## Risk Reduction

These are tips that can provide you with low risk options for safeguarding your life against a predator. Do not look at them as ironclad rules. If a particular tip conflicts with things you need or want to do, try to find other options to protect yourself in that situation. The victim is never to blame for a crime committed against them. Predators and perpetrators must be held accountable for their own choices and actions.

### ON THE STREET

#### **Predators identify targets.**

- Cross the street if you see anything on your side that makes you nervous.
- To get off the street, use public transportation – sit near the driver.

#### **Predators use isolation as a weapon.**

- If possible, use the buddy system: walk with a friend/s.
- Walk on well-illuminated streets; avoid doorways, shrubbery, dark areas near buildings and other places where an attacker might hide.
- If you have taken a ride in a cab or from a friend, ask the driver to wait until you are safely inside your house before leaving.
- Avoid deserted laundromats or apartment building laundry rooms.

### **Predators identify vulnerabilities in targets.**

- Be alert in crowded buses, streets, malls, etc.; pickpockets work best in these environments. It is safer to carry money or wallets in an inside or front pocket.
- Be cautious about revealing cash or credit cards.
- Purses and book bags are safest carried close to the body with flaps, zippers, or clasps closed turned toward the body. Keep your hand on your purse or bag. Do not set it on the floor or counter in restaurants, restrooms, or theaters, or leave it in your grocery cart while shopping.

## **IN YOUR CAR**

### **Predators know when and where people may be vulnerable or isolated.**

- Keep car doors locked and windows rolled up most of the way.
- Avoid traveling at night if you are having car trouble or are low on gas. Park your car in well-lighted places and lock all doors.
- Check the back seat and floors before you get into your car to be sure no one is hiding inside. Keep car keys in hand when approaching your vehicle so that you may enter it with ease.
- If security or an escort is available, have them walk you to your car. If possible, carry a cellular phone, and keep it charged.

### **Predators take advantage of people's good will and trust.**

- If you must leave car keys with garage or parking lot attendants, leave a ring with only your car keys, not house keys, which can be easily duplicated.
- Don't pick up hitchhikers.

### **Predators are brazen.**

- If someone tries to break into your car while you are in it, honk the horn in repeated short blasts.
- If you are being followed, do not go home. Drive to the nearest police station, fire station, hospital emergency room, or an open gas station or convenience store – any safe place with people visibly present.

## **IN YOUR HOME**

### **Predators know when and where people may be vulnerable.**

- It is safer using a first initial and last name on mailboxes and in phone directories.
- Be cautious around elevators. Do not get on if you are feeling uncomfortable or unsafe. Get off if a fellow passenger seems odd or threatening.

### **Predators may take advantage of people's trust and may display warmth and concern.**

- Change old locks when you move to a new residence.
- Make sure your doors have dead bolts, security chains, and peepholes. Use them.
- Always check identification when repair people, salespeople, police, or meter readers come to your home. Do not hesitate to call and check their identification and refuse admittance if you do not feel comfortable letting them into your home.
- Instruct children and babysitters not to give out information about who is home.

### **Predators are brazen and resourceful planners.**

- If you suspect your home has been broken into, do not go inside. Go to a neighbor and call the police.
- Lock your doors and windows, draw shades/blinds at night, and leave a light on implying that someone is home. Lock the doors to your home or apartment when you are in the yard; take a portable telephone outside with you. Do not hide spare keys outdoors. They are too easy to find.
- Do not hesitate to call 911 if you suspect someone is outside your home or apartment.

### **When you go out**

- Make a plan! Know where you are going, who you are going with, where you will be staying the night and how you will be getting there safely
- Communicate the plan with your friend group
- If you are uncomfortable with the plan, speak up
- Stay with your planned friend group and do not deviate from the plan without first communicating with your friend group
- Stick with your plan, look out for your friends and have them look out for you
- Get involved if you believe that someone is at risk. If you see someone in trouble or someone pressuring another person, don't be afraid to intervene - or get help to do so.
- Drink only from pre-packaged containers or drinks you make yourself so you know the alcohol content
- Do not leave your drink unattended, do not accept drinks that you did not prepare yourself or that you saw being prepared

The vast majority of sexual assaults involving college-aged people occur between people who know each other and many assaults occur while one or both people involved are under the influence of alcohol or other drugs. Here are some tips to help keep you and your friends safe:

### **Reduce the Risk of Sexual Assault**

- Physical force is sometimes used to commit an assault, however, in college sexual assaults each of the following tactics are more commonly employed and also indicate assault. Manipulation (for example, encouraging someone to drink more in an attempt to lower their inhibitions), Coercion (for example, trying to talk someone into an activity they may seem reluctant to participate in), Threats (for example, threatening to tell others something about the person).
- Communicate with your partner directly. It is okay to say yes to some activities and no to others. You are the only one who knows your intentions, preferences and limits.
- Obtain clear consent for each activity. Consent for one activity does not imply consent for all.
- An individual who is incapacitated due to the influence of drugs or alcohol cannot provide consent to engage in sexual activity.
- Take time to hear what the other person has to say. If you feel they are not being direct or are giving you a "mixed message" ask for clarification.
- If someone seems uncomfortable, is not engaged, or is not reciprocating, stop and check in with them.

# Advocacy Support, Safety, Medical Assistance & Evidence Preservation

## **Advocacy**

If you, or someone you know, has experienced sexual assault, relationship violence, and/or stalking and would like support from a victim's advocate, you can contact Someplace Safe, by calling the 24-hour help line at 1-800-974-3359. Advocates can offer support, on and off campus resources, safety planning, assist in filing a police report and answer questions you may have regarding next steps.

## **Safety**

Contact the Police by calling 911. Even if you do not want to file a report, police will arrive on scene, ensure your safety and provide you with additional resources and can transport you to the hospital to seek medical attention, if requested. Officers can complete a police report if you would like.

## **Medical Assistance**

After an incident of sexual assault and domestic violence, the victim/survivor should consider seeking medical attention as soon as possible. Health care providers can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease, even if victim/survivors do not opt for forensic evidence collection.

Victim/survivors are encouraged to seek treatment at a medical facility of their choice.

In Morris victim/survivors can be treated at:

### **Stevens Community Medical Center**

400 E 1st St

Morris, MN 56267

320-589-1313

## **Medical Forensic Exam**

Victim/survivors of sexual assault whose assault occurred within the last 7 days are eligible for a medical-forensic exam. To obtain an exam, visit any hospital emergency department and tell them that you have been sexually assaulted. You do not need to report the assault to law enforcement in order to receive an exam. You have the right to a sexual violence advocate during your exam. The hospital will contact them on your behalf once you reach the hospital, but you may also contact them. The medical-forensic exam ensures that a specially trained nurse who is sensitive to the victim/survivor's needs will treat the victim/survivor. It also ensures the proper collection of forensic evidence and protects the chain of custody of that evidence should a case be brought to trial. The medical-forensic examinations are paid for by the county per Minnesota Statute 609.35.

## **Evidence Preservation**

Trained investigators may look for evidence at locations that are relevant to the case, such as the scene where the assault took place. In order to preserve evidence it is important to not wash or clean the bed/linens/area and clothing worn when the sexual assault occurred.

DNA evidence can be collected from blood, saliva, sweat, urine, skin tissue, and semen. That's why it's important to try to avoid bathing, cleaning your fingernails, or urinating until after a sexual assault forensic exam has been performed.

Victim/survivors of dating violence, domestic violence, sexual assault and stalking are encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping

pictures, logs, or other copies of documents. These documents can be helpful in proving the alleged crime and are helpful in obtaining court orders for protection.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim/survivor chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

## Reporting Options

Victim/survivors of dating violence, domestic violence, sexual assault, or stalking are encouraged to report the incident promptly to the University of Minnesota Police Department or Title IX office. While all University employees are required by University policy to forward reports of dating violence, domestic violence, sexual assault, or stalking of which they are made aware to the Title IX office; victim/survivors are encouraged to report directly to the Title IX office. The University of Minnesota Morris Police Department and Title IX office are the best locations on campus for victim/survivors to directly report crime information and obtain appropriate resources and support.

### **Victims have the right to:**

- **Notify proper law enforcement authorities; including on- campus and local police**
- **Be assisted by campus authorities in notifying law enforcement, if the victim chooses**
- **Decline making a report to law enforcement**

## Police

Victim/survivors of dating violence, domestic violence, sexual assault, or stalking are encouraged to file a report with the University of Minnesota Morris Department of Public Safety.

***University of Minnesota Morris***  
***Department of Public Safety***

6 Behmler Hall

911  
320-589-6000

UMM Department of Public Safety will assist any victim/survivor with notifying local police, when appropriate, upon the request of the victim/survivor.

After contacting UMM Department of Public Safety, an officer will meet with you to learn more about what occurred. The officer will inform you about what your next steps could be. If you choose to report the incident to us, the officer will ask you about what happened in order to make a report.

If evidence needs to be collected, such as bedding or clothing, the officer may make arrangements for that to occur. In addition, the officer will help you evaluate whether you need to go to a hospital to meet with a specially trained Sexual Assault Resources Service nurse. This will assist us in obtaining forensic evidence as well as assure you are provided with proper care and treatment. Officers will not be present during the exam, but you are welcome to bring someone of your choosing.

Once the report is completed and any evidence is gathered your case will be assigned to a specially trained sexual assault investigator and they will contact you. The investigator will obtain any necessary additional information as well as provide you with information on the potential next steps in the investigation, which could include further investigation by our department and the eventual submission of the case to a prosecutor's office for review.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement it is the victim/survivor's choice whether or not to make such a report to law enforcement, and victims have the right to decline involvement with the police.

If a victim/survivor chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. Timely reporting and a medical examination within 168 hours (7 days) is critical in preserving evidence of sexual assault and enhances the effectiveness of an investigation. While timely reporting aids the University of Minnesota in responding to crimes of sexual assault, dating violence, domestic violence, and stalking an individual can report an incident at any time.

## Title IX Coordinator

Victim/survivors of dating violence, domestic violence, sexual assault, or stalking who are interested in pursuing action through the University should report the incident promptly to the Title IX coordinator.

In order to foster an environment free of dating violence, domestic violence, sexual assault, or stalking, all University members are encouraged to take reasonable prudent actions to prevent, stop, and report all acts of prohibited conduct to the campus Title IX office.

*Campus Title IX Coordinator*

201 Behmler Hall

320-589-6021  
mattsosj@morris.umn.edu  
[Online Sexual Misconduct Report](#)

Regardless of whether the alleged offense occurred on or off campus, when a victim/survivor of dating violence, domestic violence, sexual assault and/or stalking reports this information to the campus Title IX office, the University will provide each victim with a written explanation of their rights and options.

### UReport (Anonymous reporting)

Reporting incidents of dating violence, domestic violence, sexual assault and stalking can be difficult. You can make an anonymous report through UReport, a resource that was established by the University of Minnesota for reporting such matters in a way that is protective of your concerns and identity.

When utilizing UReport, you are not required to provide your name or other information that might identify you. However, if you choose to remain anonymous, the University will be limited in the scope of its investigation and response. The reporting website will not track the identity of the computer you use.

If you do provide your name, or if your identity becomes known during an investigation, the University might become obligated to use your identity in the process of investigating any alleged misconduct. However, the University forbids retaliation against people who make good faith reports of violations of law or University policy. Therefore, if you experience retaliation or other negative consequences as the result of providing information through UReport or having your identity revealed in the process, you should report it. Information you provide will be used to help determine whether there has been a violation of law or policy.

Information may be shared with persons within the University if they have a need to know. Other persons, organizations, or agencies may obtain access to this information if they have statutory or judicial authority to do so.

For more information or to make a report, go to: <https://compliance.umn.edu/report>

Do not use the UReport site to report immediate threat to life or property. Reports submitted through this service may not receive an immediate response. If you require emergency assistance, please call 911.

### Confidential Reporting

If you are the victim of a crime of dating violence, domestic violence, sexual assault or stalking and you do not want to pursue action through the University disciplinary process or the criminal justice system, you may still want to consider making a confidential report to an advocate enter. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University of Minnesota can keep an accurate record of the number of incidents occurring on campus, determine crime patterns, and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual statistical disclosure, considered for the need to issue a Timely Warning, and are included on the University of Minnesota Police Department's Daily crime log. These public disclosures will not include any personally identifying information of any reporting parties, witnesses or victims.

All reports of dating violence, domestic violence sexual assault, and stalking will be forwarded to the Title IX office or its designee. Per University policy, all University employees (excluding those who are exempt from reporting under University policy) are required to provide the following information in cases of alleged dating violence, domestic violence, sexual assault and stalking:

- The names of the complainant(s), respondent(s) and possible witnesses:
- The date, time and location of the alleged prohibited conduct; and
- Other relevant details about the alleged prohibited conduct that the University would need to determine what occurred and address the situation.

After receiving a report of alleged dating violence, domestic violence, sexual assault or stalking the Title IX coordinator will contact the complainant to provide resources for personal support and information about the investigation process. In cases involving a student respondent, the campus Title IX office or its designee will only begin investigating the report after receiving verbal or written confirmation that the complainant wishes to initiate an investigation.

When a complainant requests that their identity be kept confidential or that the University refrain from conducting an investigation, the campus Title IX office or its designee will make an individualized determination of whether to conduct an investigation, including consideration of the complainant's wishes, the University's responsibility for providing a safe and non-discriminatory campus environment, and whether the University possess other means to obtain relevant evidence. In making this determination, the campus Title IX office or its designee will consider the following factors, among others; whether the respondent is alleged to have used a weapon while committing prohibited conduct; whether the respondent is alleged to have used force while committing prohibited conduct; and whether the respondent has been alleged or found to have committed prohibited conduct against other complainants.

## Public Reporting and Disclosures and Personally Identifying Information

Crimes reported to Campus Security Authorities at the University of Minnesota Morris are recorded on a publicly available crime log and if applicable are included in the campus annual statistical disclosure. If it is determined that the alleged incident presents a serious and/or continued threat to the campus community, a Timely Warning Notice may be released according to policy. However, information included in these public disclosures will not include any personally identifiable information of the survivor or witnesses.

## Supportive Measures and Accommodations

The University will provide supportive measures designed to restore or preserve equal access to the University's programs and activities, protect the safety of all parties or the educational environment, and/or deter prohibited conduct. Supportive measures are non-disciplinary, non-punitive individualized services provided to a party that do not unreasonably burden another party. They are offered to individuals as appropriate and reasonably available. Supportive measures may include the following:

- counseling and support services;
- academic or course-related adjustments, such as extensions of deadlines;
- modifications of work or class schedules;
- campus escort services;
- restrictions on contact between the parties;
- changes in work or housing locations;
- leaves of absence;
- increased security and monitoring of certain areas of campus; and
- assistance in making a report to law enforcement or obtaining a protective order.

Supportive measures may be implemented because an individual has requested them, the campus Title IX office has recommended them, or a local unit or department has identified a need for them. Supportive measures are available regardless of whether a complainant files a formal complaint with the campus Title IX office or pursues any related process.

Complainants and respondents may seek these supportive measures by contacting the campus Title IX office, which is responsible for coordinating the effective implementation of supportive measures. Campus or local victim-survivor advocacy offices may also be able to assist complainants in requesting supportive measures. Alternatively, complainants and respondents may seek supportive measures directly from the departments or individuals with the ability to provide the requested supportive measures, such as the campus housing and residential life office or the appropriate faculty member, supervisor or human resources representative.

The departments or individuals with the ability to provide the requested supportive measures will determine which supportive measures to take depending on the circumstances of each case and can seek assistance from the campus Title IX office.

The University will maintain the confidentiality of any supportive measures to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The campus Title IX office staff are also available to meet with University members to address questions or concerns about the provision of accommodations or protective measures.

Requests for accommodations can be made at:

*Campus Title IX Coordinator*

201 Behmler Hall

320-589-6021  
mattsosj@morris.umn.edu

## Process for Resolving Sexual Assault, Dating Violence, Domestic Violence, and Stalking Complaints

This section describes the University of Minnesota process for resolving complaints of Sexual Assault, Dating Violence, Domestic Violence and Stalking. This section gives an overview of the University of Minnesota Sexual Harassment, Sexual Assault, Stalking and Relationship Violence Administrative Policy. The entire policy can be found [here](#).

### Filing a report with the campus Title IX Office

A complainant may file a formal complaint to request a grievance process.

A complainant files a formal complaint by submitting a document to the campus Title IX office that: 1) alleges that an individual engaged in prohibited conduct toward the complainant; and 2) requests that the University investigate the allegation of prohibited conduct. The document must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the individual filing the formal complaint.

The formal complaint may be filed with the campus Title IX office in person, by mail, by e-mail, or online.

*Campus Title IX Coordinator*

201 Behmler Hall

320-589-6021  
mattsosj@morris.umn.edu  
[Online Sexual Misconduct Report](#)

### Rights and Options

When the campus Title IX office learns about alleged dating violence, domestic violence, sexual assault or stalking it will promptly contact the complainant to:

Provide information about available supportive measures, including:

- information about supportive measures and counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid resources within the institution and in the community that are available with or without the filing of a formal complaint, including
- information about how to request supportive measures, including changes to academic, living, transportation and working situations,
- information about the University's services related to no-contact orders, orders for protection, or other similar lawful orders,
- information about how the University will maintain the confidentiality of supportive measures provided to the complainant, and
- an invitation to the complainant to discuss supportive measures and share their wishes with respect to supportive measures with the campus Title IX office;

- Where applicable, provide information about the various processes offered by the University to address prohibited conduct;
- Where applicable, explain the process for filing a formal complaint or requesting an informal problem-solving process;
- Provide information about how the University will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the complainant;
- Provide written notification about the importance of preserving evidence that may assist in a legal or campus disciplinary proceeding or may be helpful in obtaining a protective order;
- Provide information about the complainant's right to seek medical treatment, as appropriate; and
- Provide written information to the complainant about their right to contact law enforcement, to decline to contact law enforcement, to be assisted by campus representatives in contacting law enforcement, and to seek a protective order, as appropriate.

When a complainant does not respond to the communication from the campus Title IX office providing the information described above, the campus Title IX office will generally presume that the complainant does not want to initiate a grievance process or an informal problem-solving process.

### Confidentiality

The University is committed to protecting the privacy of all individuals involved in an informal problem-solving process or grievance process to the greatest extent legally permissible. In order to carry out an informal problem-solving or grievance process and/or to otherwise to comply with legal obligations, it is often necessary for the University to share the identities of the parties and/or witnesses, as well as information provided by the parties and/or witnesses, with the parties and other participants in the process. The identities of these individuals and the information provided during these processes also may be included in an investigation report or other document relating to the case, which may be provided to others as appropriate.

The University will keep private the identity of complainants, respondents, witnesses, and third-party reporters in cases involving Title IX-based prohibited conduct except when necessary to: 1) carry out an informal problem-solving or grievance process; 2) disclose data as required by the Minnesota Government Data Practices Act (MGDPA); or 3) otherwise comply with legal obligations.

The University does not restrict the ability of complainants or respondents to discuss allegations that have been reported or to gather and present relevant evidence. At the same time, the University and the participants in the grievance process have a compelling interest in protecting the integrity of the grievance process, protecting the privacy of parties and witnesses, and protecting parties and witnesses from harassment, intimidation, or retaliation during a grievance process. To further these goals, witnesses and parties are encouraged to limit their sharing of information about a matter (including the allegations, the identities of the parties and witnesses, and the questions asked in interviews) while the grievance process is ongoing. Parties and witnesses are also cautioned not to discuss the allegations in a manner that constitutes retaliation or unlawful conduct. Further, parties and their advisors are not permitted to disseminate the evidence provided to them.

## Training

Individuals responsible for resolving complaints of dating violence, domestic violence, sexual assault and stalking receive training in the following areas:

- the definitions of prohibited conduct, including the definitions of Title IX-based prohibited conduct;
- the scope of the University's education programs and activities;
- how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, where applicable;
- how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- technology to be used at a live hearing, where applicable;
- issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant; and
- issues of relevance to create an investigative report that fairly summarizes relevant evidence, where applicable.
- Individuals who conduct the University's grievance process (including Title IX Coordinators, investigators, hearing panel members, University Authorities, Appellate Officers, and any person who facilitates an informal resolution process) will also be trained annually on issues related to prohibited conduct and on how to conduct a grievance process that protects the safety of victims and promotes accountability.

**Upon receiving a report of sexual misconduct, the campus Title IX Office takes one of the following three actions:**

### **Take no further action beyond offering supportive measures**

In certain cases where a complainant does not want an informal problem-solving or grievance process, or when the campus Title IX office does not have sufficient information to effectively initiate such a process, the campus Title IX office may decide not to take any action beyond offering supportive measures to the complainant.

### **Initiate an informal problem-solving process**

The campus Title IX office may initiate an informal problem-solving process when a grievance process has not been initiated or has been dismissed. In an informal problem-solving process, the campus Title IX office does not determine whether a respondent has violated University policy. However, the campus Title IX office may provide resources to help address the concerns raised and make recommendations for responsive action, including actions aimed at preventing misconduct from occurring.

For example, informal problem-solving processes may include:

- gathering additional information about the alleged prohibited conduct to determine how to most effectively respond to the alleged prohibited conduct or to provide relevant information to the individuals involved;
- notifying a respondent about the concerns raised, and about any reported impact of the concerns on a complainant or community;
- providing education or coaching to a respondent or complainant;
- providing recommendations that are aimed at preventing further concerns from arising to an appropriate individual who oversees a respondent or complainant; and/or
- establishing a plan to monitor for future misconduct.

Even if the campus Title IX office originally initiates an informal problem-solving process, the Title IX Coordinator may decide, after the campus Title IX office has gathered additional information about the alleged prohibited conduct, that it is appropriate to sign a formal complaint and initiate a grievance process.

### **Initiate a grievance process**

The campus Title IX office will initiate a grievance process when the complainant has filed a formal complaint requesting that the University investigate alleged prohibited conduct or when the Title IX Coordinator has signed a formal complaint. The grievance process includes an investigation, opportunity for a live hearing, and opportunity for an appeal. In certain cases, the parties may also be offered an informal resolution option and/or an administrative resolution option after the investigation is complete.

The University is committed to providing all parties with robust procedural fairness protections in the grievance process, including notice of the report and investigation, the opportunity to present evidence and identify witnesses, and an impartial and unbiased investigation and adjudication process.

The University's grievance process applies the preponderance of the evidence standard when determining whether sexual misconduct occurred in violation of University policy. "Preponderance of the evidence" means that it is more likely than not that a policy violation has occurred.

Complainants and respondents may be accompanied to meetings and hearings in the grievance process by: 1) an advisor of their choice; and/or 2) a support person, who cannot be a fact witness in the case. When a party does not have an advisor at a live hearing, the University provides an advisor at no cost to make opening and closing statements, and to conduct direct and cross-examination on behalf of that party.

### **Grievance Process**

The grievance process is guided by following principles:

- Title IX Coordinators, campus Title IX office staff who conduct investigations, decision-makers and individuals designated to facilitate informal resolution processes (where available) who: 1) do not have a conflict of interest or bias for or against complainants or respondents generally or individual complainants or respondents specifically; and 2) are trained in accordance with the University of Minnesota Sexual Harassment, Sexual Assault, Stalking and Relationship Violence administrative policy and applicable laws.
- A burden of proof that rests on the University.
- A burden of gathering evidence sufficient to reach a decision on responsibility and disciplinary sanctions, if any, that rests on the University.
- An equal opportunity for the parties to present witnesses.
- A presumption that a respondent is not responsible for the alleged prohibited conduct until a decision on responsibility and disciplinary sanctions, if any, is made at the conclusion of the grievance process.
- An objective evaluation of all relevant evidence.
- Relevant evidence is information pertinent to proving whether facts material to the allegations are more or less likely to be true.
- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not considered relevant, unless such questions and evidence: 1) are offered to prove that someone other than the respondent committed the conduct alleged by the complainant; or 2) concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- No consideration of information protected under a legally recognized privilege, or questions seeking disclosure of this information, unless the person holding the privilege waives it.
- No access to or consideration of a party's records that were made or maintained by a physician, psychiatrist, psychologist, or other professional in connection with the provision of treatment to the party, unless that party provides voluntary, written consent.
- Credibility determinations, where applicable, that are not based on an individual's status as a complainant, respondent, or witness.

### **Investigation**

Investigations into formal complaints will be conducted by the campus Title IX office, except that investigations into stalking and relationship violence of a non-sexual nature will be conducted: 1) for student respondents, by the campus office or official that investigates non-sexual Student Conduct Code complaints; 2) for employee respondents, by a human resources representative or a supervisor; and 3) for other University members, by the University official who retains or oversees their participation in University programs or activities. If a prohibited conduct investigation reveals possible misconduct other than prohibited conduct under this policy, the campus Title IX office will forward this information to the campus office, human resources representative, or supervisor responsible for investigating that possible misconduct. However, amnesty is provided for certain drug and alcohol related offenses that come to light during a prohibited conduct investigation.

### **Written notice to the parties**

Upon receipt of a formal complaint that alleges prohibited conduct in violation of this policy, the campus Title IX office will provide written notice to the parties who are known. The written notice will provide the parties with sufficient time to prepare a response before any initial interview, and will include:

- Notice that a grievance process is being initiated.
- Information about the grievance process.
- Notice of the allegations of prohibited conduct, including the identities of the parties involved in the incident, if known, the alleged prohibited conduct, and the date and location of the alleged prohibited conduct, if known.
- Notice of the decision on whether the reported conduct will be designated as Title IX prohibited conduct, the reasons for this decision, and the parties' right to appeal this decision;
- A statement that the respondent is presumed not responsible for the alleged prohibited conduct and that a decision on responsibility and on disciplinary sanctions, if any, is made at the conclusion of the grievance process.
- Notice that the parties may be accompanied to meetings and hearings in the grievance process by: 1) an advisor of their choice who may be, but is not required to be, an attorney, and who may inspect and review evidence and 2) a support person who cannot be a fact witness in the case.
- Information about applicable supportive measures and advisor resources, and an opportunity to discuss them with the campus Title IX office.
- Notice that this policy prohibits knowingly or intentionally filing a false formal complaint or providing false or misleading information during a grievance process.

If, during the course of an investigation, the campus Title IX office decides to investigate additional allegations of prohibited conduct, the campus Title IX office will provide notice of those additional allegations to the parties whose identities are known.

## **Investigation process**

The nature and scope of an investigation will be determined based on the formal complaint and any additional information gathered during the investigation, and will include the following elements:

- Written notice to the parties
- One or more requested interviews of a complainant, where the complainant will have the opportunity to describe the allegations giving rise to the formal complaint, provide evidence, and identify witnesses.
- One or more requested interviews of a respondent, where the respondent will have the opportunity to respond to the allegations, provide evidence, and identify witnesses.
- Gathering of other evidence, such as through witness interviews, if other evidence exists.
- An equal opportunity for the parties and their advisors to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint
- Provision of a final investigation report to each party, the party's advisor, if any, that fairly summarizes the relevant evidence, provides an analysis of the evidence, and a recommended decision on responsibility.

The campus Title IX office strives to complete investigations within 90 business days. However, depending on the complexity of the investigation, the number of witnesses, the availability of evidence and other factors, some investigations may take additional time. When an investigation will not be completed within 90 business days, the campus Title IX office will notify the parties and provide the reason for the extended timeline in writing.

## **Post-Investigation Informal Resolution Process**

Based on the final investigation report, the parties may be provided with a proposed informal resolution. If both parties agree in writing to the proposed informal resolution, the grievance process ends. If either party does not agree to the proposed informal resolution, the matter will proceed to a hearing or administrative resolution.

## **Administrative Resolution Process**

In all cases except those that involve a student complainant and a non-student employee respondent, the parties will be offered the opportunity to agree to resolve the case after the investigation through an administrative resolution process. In an administrative resolution process, a hearing chair will make the decision on responsibility based on the investigative report, the parties' written responses to the investigative report (if any), and the evidence gathered by the campus Title IX office as part of its investigation of the formal complaint.

## **Hearing**

If there is no post-investigation informal resolution or administrative resolution, the parties will be provided a live hearing. The parties will be permitted to submit a written response to the final investigation report to the hearing panel.

Hearing format. The University may conduct live hearings with all parties physically present in the same geographic location or with any or all parties, witnesses, and other participants appearing virtually, with technology enabling participants to simultaneously see and hear each other. At the request of any party, the parties will be located in separate rooms during the hearing with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.

Access to evidence at the hearing. The University will make all evidence directly related to the allegations available to the parties at any hearing.

Advisor and support person. Each party may be accompanied to the hearing by one advisor of their choice. Advisors are permitted to make opening and closing statements, and conduct direct and cross-examination during the hearing. If a party does not have an advisor present at the hearing, the University will provide that party, free of charge, with an advisor of the University's choice, to conduct cross-examination on behalf of that party. A party's advisor may appear and conduct cross-examination even when the party whom they are advising does not appear. Each party may also be accompanied at the hearing by a support person, who participates in the hearing in a non-speaking capacity. A support person cannot be a fact witness in the case.

Cross-examination. Cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor and never by a party personally. Each party's advisor is permitted to ask the other party and any witnesses all relevant questions.

Failure to submit to cross-examination. If a party or witness does not submit to cross-examination at the live hearing, the hearing panel and Appellate Officer (where applicable) will not rely on any statement of that party or witness in reaching a decision on responsibility. The hearing panel and Appellate Officer (where applicable) will not draw an inference about the decision on responsibility, if any, based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Recording or transcript. The University will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

#### **Decision on responsibility and disciplinary sanctions**

Both parties will be simultaneously provided with the hearing panel's (or in the case of an administrative resolution, the hearing chair's) written decision on responsibility and the written decision on disciplinary sanctions, if any. Together, these written decisions on responsibility and disciplinary sanctions will constitute the "Written Determination" that may then be appealed by either party.

The Written Determination will include:

- the allegations of prohibited conduct;
- a description of the procedural steps taken by the University from its receipt of the formal complaint through the Written Determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
- findings of fact supporting the decisions on responsibility and disciplinary sanctions;
- conclusions regarding the application of this policy to the facts;
- a statement of, and rationale for, the decisions on responsibility and disciplinary sanctions;
- a statement of the decision on whether the University will provide remedies to the complainant; and
- the University's procedures and permissible bases for the parties to appeal the decisions on responsibility and disciplinary sanctions.

If an appeal is not filed, the Written Determination becomes final on the date on which an appeal would no longer be considered.

## **Informal Resolution Processes**

The University may offer informal resolution processes to parties at any time after a formal complaint is filed and before a final decision on responsibility and on disciplinary sanctions is made. Except, the University will not offer informal resolution processes to resolve allegations that an employee engaged in Title IX-based prohibited conduct toward a student.

Before initiating an informal resolution process, the University will provide the parties with a written notice disclosing:

- the allegations in the formal complaint;
- the requirements of the informal resolution process;
- the circumstances under which the informal resolution process precludes the parties from resuming the grievance process arising from the formal complaint;
- the parties' right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and
- any privacy-related and recordkeeping-related consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

In addition, before initiating an informal resolution process, the University must obtain the parties' voluntary, written consent to the informal resolution process.

## **Disciplinary Sanctions, Remedies and other Responsive Actions**

Responsive action is intended to eliminate prohibited conduct, prevent its recurrence, and promote accountability while supporting the University's educational mission and legal obligations. Responsive action may include disciplinary, rehabilitative (including educational), restorative, and monitoring components.

Possible disciplinary sanctions in cases with student respondents include the following:

- an oral or written warning;
- probation;
- required compliance with work assignments, community service assignments, or other discretionary assignments;
- restitution;
- restriction of privileges;
- University housing suspension or expulsion;
- suspension or expulsion from the University;
- withholding of a diploma or degree; and
- revocation of admission or a degree.

Possible disciplinary sanctions and other responsive actions in cases with employee respondents (including student employees) may include one or a combination of the following:

- coaching or education;
- mentoring;
- changes to work duties or locations;
- monitoring to ensure that prohibited conduct is not occurring;

- probation;
- transfer of position;
- removal of administrative appointment;
- salary reduction;
- demotion;
- oral or written reprimand
- suspension; and
- termination of employment.

For labor-represented employees, the disciplinary sanctions that may be imposed are those set forth in their union contract.

Possible disciplinary sanctions or other responsive actions in cases with third-party respondents may include restrictions on a third-party respondent's: 1) participation in University programs or activities; 2) attendance at University events; or 3) ability to enter campus spaces, among other things.

### **Remedies**

Where a decision has been made that a respondent is responsible for prohibited conduct, the University will provide remedies to a complainant that are designed to restore or preserve the complainant's equal access to the University's education programs and activities. Such remedies may include supportive measures, as well as measures that prevent the respondent from having contact with the complainant, and other measures. The campus Title IX office is responsible for effective implementation of any remedies.

### **Appeals**

Either party may initiate the appeal process.

Appeals are not intended to allow for a second review of the same information provided during the investigation, and the Appellate Officer will not substitute their judgment for that of the hearing panel, or that of the hearing chair in the case of an administrative resolution. Appeals are limited to the grounds set forth below.

- Procedural irregularity that affected the outcome.
- New evidence that was not reasonably available at the time of the Written Determination that could have affected the outcome.
- A sanction that is grossly disproportionate to the offense.
- A decision on responsibility that is not based on substantial information. Substantial information means relevant information that a reasonable person might accept as adequate to support a conclusion. The Appellate Officer must respect the credibility determinations of the hearing panel (or of the hearing chair in the case of an administrative resolution) and must not substitute the Appellate Officer's judgment for that of the hearing panel or chair.
- The Title IX Coordinator, investigator, hearing panel members, and/or University Authority had a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent that affected the outcome.

The Appellate Officer will issue a written decision that 1) affirms, in whole or in part, the decision on responsibility, 2) overturns, in whole or in part, the decision on responsibility, 3) affirms, overturns, or adjusts the decision on disciplinary sanctions, or 4) remands the matter to remedy procedural errors or consider new evidence.

The decision of the Appellate Officer is the final University decision.

## Orders for Protection, Harassment Restraining Orders and Enforcement

The University of Minnesota complies with Minnesota law in recognizing Orders for Protection and Harassment Restraining Orders. Any person who obtains an order should provide a copy of the University of Minnesota Morris Police Department.

If a person needs assistance in obtaining an Order for Protection or Harassment Restraining Order, they can contact Stevens County Victim Services. University departments that are made aware of an Order of Protection or Harassment Order and need assistance with accommodating the order can contact the Title IX Coordinator? for resources.

Any person who witnesses a violation of an Order for Protection or Harassment Restraining Orders should immediately call 911 for police response.

## Resources

### On-Campus Resources for Students, Staff, and Faculty

<b><i>University of Minnesota Morris Police Department</i></b>	Campus Law Enforcement	Emergency: 911 Non-Emergency: 320-287-1601
<b><i>Title IX Compliance and Equal Opportunity</i></b>	Sexual misconduct/ Title IX complaints, harassment complaints	320-589-6021
<b><i>Equity, Diversity and Intercultural Programs</i></b>	Multi-ethnic, international, and LGBTQIA2s+ student support	320-589-6095
<b><i>Student Affairs</i></b>	Campus accommodations, student support, code of conduct violations, etc.	320-589-6013
<b><i>Residential Life</i></b>	Response, referrals, housing accommodations and support	320-589-6475
<b><i>Student Counseling</i></b>	Confidential mental health counseling, support and violence response options	320-589-6060
<b><i>Health Service</i></b>	Medical treatment services	320-589-6070
<b><i>International Student Program</i></b>	Visa and immigration information	320-589-6094
<b><i>Employee Assistance Program</i></b>	Faculty- and staff-specific professional consultation and mental health resources.	888-243-5744 612-625-2820

## Community Resources

<b><i>MNCASA (Minnesota Coalition Against Sexual Assault)</i></b>	Education, Policy, Prevention	Web: <a href="http://www.mncasa.org">www.mncasa.org</a> Business: 651-209-9993
<b><i>Rape, Abuse, and Incest National Network (RAINN)</i></b>		<a href="http://www.rainn.org">http://www.rainn.org</a>
<b><i>Stevens Community Medical Center</i></b>	24-hour emergency care, health care	320-589-1313
<b><i>Stevens County Victim Services</i></b>	Legal, advocacy	320-208-6590
<b><i>Someplace Safe</i></b>	Advocacy, support	320-589-3208

Note: Resources are listed only for your information. The University of Minnesota does not endorse any off-campus programs.

## Sexual Offender Registration

Certain felony level sex and other predatory offenders are required by law to keep law enforcement agencies apprised of their current residence, employment, and school address, as well as any changes to that information. Some of these offenders have demonstrated by their past behavior that they are part of a group who pose the greatest risk to the public when released.

This does not mean that they will commit a new crime, just that they are part of a group of persons who might.

The website does not contain information regarding predatory sex offenders who live or work near, but not on, University of Minnesota property. A list of such offenders may be found on the Minnesota Department of Corrections website <https://coms.doc.state.mn.us/publicregistrantsearch>

## Release disciplinary outcome to victims of crimes of violence or non-forcible sex offenses

The University of Minnesota will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the University of Minnesota against a student who is the alleged perpetrator of the offense. If the alleged victim is deceased as a result of such of the offense, the next of kin of the victim is permitted to make the request.

# Housing & Residential Life Missing Person Policy

The Residential Life Missing Person Policy establishes procedures for the University of Minnesota Morris' response to reports of missing students. This policy applies to students who reside in University owned housing facilities.

Under the policy, a student may be considered a "missing person" if the person's absence is suspiciously different from his/her usual pattern of behavior and/or unusual circumstances may have caused the absence.

## Procedures for Student Designation of Emergency Contact Information

Students age 18 and above and emancipated minors:

Student residents will be given the opportunity to designate an individual or individuals to be contacted by the University no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. The designation will remain in effect until changed or revoked by the student or at the time the student is no longer a resident of University housing (or under the age of 18).

Students under the age of 18 who are not emancipated:

Student residents under the age of 18 who are not emancipated are required to provide contact information for a custodial parent or guardian. The University is required to notify a custodial parent or guardian no more than 24 hours after a student resident is determined to be missing in accordance with the procedures set forth below. The custodial parent or guardian contact information will remain in effect until the student reaches the age of 18 or is no longer a resident of University housing.

This contact information will be registered confidentially and will only be accessible to campus officials and will only be disclosed to law enforcement personnel in the furtherance of a missing person's investigation.

## To Report a Missing Student

In the case of a missing student resident, individuals should notify the University of Minnesota Morris Police Department, the Office of Residential Life, or the Office of the Vice Chancellor for Student Affairs.

<i>University of Minnesota Morris Department of Public Safety</i>	6 Behmler Hall	320-287-1601
<i>The Office of Residential Life</i>	74 Gay Hall	320-589-6475
<i>The Office of the Vice Chancellor for Student Affairs</i>	309 Behmler Hall	320-589-6013

## Official notification procedures for missing persons:

Any individual on campus who has information that a University housing student may be a missing person must notify the University of Minnesota Morris Police Department as soon as possible.

If a report of a possible missing person is made to a Residential Life staff member or to The Office of the Vice Chancellor for Student Affairs, UMMPD will be contacted immediately. Cooperative efforts to locate the student resident may include:

- Conduct a life safety/wellness check on the resident,
- Attempt to make contact via cellular phone, email, or other means,
- Contact other students who may be aware of the missing person's whereabouts (e.g., roommate, friends, classmates).
- UMMPD will gather all essential information about the student resident from the reporting person(s) and other individuals who may provide information that will assist with the investigation.
- No later than 24 hours after determining that a University housing student is missing, the Chief Law Enforcement Officer or designee will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

# Fire Safety Report

## On Campus Student Housing Facilities

<b>Traditional Residence Halls</b>
Blakely Hall
Clayton A. Gay Hall
David C. Johnson Independence Hall
Green Prairie Community
Pine Hall
Spooner Hall

<b>Apartments</b>
On Campus Apartments

## Reporting Fires

Fires should be reported immediately to the Morris Fire Department by contacting 911.

The following phone numbers should only be used to report fires which have already been extinguished.

<i>University of Minnesota Morris Police Department</i>	6 Behmler Hall	320-287-1601
<i>The Office of Residential Life</i>	74 Gay Hall	320-589-6475

## On-Campus Student Housing Facility Fire Safety Systems

The charts below summarize each facility's fire safety system and the number of fire drills held during the 2020 calendar year.

Morris On Campus Residential Facilities	Fire Alarm Monitoring	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	Number of Drills
Blakely Hall	X	x	x	x	x	2
Clayton A. Gay Hall	X	x	x	x	x	2
David C. Johnson Independence Hall	X	x	x	x	x	2
Green Prairie Community	X	x	x	x	x	2
Pine Hall	X	x	x	x	x	2
Spooner Hall	X	x	x	x	x	2
On-Campus Apartments	X	x	x	x	x	2

## Housing Regulations Regarding Portable Electrical Appliances, Smoking, and Open Flames

### Electrical Appliances

Residents may use electrical appliances in residence halls if the appliance does not have an open heating element, use grease or cooking oil, or have an open flame. Appliances with automatic turn-off timers are highly encouraged.

Items that are not allowed include, but are not limited to: electric grills, hot plates and toaster ovens. Residents may use the items listed above in designated kitchen or utility areas only. Space Heaters are not allowed.

The residence hall rooms are not wired to support the use of large electrical appliances (air conditioners or large fridges). Major appliances, including air conditioners or portable dishwasher units, are not permitted in any hall.

Students may bring one (1) refrigerator per residence hall room. The refrigerators must be 4.4 cubic feet or smaller.

All appliances brought to campus must be in good working order.

Extension cords must be UL approved.

Due to potential for fire, concealed extension cords and multiple outlet adapters are also prohibited. Residents may possess multiple strip outlets that are fused with at least 14-gauge wire, are UL approved, and are grounded.

### Cooking

Residence hall rooms are not equipped for students to safely and sanitarily cook. For the safety of all students, cooking is NOT permitted in residence hall rooms. Cooking is permitted only in University-designated kitchen or utility areas where appliance outlets are provided.

### Smoking

To create a healthier, cleaner, and more inclusive environment for everyone, smoking any substance or creating smoke is not permitted in resident rooms or apartments, on apartment patios, apartment balconies, and/or public areas within residence halls and apartments. This includes electronic cigarettes, vaporizers and tobacco, hookahs or any smoking paraphernalia that has the potential for an open flame.

### Open Flames

For the safety of all students living in the halls, it is prohibited to have open flames or other materials that constitute fire hazards on University housing property including candles, candle warmers, incense, or other materials (such as live fresh cut evergreen trees, and wreaths). Any candles or incense found may be confiscated or destroyed. Residence life staff will not store these items for you.

### Prohibited Lighting

Due to hazardous materials in various lighting devices, and the potential for fire, and chemical safety hazards, the following items are not allowed: halogen lamps, torchiere lamps, neon lighting, black lights, strobe lights, and lava lamps. Lighting fixtures and devices must be UL listed, in good working condition per original manufacturing, and of no greater than 75 watts.

## Evacuation in case of a fire

In the event of a building alarm, fire departments cannot begin their job until everyone is out of the building. Failing to leave the building puts others at risk. In compliance with Minnesota State Fire Code and state law, everyone is required to leave the building in the event of a building alarm.

- Upon activation of a fire alarm, immediately proceed to the nearest, safest exit
- Before opening doors, feel the door; if it is hot do not proceed through the door. If the door is cool, open the door slowly and proceed to nearest, safest exit
- If on upper floors of a building, do not use elevators, proceed down stairwells to exit, if heavy smoke or fumes are present, use an alternate exit route
- Exit the building and move a safe distance away from the building
- Housing staff will assist exiting residents to a nearby safe location
- Do not re-enter the building for any reason. Emergency Responders or Housing and Residential Life Staff will notify residents if and when it is safe to return to the building

## Steps to Be Taken in Case of Fire

In a fire emergency:

- Pull the fire alarm if able.
- Call 9-911.
- Remain calm and act quickly.
- Wear protective clothing such as a coat and shoes, and carry a damp towel for use in heavy smoke.
- Close your room door and windows.
- Walk in an orderly manner to the nearest exit. Never use an elevator.
- Move a safe distance away from the building and out of the way of fire department personnel.
- Remain outside until you are told to return by the staff.
- If you think there is a fire in the hallway, feel the door before you open it:
- If the door does not feel hot, open it slightly, holding your head away and brace the door with your foot.
- Put your hand across the opening to test the heat of the air.
- If the door is hot and the hallway unsafe, plug any opening or cracks through which smoke may enter your room using wet towels, sheets, blankets, etc.
- If smoke does enter the room, open the window for ventilation; break it if sealed.
- DO NOT JUMP.
- Make your presence known.
- Wait for rescue

In case of minor fire:

- Pull the fire alarm if able.
- Call 9-911.
- Use a fire extinguisher located in the hallway cabinets or a blanket to smother the fire.
- Call the Lake Superior Hall Information Desk at 218-726-7381.
- Never risk your personal safety!

## Fire Safety Education & Training

Each September, the Office of Residential Life offers fire safety programming. Each hall has a fire safety presentation and informs residents of actions to be taken in case of a fire.

Each residence hall has evacuations procedures on-site. These procedures are covered yearly with residents and are practiced each year in scheduled fire safety drills.

## Fire Statistics

Housing Facility	Number of Reported Fires		
	2018	2019	2020
Blakely Hall	0	0	0
Clayton A. Gay Hall	1	0	0
David C. Johnson Independence Hall	0	0	0
Green Prairie Community	0	0	0
Pine Hall	0	0	0
Spooner Hall	0	0	0
On-Campus Apartments	0	0	0

## Fire Details

### 2020

There were no fires reported in 2020.

### 2019

There were no fires reported in 2019.

### 2018

On April 26, 2018 in Clayton A. Gay Hall there was a small unintentional fire caused by cooking in which oil in a pan on a kitchen stove ignited. There were no injuries or deaths and no damage to property was reported.

## Planned Fire Safety Improvements

Residential Life works closely with University code officials to review current systems and plan for future improvements. There are currently no plans deemed necessary for improvements in fire safety systems or procedures.

## For More Information

To request copies of this report or to request this publication in an alternative format, contact:

**Department of Public Safety**

University of Minnesota Morris

600 E. 4th Street

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320-589-6000

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