

**Northwest Missouri State University**



**2017 Combined Annual  
Security and Fire Safety Report**  
Maryville, Missouri

# **2017 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT**

## **Introduction**

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of NWMSU - Maryville Campus ("University") with information on: the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

## **Policy for Preparing the Annual Report**

This report is prepared by University Police Department in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting the University Police on business days between the hours of 8:00am and 4:00pm.

The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are constantly tested and re-evaluated for their effectiveness.

## **General Safety and Security Policies**

### **Policies Concerning the Law Enforcement Authority of Campus Security Personnel**

The University Police Department is responsible for campus safety at the University. Its personnel have arrest authority.

The University Police Department's jurisdiction covers all of the institution's property.

The University has a close working relationship with local law enforcement agencies, including the Maryville Public Safety Department. The University has a written mutual aid agreement with the Maryville Public Safety Department (The agreement established crime reporting, jurisdictional boundaries, and mutual assistance.).

All crimes occurring on campus, on non-campus property owned by the University or on nearby public property should be reported immediately to the University Police Department. The number to contact is 660.562.1254.

Community members, students, faculty, staff, and visitors are encouraged to report all crimes and public safety-related incidents to the University Police Department in a timely manner. Sexual violence crimes may also be reported to the Title IX and ADA/504 Director (all crimes reported to the Title IX office are immediately shared with the University Police Department to assess for a Timely Warning). University Police encourages the accurate and prompt reporting of all crimes. To report a crime or an emergency at Northwest's main campus, call 660.562.1254. The University Police Department is located in the Support Service Building. Communication personnel and police officers are available at University Police 24 hours a day to answer calls. In response to a call, University Police take the required actions, either by dispatching an officer or asking the victim to report to the University Police Department to file an incident report. Most University Police Department incident reports are forwarded to the Director of Student Development and Conduct for review and referral to the Student Judicial System for potential action. Investigators investigate a report when it is deemed appropriate.

Information Police Will Want to Know When You Call:

Where:

- Where are you now?
- Where did the crime happen?
- If the suspect(s) are gone, where did they go? In what direction?
- Did they use a car or some other transportation? Did you get the license plate information?

What:

- What exactly happened or is happening? Describe the situation in complete detail.
- What are the suspect(s) physical characteristics? (sex, height, weight, hair color, race, etc.)
- What was the suspect wearing?

When:

- When did the crime happen? Is it still in progress?

Who:

- Who are you? What phone number are you calling from?

Do not hang up the phone until the dispatcher tells you to do so. You may be put on hold while the dispatcher contacts emergency responders.

If a sexual assault or rape is reported on campus, staff on the scene, including University Police, will offer the victim a wider variety of services. Northwest has trained sexual assault advocates who are on-call and available to assist a victim of sexual assault 24 hours a day. Contact University Police at 660.562.1254 to activate this service.

### **Other Officials to Whom Crimes May Be Reported**

The University also has designated other officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported to the University Police Department for collection as part of the University's annual report of crime statistics. The additional campus security authorities to whom the University would prefer that crimes be reported are as follows:

- Baker, Matthew at 660.562.1219
- Bennett, Paul at 660.562.0837
- Bond, Nola at 660.562.1110
- Brooks, Rachel at 660.562.1476
- Burden, Katrina at 660.562.1254
- Carrick, Stacy at 660.562.1579
- Ceperley, Michael at 660.562.1254
- Drake, Michelle at 660.562.1127
- Hernandez, John at 660.562.1035
- Hoffmann, Kori at 660.562.1554
- Hopkins, Lori at 660.562.1142
- Hull, Brooke at 660.562.1127
- Koonce, Danielle at 660.562.1747
- Lundy, Jessie at 660.562.0833
- Miller, Michael at 660.562.1341
- Perkins, Scotty at 660.562.1127
- Quinlin, Kelly at 660.562.1313
- Seipel, Sandy at 660.562.1866
- Simmons, Juanita at 660.562.1750
- Stanley, Brandon at 660.562.1628
- Steinman, Billy at 660.562.5036
- Steinman, Steven at 660.562.0810
- Tavorn, Cassandra at 660.562.1861
- Tjeerdsma, Melvin at 660.562.1306
- Viau, Rose at 660.562.1085
- Walk, Scott at 660.562.1183
- Wilmes, Gerald at 660.562.1350

### **Policies on Reporting a Crime or Emergency**

The University encourages accurate and prompt reporting of all criminal actions, accidents, injuries, or other emergencies occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so. Such reports should be made as follows:

- Situations that pose imminent danger or while a crime is in progress should be reported to University Police by calling 660.562.1254 from any campus phone or cell phone.
- Students, staff, and visitors can make a report of criminal actions to one of the campus security authorities identified above. Once reported, the individual making the report will be encouraged to also report it to University Police. If requested, a member of University staff will assist a student in making the report to the police
- A confidential report can also be submitted at the following site: [https://cm.maxient.com/reportingform.php?NorthwestMOStateUniv&layout\\_id=4](https://cm.maxient.com/reportingform.php?NorthwestMOStateUniv&layout_id=4)

The University monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of student organizations officially recognized by the University, including student organizations with off-campus housing facilities.

### Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim’s identity.

Any victim of a crime who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. With the victim’s permission, a report of the details of the incident can be filed without revealing the victim’s identity. Such a confidential report complies with the victim’s wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where a pattern of crime may be developing and alert the community as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University does not have procedures that encourage its pastoral counselors and other professional counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics.

### Timely Warning

In the event of criminal activity occurring either on campus or off campus that in the judgment of the University Police Department constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples would be a rash of motor vehicle thefts or sexual assaults in the area that merit a warning because they present a continuing threat to the campus community.

This warning will be communicated to students and employees via the following method(s):

Method	Sign-Up Instructions
Campus Email	Assigned
Bearcat Alert: Text Messaging	<a href="http://www.nwmissouri.edu/alert/index.htm">http://www.nwmissouri.edu/alert/index.htm</a>

Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- University Police Department, 660.562.1254

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

### **Security of and Access to Campus Facilities**

The Northwest Missouri State University main campus in Maryville maintains academic and administrative facilities that are generally open to the public. They are open to the public during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of the buildings is controlled by electronic access after normal business hours, and all buildings have varied levels of access. Schedules for facilities fluctuate and are available by contacting the specific building. University Police patrol academic and administrative facilities.

**Residence Hall Doors:** All exterior residential halls are locked 24/7. Student room doors are secured with commercial-grade hardware. Each student living in a residential hall is assigned an individual exterior electronic key fob and access code. These keys and code should not be shared with others: duplication is not permitted. Access to residence halls is restricted to residents, their guests, and other approved members of the University community.

Residents are cautioned against permitting strangers to enter the buildings and are urged to require individuals seeking entry to use their key fob and access code. University Police officers and student security patrol the residence halls. Residential hall staff also enforce security measures in the halls and work with residents to achieve a community of individual and group rights and responsibilities. Residential hall staff and University Police also conduct periodic educational sessions on prevention of various crimes, including sexual assault and acquaintance rape.

### **Security Considerations in the Maintenance of Facilities**

Security also is a consideration in maintaining campus facilities.

Maintenance and University Police personnel regularly check to ensure pathways are well lighted and that egress lighting is working in hallways and stairwells. Facility entries and exits are checked for pathway debris and door functionality on a routine basis.

### **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. A description of those programs and their frequency of presentation follows:

- Campus security, emergency procedures, and fire safety procedures are discussed during new student orientation (via a program titled Helping Bearcats Succeed). University Police, Wellness Center, Office of Student Affairs, Residential Life, and the Title IX Coordinator participate in forums, town hall meetings, and programs in residence halls to address students to explain University security, public safety, and fire safety measures and procedures. Security awareness

and emergency procedures information is also offered to all incoming international students and employees.

- Orientation programming includes information about services such as Safe Rides, security escorts, sexual/relationship violence, alcohol and drug policies, emergency procedures, and general safety. The mobile app is shared as well as information on weapons storage and self-defense courses.
- Crime prevention and sexual/relationship violence prevention programs are offered on an ongoing basis. These sessions are provided by staff of University Police, Wellness Services, and the Office for Equity and Accessibility. Additional crime prevention awareness sessions to educate the campus community about personal safety, services offered, and keep them informed of crime prevention strategies. Information is also disseminated via brochures, University Police website, and social media.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the University will 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 report on the results of any disciplinary proceeding conduct by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

### **Drug and Alcohol Policy**

We are committed to creating and maintaining an environment that is free of alcohol abuse. The University enforces the state's underage drinking laws and complies with state law and other applicable regulations governing alcoholic beverages for those on the University's premises or participating in its activities. The University strongly supports education and treatment programs as the most effective means to help prevent and reduce alcohol abuse. In addition, the University is committed to providing an academic and social environment that supports individual freedom while promoting individual responsibility, health and safety, and community welfare. To that end:

1. The University expects that those who wish to include alcohol as part of their activities will do so responsibly and lawfully.
2. Persons planning events on campus should be mindful of the complexities introduced into planning an event with alcohol. Event management issues (the presentation of entertainment, provision of refreshments, management of the participants or audience, security, and other factors) require serious attention for any event, and all the more for an event at which alcohol is served. Event organizers must fully understand the University alcohol policy and applicable laws and manage their events accordingly.
3. Organizations may not plan events that promote or encourage the consumption of alcohol, nor may event planning be based upon the assumption of abusive or illegal alcohol consumption. Persons planning events should remember that the vast majority of events at the institution take place without alcohol, that most members of the undergraduate community are not of legal drinking age, and that among those who are, many do not drink alcoholic beverages at all.

The University's Student and Employee Illegal Drug and Alcohol Policy is located at:  
<http://www.nwmissouri.edu/policies/archive/PDF/health/DrugAlcoholPolicy.pdf>.

The University's Alcoholic Beverages on university Property Policy and Procedure is located at:  
<http://www.nwmissouri.edu/policies/archive/PDF/health/AlcoholOnPropertyPolicy.pdf>.

The University enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited under both state and federal laws. Such laws will be enforced by the University's law enforcement authority on campus (University Police). Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### **Drug and Alcohol Abuse Prevention Program**

The University has a drug abuse and prevention program and conducts a biennial review of this program to evaluate its effectiveness. More information about the program, including the University's drug and alcohol policies, can be located at: <http://www.nwmissouri.edu/facts/pdf/AlcoholDrugReview.pdf>.

### **Policy, Procedures and Programs Related to Various Sex-Related Offenses, including Sexual Assault, and Domestic Violence, Dating Violence, and Stalking**

Consistent with the requirements of Title IX of the Education Amendments of 1972, the Clery Act, and the Violence Against Women Act ("VAWA"), the University prohibits discrimination based on sex in its educational programs and activities, including sexual harassment, and acts of domestic violence, dating violence, sexual violence (including sexual assault) and stalking. The University also prohibits any retaliation, intimidation, threats, coercion or any other discrimination against any individuals exercising their rights or responsibilities pursuant to these laws and institutional policy. The University's Title IX: Non-Discrimination and Anti-Harassment Policy is used to address complaints of this nature. This policy and the procedures for filing, investigating and resolving complaints for violations of this policy may be found at: Title IX: Non-Discrimination and Anti-Harassment Policy (<http://www.nwmissouri.edu/facts/titleix.htm>).

The following discusses the University's educational programs to promote the awareness of domestic violence, dating violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. In it they are specifically advised that the University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking. In that regard, they are informed of the following definitions that apply within the state of Missouri:

- Dating Violence: The institution has determined, based on good-faith research, that Missouri law does not define the term dating violence.
- Domestic Violence (Mo. Rev. Stat. §§ 455.010(5) and 455.010 (7)): Abuse or stalking committed by a family or household member, as such terms are defined in Mo. Rev. Stat. § 455.010.



"Family" or "household member", [includes] spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

- Additionally, Missouri law defines the term "Domestic Assault" (Mo. Rev. Stat. §§ 565.072 to 565.076):
  - A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.
    - Mo Rev. Stat. § 565.002(6) indicates that a "domestic victim" is a household or family member as the term "family" or "household member" is defined in 455.010, including any child who is a member of the household or family.
  - A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:
    1. Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
    2. Recklessly causes serious physical injury to such domestic victim; or
    3. Recklessly causes physical injury to such domestic victim by means of any deadly weapon.
  - A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.
  - A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and:
    1. The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;
    2. With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
    3. The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
    4. The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
    5. The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or

6. The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

- Stalking (Mo. Rev. Stat. §§ 565.225 and 565.227):

- As used below, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

- A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:

1. Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or

2. At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or

3. At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or

4. At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or

5. He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or

6. At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

- A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

- Sexual Assault (Mo. Rev. Stat. § 455.010(1)(e)): Causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that person's consent.

- For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Missouri law are as follows:
  - Rape (Mo. Rev. Stat. §§ 566.030 and 566.032):
    - A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.
    - A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.
  - Fondling: The institution has determined, based on good-faith research, that Missouri law does not define the term fondling.
  - Incest (Mo. Rev. Stat. § 568.020): A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her:
    1. Ancestor or descendant by blood or adoption; or
    2. Stepchild, while the marriage creating that relationship exists; or
    3. Brother or sister of the whole or half-blood; or
    4. Uncle, aunt, nephew or niece of the whole blood.
  - Statutory Rape (Mo. Rev. Stat. §§ 566.032 and 566.034):
    - A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.
    - A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.
- Other crimes under Missouri law that may be classified as a “sexual assault” include the following:
  - Sodomy (Mo. Rev. Stat. §§ 566.060 and 566.061):
    - A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

- A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.
- Statutory Sodomy (Mo. Rev. Stat. §§ 566.062 and 566.064):
  - A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.
  - A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than seventeen years of age.
- Child Molestation (Mo. Rev. Stat. §§ 566.067 to 566.071):
  - A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.
  - A person commits the offense of child molestation in the second degree if he or she:
    1. Subjects a child who is less than twelve years of age to sexual contact; or
    2. Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.
  - A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.
  - A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.
- Sexual Misconduct Involving a Child (Mo. Rev. Stat. § 566.083):
  - A person commits the offense of sexual misconduct involving a child if such person:
    1. Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child;
    2. Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child;
    3. Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

4. Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.
- Sexual Misconduct (Mo. Rev. Stat. §§ 566.093 and 566.095):
    - A person commits the offense of sexual misconduct in the first degree if such person:
      1. Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;
      2. Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or
      3. Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.
    - A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.
  - Sexual Abuse (Mo. Rev. Stat. §§ 566.100 and 566.101):
    - A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.
    - A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.
- Consent (as it relates to sexual activity)(Mo. Rev. Stat. § 556.061(14)): Consent or lack of consent may be expressed or implied. Assent does not constitute consent if:
    1. It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
    2. It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
    3. It is induced by force, duress or deception.

In addition to the definition of consent under Missouri law, the University uses the following definition of consent for the purpose of determining whether a violation of its Title IX: Non-Discrimination and Anti-Harassment Policy has occurred:

- Lack of consent is a critical factor in determining whether sexual violence/assault has occurred. Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. Consent is not passive.
- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.

The PPAP includes instruction on how to avoid becoming a victim and the warning signs of abusive behavior, the recognition of which will help mitigate the likelihood of perpetration, victimization or bystander inaction. Specifically they are advised:

### **Help Reduce Your Risk and Avoid Potential Attacks**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, and how to avoid potential attacks.

If you are being abused or suspect that someone you know is being abused, speak up or intervene:

1. Contact Wellness Services and request to meet with a counselor for support.
2. Look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
3. Consider getting a [protective order](#).
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
5. Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

### **Sexual Assault Prevention (From RAINN)**

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- It’s okay to lie. If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it’s okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened.
- Be a good friend. Trust your instincts. If you notice something that doesn’t feel right, it probably isn’t.
- Social media safety: <https://www.rainn.org/articles/social-media-safety>
  - Turning off geolocation

- Pause before you post
- Do not post pics of yourself incapacitated, which predators look for

### **Sexual Assault Prevention (From RAINN)**

- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

### **Traveling around campus**

- Make sure your cell phone is easily accessible and fully charged
- Avoid dimly lit places and notify University Police if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walk with a friend
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, contact University Police for an escort

It is also important to be aware of the warning signs of an abusive person. Some examples include:

### **Warning Signs of an Abusive Person**

This is a list of behaviors that are seen in people who abuse their partners. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- **Past abuse**  
An abuser may say, "I hit someone in the past, but she made me do it." An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.
- **Threats of violence or abuse**  
Threats can involve anything that is meant to control the victim. For example, "I'll tell your parents about your drug use if you don't do what I want." Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that "everybody talks like that."

- **Breaking objects**

An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.

- **Use of force during an argument**

An abuser may use force during arguments, including holding the victim down, physically restraining the victim from leaving the room, and pushing and shoving. For example, an abuser may hold a victim against the wall and say, "You're going to listen to me."

- **Jealousy**

An abuser will say that jealousy is a sign of love. In reality, jealousy has nothing to do with love. It is a sign of insecurity and possessiveness. An abuser may question the victim about whom they talk to or be jealous of time spent with other people. As the jealousy progresses, the abuser will call the victim frequently, stop by unexpectedly or monitor the victim's activities.

- **Controlling behavior**

An abuser will claim that controlling behavior is out of concern for the victim's welfare. They will be angry if the victim is late and will frequently interrogate the victim. As this behavior gets worse, the abuser will control the victim's appearance and activities.

- **Quick involvement**

An abuser will often pressure someone to make a commitment after a very short amount of time. The abuser comes on quickly, claiming "love at first sight," and will tell the victim flattering things such as "You're the only person I could ever love."

- **Unrealistic expectations**

The abuser is dependent on the victim for everything and expects perfection. The victim is expected to take care of everything for the abuser, particularly all emotional support. The abuser will say things like, "You're the only person I need in my life."

- **Isolation**

The abuser will attempt to diminish and destroy the victim's support system. The abuser will accuse people who are close to the victim of "causing trouble."

- **Blames others for problems**

Abusers will rarely admit to the part they play in causing a problem. She will blame the victim for almost anything that goes wrong.

- **Blames others for their feelings**

An abuser will tell the victim, "I hurt you because you made me mad," or "You're hurting me when you don't do what I ask." Blaming the victim is a way of manipulating them and avoiding any responsibility.

- **Hypersensitivity**

An abuser can be easily insulted. The slightest setbacks are seen as personal attacks. An abuser will rage about the everyday difficulties of life as if they are injustices -- such as getting a traffic ticket or not doing well on an exam.

- **Cruelty to animals or children**

An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.



- **Rigid sex roles**

Male abusers often expect women to serve and obey them. They view women as inferior to men and believe that a woman is not a whole person without a relationship with a man.

- **Jekyll-and-Hyde personality**

Explosiveness and mood swings are typical of abusers, and these behaviors are related to other traits such as hypersensitivity. This is not always a sign of mental health problems but may be a way of controlling the victim by being unpredictable.

*Adapted from Wilson, K.J. (1997). [When Violence Begins at Home: A Comprehensive Guide to Understanding and Ending Domestic Abuse](#). Alameda, CA: Hunter House Publishers).*

PPAP instruction also includes encouraging individuals to take safe and positive steps to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against another person. This includes reporting such incidents to appropriate authorities. Other steps that can be taken include:

### **Bystander Intervention Information**

Be an intervener! Stop these incidents before they occur, and talk to your friends about it so that they will intervene as well!

1. **Notices the Incident:** Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation there is no reason to help.
2. **Interpret incident as an emergency:** Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance.
3. **Assume Responsibility:** Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if there are other bystanders present. When other bystanders are present responsibility for helping is diffused. If a lone bystander is present he or she is more likely to assume responsibility.
4. **Attempts to Help**
  - Whether this is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security.
  - The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
  - Educate yourself about interpersonal violence AND share this info with friends.
  - Confront friends who make excuses for other people's abusive behavior
  - Speak up against racist, sexist, and homophobic jokes or remarks.

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

## **Ongoing Prevention and Awareness Program:**

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

## **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the institution. Methods include, but are not limited to: online presentations, distribution of written materials, periodic email blasts, and guest speakers. Past programming and currently planned programming includes the following:

- PPAPs
  - Think About It (online)
  - Helping Bearcats Succeed
  - Can I Kiss You?
  - New Faculty Orientation
  - New Staff Orientation (online)
  - International Student Orientation
- OPACs
  - Green Dot: Overviews and Bystander Training
  - Assisting Students in Distress
  - Residential Life Student Staff Safety and Response Training
  - Staff Compliance Workshops
  - Pizza and Police
  - University Seminar Presentations
  - Self-Defense

## **Procedures to Follow if You are a Victim of Sexual Assault, Domestic Violence, Dating Violence, or Stalking:**

If you are a victim of a sexual assault, domestic violence, dating violence, or stalking, go to a safe place and call 911 or University Police Department at 660.562.1254. At the earliest opportunity, you should also contact the University's Title IX Coordinator Dr. Matthew Baker at 660.562.1219, [mcbaker@nwmissouri.edu](mailto:mcbaker@nwmissouri.edu). Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported.
  - Contact the Title IX Coordinator or refer to the other resources listed in this report.
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order. To that end, keep in mind the following:

- You should not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence.
  - Don't bathe or wash, or otherwise clean the environment in which the assault occurred.
  - You can obtain a forensic examination at St. Francis Hospital – All survivors of sexual violence are highly encouraged to seek care from a Sexual Assault Nurse Examiner (SANE) to collect any evidence available. Additionally, St. Francis can provide treatment for injuries and/or sexually transmitted infection and offers pregnancy tests and emergency contraception. Walk-in emergency care is available 24/7 at the hospital. The address is 2016 S. Main St., Maryville, MO 64468. For more information call 660-562-2600.
  - Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.
  - Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
  - Victims of stalking should also preserve evidence of the crime to the extent possible.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
- University Police is located on campus and are available 24/7 to assist with criminal prosecution and Title IX investigatory process. Please contact them at 660.562.1254.
  - Maryville Public Safety Department, 222 East 3rd Street, Maryville, MO 64468. 660.562.3209
  - To make a police report, a victim should contact a police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- In Missouri, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. Information about Adult Orders of Protection may be found at: <http://www.courts.mo.gov/page.jsp?id=533>.
- A protection order may be obtained by filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 15 days, until a court hearing, and (2) Full Orders of Protection, which may be issued for up to one year. Additional information about the orders may be found at: <http://www.courts.mo.gov/file.jsp?id=69655>.
- *University Responsibilities in Regards to Orders of Protection:*
    - The purpose of an Ex Parte Order of Protection and a Full Order of Protection is to restrain a respondent from committing or threatening domestic violence, stalking, communicating or disturbing a complainant's

peace, and entering a complainant's place of residence. An Ex Parte Order of Protection is a temporary order in place until a hearing by a judge. After reading a Petition, the Judge will either grant or deny an Ex Parte Order of Protection. Court hearings are typically held within 15 days of filing an Ex Parte Order of Protection as noted in Missouri law. A complainant must be prepared to present documentation, photos, or other forms of evidence with the paperwork when filing a petition for an Ex Parte Order. At a court hearing, a judge can issue a Full Order of Protection for a period of 180 days up to one year. A Full Order of Protection can be renewed twice; each renewal can last up to one year. No new incident of abuse is required if the Order is renewed before the old one expires. The Court may, upon a finding that it is in the best interest of the parties, include a provision that any Full Order of Protection for one year shall automatically renew unless the Respondent requests a hearing by 30 days prior to its expiration (see Chapter 455 and specifically 455.010, 455.035, & 455.050 RSMo. for more information).

- University Police shall enforce any violation of an Ex Parte Order of Protection or Full Order of Protection by a respondent in the same manner as any police officer in any jurisdiction. A violation of either type of order in Missouri is considered a class A misdemeanor for the first offense and any subsequent offense is treated as a class D felony. Any person who obtains an Order of Protection from Missouri or any other state should provide a copy to University Police and the Title IX Coordinator. Depending on conditions specified in a particular order the University may make arrangements with both parties that permit access to classrooms, library, the cafeteria, and/or any other public places. These arrangements shall be made to ensure normal access to public areas that do not violate the terms and conditions of the Order of Protection under normal day to day activities
- *How to File an Order of Protection:* In Nodaway County (Maryville) a Petition for Order of Protection can be filed at the Nodaway County Circuit Clerk's Office (during business hours of operation) or the University Police Department (24/7). Missouri Adult Abuse Act requires that court clerks explain how to file all of these necessary forms and documents. In addition, Nodaway County has victim advocates to assist you in the process for filing for an Order of Protection and they may even go with you to court.
- *"No Trespass" Warnings:* If there is enough reason to believe (through investigation) that an individual is likely to cause harm to any member on campus University Police can issue a No Trespass warning. Any individual found to be on campus after a No Trespass warning has been issued against them are typically arrested by University Police. No Trespass warnings can be issued against any member of the Northwest community (students, faculty, or staff) or the public.

## **Available Victim Services:**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

### ***On-Campus Resources***

- Personal Development and Counseling Services – Counseling services are provided free of charge to all Northwest students, and the University highly recommends that survivors speak with a counselor. These conversations are confidential in nature. The PDC is located in the Wellness Center and appointments can be scheduled by calling 660-562-1348.
- Clinic Services – Students needing medical attention after an assault may seek treatment at the Wellness Center during regular business hours. Services include treatment for cuts/bruises/injuries, pregnancy tests, emergency contraception, and treatment for sexually transmitted infections. Appointments can be scheduled at 660-562-1348.
- University Police – UPD ensures the overall safety of the Northwest community, and officers are available 24/7 to respond to emergencies and receive reports of sexual and relationship violence involving students and staff. Additionally, officers can connect survivors with the Survivor Advocate after hours, regardless of whether the survivor chooses to file a police report. UPD can be contacted at 660-562-1254 or by calling 911 on campus.
- Northwest Survivor Advocate – The Survivor Advocate, Rose Viau, is available to answer questions about the criminal prosecution and/or Title IX investigatory process, ensure understanding of the alternatives, and provide support throughout those processes. Rose can be contacted at 660-562-1085 or by email at [rviau@nwmissouri.edu](mailto:rviau@nwmissouri.edu). After-hours contact can be made through University Police (above), regardless of whether the survivor chooses to file a police report.
- Student Financial Aid – If you are considering taking a leave of absence from the University because of the circumstances surrounding your complaint, please keep in mind that there may be financial aid implications. The Title IX Coordinator or a Deputy Title IX Coordinator can assist you in contacting the appropriate personnel in the financial aid office in order to ensure you have an understanding of any financial aid related issues that may arise. Here is a link to Northwest's financial aid website (<http://www.nwmissouri.edu/finaid/index.htm>).

### ***Off-Campus Resources***

- Maryville Public Safety – MPS is the law enforcement agency for the City of Maryville and its officers are available 24/7 to respond to emergencies or receive reports of sexual and relationship violence that occur off-campus. MPS can be contacted at 660-562-3209 or by calling 911.
- St. Francis Hospital – All survivors of sexual violence are highly encouraged to seek care from a Sexual Assault Nurse Examiner (SANE) to collect any evidence available. Additionally, St. Francis can provide treatment for injuries and/or sexually transmitted infection and offers pregnancy tests and emergency contraception. Walk-in emergency care is available 24/7 at the hospital. The address is 2016 S. Main St., Maryville, MO 64468. For more information call 660-562-2600.

- St. Francis Health Services – Provides counseling for wide-range of issues, including to sexual harassment/sexual violence survivors. Appointments can be scheduled at 660-562-7922.
- Children and Family Center – The Children and Family Center can provide a survivor advocate and residential shelter, and it facilities survivor support groups. To contact CFC, call 660-562-2320. CFC's website is <http://www.childrenandfamilycenter.org/>.
- Employee Assistance Program – Provides free counseling and referral services to Northwest employees and their immediate family members. EAP can be contacted by calling their 24/7 hotline at 1-800-964-3577.

*Other Support Agencies/Hotlines*

- Missouri Coalition Against Domestic & Sexual Violence: <http://www.mocadsv.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- Stalking Resource Center: <http://www.victimsofcrime.org/our-programs/stalking-resource-center>
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- National Sexual Assault Hotline: 1-800-656-HOPE (4673)
- Legal Assistance – Free or low cost legal services may be available through Legal Aid of Western Missouri. You can visit the following websites for more information: <http://www.lawmo.org/> and <http://www.lsmo.org/>.
- Visa and Immigration Assistance
- Immigration Advocates Network: <http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=MO>
- U.S. Citizenship and Immigration Services: [https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office\\_type=ASC&OfficeLocator.statecode=MO](https://egov.uscis.gov/crisgwi/go?action=offices.summary&OfficeLocator.office_type=ASC&OfficeLocator.statecode=MO)

**Accommodation and Protective Measures:**

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests of this nature should be made to the Interim Title IX Coordinator at [TITLEIX@nwmissouri.edu](mailto:TITLEIX@nwmissouri.edu), and they are responsible for deciding what, if any, accommodations or protective measures will be implemented. When determining the reasonableness of such a request, the Interim Title IX Coordinator may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations

- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same residence hall, dining hall, class, transportation or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the Interim Title IX Coordinator in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

### **Procedures for Disciplinary Action:**

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the institution's Title IX: Non-Discrimination and Anti-Harassment Policy and related complaint resolution procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

*Interim Title IX Coordinator*

Mr. Demetrius Peterson

Tel: 816.983.8181

Email: [TITLEIX.nwmissouri.edu](mailto:TITLEIX.nwmissouri.edu)

*Deputy Employee Coordinator*

Nola Bond

Vice-President of Strategy and Operations

Administration Building

Tel: 660.562.1763

Email: [nbond@nwmissouri.edu](mailto:nbond@nwmissouri.edu)

*Deputy Student Coordinator*

Dr. Kori Hoffmann

Assistant Vice President of Student Affairs/Student Engagement & Development

Student Union

Tel: 660.562.1535

Email: [khoff20@nwmissouri.edu](mailto:khoff20@nwmissouri.edu)

Once a complaint is made, the Title IX Coordinator will designate an Investigating Officer. The Investigating Officer shall commence the investigatory process as soon as practicable, but not later than seven (7) days after the complaint is made. The Investigating Officer will analyze the complaint and notify the respondent that a complaint has been filed. Informal resolution may be considered in certain circumstances if agreeable to both parties, but mediation will never be used in cases of sexual assault.

During a formal investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The Investigating Officer will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. In the event the Investigating Officer determines there are genuinely disputed material facts requiring resolution, an evidentiary hearing will be held before a panel of three hearing officers designed by the Investigating Officer. The panel will review the statements and other evidence gathered during the investigation, and both parties are given an equal opportunity to address the panel. In its discretion, the panel may also hear live testimony from witnesses. The hearing panel resolves genuinely disputed material facts and issues a written statement of its findings to the Investigating Officer.

At the conclusion of the investigation, the Investigating Officer will prepare a preliminary written report explaining the scope of the investigation and whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. The preliminary written report will incorporate any findings of fact resulting from the evidentiary hearing. The preliminary written report is submitted to the Title IX Coordinator for review, and the Title IX Coordinator may accept the report, request to review additional information, or return the preliminary report for further investigation. After review of the preliminary report is complete, the Title IX Coordinator will issue a written determination of the complaint and provide it to both parties. The University strives to complete investigations of this nature, including any hearings, within sixty (60) calendar days.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Vice President of Strategy and Operations (VPSO) within ten (10) days of being notified of the outcome of the investigation. The VPSO will resolve the appeal within fifteen (15) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
    - Conducted in a matter that:
      - Is consistent with the institution's policies and transparent to the accuser and the accused.
      - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
      - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.



- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
    - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. Specific trainings that have been attended in the past include: Husch Blackwell Title IX and NABITA Title IX.
  3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
  4. Have the outcome determined using a preponderance-of-the-evidence standard based on the totality of the evidence presented.
  5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that University May Impose for Domestic Violence, Dating Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution’s disciplinary proceeding that domestic violence, dating violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include:

- Expulsion/Termination
- Suspension, of a term of at least a semester
- Suspension until complainant has graduated or otherwise separated from the University
- Suspension, of a term determined by Human Resources
- No-Trespass Order issued through UPD
- No-Contact Order issued through Title IX Office or HR
- Permanent or temporary ban from living in residence halls
- Permanent or temporary ban from participating in student groups or University-sanctioned groups
- Permanent or temporary ban from attending University events
- Campus probation, for duration of time as student

- Staff probation
- Termination of admissions or employment offer
- Educational and training requirements prior to reinstatement, or in addition to sanctions

In addition, the University can make available to the victim a range of protective orders. They can include such things as: Forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in living or working situations, etc.

### **Publicly Available Recordkeeping:**

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of domestic violence, dating violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the University that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting University Police Department at 660.562.1254. State registry of sex offender information may be accessed at the following link: <http://www.mshp.dps.mo.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>.

### **Emergency Response and Evacuation Procedures**

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the University Police Department at 660.562.1254 of any situation that poses such a threat.

Northwest community members are encouraged to notify University Police of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of the students, faculty, staff, or visitors on campus. University Police has the responsibility of responding to and summoning the necessary

resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, University Police has a responsibility to respond to such incidents so that it can assist in the determination of whether the situation does in fact pose a threat to the community.

University Police in consultation with other appropriate personnel is primarily responsible for confirming that there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. There are other departments on campus that could be in a position to assist confirming certain types of emergencies, such as a pandemic flu outbreak, gas leak, etc.

The Emergency Management Coordinator and University Police have access to the systems to notify the campus community of immediate threats that have occurred and necessitate evacuation, shelter in place, or other action on the part of students, employees, and campus visitors. If necessary, one or both of these areas will assist in determining the appropriate segment or segments of the campus community that will receive alerts, to determine the content of the alert, and initiate the notification system. The institution typically provides follow-up information to the community using the same systems that were used to send out the original alert.

University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of first responders, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The typical first responders to an incident that causes an immediate threat to the health and safety of the Northwest community include University Police, Maryville Public Safety, Nodaway County Sheriff's Department, Nodaway County Ambulance Services, and the Missouri State Highway Patrol. Additional information deemed appropriate by the University Police Department will be disseminated at different points in times during and after an incident.

The University Police Chief will direct the issuance of emergency notifications, which will be accomplished using one or more of the following means, depending on the nature of the threat and the segment of the campus community being threatened:

Method	Sign-Up Instructions
Email	Assigned
Bearcat Alert: Text Messaging	<a href="http://www.nwmissouri.edu/alert/index.htm">http://www.nwmissouri.edu/alert/index.htm</a> .
Internal Audible Alarm	N/A
Outdoor Audible Alarm	N/A

At the direction of University Police Chief, the Emergency Management Coordinator and/or designee will contact local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan.

The Emergency Management Coordinator maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University’s emergency response and evacuation procedures.

**Missing Person Procedures**

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the University Police Department at 660.562.1254. Anyone receiving a missing student report will immediately notify campus security (or local law enforcement, if necessary) so that an investigation can be initiated.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by the University only in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the person is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of the investigation.

All students have the ability to register within the CatPaws system an emergency contact/confidential contact person or persons whom they would like to be contacted in an event of a campus emergency.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student’s parent or legal guardian within 24 hours of the determination that the student is missing.

**Crime Statistics**

The statistical summary of the above crimes for this University over the past three calendar years follows:

Crime	On Campus			On Campus Housing			Non Campus			Public Property		
	2016	2015	2014	2016	2015	2014	2016	2015	2014	2016	2015	2014
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	3	3	2	1	3	1	0	4	0	0	0	0

Fondling	2	1	1	1	1	0	0	1	0	0	0	0
Statutory Rape	0	0	1	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	2	0	0	2	0	0	0	0	0	0
Burglary	1	3	2	1	3	2	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	1	12	3	0	12	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	8	4	4	2	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	231	235	168	223	220	144	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	24	48	18	18	40	9	1	0	0	0	0	0
Disciplinary Referral - Weapon Violation	2	1	1	1	1	0	0	0	0	0	0	0
Domestic Violence	1	0	3	1	0	2	0	0	0	0	0	0
Dating Violence	2	7	1	1	5	1	0	0	0	0	0	0
Stalking	1	0	1	0	0	1	0	0	0	0	0	0

**Hate crimes:**

**2016:** There was one reported hate crime on the Northwest-Maryville campus. The hate crime was intimidation with a bias of sexual orientation that occurred on the campus.

**2015:** There was one reported hate crime on the Northwest-Maryville campus. The hate crime was intimidation with a bias motivated by race that occurred on the campus.

**2014:** There were two reported hate crimes. Both were reported as intimidation with a bias of sexual orientation with one occurring on campus and the others with a residential hall.

#### **Unfounded crimes:**

**2016:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2015:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

**2014:** There were no crimes determined to be unfounded by a commissioned law enforcement officer after a full investigation and subsequently withheld from the crime statistics disclosure.

#### **Data from Local Law Enforcement:**

- The data above reflects statistics provided from local law enforcement on crimes that occurred in the University's Clery Geography where the University was able to determine the exact Clery Geography category the crime occurred on.
- Certain local law enforcement agencies did not comply with the University's request for crime statistics.

## Annual Fire Safety Report

### Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for its students. These facilities were built at different times and have a variety of fire safety systems installed within them. Periodically the University also conducts fire drills. The following chart lists each housing facility, the fire safety system or systems within it and the number of fire drills conducted during the previous calendar year.

Facility	Fire Alarm Monitoring Done on Site (byUPD)	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of evacuation (fire) drills
South Complex, 920 Memorial Drive	X		X	X	X	X	2
Dieterich Hall, 930 College Park	X			X	X	X	2
North Complex, 920 Memorial Drive	X			X	X	X	1
Tower Suites - East, 900 College Park Drive	X		X	X	X	X	2
Tower Suites - West, 900 College Park Drive	X		X	X	X	X	2
Roberta Hall, 635 University Drive	X		X	X	X	X	2
Perrin Hall, 625 University Drive	X		X	X	X	X	2

Millikan Hall, 1020 Northwest Drive	X			X	X	X	2
Hudson Hall, 525 University Drive	X		X	X	X	X	2
Franken Hall, 830 College Park Drive	X			X	X	X	2
Phillips Hall, 1025 Memorial Drive	X			X	X	X	2
Willow Apartment, 917 Centennial Drive	X		X	X	X	X	2
Sycamore Apartment, 917 Centennial Drive	X		X	X	X	X	2
Hawthorn Apartment, 917 Centennial Drive	X		X	X	X	X	2

### **Policies on Portable Appliances, Smoking and Open Flames**

The use of open flames, such as candles, and the burning of such things as incense, and smoking are prohibited in campus housing. Candles may be burned in Roberta Hall sorority chapter rooms only during ceremonies, with prior written permission from the hall director. Electric potpourri pots and wax warmers are allowed. Only surge-protected power strips are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: microwaves. Also, tampering with fire safety systems is prohibited and any such tampering may lead to appropriate disciplinary action.



The University reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

### **Fire Evacuation Procedures**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

### **Fire Education and Training Programs**

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held at the beginning of each semester. Their purpose is to: familiarize everyone with the fire safety system in each facility, train them on procedures to follow if there is a fire and inform them of the University's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a "buddy" assigned to assist him or her.

### **Reporting Fires**

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing facilities. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. However, there may be instances when a fire is extinguished quickly and an alarm is not pulled or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one or hear about one, you should contact the following: University Police Department at 660.562.1254. When notifying one of these individuals as much information as possible about the location, date, time and cause of the fire should be provided.

### **Plans for Future Improvements**

The University periodically reviews its fire safety protections and procedures. At this time, it has no plans for future improvements.

### **Fire Statistics**

**2016**

<b>Residential Facility</b>	<b>Total Number Fires</b>
Hawthorn Apartment, 917 Centennial Drive	0
Sycamore Apartment, 917 Centennial Drive	0
Willow Apartment, 917 Centennial Drive	0

Phillips Hall, 1025 Memorial Drive	0
Franken Hall, 830 College Park Drive	0
Hudson Hall, 525 University Drive	0
Millikan Hall, 1020 Northwest Drive	0
Perrin Hall, 625 University Drive	0
Roberta Hall, 635 University Drive	0
Tower Suites - West, 900 College Park Drive	0
Tower Suites - East, 900 College Park Drive	0
North Complex, 920 Memorial Drive	0
Dietrich Hall, 930 College Park	0
South Complex, 920 Memorial Drive	0

## 2015

<b>Residential Facility</b>	<b>Total Number of Fires</b>
South Complex, 920 Memorial Drive	0
Dietrich Hall, 930 College Park	0
North Complex, 920 Memorial Drive	0
Tower Suites - East, 900 College Park Drive	0
Tower Suites - West, 900 College Park Drive	0
Roberta Hall, 635 University Drive	0
Perrin Hall, 625 University Drive	0
Millikan Hall, 1020 Northwest Drive	0
Hudson Hall, 525 University Drive	0

Franken Hall, 830 College Park Drive	0
Phillips Hall, 1025 Memorial Drive	0
Willow Apartment, 917 Centennial Drive	0
Sycamore Apartment, 917 Centennial Drive	0
Hawthorn Apartment, 917 Centennial Drive	0

## 2014

<b>Residential Facility</b>	<b>Total Number of Fires</b>
Hawthorn Apartment, 917 Centennial Drive	0
Sycamore Apartment, 917 Centennial Drive	0
Willow Apartment, 917 Centennial Drive	0
Phillips Hall, 1025 Memorial Drive	0
Franken Hall, 830 College Park Drive	0
Hudson Hall, 525 University Drive	0
Millikan Hall, 1020 Northwest Drive	0
Perrin Hall, 625 University Drive	0
Roberta Hall, 635 University Drive	0
Tower Suites - West, 900 College Park Drive	0
Tower Suites - East, 900 College Park Drive	0
North Complex, 920 Memorial Drive	0
Dietrich Hall, 930 College Park	0
South Complex, 920 Memorial Drive	0



**University Police Department**

**562.1254**

[www.nwmissouri.edu/police](http://www.nwmissouri.edu/police)