



*Saint Meinrad*  
Archabbey  
Seminary &  
School of Theology

**2021**  
**Annual Security & Fire**  
**Safety Information**

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**Clery Report for Calendar Year 2020**

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# Annual Security & Fire Safety Report

## Introduction

Saint Meinrad Archabbey, Seminary and School of Theology publishes this report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)* and the *Higher Education Opportunity Act of 2008*.

The report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Saint Meinrad Archabbey. Crimes associated with the Benedictine monastery, the Gift Shop, and/or Abbey Caskets are identified separately. This includes public property immediately adjacent to and accessible from the campus.

The report also includes fire safety policies and statistics, emergency notification procedures, and protocols for missing persons. I encourage all people in residence or the employed of Saint Meinrad Archabbey and its Seminary and School of Theology, as well as those responsible for personnel and the property of the monastery interests and Abbey Caskets' interests, to take a few minutes and review this report. If you have any questions, please feel free to contact the Title IX Coordinator at 812-357-6331.

Sincerely,  
Darren T. Sroufe, Ph.D.

Director of Safety and Security  
Title IX Coordinator  
Saint Meinrad Archabbey  
Seminary and School of Theology

## **Reporting Crimes and Emergencies**

To help provide a safe and secure environment, everyone associated with Saint Meinrad Archabbey (SMA) is expected, requested, and encouraged to report any criminal activity or emergency they observe. This includes campus visitors. Reporting may be accomplished by contacting the Director of Safety and Security directly at **812.357.6331**. *If there is an actual emergency requiring police, fire or medical response, please call 911.* Security is available 24 hours a day and will respond immediately to your location.

“Immediate” response time may be affected by various factors, such as the number and location of security personnel and/or their involvement at the time a report is received. Response to an incident may also involve other available personnel. Physical Facilities or Fire Department co-workers carry pagers and may assist with an incident of violence if called. A member from the Counseling Center will be contacted in the case of a sexual assault; and/or an outside police agency or other agencies will be contacted if an incident requires specialized abilities beyond the capabilities of Archabbey personnel.

## **Timely Warning**

In an effort to provide timely notice to the Saint Meinrad Archabbey (SMA) complex, and in the event of a crime that may pose a serious ongoing threat to our community, the Director of Safety and Security and/or the Communications Department will issue “timely warning” crime bulletins to notify SMA about serious crimes against people that occur on campus. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the Security Department. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other SMA community members and a crime bulletin would not be issued.

Crime bulletins are issued if they occur on Archabbey property, designated property (on campus, non-campus, public property) and the incident constitutes an ongoing serious or continuing threat to our associates. The Communications Department and/or the Human Resources Department will draft the crime bulletin. They will review and revise the text as needed, then transmit the email containing the crime bulletin to the Saint Meinrad Archabbey and Abbey Caskets associates as a general blast email. Updates to the SMA complex about any particular case resulting in a crime bulletin may also be distributed electronically via blast email.

The Communications Department may also use additional methods to distribute the crime bulletin, including postings in residential halls, and/or requests to leave a voice mail on the established “mass call” phone system. It should be noted that an institution is not required to provide a timely warning with respect to crimes reported to a Spiritual Director, Professional Counselor or Confessor.

## **Emergency (Immediate) Notification**

The School’s Campus *Emergency Action Plan* (EAP) includes information about the management of emergency response and operations, emergency operations center (EOC), and

communication responsibilities. The EAP is updated annually by the Safety and Security Department and the Communications Department. The various SMA departments are responsible for using this tool in developing contingency plans and continuity of operations plans for their staff and areas of responsibility. SMA conducts annual announced emergency response drills and exercises, and weekly (Tuesday) tornado/severe weather tests of the warble siren emergency notification systems on campus. These tests and drills are designed to assess and evaluate the emergency plans and capabilities of the institution.

When a serious incident occurs that causes an immediate threat to the campus, the First Responders with the campus Fire Department or the Security Officer on duty are likely the first to the scene when assistance is necessary. Depending on the nature of the incident, other SMA departments and other local or federal agencies also could be involved in responding to the incident.

The institution has general evacuation guidelines, in the event that a segment of the campus needs to be evacuated. The plan would be affected by myriad factors, including the type of threat, the occupancy of the other buildings and areas of the campus at the time of the incident, etc. Therefore, specific information about a multi-building or area evacuation cannot be shared with SMA in advance. SMA expects members of the community to follow the instructions of First Responders on the scene, as this type of evacuation would be coordinated on-site.

In some emergencies, you may be instructed to “shelter-in-place/stay in place.” If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it likely would be safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

This means that if an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at an adjacent campus building quickly. If police or fire department personnel are on the scene, follow their directions.

SMA affiliates are encouraged to notify Safety / Security / Communication offices of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate threat to the health and safety of students, monks, and/or employees. They have 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, they have a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the community.

However, other departments, such as Physical Facilities, Safety, Security, and Health Services, etc., may be involved in the confirmation process, depending on the nature of the potential threat. If an immediate threat exists, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

If one of the above departments, in conjunction with other campus officials or local First Responders, confirm there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of our campus community, the Communications Director, President-Rector, Safety and Security Director and/or designee will collaborate to determine the content of an “alert” message. They will initiate some or all of the systems listed below to communicate the threat to the SMA personnel, or to the appropriate segment of the community if the threat is limited to a particular building or segment of the population.

It should be noted that, unlike the timely warning requirement, emergency notification isn’t restricted just to Clery reportable crimes. Incidents such as a serious gas leak, hazardous material spill, etc. could warrant the use of this protocol. The Safety and Communications departments 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 judgment of the First Responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

## **Annual Notification and Testing**

Saint Meinrad Archabbey will annually test and publicize its emergency response procedures. An “evacuation” (fire) drill is practiced each October and an “assembly” (tornado) drill is practiced each year in March. The warble siren is also tested by Spencer County dispatch authorities remotely each Tuesday evening. They have the capability to trigger a severe weather warning *here* based on information gleaned from their Doppler radar and other equipment monitored by their network of professional weather spotter personnel.

## **Reporting Crimes on a Voluntary, Confidential Basis**

If you are the victim of a crime and do not want to pursue action within the university system or the criminal justice system, you still may want to consider making a confidential report. With your permission, the Director of Safety and Security or a designee of Saint Meinrad Archabbey can file a report on the details of the incident without revealing your identity. 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 School can keep an accurate record of the number of incidents involving students; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

## **Preparation of the Annual Disclosure of Crime Statistics**

Saint Meinrad Archabbey prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Director of Safety and Security compiles the information gleaned from the Security Logs recorded on each shift. Please note that there is a security presence on campus 24 / 7 / 365.

By October 1 of each year, the Clery Act Report is available for each student. Additional copies of the report may be obtained at the Safety and Security Office or by calling 812.357.6331.

## **Access to Campus and Residence Facilities**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. Saint Meinrad Archabbey encourages an open environment with limited constraints. The academic and administrative buildings are open, at a minimum, during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. Access to some of these buildings is also controlled by card access after normal business hours, and all of these buildings have varied levels of access. Security personnel patrol the buildings on a regular basis. Security personnel use verification points to document their rounds on each shift. For information about the access protocol for a specific building, contact the Director of Safety and Security at 812.357.6331.

Saint Meinrad Archabbey is committed to campus safety and security. Exterior lighting and landscape control are critical parts of that commitment. School administration and the Human Resources departments periodically conduct student and personnel surveys to ensure the campus is safe, lighting is adequate and the landscape appropriately controlled. Security officers conduct routine checks of lighting on campus during regular assigned patrol duties. If they find any lights out, they will initiate a work order for Physical Facilities to repair the problem. We encourage community members to report any deficiency in lighting to Physical Facilities at **812.357.6593** or through the work request system on the Intranet.

Physical Facilities personnel are also available to respond to calls for service regarding unsafe facility conditions. These conditions may include unsafe steps and handrails, unsafe roadways on campus, and unsecured equipment, etc. The Director of Safety and Security and the Lead Electrician, on a scheduled basis, check the School's fire extinguishers, sprinkler valves, suppression systems, panic alarms, elevator fire call systems, ADA doors, CCTV systems, etc., and document their findings by completing a checklist and sending a work order for any problems they find.

Security procedures used in the maintenance of residential facilities involve coordination between the student liaison and Physical Facilities. Students must make their requests through the student liaison before any work orders will be completed. This allows the student to decide if he/she would like to be present when the work order is completed. In times of emergency, members of the Physical Facilities department have permission to enter rooms to make the necessary repairs. Off-campus maintenance personnel are not allowed access to residential halls without permission from the Director of Physical Facilities (or designee).

## **Department Authority**

The Safety and Security Department office is located on the north side of campus and provides protection and service to the Archabbey complex by foot and vehicular patrol 24 hours a day, 365 days a year. The Director of Safety and Security and seven Security Officers work in rotation to ensure constant coverage. They are charged with the responsibility of making sure

federal, state, and local laws, as well as Archabbey policies and procedures, are obeyed and enforced. Although officers are not sworn police officers, they are granted limited powers to detain. They are allowed to search and seize evidence in connection with a *potential* arrest as long as the crime was committed in their presence and on Archabbey property.

The Safety and Security Department does not have any written “memorandum of understanding” (MOU) agreements with local and state law enforcement agencies for response to or investigation of crime. However, they maintain a strong working relationship with the Spencer County Sheriff’s Office and the Indiana State Police. In 2016 and 2019, local law enforcement agencies were invited to campus for a discussion on response to an active shooter situation. Agencies were given a tour of the facilities and received floor plans in electronic format for future reference. Local law enforcement also conducted active shooter training on the Archabbey grounds in 2020. Annual training is conducted on the campus for the entire community.

### **Policies and Procedures for Encouraging Prompt Reporting of Crimes**

All faculty, staff, students, and visitors are encouraged to report all crimes and safety-related incidents to the Safety and Security Department or the Spencer County Sheriff’s Office in a timely manner. The prompt reporting of crimes will ensure inclusion in the annual crime statistics and will aid in providing timely warning notices to the entire complex, when appropriate.

To report a crime or suspicious activity, please contact **Security at 812.686.3512 or 812.357.6402**. During business hours, contact the **office of the Director of Safety and Security at 812.357.6331 or 812.573.3522**. If it is an emergency that requires police, fire or EMS personnel to respond, please dial **911** (9-911) from any phone.

### **Pastoral and Professional Counselors (Crime Reporting)**

As a result of the negotiated rulemaking process that followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” (Spiritual Directors) and campus “Professional Counselors,” when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of (Clery) crime statistics. As a matter of policy, they are encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee has defined counselors as:

#### **Pastoral Counselor (Spiritual Director)**

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



### **Professional Counselor**

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 his or her license or certification.

## **Crime Prevention & Safety Programs**

### **Residence Hall Fire Prevention Information**

All residence hall rooms and common areas have smoke detectors that are hardwired and, when activated, will send an alarm to Security for response and acknowledgement. If the alarm is not acknowledged within three minutes, the Fire Department is automatically called. The Saint Meinrad Volunteer Fire Department is located on our campus. Benet and St. Gregory residence halls have fire sprinkler systems installed. St. Anselm Hall has fire extinguishers/cabinets throughout. The Physical Facilities and the Safety and Security departments conduct a fire drill (evacuation) from each residence hall during the academic year. The School requires complete evacuation of buildings during a fire alarm. Individuals who ignore fire alarms and fail to evacuate may face disciplinary action.

### **Training**

*Safe and Sacred* is the name of the program that identifies best practices designed to help prevent wrongdoing and promote "right doing" within religious organizations. *Safe and Sacred* programs empower organizations and people to better control risk and improve the lives of all those who interact with the Church. *Safe and Sacred* created the programs primarily to protect God's children, particularly in the context of child sexual abuse.

*Safe and Sacred* training program is *mandated* for any monk, administrator, student, faculty or co-worker who may interact with children while they are using our campus facilities.

In addition to the *Safe and Sacred* training, all new students to Saint Meinrad's campus, both residential seminarians and weekend students, are required to participate in orientation, which includes Saint Meinrad's *Grievance Policy* and *Sexual Misconduct Policy* and protocols. These policies and procedures are part of the *Handbook for Graduate Theology Students* and the *Rule of Life*. Documentation of annual orientations and dates are on file with the Director of Graduate Theology Programs (weekend students) and the Vice Rector (residential/seminarians).

### **Campus Escort Program**

Security personnel are available 24 hours a day to provide assistance or escort anyone to and from any location on the Archabbey campus. Please be patient when calling as personnel may be busy handling other calls. Most escorts provided will be a "walking" escort unless an arrangement has been made for the use of a golf cart.

## **Monitoring Off-Campus Criminal Activity**

Saint Meinrad Archabbey operates no off-campus student housing or off-campus student organization facilities that would require our Security personnel to monitor off-campus criminal activity.

## **Possession, Use and Sale of Illegal Drugs**

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the SMA. Violators are subject to arrest by the Spencer County Sheriff and disciplinary sanctions by the School.

Please refer to the *Archabbey Alcohol and Controlled Substances Policy* listed in this document for further information (Appendix A).

## **Alcohol and Drug Policies and Programs**

Saint Meinrad Archabbey is committed to promoting the health and safety of its campus community through a program of alcohol education and the implementation of relevant policies. The School enforces compliance with local and state alcoholic beverage laws on campus and at School-sponsored activities. The School affirms its adherence to the following principles:

- The misuse and/or abuse of alcoholic beverages and related behavior, such as disorderly conduct, illness due to excessive consumption of alcohol, and destruction of property, poses a danger to individual members of the Archabbey community and to the community at large.
- The promotion of alcoholic beverage consumption as the primary focus of on- and off-campus activities is inappropriate because it invites members of the School to violate school regulations and Indiana law.
- Consumption of alcoholic beverages should be only by persons of legal age and by personal choice.
- Those who choose to consume alcoholic beverages should do so responsibly and in moderation.
- Consumption of alcoholic beverages should not be the main focus of an event or the only means of refreshment at an event.
- The responsibility for proper consumption of alcoholic beverages and for compliance with laws of Indiana rests with each individual member of the Archabbey or School.

The entire text of the *Saint Meinrad Archabbey Alcohol and Controlled Substances Policy*, as well as the School's penalties for possession or distribution of controlled substances by students on Archabbey premises or at institutionally sponsored activities off campus, is found in Appendix A of this document. The School does not condone violations of those laws proscribing the possession, use, or sale of alcoholic beverages and the possession, use, sale, manufacture, or distribution of illegal drugs.

The School should know that law enforcement and administrative action, which may include eviction from the residence halls, revocation of other privileges, or suspension or expulsion from the School, may be taken to protect the interests of Saint Meinrad Archabbey and the rights and safety of others. The abuse of alcohol and drugs can have a dramatic impact on professional, academic, and family life. Saint Meinrad Archabbey, therefore, encourages those associated with the School who may be experiencing difficulty with drugs or alcohol to seek help:

## Resources

- Employee Assistance Program (EAP) 812.357.8294 (via Human Resources Department)
- Personal Counseling 812.357.6598 (Director of Student Counseling)
- Medical Clinic / Health & Wellness Services 812.357.6610

## Sexual Assault Information

Saint Meinrad Archabbey and Seminary and School of Theology do not discriminate on the basis of sex in its educational programs, and sexual harassment and sexual violence are types of sex discrimination. Other acts can be forms of sex-based discrimination and are also prohibited, whether sexually based or not, and include dating violence, domestic violence, and stalking.

As a result, Saint Meinrad Archabbey issues this statement of policy to inform the public of its comprehensive plan addressing sexual misconduct, including the timeframes for resolution; educational programs; and procedures that address sexual assault, domestic violence, dating violence, and stalking; whether the incident occurs on or off campus and when it is reported to a school official. In this context, the School prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all affiliated with Saint Meinrad Archabbey.

The School prohibits anyone from retaliating, intimidating, threatening, coercing, or otherwise discriminating against any persons exercising their rights or responsibilities under the School's policies and procedures for addressing offenses of domestic violence, dating violence, sexual assault, or stalking or as otherwise may be provided or required under the Clery Act.

## A. Definitions

Numerous terms are used by Saint Meinrad in its policy and procedures. The definitions provided below are definitions of the criminal law from the State of Indiana along with definitions from our student conduct policy. Conduct may be punishable under both the criminal statutes and School policy. These processes are separate and distinct, but can run concurrently.

**The following information is provided in accordance with the Campus SaVE Act.**

### IC 35-42-4-1 Rape (effective July 1, 2014)

Sec. 1.

(a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when:

- (1) the other person is compelled by force or imminent threat of force;
- (2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring; or
- (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given;

commits rape, a Level 3 felony.

- (b) An offense described in subsection (a) is a *Level 1* felony if:
- (1) it is committed by using or threatening the use of deadly force;
  - (2) it is committed while armed with a deadly weapon;
  - (3) it results in serious bodily injury to a person other than a defendant; or
  - (4) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

\* Indiana legal code does not define or elaborate on the meaning of "consent."

**IC 35-31.5-2-221.5 "Other sexual conduct" (effective July 1, 2014)**

Sec. 221.5. "Other sexual conduct" means an act involving:

- (1) a sex organ of one (1) person and the mouth or anus of another person; or
- (2) the penetration of the sex organ or anus of a person by an object.

**IC 35-42-4-8 Sexual battery (effective July 1, 2014)**

Sec. 8.

(a) A person who, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another person:

- (1) touches another person when that person is:
  - (A) compelled to submit to the touching by force or the imminent threat of force;
  - or
  - (B) so mentally disabled or deficient that consent to the touching cannot be given;
  - or
- (2) touches another person's genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery, a *Level 6* felony.

(b) An offense described in subsection (a) is a *Level 4* felony if:

- (1) it is committed by using or threatening the use of deadly force;
- (2) it is committed while armed with a deadly weapon; or
- (3) the commission of the offense is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

**IC 35-45-10-1 "Stalk" defined**

Sec. 1. As used in this chapter, "stalk" means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.

**IC 35-45-10-5 Criminal stalking (effective July 1, 2014)**

Sec. 5.

- (a) A person who stalks another person, a no contact order, or other judicial order under any of the following statutes has been issued commits stalking, a *Level 6* felony.
- (b) The offense is a *Level 5* felony if at least one (1) of the following applies:
- (1) A person:
    - (A) stalks a victim; and
    - (B) makes an explicit or an implicit threat with the intent to place the victim in reasonable fear of:
      - (i) sexual battery (as defined in IC 35-42-4-8);
      - (ii) serious bodily injury; or
      - (iii) death.
  - (2) A protective order to prevent domestic or family violence by the court to protect the same victim or victims from the person and the person has been given actual notice of the order:
    - (A) IC 31-15 and IC 34-26-5 or IC 31-1-11.5 before its repeal (dissolution of marriage and legal separation).
    - (B) IC 31-34, IC 31-37, or IC 31-6-4 before its repeal (delinquent children and children in need of services).
    - (C) IC 31-32 or IC 31-6-7 before its repeal (procedure in juvenile court).
    - (D) IC 34-26-5 or IC 34-26-2 and IC 34-4-5.1 before their repeal (protective order to prevent abuse).
    - (E) IC 34-26-6 (workplace violence restraining orders).
  - (3) The person's stalking of another person violates an order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion if the person has been given notice of the order.
  - (4) The person's stalking of another person violates a no contact order issued as a condition of probation if the person has been given actual notice of the order.
  - (5) The person's stalking of another person violates a protective order issued under IC 31-14-16-1 and IC 34-26-5 in a paternity action if the person has been given actual notice of the order.
  - (6) The person's stalking of another person violates an order issued in another state that is substantially similar to an order described in subdivisions (2) through (5) if the person has been given actual notice of the order.
  - (7) The person's stalking of another person violates an order that is substantially similar to an order described in subdivisions (2) through (5) and is issued by an Indian:
    - (A) tribe;
    - (B) band;
    - (C) pueblo;
    - (D) nation; or
    - (E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);  
that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians if the person has been given actual notice of the order.

(8) A criminal complaint of stalking that concerns an act by the person against the same victim or victims is pending in a court and the person has been given actual notice of the complaint.

(c) The offense is a *Level 4* felony if:

- (1) the act or acts were committed while the person was armed with a deadly weapon; or
- (2) the person has an unrelated conviction for an offense under this section against the same victim or victims.

### **IC 35-42-2-1.3 Domestic battery (effective July 1, 2019)**

Sec. 1.3.

(a) Except as provided in subsections (b) through (f), a person who knowingly or intentionally:

- (1) touches a family or household member in a rude, insolent, or angry manner; or
- (2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member;

commits domestic battery, a Class A misdemeanor.

(b) The offense under subsection (a)(1) or (a)(2) is a Level 6 felony if one (1) or more of the following apply:

- (1) The person who committed the offense has a previous, unrelated conviction:
  - (A) for a battery offense included in this chapter;
  - (B) for a strangulation offense under IC 35-42-2-9; or
  - (C) in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of:
    - (i) a battery offense included in this chapter; or
    - (ii) a strangulation offense under IC 35-42-2-9.

(2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.

(3) The offense results in moderate bodily injury to a family or household member.

(4) The offense is committed against a family or household member who is less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(c) The offense described in subsection (a)(1) or (a)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to a family or household member.

(2) The offense is committed with a deadly weapon against a family or household member.

(3) The offense results in bodily injury to a pregnant family or household member if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense:

- (A) included in this chapter against the same family or household member; or

- (B) against the same family or household member in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
- (5) The offense results in bodily injury to one (1) or more of the following:
  - (A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
  - (B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.
  - (C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).
- (d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2).
- (e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
- (f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:
  - (1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
  - (2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

### **IC 35-42-2-1 Battery**

#### **Sec. 1.**

- (a) As used in this section, “public safety official” means:
  - (1) a law enforcement officer, including an alcoholic beverage enforcement officer;
  - (2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);
  - (3) an employee of the department of correction;
  - (4) a probation officer;
  - (5) a parole officer;
  - (6) a community corrections worker;
  - (7) a home detention officer;
  - (8) a department of child services employee;
  - (9) a firefighter;
  - (10) an emergency medical services provider;
  - (11) a judicial officer;
  - (12) a bailiff of any court; or
  - (13) a special deputy (as described in IC 36-8-10-10.6).
- (b) As used in this section, “relative” means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:
  - (1) a spouse;
  - (2) a parent or stepparent;
  - (3) a child or stepchild;

- (4) a grandchild or stepgrandchild;
  - (5) a grandparent or stepgrandparent;
  - (6) a brother, sister, stepbrother, or stepsister;
  - (7) a niece or nephew;
  - (8) an aunt or uncle;
  - (9) a daughter-in-law or son-in-law;
  - (10) a mother-in-law or father-in-law; or
  - (11) a first cousin.
- (c) Except as provided in subsections (d) through (k), a person who knowingly or intentionally:
- (1) touches another person in a rude, insolent, or angry manner; or
  - (2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;
- commits battery, a Class B misdemeanor.
- (d) The offense described in subsection (c)(1) or (c)(2) is a Class A misdemeanor if it:
- (1) results in bodily injury to any other person; or
  - (2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense.
- (e) The offense described in subsection (c)(1) or (c)(2) is a Level 6 felony if one (1) or more of the following apply:
- (1) The offense results in moderate bodily injury to any other person.
  - (2) The offense is committed against a public safety official while the official is engaged in the official's official duty.
  - (3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
  - (4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
  - (5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).
  - (6) The offense:
    - (A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and
    - (B) results in bodily injury to the member of the foster family.
- (f) The offense described in subsection (c)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.
- (g) The offense described in subsection (c)(1) or (c)(2) is a Level 5 felony if one (1) or more of the following apply:
- (1) The offense results in serious bodily injury to another person.
  - (2) The offense is committed with a deadly weapon.
  - (3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.
  - (4) The person has a previous conviction for a battery offense:
    - (A) included in this chapter against the same victim; or



- (B) against the same victim in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.
- (5) The offense results in bodily injury to one (1) or more of the following:
  - (A) A public safety official while the official is engaged in the official's official duties.
  - (B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
  - (C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.
  - (D) An endangered adult (as defined in IC 12-10-3-2).
- (h) The offense described in subsection (c)(2) is a Level 5 felony if:
  - (1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and
  - (2) the person placed the bodily fluid or waste on a public safety official.
- (i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).
- (j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
- (k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:
  - (1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
  - (2) An endangered adult (as defined in IC 12-10-3-2).

### **IC 35-45-2-1 Intimidation**

#### **Sec. 1.**

- (a) A person who communicates a threat with the intent:
  - (1) that another person engage in conduct against the other person's will;
  - (2) that another person be placed in fear of retaliation for a prior lawful act;
  - (3) of:
    - (A) causing:
      - (i) a dwelling, a building, or other structure; or
      - (ii) a vehicle;
 to be evacuated; or
    - (B) interfering with the occupancy of:
      - (i) a dwelling, building, or other structure; or
      - (ii) a vehicle; or
  - (4) that another person be placed in fear that the threat will be carried out, if the threat is a threat described in:
    - (A) subsection (d)(1) through (d)(5); or
    - (B) subsection (d)(7) through (d)(8);
 commits intimidation, a Class A misdemeanor.
- (b) However, the offense is a:

- (1) Level 6 felony if:
  - (A) the threat is to commit a forcible felony;
  - (B) the subject of the threat or the person to whom the threat is communicated is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;
  - (C) the threat is communicated because of the occupation, profession, employment status, or ownership status of a person or the threat relates to or is made in connection with the occupation, profession, employment status, or ownership status of a person;
  - (D) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or
  - (E) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and
- (2) Level 5 felony if:
  - (A) while committing it, the person draws or uses a deadly weapon;
  - (B) the subject of the threat or the person to whom the threat is communicated:
    - (i) is a judicial officer or bailiff of any court; or
    - (ii) is a prosecuting attorney or a deputy prosecuting attorney;
 and the threat relates to the person's status as a judicial officer, bailiff, prosecuting attorney, or deputy prosecuting attorney, or is made in connection with the official duties of the judicial officer, bailiff, prosecuting attorney, or deputy prosecuting attorney; or
  - (C) the threat is:
    - (i) to commit terrorism; or
    - (ii) made in furtherance of an act of terrorism.
- (c) "Communicates" includes posting a message electronically, including on a social networking web site (as defined in IC 35-31.5-2-307).
- (d) "Threat" means an expression, by words or action, of an intention to:
  - (1) unlawfully injure the person threatened or another person, or damage property;
  - (2) unlawfully subject a person to physical confinement or restraint;
  - (3) commit a crime;
  - (4) unlawfully withhold official action, or cause such withholding;
  - (5) unlawfully withhold testimony or information with respect to another person's legal claim or defense, except for a reasonable claim for witness fees or expenses;
  - (6) expose the person threatened to hatred, contempt, disgrace, or ridicule;
  - (7) falsely harm the credit or business reputation of a person; or
  - (8) cause the evacuation of a dwelling, a building, another structure, or a vehicle. For purposes of this subdivision, the term includes an expression that would cause a reasonable person to consider the evacuation of a dwelling, a building, another structure, or a vehicle, even if the dwelling, building, structure, or vehicle is not evacuated.

**IC-35-45-10-2 "Harassment" defined**

Sec. 2. As used in this chapter, "harassment" means conduct directed toward a victim that includes but is not limited to repeated or continuing impermissible contact that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes.

## **IC 35-45-2-2 Harassment; “obscene message”**

Sec. 2.

(a) A person who, with intent to harass, annoy, or alarm another person but with no intent of legitimate communication:

- (1) makes a telephone call, whether or not a conversation ensues;
- (2) communicates with a person by telegraph, mail, or other form of written communication;
- (3) transmits an obscene message, or indecent or profane words, on a Citizens Radio Service channel; or
- (4) uses a computer network (as defined in IC 35-43-2-3(a)) or other form of electronic communication to:
  - (A) communicate with a person; or
  - (B) transmit an obscene message or indecent or profane words to a person;

commits harassment, a Class B misdemeanor.

(b) A message is obscene if:

- (1) the average person, applying contemporary community standards, finds that the dominant theme of the message, taken as a whole, appeals to the prurient interest in sex;
- (2) the message refers to sexual conduct in a patently offensive way; and
- (3) the message, taken as a whole, lacks serious artistic, literary, political, or scientific value.

## **Additional Applicable Definitions in the Student Code of Conduct**

### **a. Force**

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcome resistance or produce consent (“Have sex with me or I’ll hit you.” “Okay, don’t hit me, I’ll do what you want.”) or lying on top of a victim to prevent them from being able to move.

### **b. Coercion**

Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. (“You better have sex with me or I’ll make sure you never get appointed/tell people you are a whore/tell people you have an STD.”)

### **c. Mental or Physical Incapacitation or Impairment**

Mental or physical incapacitation or impairment occurs when a person cannot make rational and reasonable decisions. In other words, the person is unable to understand the “who, what, when, where, why, and how” of their sexual interaction and, as a result, cannot give effective consent.

A person may be mentally or physical incapacitated because of:

- Intoxication due to alcohol or drug use
- A mental illness, intellectual disability, or physical disability
- Sleep or sleep deprivation
- Involuntary physical restraint

A person is also mentally and/or physical incapacitated if they have been given the “date rape drug” or similar substance such as Rohypnol, Ketamine, GHB, or Burundanga. Administering such drugs to another student is a crime, constitutes a violation of this policy, and renders the victim incapable of giving consent to any form of sexual activity. More information on these and similar drugs is available at [www.911rape.org](http://www.911rape.org).

#### **d. 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 any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as 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 is defined as 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 his/her age or because of his/her temporary or permanent mental incapacity.

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

Statutory Rape is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

## **B. Procedures for Reporting a Complaint**

Saint Meinrad Archabbey has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals in writing about the procedures to be followed. This includes their options to notify either campus security or local law enforcement, to be assisted by campus security authorities in notifying law enforcement if the victim so chooses, or the option to decline to notify such authorities.

The written notification also will inform victims of the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and/or off campus, as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation, and working accommodations, if reasonably available. The School will make such accommodations, if the victim requests and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

*The school has designated a Title IX Coordinator to assist in handling complaints involving sexual harassment perpetrated by students. If you are a student, you may contact Darren Sroufe,*

*Director of Safety and Security and Title IX Coordinator, by visiting the Safety and Security office located at the north end of the Guest House or by calling 812.357.6331, or via email at dsroufe@saintmeinrad.edu. **Employees** should contact Jackie Scherle, Director of Human Resources and Affirmative Action Officer, in person by visiting the Human Resources office, via email at jscherle@saintmeinrad.edu or by phone at 812.357.8293.*

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Memorial Hospital & Health Care Center, Jasper, IN, or Perry County Hospital, Tell City, IN. In Indiana, evidence may be collected even if you choose not to make a report to law enforcement. The hospital will require you to provide your name and will hold your rape kit indefinitely so that you may decide when and if to report the incident to local police.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to School administrators/investigators or police. Although the School strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether to make such a report and victims have the right to decline involvement with the police.

Saint Meinrad Archabbey will assist any victim with notifying School administration or local police if they so desire. The Sheriff's Office may also be reached directly by calling 812.649.2286 or by visiting them in person at 120 N. 2nd, Rockport, IN 47635. If you require assistance in contacting local police, contact the Safety and Security office at 812.357.6331.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (contact information above). The School will provide information regarding resources, on campus and/or off campus, to include medical, counseling, health and legal assistance; victim advocacy; and visa/immigration assistance to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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 chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with campus security or law enforcement to preserve evidence in the event the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the School, below are the procedures that we will follow, as well as a statement of the standard of proof that will be used during any conduct hearing on campus arising from such a report:

<b>Incident Being Reported:</b>	<b>Procedure Saint Meinrad Archabbey Will Follow</b>	<b>Evidentiary Standard</b>
<b>SEXUAL ASSAULT</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant and inform complainant on how to preserve evidence</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on- and off-campus counseling/ mental health providers, health services, visa/ immigration assistance, if needed, legal assistance and victim advocacy</li> <li>5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for Protective Order</li> <li>8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution (the process from report to resolution normally does not exceed 60 days, although the institution retains the right to exceed 60 days for purposes of conducting a thorough investigation and will inform parties of the reason for the delay)</li> <li>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>	<p>Saint Meinrad Archabbey uses the preponderance of evidence standard</p>

<b>Incident Being Reported:</b>	<b>Procedure Saint Meinrad Archabbey Will Follow</b>	<b>Evidentiary Standard</b>
<b>DOMESTIC VIOLENCE</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> <li>7. Institution will provide complainant with referrals to on- and off-campus counseling/ mental health providers, health services, visa /immigration assistance, if needed, legal assistance and victim advocacy</li> </ol>	<p>Saint Meinrad Archabbey uses the preponderance of evidence standard</p>



## **B. Assistance for Victims: Rights and Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the School will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Further, Saint Meinrad Archabbey complies with Indiana law in recognizing orders of protection. In Indiana, a complainant can receive an *ex parte* order, which is a temporary order quickly issued by the court and, subsequently, a full order of protection, which is granted after a court hearing is held. Complainants can petition to receive an *ex parte* order by:

- Going to the Indiana Courts website and download form PO-0105, Ex Parte Order for Protection and Findings. Download the cover letter that is included with this document.
- Complete these forms, either on your own or with the help of a lawyer. Locate the appropriate court with which to file the Ex Parte motion. This information can be found on the Indiana Courts website.
- File your motion with the clerk's office at your local court.  
Read more at: [http://www.ehow.com/how\\_7783564\\_file-ex-parte-motion-indiana.html](http://www.ehow.com/how_7783564_file-ex-parte-motion-indiana.html)  
Police can also issue a temporary *ex parte* order at the police department after hours if needed.

Saint Meinrad Archabbey cannot legally apply for a legal order of protection, no contact order, or restraining order for a victim in this jurisdiction. The victim is required to apply directly for these services. Any person who obtains an order of protection from Indiana or any U.S. state should provide a copy to the Director of Safety and Security and the Office of the Title IX Coordinator.

A complainant may then meet with the Director of Safety and Security to develop a Safety Action Plan, which is a plan for public safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments electronically, etc. The School may issue an institutional "No Contact" directive, if deemed appropriate, or at the request of the victim or accused student.

To the extent of the victim's cooperation and consent, the School offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal investigation of the complaint. For example, a complainant may be notified in writing of changes to academic, living, transportation, or working situations that are reasonably available and will be notified in writing of counseling, health and mental health, victim advocacy, legal and visa and immigration services that are available on or off campus.

Victims will be notified in writing of their option to notify public safety or local law enforcement, of the availability of assistance in notifying those personnel, and of their option to make no such notification. Additionally, personally identifiable information about the victim will be treated as confidential and shared only with persons with a specific need to know who are

investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)).

Further, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Saint Meinrad Archabbey does not publish the names of crime victims nor house identifiable information regarding victims in the Security Department’s daily crime log or online. Victims may request that directory information on file be removed from public sources.

### Resources for Victims

**On-Campus Resources:** Students and employees of Saint Meinrad Archabbey should use these on-campus resources for assistance and locate the applicable off-campus resources by location as noted in the following charts.

#### SAINT MEINRAD ARCHABBEY ON-CAMPUS RESOURCES

Resource	Address / Location on Campus	Phone Number
Counseling Center	Newman Hall N-329 Counseling Center Offices	812.357.6598
Director of Health	St. Anselm Hall A-021 Health Service Offices	812.357.6610
Campus Security	Safety and Security Office North end of Guest House	812.357.6331, 812.357.6611
Worker’s Compensation	Human Resources Office	812.357.8293
Director of Hospitality	St. Bede Hall	812.357.6770
Office of the Title IX Coordinator	Safety and Security Office North end of Guest House	812.357.6331

**SAINT MEINRAD ARCHABBEY OFF-CAMPUS RESOURCES**

<b>Resource</b>	<b>Address</b>	<b>Phone Number</b>
Life Spring Health Systems	408 Eversman Dr., Jasper, IN	812.482.3020
	1443 Ninth St., Tell City, IN	812.547.7905
	818 Madison St., Rockport, IN	812.649.9168
	After Hours Emergency, Jasper <u>After Hours Emergency, Long Distance</u>	812.482.4020 <u>800.883.4020</u>
Holistic Therapy Services	Outpatient Counseling, LCSW, LCAC <u>746 Ninth St., Tell City, IN</u>	812.548.0930
Memorial Counseling Center	721 W. 13th St., Jasper, IN	812.996.5780

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- <http://www.rainn.org> – Rape, Abuse and Incest National Network
- <http://www.ovw.usdoj.gov/sexassault.htm> – Department of Justice
- <http://www2.ed.gov/about/offices/list/ocr/index.html> – Department of Education, Civil Rights Office

**D. Adjudication of Violations**

Whether or not criminal charges are filed, the School or a person may file a complaint under the “Sexual Harassment Policy (includes Sexual Violence/Assault)” alleging that a student (Title IX-Sexual Harassment/Misconduct Policy) or employee (School Policy Against Discrimination and Harassment) violated the School’s policy on sexual misconduct.

Saint Meinrad Archabbey uses this policy to investigate and adjudicate an allegation of dating violence, domestic violence, sexual assault, or stalking. Reports of all domestic violence, dating violence, sexual assault, and stalking made to the Director of Safety and Security will automatically be referred to the Title IX Coordinator for investigation, regardless of whether the complainant chooses to pursue criminal charges.

**STAFF / FACULTY**

<p><b>Name of Applicable Policy</b></p> <p>The major steps in the policy are:</p>	<p><b>School Policy Against Discrimination and Harassment</b></p> <p>Major steps:</p> <ul style="list-style-type: none"> <li>• Complaint filed with appropriate administrator</li> <li>• Immediate and thorough investigation by appropriate administrator or designee (begun within 7 days of complaint and completed within 25 days)</li> <li>• Notification of respondent and appropriate officer/supervisor having jurisdiction over respondent</li> <li>• Written report issued by investigator summarizing investigation, identifying findings of fact, and stating whether complaint has been substantiated by a preponderance of the evidence (within 7 days of the conclusion of the investigation)</li> <li>• Recommendations as to the appropriate disciplinary and remedial action to be taken if prohibited discrimination occurred</li> <li>• Report provided to complainant, respondent, and officer/supervisor having jurisdiction over the respondent who is responsible for implementing remedial measures</li> <li>• Informal resolution may be used in lieu of formal investigation and determination (through Ombuds)             <ul style="list-style-type: none"> <li>▪ Explain School policies and procedures regarding discrimination and harassment</li> <li>▪ Help individual evaluate a wide variety of options for informally resolving discrimination complaints</li> <li>▪ Serve as a facilitator between parties</li> <li>▪ Serve as mediator</li> <li>▪ Refer individuals to other campus resources or counseling</li> </ul> </li> </ul>
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<b>STAFF / FACULTY</b>	
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<b>Name of Applicable Policy</b>	<b>School Policy Against Discrimination and Harassment</b>
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<p>The anticipated timelines are:</p>	<p>Investigation begun within 7 days, concluded within 25 days and written report be substantiated by a preponderance of the evidence.</p>
<p>The decision making process includes:</p>	<p>Investigation by the appropriate administrator or his/her designee familiar with the policy and the appropriate sanctions that might be imposed. The investigator determines whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence.</p>
<p>Resolution options and how the school decides which process to use:</p>	<p>Harassment that is based on a protected class constitutes a form of prohibited discrimination when it denies or limits a person's ability to participate in or benefit from the School's programs and activities or any aspect of the employment relationship. This policy governs all such discrimination.</p>
<p>Sanctions:</p>	<ul style="list-style-type: none"> <li>• Counseling/education</li> <li>• Verbal warning</li> <li>• Written warning</li> <li>• Written documentation in personnel file</li> </ul>

	<ul style="list-style-type: none"> <li>• Suspension with pay</li> <li>• Suspension without pay</li> <li>• Reassignment</li> </ul>
<p><b>Name of Applicable Policy</b></p> <hr/> <p>The major steps in the policy are:</p>	<p><b>Students</b>  <b>Title IX Sexual Harassment / Misconduct Policy</b></p> <hr/> <ul style="list-style-type: none"> <li>• Receipt of complaint</li> <li>• Investigator consults with Director of Physical Facilities and Security to determine if there is a continuing threat</li> <li>• Appropriate interim measures taken</li> <li>• Investigator will notify the conduct officer a complaint has been made</li> <li>• Investigator will notify the respondent a complaint has been made</li> <li>• Commence investigation within 7 days of complaint being made</li> <li>• Within 5 days of completing the investigation, investigator notifies conduct officer, complainant, and respondent that investigation is complete <ul style="list-style-type: none"> <li>○ If investigator determines there are no genuinely disputed material facts, the notification to the parties and conduct board officer will include a written statement of the undisputed material facts.</li> <li>○ Conduct officer reviews the statement of undisputed material facts and determines whether they establish a violation of the sexual harassment policy.</li> <li>○ Conduct officer issues a decision letter no later than 7 days after the investigator delivers the notification that the investigation is complete.</li> </ul> </li> </ul> <p>Within 5 days of completing the investigation, investigator notifies conduct officer, complainant, and respondent that investigation is complete</p> <ul style="list-style-type: none"> <li>○ If the investigator determines there are genuinely disputed material facts, the notification that the investigation is complete will include a written statement of disputed material facts requiring resolution.</li> <li>○ Written statement of disputed material facts is provided to the parties and conduct officer.</li> <li>○ Conduct officer prepares and schedules conduct hearing to take place within 15 days.</li> <li>○ The conduct board's deliberation shall be completed within 7 days of the close of the evidence.</li> <li>○ Conduct officer sends decision letter no later than 5 days after the conduct board's deliberations are complete.</li> </ul> <p>If both parties (complainant and respondent) agree, the procedures below will be followed:</p> <ul style="list-style-type: none"> <li>○ Within 7 days of conclusion of investigation, the investigator will issue a written report.</li> <li>○ Written report will be provided to the parties.</li> <li>○ If determined a violation to the policy has occurred, the written report will include what remedial and disciplinary measures should be imposed.</li> </ul> <p>Investigation begun within 7 days, concluded within 25 days, and written report issued within 7 days of the conclusion of the investigation.</p>

The School disciplinary process will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolutions of complaints of sexual misconduct are completed within 60 days of the report. However, the proceedings timeframe allows for extensions for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members will conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meetings and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The School provides the accuser and the accused with the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to bring a support person or advisor of their choice, at their expense, at any stage of the process and to be accompanied by that person at any meeting or hearing. The support person or advisor may accompany the complainant or respondent to any meeting or hearing, but may not speak on their behalf.
6. A student conduct decision is based on the preponderance of evidence standard, i.e., “more likely than not to have occurred” standard. In other words, the conduct process asks: “Is it more likely than not that the accused student violated the School’s Student Code of Conduct?”
7. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final; and
8. The accuser and the accused will be notified in writing of the procedures to appeal the results of the disciplinary proceeding. Each has the right to appeal the result of the hearing on the following grounds:
  - a) **New evidence of a substantive nature:** New, significant and relevant evidence regarding the case becomes available that could not have been discovered by a diligent respondent at the time of the hearing. Information is not considered new evidence if the student did not attend the original hearing or voluntarily withheld information during the original hearing.
  - b) **Substantive procedural error:** A specified procedural error or error in interpretation of the School discipline system as a result of which the respondent was denied a fair hearing or the error prevented the Conduct Officer or Hearing Board from making a fair decision.
  - c) **Excessive Sanctions:** The specified sanctions outlined in the decision letter are beyond a reasonable limit.

### **Timeline for Appeal**

A student has five (5) business days from the time when the Decision Letter was sent to file an appeal with the President-Rector or Vice Rector. Failure to submit an appeal within the five (5) business day period waives the right to an appeal. Sanctions will not be implemented while an appeal is under consideration unless it is determined that postponement of the sanction may result in a serious threat to Saint Meinrad Archabbey and Seminary and School of Theology. The Decision Letter will provide the time, location, and date an appeal must be received.

### **Content of an Appeal**

An appeal must be made in writing and addressed to the President-Rector or Vice Rector and submitted by the deadline date specified in the decision letter. (An extension of this deadline may be requested in writing to the President-Rector or Vice Rector to accommodate periods of School recess or for other extenuating circumstances.) The student's appeal should indicate in writing the specific basis or reasons for the appeal.

The appeal statement should include the following: Name, address, phone number, grounds for appeal, and appropriate information regarding why the appeal should be granted. The letter should be of sufficient detail to stand on its own without accompanying testimony to permit the evaluation of the merit of the grounds for appeal.

For example, if there were procedural errors, the errors should be identified, and it should be noted what effect those errors had on the outcome of the case. If there is new evidence, the nature of that evidence and the potential effect on the outcome of the case should be noted. If the sanction is perceived to be excessive, one should note why s/he believes the sanction was excessive and should suggest a more reasonable sanction. Copies of any documents that will substantiate or clarify the appeal should be included.

### **Review of an Appeal**

The President-Rector, Vice Rector or designee will determine whether there is sufficient basis for an appeal. If the appeal criteria are not met, the appeal will be denied. If the President-Rector, Vice Rector or designee determines that there may be merit to the appeal, it will be referred to an administrative hearing.

The President-Rector will designate three members of the hearing panel, which will review the appeal. The panel will meet within five business days, will make a recommendation by a majority vote, and will notify the President-Rector in writing of that recommendation. Both parties will receive simultaneous written notification of the decision on the appeal, generally within two weeks of its submission. The decision of the President-Rector is final.

### **Confidentiality**

Saint Meinrad Archabbey will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document. When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the School's ability to respond to the complaint may be limited.

## **Sanctions and Protective Measures**

In all cases, investigations and/or hearings that result in a finding of more likely than not that a violation of the misconduct occurred will lead to disciplinary action against the accused individual. Saint Meinrad Archabbey sanctions include, but are not limited to, reprimand, suspension, demotion, termination, or expulsion, and may be imposed upon those determined to have violated this policy.

Saint Meinrad Archabbey may implement protective measures following the report of domestic violence, dating violence, sexual assault, and/or stalking, which may include some or all of the following actions: no contact order between the parties, anti-retaliation policy that applies to third parties, change in housing arrangements, change in academic settings, change in work space, or removal of respondent from campus. For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Conduct Code. Students who violate this policy are subject to the following possible sanctions:

- Formal warning
- Conduct probation
- Restriction or loss of privilege
- Restitution
- Fines
- Community service
- Notification
- Restriction/removal of guest privileges
- Educational counseling
- Behavioral contract
- Residence hall probation
- Administrative move
- Removal from School housing
- Limitations on School activities and access
- Administrative hold on School account
- Postponement of activity participation and conferring of honors and degrees
- Interim suspension
- Suspension
- Expulsion

Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts that also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position.

These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may



lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Saint Meinrad Archabbey.

## **Sex Offender Information**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes against Children and Sexually Violent Offender Act. Under the Campus Sex Crimes Prevention Act, persons required to register under a state offender registration program must notify the state concerning each post-secondary school at which the offender works or is a student.

The State of Indiana has developed a statewide registry list and mandates that the Indiana State Police shall maintain a sex offender database and a website on the Internet that is accessible to the public. The information on the website refers only to persons who have been convicted of, found guilty of, or pled guilty to committing or attempting to commit sexual offenses and may not reflect the entire criminal history of a particular individual. Offenders who are required to register for crimes of kidnapping, felonious restraint or child abuse may not be listed.

### **State of Indiana Sex Offender List**

<http://www.icrimewatch.net/indiana.php>

[http://www.theoffenderlist.com/Indiana\\_Sex\\_Offender\\_List\\_.html](http://www.theoffenderlist.com/Indiana_Sex_Offender_List_.html)

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

## **Crime & Fire Log**

The Safety and Security Department maintains a daily crime log that records, by the date the incident was reported, all crimes and other serious incidents that occur on campus, on or in a non-campus building or property, on public property, or within the patrol jurisdiction of the department. The Daily Fire Log is open for public inspection and available at the Safety and Security office on the north side of campus in the Guest House. Our process for maintaining and posting the daily crime log complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (as amended in Oct. 1998).

The crime log includes:

- The nature, date, time, and general location of each crime reported to us; and
- The disposition of the complaint, if the disposition is known at the time the log is created.

The Security Department posts specific incidents in the crime log within two business days of receiving a report of an incident. We reserve the right to exclude crime report information from the log under these circumstances:

- If posting the information jeopardizes an ongoing investigation;
- If posting the information would cause a suspect to flee or evade detection;
- If posting the information could result in the destruction of evidence relating to the crime.

Once these factors are no longer present, and/or there is no longer a chance that posting the information would adversely affect an ongoing investigation, we will post the information.

We make available the most recent 60 days of crime logs. To view crime logs older than the most recent 60 days, please contact the Director of Safety and Security at **812.357.6331**. Information on the fire log can be found in the fire report section.

## **Missing Students Who Reside in On-Campus Housing**

If any associate of Saint Meinrad Archabbey and Seminary and School of Theology has reason to believe that a student who resides in on-campus housing is missing, he / she should immediately notify the Safety and Security Department at **812.357.6611**. All School officials are required to notify this department immediately upon being notified about a missing student. The Director of Safety and Security will generate a missing person report and begin an investigation.

After investigating the missing person report, if it is determined that the student is missing and has been missing for more than 24 hours, security personnel will notify the Spencer County Sheriff and the student's confidential contact. Even if the student hasn't registered a contact person, the School will contact the police department. Contact will be made no later than 24 hours after the student is determined to be missing.

In addition to registering an emergency contact, a student residing in on-campus housing has the option to identify confidential individuals to be contacted by the School in the event the student

is determined to be missing more than 24 hours. Students who wish to identify a confidential contact can do so by contacting the Registrar's Office.

Confidential information is accessible by authorized campus officials and law enforcement only and will not be disclosed outside a missing person investigation. Should the investigation determine the student is missing prior to 24 hours, these procedures will be implemented immediately.

## SAINT MEINRAD ARCHABBEY CRIME STATISTICS 2018

This chart includes offenses that were reported to the Saint Meinrad Archabbey Safety and Security Department on the Saint Meinrad Archabbey campus. It also includes offenses that were reported to Seminary and School of Theology officials who have significant responsibilities for student and campus activities. These offenses are compiled using the NIBRS reporting procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

	All On-Campus				Non - Campus Property				Public Property				GRAND TOTAL	On Campus Residential Only			
	Reported to Security Department	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total		Reported to Security Department	Reported to local police agencies	Reported to non-police	Section Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	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	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>BURGLARY (TOTAL)</b>																	
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses, Forcible (Total)</b>																	
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses, Non-Forcible (Total)</b>																	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	NA	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	NA	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapon Possession	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	NA	0	0

Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

# SAINT MEINRAD ARCHABBEY CRIME STATISTICS 2019

This chart includes offenses that were reported to the Saint Meinrad Archabbey Safety and Security Department on the Saint Meinrad Archabbey campus. It also includes offenses that were reported to Seminary and School of Theology officials who have significant responsibilities for student and campus activities. These offenses are compiled using the NIBRS reporting procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

	All On-Campus Property				Non - Campus Property				Public Property				GRAND TOTAL	On Campus Residential Only			
	Reported to Public Safety	Reported to local police	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police	Reported to non-police	Sub-Total		Reported to Public Safety	Reported to local police	Reported to non-police	Section Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	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	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>BURGLARY (TOTAL)</b>																	
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Sex Offenses, Forcible (Total)</b>																	
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Sex Offenses, Non-Forcible (Total)</b>																	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Liquor Law Violations Referred for Disciplinary Action	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	0	0	
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Drug Law Violations Referred for Disciplinary Action	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	0	0	
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Illegal Weapon Possession Violations Referred for Disciplinary Action	0	NA	0	0	0	NA	0	0	0	NA	0	0	0	0	0	0	
<b>NEW REQUIREMENTS IN 2014</b>																	
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

# SAINT MEINRAD ARCHABBEY CRIME STATISTICS 2020

This chart includes offenses that were reported to the Saint Meinrad Archabbey Safety and Security Department on the Saint Meinrad Archabbey campus. It also includes offenses that were reported to Seminary and School of Theology officials who have significant responsibilities for student and campus activities. These offenses are compiled using the NIBRS reporting procedures in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

	All On-Campus Property				Non-Campus Property				Public Property				GRAND TOTAL	On-Campus Residential			
	Reported to Safety Department	Reported to local police agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police-agencies	Reported to non-police	Sub-Total	Reported to Public Safety	Reported to local police agencies	Reported to non-police	Sub-Total		Reported to Safety Department	Reported to local police agencies	Reported to non-police	Section Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Aggravated Assault	0	0	0	0	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	0	0	0	0	
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>BURGLARY (TOTAL)</b>																	
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Sex Offenses, Forcible (Total)</b>																	
Forcible Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Sodomy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sexual Assault w/ Object	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Forcible Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Sex Offenses, Non-Forcible (Total)</b>																	
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<b>Liquor Law Arrests</b>																	
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Liquor Law Violations Referred for Disciplinary Action	0	N A	0	0	0	N A	0	0	0	N A	0	0	0	N A	0	0	
<b>Drug Law Arrests</b>																	
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Drug Law Violations Referred for Disciplinary Action	0	N A	0	0	0	N A	0	0	0	N A	0	0	0	N A	0	0	
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Illegal Weapon Possession Violations Referred for Disciplinary Action	0	N A	0	0	0	N A	0	0	0	N A	0	0	0	0	N A	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## Part B – Annual Fire Safety Report

### Residence Hall Fire Information

Saint Meinrad Archabbey and Seminary and School of Theology currently have three residence halls on campus. They are located on seven floors in one inter-connected building.

Following are names of the residence halls with a description of the fire alarm system:

**St. Anselm Hall 3<sup>rd</sup> Floor:** Anselm Hall is a dormitory-style hall that can hold up to 35 students. Currently, only the 3<sup>rd</sup> floor of Anselm houses students. A Simplex 4100 Fire Alarm System controls Anselm Hall. Each room has a hard-wired detector that upon activation will send the system into alarm and immediately page campus security. Security may dial 6400 and stop the fire paging. If security does not call or respond to their initial page within three minutes, the fire department is automatically paged. The St. Meinrad Volunteer Fire Department is located on campus, 500 yards from the building.

**Benet Hall (4 Floors):** Benet Hall is a dormitory-style hall that can hold up to 48 students. A Simplex 4100U Fire Alarm System controls Benet Hall. Each room has a hard-wired detector that when activated will send the system into alarm and immediately page campus security. Security may dial 6400 and stop the fire paging. If security does not call or respond to their initial page within three minutes, the fire department is automatically paged. The St. Meinrad Volunteer Fire Department is located on campus, 500 yards from the building.

**St. Gregory Hall 3<sup>rd</sup> and 4<sup>th</sup> Floors:** St. Gregory Hall is a dormitory-style hall that can hold up to 66 students. It was completely renovated in 2009 to include a sprinkler system. A Simplex 4100U Fire Alarm System controls Gregory Hall. Each room has a hard-wired detector that upon activation will send the system into alarm and immediately page campus security. Security may dial 6400 and stop the fire paging. If security does not call or respond to their initial page within three minutes, the fire department is automatically paged. The Volunteer Fire Department is located on campus, 500 yards from the building.



## Fire Drills

The Physical Facilities and Safety and Security departments conduct campus-wide fire drills each October. During the drills, the alarms are sounded one building / one zone at a time. There are currently 12 zones throughout Saint Meinrad Archabbey: Monastery, Seminary and School of Theology, Library, Church, Guest House, St. Bede Hall, St. Martin Center, Abbey Caskets, Gift Shop, Fire House, as well as the residence halls.

The Safety and Electrical departments' staff members make a check of every hall to verify system alarm function and exit plan compliance. All students are instructed to exit the buildings via stairs according to the evacuation plan. Students not leaving the buildings during a fire drill may be subject to disciplinary action.

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

In July 2012, all Saint Meinrad Archabbey campus buildings went smoke-free. The only places on campus a person can smoke are designated gazebos. State law prohibits smoking within 8 feet of a building's entrance. Residents and their guests may not smoke inside any on-campus residence or interior area of the buildings, including the balconies of the Library, Guest House, and St. Gregory Hall.

Our dorm rooms are small, confined spaces of contiguous rooms that house other students who could be at risk. A reasonable number of electrical appliances may be used if they are electrically safe and don't have exposed wires or heating elements. Residence hall wiring is not able to handle high-wattage appliances. Therefore, anything that produces heat can be dangerous because of the close proximity of books, paper, and clothing.

Allowed:	Fridge (not to exceed 5.0 cu. ft.)	
	TV	
	Fan	
	Computer	
	Non-Halogen Lamps	
	Microwave (if extension cord needed, must have UL surge protection)	
Prohibited:	Personal Space Heaters	Coffee Makers (w/exposed heating elements)
	Quartz Halogen Lamps	Non-Surge protected extension cords
	Hot Plates	Grills (gas, charcoal, electric)
	Stoves	Electric Frying Pans
	Toasters	Electric Woks
	Toaster Ovens	Lit Candles & Incense
	Any other cooking appliance	

## **Evacuation Procedures**

In the event of a fire in the residence hall, one should quickly shut the door to the room and proceed to the nearest exit where they can leave the building safely. If the alarm hasn't sounded, please activate the nearest pull station if you can do so safely. Once outside the building, please call 911 to notify the fire department of the emergency. Do not use an elevator while the alarm is activated. Upon exiting your residence hall, please proceed to the evacuation gathering points listed in this paragraph. All residents residing in St. Gregory and Benet Halls are to meet on the west side of the building in front of the Library. St. Anselm Hall students should meet in the parking lot near the gazebo on the east side of the main building.

## **Fire Safety**

Fire extinguishers /cabinets are located in building hallways and in the residence halls. They may be used only in case of a fire. Residents are not trained in fire extinguisher use and therefore are not encouraged to use them. Extinguishers are in place for trained firefighters. Residents may use extinguishers if the fire is in the incipient stage and/or they are confident they can handle the situation, but they do so at their own risk.

## **Reporting a Fire**

If you discover a fire, you should immediately evacuate the building, pull an alarm if it isn't activated, and dial 911. Please stay on the line and advise the dispatcher of the situation. In the event the fire has been extinguished, you should contact the Physical Facilities and Security departments to make them aware of the incident. They will replace a spent or partially spent fire extinguisher.

## **Fire Log**

The daily fire log is done in conjunction with the daily security log. You can obtain a hard copy of the log by stopping by the Safety and Security Department located on the north side of campus in the Guest House. If you have any questions, please contact Darren Sroufe, Director of Safety and Security, at 812.357.6331 or dsroufe@saintmeinrad.edu. There is no charge for the document.

## **Fire Statistics**

The Higher Education Opportunity Act requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution.

### **2018 Fire Statistics for On-Campus Student Housing Facilities**

<b>Residential Hall</b>	<b>Number of Fires</b>	<b>Cause</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Property Damage Value</b>
<b>Anselm</b>	0		0	0	0.00
<b>Benet</b>	0		0	0	0.00
<b>Gregory</b>	0		0	0	0.00

### **2019 Fire Statistics for On-Campus Student Housing Facilities**

<b>Residential Hall</b>	<b>Number of Fires</b>	<b>Cause</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Property Damage Value</b>
<b>Anselm</b>	0		0	0	0.00
<b>Benet</b>	0		0	0	0.00
<b>Gregory</b>	0		0	0	0.00

### **2020 Fire Statistics for On-Campus Student Housing Facilities**

<b>Residential Hall</b>	<b>Number of Fires</b>	<b>Cause</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Property Damage Value</b>
<b>Anselm</b>	0		0	0	0.00
<b>Benet</b>	0		0	0	0.00
<b>Gregory</b>	0		0	0	0.00

# Appendix A

## School Drug and Alcohol Policy

The fundamental purpose of Saint Meinrad Archabbey and Seminary and School of Theology is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use and alcohol abuse; therefore, all members of the academic community, including students, faculty members, administrators and other school employees, must share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

Saint Meinrad Archabbey permits alcohol to be consumed by anyone 21 years and older, in the privacy of school living areas or at registered or school-sanctioned events when hosted by our liquor license holder or designee. There is no intent to encourage the use of alcoholic beverages or to force its consumption upon those who object to the use of alcohol on moral, ethical or religious grounds. This policy is designed to promote responsible, healthy behavior regarding alcohol use. School policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption.

### Alcohol Policy

1. Saint Meinrad Archabbey is expected to observe and obey Indiana State Liquor Control Law stating that any person under the age of 21 cannot purchase, attempt to purchase, possess, or be served any intoxicating beverage.
2. Indiana Alcoholic Beverage Control Laws make it illegal for any person under the age of 21 to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages. Proof of age may be required when purchasing alcohol.
3. The use of alcoholic beverages at a campus event shall be subject to approval and supervision by the School's approved third-party liquor license holder or designee.
4. Containers of alcohol larger than one gallon are not permitted in residential living areas.
5. Empty and/or filled kegs and all its paraphernalia (i.e., tapper) are not allowed in any form or function and may be confiscated by School personnel and become the property of the School.
6. Possessing and using devices designed or intended to be used for the rapid consumption of alcohol (i.e., funnels, beer bongs, etc.) and/or engaging in behaviors intended to intoxicate (i.e., races, games, beer pong, etc.) are prohibited and will be considered aggravating circumstances when considering appropriate sanctions regardless of age.
7. Brewing and/or distilling alcoholic beverages is not permitted
8. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, in public spaces. This includes but is not limited to any public road or street, parking lot, sidewalk, balconies, patios, courtyards, laundry rooms, lounges, or other publicly owned or controlled School property, without working with our third-party liquor license holder or designee.
9. Student organization budgets, financial aid or meal plan cannot be used to purchase alcoholic beverages.

10. Sanctioned events at which alcoholic beverages may be consumed can be held only under circumstances in which the host demonstrates reasonable means of ensuring the safety of participants and adherence to state law.
11. Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.
12. Alcohol service will be discontinued a minimum of one-half hour before the event ends.
13. Any person found consuming alcoholic beverages in an on-campus residence is required to have proof of age available if requested. If valid identification is not provided, alcohol is subject to confiscation and disposal.

### **Illegal Drug Policy**

1. The manufacture, possession, sale, distribution and use of illicit drugs are prohibited. Saint Meinrad Archabbey will not tolerate the use, possession, sale, delivery and/or manufacture of illicit drugs on campus.
2. The Drug-Free Workplace Act requires that an employee notify his/her employer of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction. The employer must notify appropriate government authorities within 10 days after receiving the conviction notice from either the employee or agency charging said conviction.
3. For employees, drug and alcohol testing may be required pre-employment, “for cause” when employee appears to be unfit and/or under the influence, post-accident, or in violation of the Archabbey Drug and Alcohol Policy (see Drug and Alcohol Testing Policy for more details).

### **Enforcement and Penalties (according to state and county ordinances and School enforcement):**

#### **Enforcement**

1. Not condone the illegal use or abuse of alcohol and/or the use of illicit drugs on campus.
2. Publicize all alcohol and other drug policies.
3. Annually distribute the policy to all students, staff and faculty and make it available on our website and in the Code of Conduct.
4. Exercise appropriate disciplinary action for alcohol and other drug policy violations.

#### **Penalties**

1. Any member of the School who violates the law is subject to prosecution and punishment by civil authorities and School disciplinary proceedings when the alleged conduct is deemed to affect the interest of the School.
2. Persons convicted in a court of law of these offenses are subject to punishments ranging from fines of \$50 to life imprisonment depending on the type and severity of the conviction.
3. Penalties imposed by the School will be in accordance with procedures applicable to the Code of Conduct.
4. Sanctions to be imposed by the School may include, but are not limited to any of the following: formal reprimand, community service, education or referral for counseling,

restitution, residential transfer or removal, suspension from specific courses or activities, suspension or expulsion from the school.

5. Recent changes in the NASFAA (National Association of Student Financial Aid Administrators) state that student eligibility for Title IV funds will be suspended for conviction of either drug possession or drug sale. Eligibility for financial aid is suspended from one year to indefinitely, depending on the number of convictions a student has acquired.
6. Saint Meinrad Archabbey and its Seminary and School of Theology will utilize this same formula for student eligibility for receiving School or state funds.
7. These new provisions do include the ability to re-establish eligibility through satisfactory completion of rehabilitation programs that comply with criteria set by state or federal regulations, which includes two unannounced drug tests. Re-establishment of eligibility will occur if conviction becomes nugatory.
8. For employees of Saint Meinrad Archabbey, see the employee handbook for more details. Discipline may range from, but is not limited to, referral for counseling through the Employee Assistance Program to written warning with probationary status to termination from employment.

## **Education**

1. Under the provisions of the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, all schools, colleges and universities must implement and enforce drug and alcohol prevention programs and policies as a condition of eligibility for federal financial assistance.
2. The law further requires the annual distribution of written policies to each enrolled student, all staff and faculty.
3. Illicit drugs or any controlled substance are listed in Schedules I through V of Section 202 of the Federal Controlled Substance Act.
4. Saint Meinrad Archabbey shall take actions necessary (consistent with state and federal law and applicable School policy) to eliminate illegal drugs and controlled substances and the illegal use of alcohol from Saint Meinrad Archabbey and Seminary and School of Theology. To assist in accomplishing this mission, the offices of Health and Wellness and Personal Counseling develop educational programs that provide accurate, current information on the health risks and the symptoms of drug and alcohol use and abuse. The school may also:
  - Establish relationships between community groups and agencies and the institution for education, treatment and referral.
  - Provide awareness programs for students, faculty and other school employees to enable them to detect problems related to drug or alcohol use and abuse, and to refer persons with these problems to appropriate assistance.
  - Include information about alcohol and drug abuse for students and family members in the student orientation programs.
  - Support and encourage faculty to incorporate education about drugs and alcohol into the curriculum where appropriate.

## **Health Risks of Alcohol and Controlled Substances Use and Abuse and Use of Illicit Drugs**

1. The use of illicit drugs or controlled substances or alcohol can result in several health problems including drowsiness, respiratory depression, excitation, insomnia or disrupted sleep, increased pulse and blood pressure, addiction, hallucinations, disorientation, psychosis, coma and death. These changes can create health and safety concerns for both self and the community at large.
2. Moderate drinking is defined as no more than one drink a day for women and no more than two drinks a day for men. Twelve ounces of regular beer, 5 oz. of wine, or 1.5 oz. of distilled spirits (80 proof) constitutes one drink. Drinking low to moderate amounts can be desirable or undesirable, depending on the individual and the individual's actions and other health conditions ([www.mayoclinic.com](http://www.mayoclinic.com)). Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including domestic and child abuse, acquaintance rape, homicides and assault.
3. Research further indicates that the regular consumption of large amounts of alcohol (defined as more than three drinks per day) is undesirable from the standpoint of health for almost all people, and moderate to high doses of alcohol cause marked impairments in higher manual functions, severely altering a person's ability to learn and remember information.
4. A very high dose of alcohol causes respiratory depression and death. If combined with certain other drugs or depressants of the central nervous system, much lower doses of alcohol will produce the adverse effects of alcohol just described. Repeated use of alcohol can lead to dependence. Alcohol withdrawal can be life threatening. Chronic consumption of alcohol, particularly when combined with poor nutrition, can harm virtually every organ and system in the body, including the brain, liver, immune system, heart, pancreas, and reproductive organs. The consumption of alcohol has also been linked to the development of some cancers, particularly cancers of the upper digestive tract, including the esophagus, mouth, pharynx and larynx. In addition, children of alcoholics are at greater risk for becoming alcoholic. Each year babies are born with physical and intellectual disabilities associated with Fetal Alcohol Syndrome (FAS) or somewhat less serious effects termed, Fetal Alcohol Effects (FAE) (see [www.nlm.nih.gov/medlineplus/alcoholconsumption.html](http://www.nlm.nih.gov/medlineplus/alcoholconsumption.html)).

**Government Warning:** *According to the Surgeon General: 1) women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. 2) Consumption of alcoholic beverages impairs one's ability to drive a car or operate heavy machinery, and may cause other health problems. Effective Nov. 1990, a warning is required by federal law on all alcoholic beverage containers.*

## **Counseling and Rehabilitation**

Saint Meinrad Archabbey and Seminary and School of Theology provide alcohol and other drug abuse counseling on campus and/or referral(s) to off-campus providers. Persons who voluntarily avail themselves of these services can be assured that applicable professional standards of confidentiality will be observed. Employees and their families can personally, or with the help of the Archabbey Counseling Center or the Office of Human Resources, arrange for help.

## **Hate Crime Statistical Report for 2018-2020**

- 2018: No hate crimes to report.
- 2019: No hate crimes to report.
- 2020: No hate crimes to report.

## **Clery Act Crime Definitions**

### **Federal Bureau of Investigation Uniform Crime Reporting/National Incident-Based Reporting System Crime Definitions**

Excerpted from the Implementing Regulations of the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” (originally the Campus Security Act) originally published in the Federal Register on April 29, 1994 (Vol. 59, No. 82) and November 1, 1999 (Vol 64, No. 210).

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 (previously 668.47) in accordance with the Federal Bureau of Investigation’s Uniform Crime Reporting Program. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

### **Crime Definitions from the Uniform Crime Reporting Handbook**

**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.

**Criminal Homicide – Manslaughter by Negligence:** The killing of another person through gross negligence.

**Criminal Homicide – Murder and Nonnegligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**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 by putting the victim in fear.

**Aggravated Assault:** An 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 an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)



**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.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle (classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned), and including joyriding.

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

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

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

### **Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program**

**Sex Offenses – Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- A. **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- B. **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the persons will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- C. **Sexual Assault With An Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- D. **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly

or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses – Non-forcible:** Unlawful, non-forcible sexual intercourse.

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

B. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Source: *Federal Register*, April 29, 1994, Vol. 59, No. 82; *Federal Register*, November 1, 1999, Vol. 64, No. 210.

## **Hate Crimes – Additional Crimes added in the Higher Education Opportunity Act of 2008**

**Hate Crimes:** Crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability of the victim.

Source: *Hate Crime Data Collection Guidelines*, October 1999; U.S. Department of Justice

### **Hate Crime Statistical Report for 2018-2020** (see report two pages earlier)

**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*, 6th ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")

- **Pocket-picking:** The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.
- **Purse-snatching:** The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
- **Shoplifting:** The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.
- **Theft from Building:** A theft from within a building which is either open to the general public or where the offender has legal access.
- **Theft from Motor Vehicle (Except "Theft of Motor Vehicle Parts or Accessories"):** The theft of articles from a motor vehicle, whether locked or unlocked.
- **Theft of Motor Vehicle Parts or Accessories:** The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.
- **All Other Larceny:** All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

Source: *Uniform Crime Reporting Handbook*, 2004; U.S. Department of Justice

**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.

**Dating Violence:** Violence committed by a person:

- A. who is or has been in a social relationship of a romantic or intimate nature with the victim;
- B. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship.
  - b. The type of relationship.
  - c. The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

**Stalking:** The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- A. fear for his or her safety or the safety of others; or
- B. suffer substantial emotional distress.