

# **BISMARCK STATE COLLEGE**

## ***ANNUAL CAMPUS AND CRIME STATISTICS REPORT***



October 1, 2009

# Bismarck State College Annual Campus Security and Crime Statistics Report

## **CAMPUS SECURITY:**

Bismarck State College encourages students and college community members to be fully aware of the safety issues occurring on campus and to take action to prevent and report illegal and inappropriate activities. Personal awareness and applying personal safety practices are the foundation of a safe community.

Bismarck State College monitors criminal activity and provides statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned, rented, or controlled by Bismarck State College; and on public property within, or immediately adjacent to and accessible from the campus. (20 U.S.C. 1092(f)).

The College will provide notice annually of the Campus Security Report to current and prospective students and employees. The report is disclosed in the BSC Website at <http://www.bismarckstate.edu/security/CampusSecurity.pdf> A paper copy is provided upon request from the Campus Security Office, Bismarck State College, P.O. Box 5587, Bismarck, ND 58506-5587.

Bismarck State College has no authority to require the Bismarck or Mandan Police Departments or the judicial court process to take any action in connection with a reported crime. Bismarck State College encourages prosecution of all criminal violations through the criminal courts and will, if appropriate, apply sanctions through the Student Conduct policy.

The College has a variety of policies, procedures, and an Emergency Procedure Manual, relating to campus security and expressly reserves the right to modify them or adopt additional policies and/or procedures at any time without notice.

## **Policies and Procedures**

The following can be accessed at <http://www.bismarckstate.edu/hr/policies.asp>

### **General Policies/Procedures**

- Admissions & Re-Enrollment Risks
- Armed Intruder/Hostage Situation
- Campus Crime Reporting
- Drug Free Workplace
- Emergency Notification
- Harassment
- Harassment Complaint Procedure

Hostile Work Environment  
Security/Workplace Violence  
Theft and Fraud Reporting  
Weapons and Firearms  
Weapons on Campus

### **Student Polices/Procedures**

Admissions and Re-Enrollment Risks  
Alcoholic and Illegal Drugs  
Armed Intruder/Hostage Situation  
Campus Crime Reporting  
Emergency Notification  
Harassment  
Harassment Complaint Procedure  
Sexual Assault  
Student Conduct  
Weapons and Firearms  
Weapons on Campus

### **Emergency Procedure Manual**

The Emergency Procedure Manual can be accessed at  
<http://www.bismarckstate.edu/hr/HRpresentations/EmergencyProcedureManual2008Final.pdf>

### **CRIME PREVENTION PROGRAMS/SERVICES:**

Bismarck State College employs a Campus Security Officer. The College also works in cooperation with the Bismarck and Mandan Police Departments on law enforcement issues.

Bismarck State College does not have fraternities or sororities, nor are there any other off-campus student organizations which are recognized by the institution and that are engaged in by students attending Bismarck State College. There is no need for monitoring and recording through local police agencies of criminal activity at off-campus student organizations, because there are none.

Bismarck State College provides the following crime prevention programs and services:

- **CRIMINAL REPORTS:**

The Security Officer will receive crime reports, in person or by telephone, during work hours. The Bismarck Police Department should be called after 10:00 p.m. and on

weekends. Individuals making the report may receive a copy of the report by asking at the time the report is made or at a later date by showing appropriate identification.

- **STATISTICS:**

The College will provide notice annually of the Campus Security Report to current and prospective students and employees. The Report is disclosed in the BSC Website at <http://www.bismarckstate.edu/security/CampusSecurity.pdf> A paper copy is provided upon request from the Security Office, Bismarck State College, P.O. Box 5587, Bismarck, ND 58506-5587.

- **ASSISTANCE:**

In cases where the alleged perpetrator is a student and taking the same classes as the complainant, the complainant may request the BSC Registrar to change class sections. Such a request will be granted if reasonably available and if a complaint has been filed with the Security Officer and/or the BismarckMandan Police Department. Bismarck State College will assist individuals in making reports, if the individual desires assistance.

In cases where the alleged perpetrator and the complainant live in the same residence hall, the complainant may request the Director of Student and Residence Life to change, temporarily or permanently, their housing assignment. Such a request will be granted if reasonably available and if a complaint has been filed with the Security Officer and/or the Bismarck/Mandan Police Department.

- **EDUCATIONAL PROGRAMMING:**

Programs sponsored by residence hall staff, by departments within Student Affairs, the Security Officer or by Buildings and Grounds staff, inform students and employees of issues such as date rape, personal safety awareness, sexual harassment and assault, coping with drugs or alcohol abuse, hazardous waste, or other safety issues. Topics such as these are offered each semester and also as requested by various groups.

- **CAMPUS WARNINGS:**

In cases of reported aggravated assault, burglary, motor vehicle theft, murder, manslaughter, arson, sex offenses or robbery where the Security Officer and/or the BSC Emergency Notification System Planning Team determines there is a continuing danger to the college community, warnings will be issued through appropriate processes such as Notifind (cell phone, work and home phone, email account, voice mail, text message, etc.) BSC website or printed bulletins, the Emergency Building Communications System (PA System), electronic message boards, radio and TV.

## **PERSONAL SECURITY:**

### **Protect Yourself:**

College Housing staff, the Security Officer and Buildings & Grounds staff are available to assist you in protecting yourself by providing safety and security programs. However, only you can protect yourself by being aware of your surroundings and taking appropriate steps to prevent crime from happening.

Even if you have taken the necessary precautions, you may be a victim of a crime. If that should happen to you, be sure to report the situation immediately to the Security Officer and/or the Bismarck Police Department.

If you feel that there may be an area of the campus that is unsafe, please bring that to the attention of the Director of Student and Residence Life, the Chief Buildings and Grounds Officer or the Security Officer.

### **Protect Your Room or Apartment:**

- Lock your door - Even if you are only going to the bathroom or into the room next door. A surprising number of thefts from rooms are accomplished while the resident is on the same floor, but has just stepped out for “one minute.” The risk is great. It takes approximately eight seconds to walk into your open room and steal your valuables.
- Lock your door when you are asleep.
- Do not prop open locked exterior building doors. These doors are locked for the protection of all residents.
- Do not loan your keys to anyone - even a classmate or friend. They may not be as careful with them as you are and may lose or misplace them, just long enough for the wrong person to gain possession.
- Do not leave your keys lying around in public places or in your coat or jacket pocket when you're not wearing it.
- Carry your car keys on a separate ring from your room key and other keys. Do not put your name and address on your key rings as they may be used to steal your property if found by the wrong person.

### **Protect Your Property:**

- Personal property (purses, briefcases, calculators, etc.) should never be left unattended. Take such items with you if you are leaving the office, classroom or residence hall room.

- Lock your door whenever you leave your room or office. Always lock your door when sleeping. Always lock your car doors.
- Never open the exterior doors of the building to strangers or non-residents. Always escort your guests to and from the main entrance doors.
- Protect all valuables in your room or office. Do not leave valuables in plain view.
- Take valuables home with you during vacations.
- You are encouraged to open a savings or checking account rather than allow large sums of money to accumulate in your room. If you open a checking account, remember the number of the last check written. The theft of a single check can go undetected until a bank statement discloses a forgery.

**Protect Your Automobile:**

- Always lock your car doors and never leave your keys in the vehicle.
- Try to park your car in a well-lit area.
- Avoid leaving property where it is visible.

**Protect Your Bicycle:**

- Park your bicycle where you can keep an eye on it if at all possible. Lock your bicycle.
- Bicycle thefts are on the rise. There are several good bicycle anti-theft devices available. Casehardened heavy locks and chains afford the best protection.
- Record serial numbers, model numbers and the value of your bicycle. Engrave the bicycle with your Operation Identification number.

**Protect Yourself at Night:**

- Avoid walking alone at night.
- Refrain from taking shortcuts; walk where there is plenty of light and traffic.

**Protect Yourself Walking or Jogging:**

- Avoid walking or jogging alone after dark.
- Walk along well-lit routes.

- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or group of people.
- Have your keys ready when returning to your residence hall or apartment and keep your personal or valuable items concealed and close to your body.

**Help Us Protect You:**

- Watch for suspicious persons in and around College buildings and in parking lots. Do not pursue them. Call BSC security.
- Door-to-door soliciting is not permitted in College residence facilities. Violations of this rule should be reported to your hall supervisor immediately.
- Report all thefts and property losses immediately to the Security Officer.
- Be security conscious at all times.

**Suspicious Activity:**

- If you see any suspicious activity or people on or near the campus, call or contact any campus administrator. Do not assume that what you observe is an innocent activity or that it has already been reported.
- Do not assume the person is a visitor or College staff member that you have not seen before.

**Suspicious people may be:**

- Loitering about at unusual hours and locations: running, especially if something of value is being carried.
- Exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs, or otherwise needing medical or psychiatric assistance.
- Carrying property that might be suspicious, depending on the circumstances, going from room to room trying door handles.

**ANNUAL STATISTICAL REPORTS:**

**COMPLAINTS:**

The annual statistical report includes criminal reports made to the Campus Security authorities and/or the Bismarck Police Department and the Mandan Police Department.

Campus Security Authorities, by definition, include officials of the institution who have significant responsibility for student activities. Campus Officials are listed later in this report. The annual report includes reported crimes alleged to have occurred on the campus, on public property such as streets or sidewalks contiguous to the campus and, in off campus facilities owned or rented by Bismarck State College and/or recognized student organizations (PL101-542). It also includes arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession.

1. Criminal Homicide
  - a) Murder and Non-negligent Manslaughter
  - b) Negligent Manslaughter
2. Sex Offenses
  - a) Forcible
  - b) Non-Forcible
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson

#### **HATE CRIME:**

Bismarck State College will report if any of these allegations are hate crimes. Hate crimes are defined as crimes that manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, gender or disability.

#### **ARRESTS/REFERRALS:**

Bismarck State College reports the number of arrests, to the extent that the College is able to obtain such information from the Bismarck and Mandan Police Departments for all required statistical categories.

The number of persons who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession are also included.

- The Security Officer is the primary liaison, concerning campus safety, criminal activity and security services with all law enforcement agencies.
- **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (Formerly the Campus Security Act).** The annual statistics are gathered by the Security Officer with assistance from the Associate Vice President for Student Affairs, from local police reports and from college officials with significant responsibility for student and campus activities. The list of officials follows later in this report. A standardized reporting form is used to gather this information. The data is evaluated to prevent double counting. Anonymous reports are included.

## **GUIDELINES AND DEFINITIONS:**

### **Venue Definitions:**

**Campus:** "...any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and Property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person is used by students, and supports institutional purposes (such as a food or other retail vendor)."

**Non-Campus:** "...any building or property owned or controlled by a student organization recognized by the institution; and Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."

**Public Property:** "...all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes."

Each of these definitions applies to separate categories in the annual security report as follows:

"...an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur-

- (A) on campus;
- (B) in or on a non-campus building or property;
- (C) on public property; and
- (D) in dormitories or other residential facilities for students on campus."

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

Bismarck State College enforces the North Dakota drinking laws, including prohibition of use by persons under 21 years of age, and College policy. Possession or consumption of alcoholic beverages is prohibited anywhere on College property regardless of age.

If the person is not cooperative or it is determined that they are underage, the Bismarck Police may be called to assist. The College staff may press charges in these situations.

Normally, if the individuals involved are students they may be referred through the campus, or residence hall, disciplinary system.

**Drug Abuse Violations:** Violations of Federal, 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, heroine, codeine); marijuana; synthetic narcotics (Demerol, methadone) and dangerous non-narcotic drugs (barbiturates, Benzedrine).

The possession, use or sale of illegal drugs (other than by a doctor's prescription) is prohibited on College property. Bismarck State College enforces both North Dakota and Federal drug laws regarding the use, possession and sale of illegal drugs.

**Weapons Violation:** 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.

For safety reasons, explosives, firearms, ammunition and other lethal weapons (such as bows and arrows, paint ball guns, knives, etc.) are prohibited on campus. The College does not store these items.

**Hate Crimes:** Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, ethnicity, gender, or disability.

**The following definitions are those used in the Uniform Crime Reporting (UCR) Handbook. The sex offenses definitions are found in the National Incident-Based Reporting system H Edition (NIBRS) of the UCR.**

**Criminal Homicide:**

- a) **Murder and Non-negligent Manslaughter:** The willful, non-negligent killing of one human being by another.

No information will be provided by College personnel concerning the circumstances of the report until authorized by the appropriate police personnel.

- b) **Manslaughter by Negligence:** The killing of another person through gross negligence.

**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.

Types:

- 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 youth or because of his/her temporary or permanent mental or physical incapacity.
- Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against the 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.
- 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.
- 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.

Types:

- Incest - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** Taking or attempting to take anything of value from the care, custody or control of a person by force, threat of force or violence, or putting the victim in fear.

- Be careful to preserve evidence. Don't allow others to walk through the area or to touch anything. Keep the area secured.
- The report should include specific information about any property taken, including brand name, color, serial numbers and any identifying marks or characteristics.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

- Victims residing in the same residence hall as the alleged perpetrator may request to be moved to different facilities pending the conduct hearing or court trial. The College will accommodate such requests if space is available.
- The name of the alleged perpetrator(s) will be forwarded to the Security Officer for appropriate action.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. Includes forcible entry, unlawful entry with no force and attempted forcible entry.

- Be careful to preserve physical evidence. Don't allow others to walk through the area or to touch anything. Keep the area secured.
- The report should include specific information about any property taken, including brand name, color, serial numbers and any identifying marks or characteristics.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

### CRIME STATISTICS 2006-2008

CATEGORY	VENUE	2006	2007	2008
<b>CRIMINAL HOMICIDE: Murder and Non-Negligent Manslaughter</b>	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>Negligent Manslaughter</b>	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>SEX OFFENSES: Forcible</b>	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0

<b>Nonforcible</b>		<b>2006</b>	<b>2007</b>	<b>2008</b>
	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>ROBBERY</b>				
	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>AGGRAVATED ASSAULT</b>				
	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>BURGLARY</b>				
	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	1	0
	• On public property	0	0	0
<b>ARSON</b>				
	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>MOTOR VEHICLE THEFT</b>				
	• On Campus***	0	1	
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>ARREST FOR: Liquor law violations</b>				
	• On Campus***	0	2	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	2
	• On public property	2	0	0

		2006	2007	2008
<b>Drug-related violations</b>	• On Campus***	0	1	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	2	0	0
<b>Weapons possession</b>	• On Campus***	0	1	0
	• In dormitories or other residential Facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	1	0	0
<b>DISCIPLINARY REFERRALS*: Liquor Law violations</b>	• On Campus***	34	17	17
	• In dormitories or other residential facilities	34	17	17
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>Drug-related violations</b>	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0
<b>Weapons possession</b>	• On Campus***	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• In or on a non-campus building or property	0	0	0
	• On public property	0	0	0

\* Disciplinary referrals include students and employees.

\*\*\* This category includes all on-campus incidents, including those listed in the category below, "In dormitories or other residential facilities." Therefore, the two categories are not cumulative, but duplicative.

**KEY TO HATE CRIMES NOTATIONS:**

Type of Bias or Prejudice

Race = ra

Sexual Orientation = s

Gender = g

Ethnicity = e

Religion = re

Disability = d

**There were no hate crimes reported for the past three years.**

Each statistic, resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias. (This grid was adapted from the Campus Outreach Services, Inc. Compliance Manual.)

## **DISCLOSURE OF REGISTERED SEX OFFENDERS:**

Colleges and universities are required to disclose where to obtain information about registered sex offenders who are either students or employees at the institution. Information can be obtained from the Bismarck State College Security Office (1309 Schafer Street, Bismarck, ND 58506-5587, or phone at 701-224-5789). Additional information is available at <http://www.sexoffender.nd.gov>

## **CAMPUS CRIME REPORTING:**

### **Policies:**

- The Security Office, located in BSC Annex Building, Room 104 (224-5789), will be the office of official record for all criminal reports made on campus. Students, faculty, staff and visitors are encouraged to report immediately any and all criminal activity to the Security Officer or the Bismarck Police Department.
- The College normally requires a written complaint, and the assistance of the complainant in the disciplinary process, unless the College determines that there is a clear danger to the victim and/or the College community.

### **Who Should Report:**

- All employees, faculty or staff who become aware of an allegation or violation of college policy, student code of conduct, civil or criminal law should report said complaint or allegation to their supervisor and the Security Officer. The Federal Register, dated April 29, 1994, expands those required to make reports by defining Campus Security authorities to include “officials of the institution who have significant responsibility for student and campus activities, but not including counselors.” Counselors are encouraged to inform students being counseled concerning reportable crimes that they can voluntarily and confidentially report those crimes for inclusion in the annual disclosure of crime statistics if the counselor finds such disclosure to be appropriate. Campus staff “with significant counseling responsibility” is required to provide the Security Officer with the statistical information relating to crimes on campus but may continue to honor the confidentiality of victims.
- Any criminal activity should be reported directly to the Security Officer and/or the Bismarck Police Department. However, the following have been identified as being **required** to report situations of a criminal nature that have come to their attention, to the Security Officer. Accordingly, initial reports can be made to them in addition to the Security Officer.

President  
Executive Vice President  
Provost & Vice President for Academic Affairs  
Vice President for National Energy Center of Excellence  
Vice President for College Advancement & Federal Relations  
Associate Vice President for Student Affairs  
Associate Vice President for Academic Affairs  
Associate Vice President for Continuing Education, Training & Innovation  
Associate Vice President for National Energy Center of Excellence  
Associate Vice President for Business & Finance  
Dean of Academic Affairs  
Director Admissions & Enrollment Services  
Director of Academic Records & Registrar  
Director of Counseling and Advising Services  
Director of Financial Aid  
Director of Library Services  
Director of Student and Residence Life  
Chief Distance Learning & Military Affairs Officer  
Chief Buildings and Grounds Officer  
Chief Human Resource Officer  
Chief Information Services Officer  
Security Officer  
Academic Support Services Coordinator  
Academic Advisors  
Associate Registrar  
Veteran Services and Student Accessibility Coordinator  
Testing and Assessment Coordinator  
Department Chairs  
Program Managers  
Athletic Director  
Coaches  
Residence Hall Supervisors and Resident Assistants  
Faculty Advisors of Clubs/Organizations

According to the Federal Register, April 29, 1994, “the function of these administrators is not to determine whether a crime took place - that is the function of the law enforcement professionals working within the criminal justice system but with respect to these regulations to report the alleged crime, that was received in good faith, to the appropriate law enforcement personnel, either campus or local police.”

Victims of crimes or witnesses to a crime are encouraged to report the crime to any of these individuals as soon as possible so the victim can receive assistance and so that a timely warning can be made to the campus if necessary.

## **CAMPUS CRIME REPORTING PROCEDURES:**

### **General Guidelines:**

All criminal activity occurring on campus should be reported immediately to the Security Officer in the BSC Annex Building, Room 104 and/or Bismarck Police Department.

- All allegations will be investigated. If the Bismarck Police Department “concludes that the allegations reported are not substantiated by the facts or the law, no campus crime need be disclosed as a statistic.” (Federal Register, April 29, 1994.)
- Reports will be classified by the Security Officer and the Associate Vice President for Student Affairs in conjunction with the appropriate police agency according to the FBI Uniform Crime Report definitions.

### **Crime Reporting Guidelines:**

- Reports may be made to the Security Officer and/or the Bismarck Police Department either by telephone or in person.
- College officials will accept third-party reports (in cases of sexual assault) in order to protect a survivor’s identity.

### **If you are a victim of a crime or witness a crime you should do the following:**

- On-campus call the Security Officer at 224-5789 and/or the Bismarck Police at 223-1212 immediately for any emergency including medical assistance, fires, suspicious people or activities, crime reports, traffic accidents, and other law violations.
- Attempt to obtain a description of the offender(s), including sex, age, race, hair, clothing, and distinguishable features. Attempt to obtain a description and license number of any vehicle involved. Note the direction taken by offenders or vehicles and report these to the police.
- Preserve the crime scene. Do not touch any items involved in the incident. Close off the area of the incident and do not allow anyone in the crime area until the Bismarck Police arrive.
- Victims of a crime, or witness to a crime may report the crime anonymously and confidentially to any of the staff or officers previously listed in this report. Reports may be made by telephone or by e-mail since all staff have private phones and e-mail accounts. Phone numbers and e-mail addresses are readily available in the college catalog and student planners. **Victims and witnesses of crimes are encouraged to report the crime as soon as possible so that timely warnings to the campus can be made if the situation warrants it.**

## **SEXUAL OFFENSES AND HARASSMENT:**

**Policy:** Bismarck State College's policy on sexual harassment is governed by the North Dakota Board of Higher Education policy. In support of the Board policy, BSC reaffirms the policy that sexual harassment, including violence and abuse, will not be tolerated. Every effort will be made to assure that all members of the College community are provided an atmosphere free from sexual harassment. To prevent sexual harassment, educational efforts will be undertaken to inform employees and students of their responsibilities regarding such behavior, how to identify and eliminate sexual harassment and what steps can be taken if instances of sexual harassment are experienced.

Bismarck State College conducts a number of programs aimed at preventing sexual offenses and making the community aware of the potential of such crimes. These programs include inspecting the campus for potential dangerous areas and implementing programs to inspect campus lighting and shrubbery. In addition, educational programs concerning sexual assault awareness are provided by residence hall staff and counseling staff.

A guiding principle in the reporting of sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact any one of several Bismarck State College departments or community services for assistance. The following resources provide immediate aid or on-going consultation for survivors of sexual assault. (See BSC Sexual Assault Policy for current list of resources and telephone numbers.)

### **Third Party Reports:**

A third-party report is a report made by an individual on behalf of the sexual assault survivor in order to maintain the anonymity of the survivor. In third-party reports, information which may lead to the identity of the sexual assault survivor is omitted. (See Sex Offenses.)

### **Procedures:**

- Every effort should be made to ensure the physical evidence of a sexual assault is properly maintained and protected. Do not bathe, douche, use the toilet or change clothing. Note anything about the location. If you have been raped you should seek medical treatment immediately regardless of whether you report the matter to the police or to a campus official. Counseling should be sought through a BSC counselor (224-2449) or the Rape Crisis Center (225-4506).
- Every attempt is made to maintain the anonymity of the sexual assault survivor. Every attempt will be made not to release names to the media. Unless requested by the sexual assault survivor, names and addresses of survivors are not released to the Bismarck Police Department. Counselors will attempt to provide support and advice for sexual assault survivors. Each report of sexual assault will be

investigated in order to provide better protection to the survivor of a sexual assault and all members of the campus community. Sexual assault survivors should be aware of the need of the College to release information regarding the fact that an assault has occurred for the protection and safety of others.

- A sexual assault survivor is encouraged to inform local police authorities when an assault has occurred. Any college official will assist the student in making this report if the student so chooses. The sexual assault survivor also has the right to make an anonymous or third party report to the local police authorities. College officials will assist the student in making this kind of report if that is what the student chooses.
- If the alleged perpetrator is identified the case will be forwarded to the local police and college officials for appropriate action.
- The Security Office will be the office of official record for reports of sexual assault, as it is in all reported law violations. Students, faculty and staff are encouraged to contact the Security Officer to report any information regarding assaults.
- Each report will be taken as presented by the complainant. Appropriate criminal classifications will be determined after a review of all facts by Bismarck Police Department personnel.
- The College will take appropriate action to safeguard the alleged survivor and, at the same time, protect the rights of the alleged perpetrator. A student who is a victim of an alleged sexual assault will be provided assistance in changing academic or living arrangements if the victim so requests and if such changes are reasonably available. No formal charges or investigation needs to occur before this option is available.
- The College normally will not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the College determines that there is a clear danger to the victim or the College community.

### **Disciplinary Procedure for Sex Offenses:**

The College disciplinary process is an option for any person wishing to report a case of student misconduct. In order for the College to address behavior through the Student Conduct Policy, a written complaint must be filed with the Security Officer. Any criminal complaint is reported to the Security Officer and the local law enforcement center for investigation.

Acts of sexual violence, assault or abuse, such as rape, acquaintance rape, or forms of non-consensual sexual activity are criminal behaviors. These acts will be swiftly

investigated and will subject an individual to complaints and disciplinary sanctions under the North Dakota University System's Nondiscrimination/Harassment/Violence policies or the College's Student Conduct Policy as well as referral to appropriate law enforcement agencies.

Victims of sexual violence may report incidents to the appropriate College authorities including the Security Officer, the Affirmative Action Officer, the Counselor, or the Student Life and Residence Office.

Both the accuser and the accused have the right to request in advance the names of witnesses and shall have the right to cross-examine these witnesses during the hearing.

Both the accuser and the accused have the right to call a reasonable number of witnesses to testify on their behalf. These witnesses will be subject to cross-examination by both parties. Names of all witnesses must be submitted to the hearing officer no later than twenty-four hours in advance of the hearing.

Both the accuser and the accused have the right to have an advocate (or advisor) present at the hearing; however, the advocate/advisor cannot speak in your place or cross-examine witnesses.

#### **OUTCOME OF DISCIPLINARY HEARING IN SEX OFFENSE CASES:**

Both the accuser and the accused will be informed of the outcomes of any campus disciplinary proceeding concerning the complaint of a sexual offense including the College's final determination and any sanction imposed against the accused. Generally, this information is not disclosed to the public but is included in the annual statistical report.

#### **SANCTIONS:**

Students found guilty of violations of serious cases, such as rape or other forcible or non-forcible sex offenses are subject to suspension, expulsion, or eviction from student housing or the campus, in addition to other possible College sanctions.

#### **DRUG-FREE WORKPLACE AND SCHOOLS:**

##### **Purpose:**

The purpose of this policy is to set forth the College policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D), and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226). A copy of the Drug Free Workplace information is enclosed in the Faculty and Staff Handbooks.

The College recognizes the reality of chemical dependency and is aware of its occasional presence in the College community. As a safeguard against this dependency, numerous

campus organizations provide prevention programs to the Bismarck State College community.

The College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Employees and students may use the services of the Employee Assistance Program and should contact the Human Resource Officer at 224-5427.

## **SECURITY AND ACCESS TO CAMPUS FACILITIES:**

### **RESIDENCE HALL ACCESS:**

- Residence hall exterior doors are normally locked twenty-four hours a day. Each resident has a key card for the door.
- Residents are encouraged not to prop doors open and not to open these doors for anyone other than their guests.
- Residents who lock themselves out of their rooms should contact their respective residence hall supervisor.
- All non-residents of the building should be escorted.
- The women's residence hall has security video monitoring of all exterior doors for protection.
- Fire alarms meet fire code in all residence halls.

### **BUILDING ACCESS & MAINTENANCE:**

The Bismarck State College campus is for the use of the faculty, students, staff, their escorted guests and those on official business with the college. All others are subject to being charged with trespassing.

Visitors are reminded that access to campus buildings is limited to normal business hours.

Students, faculty, staff and visitors are encouraged to report needed repairs to the Director of Buildings and Grounds for all academic areas and administrative areas. Requests for repairs/maintenance in the residence halls should be addressed to the Director of Student and Residence Life. Periodically the lighting on campus is evaluated for safety purposes and additional lighting is added as needed. Shrubbery in close proximity to doors and sidewalks is taken out.

The following guidelines are designed to provide maximum security and protection for all concerned and still provide convenient access to buildings:

- Keys are issued to authorized faculty, staff and students only.
- Exterior building doors should not be blocked open when the doors are locked.
- Building evacuation is mandatory for all fire alarms.
- Individual academic buildings are normally open from 7 A.M. until after evening classes and for scheduled weekend classes and special events.
- Faculty or staff who appear to be the last persons in a building should ask unauthorized people to leave the premises. The building should be secured when the last employee leaves. In buildings that have outside windows, employees should close and lock them before leaving the building.
- On-campus telephones are located by entrances to buildings. These telephones are also capable of calling 9-911.
- Problems related to people in buildings after hours should be reported to the Security Officer or the Bismarck Police Department.

### **NON-CRIMINAL EMERGENCIES:**

Bismarck State College publishes an Emergency Procedures Manual. A copy of the Manual is made available to every faculty and staff. Students may obtain a copy from the Director of Buildings and Grounds, BSC Annex Building, Room 102D.

The primary purpose of the Manual is to provide information and procedures that can be used in an emergency situation until professional help can be obtained. Every employee is expected to be thoroughly familiar with the contents of the manual. Students should be able to ask assistance of any employee in an emergency situation.

**The Emergency Procedure Manual can be located on the following web site:**

<http://www.bismarckstate.edu/buildingsgrounds/>

**EMERGENCY PHONE NUMBERS:**

Bismarck State College Security Department-----	224-5789 527-1972
Bismarck Police Department-----	9-911
Bismarck Fire Department-----	9-911
Metro Area Ambulance-----	9-911
Bismarck Police Non-Emergency-----	223-1212
Bismarck Fire Department Non-Emergency-----	250-7671
Ambulance Non Emergency-----	250-7671
City/County Emergency Management----- & Communication Center	222-6727
St. Alexius Medical Center----- Emergency Room	530-7001
MedCenter One Emergency Room-----	323-6150
Poison Control Center-----	1-800-222-1228
Suicide & Crisis Prevention Center----- No Answer	328-8888 328-8889
Rape Crisis Line-----	222-8370