LINCOLN UNIVERSITY

Annual Campus Security Report

October 1

2022

The Lincoln University Police Department (LUPD) is the office on campus responsible for the publication and distribution of this report in accordance with the Jeanne Clery Act.

Ft. Leonard Wood Campus

This report contains crimes statistics data that spans the calendar years of 2019, 2020, & 2021

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INTRODUCTION

Lincoln University publishes this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Crime Act (as amended by the *August 14th, 2008 Higher Education Opportunity Act*). The statute *(law)* requirements for *"The Clery Act"* can be found in *20 U.S.C.§1092(f), 20 U.S.C.§1092(i), and 20 U.S.C.§1092(j)* and the regulations *(the detailed rules that outline how the United States Department of Education will enforce the law)* can be found in *34 CFR §668.41*, *34 CFR §668.46*, *34 CFR §668.49*, *and Appendix A of 34 CFR §668*. The Clery Act requires Institutions of Higher Education (IHE) to prepare, publish and distribute an annual security report containing specific information regarding law enforcement, security, legal and disciplinary policies of the university.

On January 7, 2015, Lincoln University renewed its Memorandum of Understanding (MOU) with Ft. Leonard Wood on the use of an office and educational space in the Truman Education Center. The Department of Nursing Science at Lincoln University offers a two-year nursing curriculum at the Fort Leonard Wood campus that leads to an Associate in Applied Science degree. The nursing program at Fort Leonard Wood is a part-time evening program that serves both the military and civilian population in the area.

Mrs. Barbra Lane is the Program Coordinator of the Ft. Leonard Wood Nursing School Program.

Contact Info:
Megan Titus, MSN, RN.
Truman Education Center
4904 Constitution Ave. Suite 9
Fort Leonard Wood, MO 65473
E-mail: *TitusM@lincolnu.edu*
Phone: (573) 329-5160

Under the Clery Act the space that Lincoln University utilizes in the Ft. Wood Campus is defined as a separate campus as it meets the following criteria specified in *20 U.S.C§1092(f)(6)(B)*:

- The institution controls a location at the site;
- It is not reasonably geographically contiguous with the main campus;
- It has an organized program of study; and
- There is at least one person on site acting in an administrative capacity.

Therefore, Lincoln University must submit a Clery Report for this facility. This report contains useful safety and crime prevention information, and the Lincoln University Police Department encourages commuters and faculty and staff to use this document as a guide for safe practices on and off campus. The LUPD works closely with Ft. Leonard Wood Police to obtain the information needed to compile this report.

Since the Ft. Leonard Wood Campus does not have any student campus housing, the fire safety reporting requirements do not apply to this facility.

Please note that No applicable Clery crimes were reported to the Ft. Leonard Wood Police or LUPD from 2019 through 2021 on the Ft. Leonard Wood Campus, therefore no reportable crime statistics are available for this report.

To find the Annual Security and Fire Safety Report on our website *click here*

Relevant Websites
Lincoln University Police Department Clery Website
U.S. Dept. of Education Campus Security Website
U.S. Dept. of Education Clery Handbook 2016

If you have any questions contact:

Shawnda Hayes-Dunnell, M.S.
Clery Act Compliance Coordinator
Lincoln University Police Department
E-mail: *Hayes-DunnellS@lincolnu.edu*
Phone: 573-681-5555

CLERY ACT REQUIREMENTS

Publish an Annual Security Report (ASR)

Universities must publish a report by October 1, documenting the previous three calendar years of select campus crime statistics including security policies and procedures and information on the basic rights guaranteed to victims of sexual assault. The law requires that schools make the report available to all current students and employees, and prospective students and employees must be notified of its existence and given a copy upon request. Schools may comply with this requirement via the internet if required recipients are notified and provided exact information regarding the on-line location of the report. Paper copies of the ASR should be available upon request. All crime statistics must be provided to the U.S. Department of Education and submitted online within 15 days after the Oct 1st publishing on the Department of Education reporting website *(click here for Annual Security and Fire Safety Report)*.

Maintain a Public Crime Log &Fire Log

Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known. Incidents must be entered into the log within two business days. The fire log must include the date the fire was reported, the nature of the fire, the date and time of the fire; and the general location of the fire. Both logs should be accessible to the public during normal business hours; remain open for 60 days and, subsequently, made available within two business days upon request. Please note the Lincoln University crime log has been created using state definitions which may not correspond to federal definitions and therefore the crime log may not correspond with Clery statistics. The Crime log and fire log can also be obtained at the dispatch center within the Police Department, located in the South Campus building (Lorenzo Green Hall) at *900 Leslie Boulevard, Jefferson City Mo 65101*. The Annual Public Crime Log may also be obtained online here *http://www.lincolnu.edu/web/police-department/daily-crime-logs1*.

Disclose Crime Statistics

Institutions must disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities, including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities." The Clery Act requires reporting of crimes in 4 major categories, some with significant sub-categories and conditions:

A. Criminal Offenses

1. Murder & Non-negligent manslaughter
2. Negligent manslaughter
3. Rape
4. Sex Offenses/Sexual Assault:
   - Fondling
   - Statutory Rape
   - Incest
5. Robbery
6. Aggravated Assault
7. Burglary
8. Motor Vehicle Theft
9. Arson

B. VAWA Related Offenses

1. Domestic Violence
2. Dating Violence
3. Stalking

Even though sexual assault is a VAWA related offense it is still counted under the Criminal Offenses category

C. Hate Crimes

Hate crimes must be reported by category of prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

1. Larceny/Theft
2. Simple Assault
3. Intimidation
4. Destruction/Damage/Vandalism of Property

D. Arrests & Referrals

Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):

1. Liquor Law Violations
2. Drug Law Violations
3. Illegal Weapons Possession

Definitions of the crimes categories can be found in *Appendix A of 34 CFR 668 Crime Definitions* and background information on these crime categories can be found in:

- FBI's UCR Program "*Summary Reporting System (SRS) User Manual*" 2013
- *UCR National Incident-Based Reporting System (NIBRS) 2013*
- *UCR Hate Crime Data Collection Guidelines and Training Manual 2015*

Please review "*Background on Statistical Reporting Requirements Under the Clery Act*" for more info on the corresponding Missouri definitions to the Clery crime categories.

Issue Timely Warnings About Clery Act Crimes Which Pose A Serious or Ongoing Threat to Students and Employees

Institutions must provide timely warnings in a manner likely to reach all members of the campus community. This mandate has been part of the Clery Act since its inception in 1990. Timely warnings are limited to those crimes an institution is required to report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification; however, both systems are in place to safeguard students and campus employees.

(Click here for Timely Warnings)

Devise an Emergency Response, Notification and Testing Policy
Institutions are required to inform the campus community about a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (e.g., a fire or infectious disease outbreak). Colleges and universities with and without on-campus residential facilities must have emergency response and evacuation procedures in place. Institutions are mandated to disclose a summary of these procedures in their ASR. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

Compile and Report Fire Data to the Federal Government and Publish an Annual Fire Safety Report
Similar to the ASR and the current crime log, institutions with on-campus housing must report fires that occur in on-campus housing, generate both an annual fire report and maintain a fire log that is accessible to the public. The security and fire report can be combined into one report for ease of reporting as long as the report states this in the title and all supporting crime/fire logs and data are available in the report. The notification must also specify the inclusion of the information of the fire reporting requirements.

Enact Policies and Procedures to Handle Reports of Missing Students
This requirement is intended to minimize delays and confusion during the initial stages of a missing student investigation. Institutions must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it's believed that student has been missing for 24 hours.

Violence Against Women Reauthorization Act (VAWA) of 2013
On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) *(Pub. Law 113-4)*. Among other provisions, this law amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Clery Act. These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, ***domestic violence, dating violence, and stalking***. Hate crime categories of prejudice (based on actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability) now also includes ***national origin*** *and* ***gender identity***. Additionally, institutions will be required to include certain policies, procedures and programs pertaining to these crimes in their Annual Security Reports.

As a result, Lincoln University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, 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 university official.

The Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy shall contain information on the following items:

- Procedures Lincoln University will follow once an incident of sexual assault, domestic violence, dating violence, and stalking has been reported, including the standard of evidence that will be used during a conduct hearing
- Description of the educational programs to promote awareness of sexual assault, domestic violence, dating violence, and stalking for all incoming students and new employees, and ongoing prevention and awareness campaigns for students and employees
- Missouri definition of consent and the federal definitions of sexual assault, domestic violence, dating violence, and stalking, and the applicable corresponding Missouri definitions
- Safe and positive options for bystander intervention and information on risk reduction to recognize the warning signs of abusive behavior and how to avoid potential attacks
- *Victims' Rights in cases of domestic violence, dating violence, sexual assault, or stalking*

Changes made Under ***section 304 of VAWA (known as the Campus Sexual Violence Elimination Act (Campus SaVE)*** take effect with respect to the annual security report prepared by an institution of higher education one calendar year after the date of enactment" of VAWA. Thus, the first Annual Security Report that must include the new required information is the report that must be issued by each institution by October 1, 2014.

Lincoln reported the statistics for both calendar years 2013 and 2014 to the Department during the data collection in Fall 2015. The Department of Education delayed the reporting of statistics for incidents of domestic violence, dating violence, and stalking to follow procedures under the paperwork reduction act to revise the web-based data collection instrument (See *the Dept. of Education's July 14, 2014 "Dear Colleague Letter"(DLC) letter* for more info).

The rulemaking process to develop the regulations that correspond to these statutory changes was completed with the publication of the final regulations on October 20, 2014. The new regulations became effective on July 1, 2015. Lincoln University has made a good faith effort to comply with the statutory requirements in accordance with the statutory effective date (See *http://www2.ed.gov/admins/lead/safety/campus.html* for more info).

GEOGRAPHY

The Clery regulations found in *34 CFR 668.46* define campus *("On-Campus")* property in the following manner:

"Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)."

The Ft. Leonard Wood Campus is currently located in *Building 733 on Colorado Ave*. in Ft. Leonard Wood, Mo. In addition to the rooms areas that students must use to obtain access to the class rooms are also included for Clery purposes (i.e. elevators, stairwells, and adjoining parking lots).

The classroom and office spaces occupied by Lincoln University relocated to 4904 Constitution Ave. Fort Leonard Wood, MO 65473-8934 on October 13, 2015.

Non-Campus Property

The Clery regulations found in 34 CFR 668.46 defines Non-Campus property in the following manner:

"Any building or property owned or controlled by a student organization that is officially recognized by the institution; or Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."

No non-campus properties are identified for the Fort Leonard Wood Campus.

Public Property

The Clery regulations found in 34 CFR 668.46 defines public property in the following manner:

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

Since this is a military base there is no defined public property for this campus.

CRIME POLICIES

ANNUAL DISCLOSURE OF CRIME STATISTICS POLICY

The *Lincoln University Police Department* (LUPD) is the office on campus responsible for the publication and distribution of this report in accordance with the Act. The LUPD works closely with Fort Leonard Wood Police to obtain the information needed to compile this report.

The Lincoln University Police Department posts the annual report on the web in pdf format for its dissemination and the university printing office assists with the mass production of this document.

To find the Annual Security and Fire Safety Report on our website *click here*

TIMELY WARNING POLICY *(click here for LUPD Timely Warnings website)*

All members of the Lincoln University Community are notified on an annual basis that they are required to notify the FTLW Military Police and Barbra Lane of the Ft. Wood Campus of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on-going threat to the health and safety of students and/or employees on campus. The Lincoln University Police Department along with the FTLW Military Police has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation.

In addition, the FTLW Military Police has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. If Barbra Lane of the FTLW Ft. Wood Campus confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Lincoln University community, Barbra Lane will collaborate with the FTLW Military Police to determine the content of the message and will use some or all of the systems described above to communicate the threat to the Lincoln Community. ***Please note that all timely Warnings issued by Lincoln University will withhold the names of victims as confidential.***

Ms. Titus 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 including Ft. Leonard Wood Police, compromise the efforts to assist a victim(s) or to contain, respond to, or otherwise mitigate the emergency.

REPORTING CRIMES AND EMERGENCIES POLICY

The University endorses a reporting policy that strongly encourages victims to report all crimes and suspicious activity that occur within the jurisdiction of this community to the Military Police for Ft. Leonard Wood ***(Military Police)*** at 573-596-6141; regardless of their nature. The prompt reporting of suspicious activity or persons can prevent crimes. Crimes occurring off campus should be reported to the law enforcement agency having proper jurisdiction. In addition, members of the community should report the criminal offenses for the purpose of making timely warning reports and to be included in the crime statistics.

A victim of a crime off campus who is uncertain of the proper police department to contact should call Megan Titus at 573-329-5160 for assistance or the Military Police for Ft. Leonard Wood at 573-596-6141. Ms. Titus is the designated Campus Security Authority (CSA) for the Ft. Leonard Wood Campus. Lincoln University at Ft. Leonard Wood does have access to local police agencies on an immediate basis to report crime and/or ask for assistance. In addition to use of the telephone system, the University community can also contact the Military Police in person or in writing. Regardless of how reported, the department will investigate all reported incidents.

Campus Security Authority (CSA)

The Clery regulations found in *34 CFR 668.46* defines a Campus Security Authority in the following manner:

1. *A campus police department or a campus security department of an institution.*
2. *Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.*
3. *Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.*
4. ***An official of an institution who has significant responsibility for student and campus activities**, including, but not limited to, student housing, student discipline, and campus judicial proceedings. **If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.***

Campus Security Authorities (CSA)

Examples of CSA	Examples of individuals *NOT* considered CSA
A dean of students who oversees student housing, a student center or student extracurricular activities	Clerical or cafeteria staff.
A director of athletics, a team coach or a faculty advisor to a student group.	A faculty member who does not have any responsibility for student and campus activity beyond the classroom.
A student resident advisor or assistant or a student who monitors access to dormitories.	
A coordinator of Greek affairs.	
A physician in a campus health center	

It will be the role of the CSA's to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they simply need advice as to whether or not they should report an incident. If an individual chooses not to report a crime to LUPD and chooses the local police, CSA's can assist an individual in contacting the appropriate authorities. The CSA's will not be responsible for taking any actions in regards to suspected perpetrators of a crime, nor are they to make any judgments as to whether or not a crime took place; they are simply responsible for reporting crimes to the Lincoln University Police Department.

The CSA's are also not responsible for convincing victims of a crime to contact the police if victims do not want the police contacted. CSA's submit the information on crimes to the LUPD for inclusion in the crime statistics as required by law under the Clery Act for all Institutions of Higher Education that receive federal financial aid. As previously stated above, the statistical information collected for this report will not contain any names or specific locations to maintain the confidentiality of a victim.

The following programs and offices of Student Activities, Residential Life, Student Development/Civic Engagement, Student Health Services, Athletics, Career and Academic Support Services, LU ROTC, Ft. Leonard Wood Campus Nursing Program, and the Dean of Students have CSA's that are responsible for reporting information (*contact information*).

Crimes may be reported anonymously by going to the following website and completing the *anonymous report form*. The completed form will be automatically e-mailed to the LUPD. E-mails can also be sent to *lupd@lincolnu.edu*.

SECURITY POLICY

All visitors to the military base are subject to random search procedures before entry to FLW. They must show proper photo ID. The gate guards have the authority to refuse entry to any suspicious person/vehicle. Entry is denied to anyone having a felony charge in their background.

All regular visitors must apply for and receive a pass on a yearly basis. This pass is granted to students and faculty after an official background check is completed.

LAW ENFORCEMENT AUTHORITY AND POWERS

The Lincoln University Police Department is a fully functioning law enforcement agency appointed by the Board of Curators. Once hired, an officer is sworn in by a member of the Board of Curators. They then are commissioned, armed law enforcement officers clothed with full police powers as authorized in sections *175.040*, *172.350* *and as outlined in section* *172.355* of the *Revised Statutes of the State of Missouri***.**

All commissioned LUPD officers possess the same powers on the Lincoln University campus as city police officers within their particular city. In addition, commissioned LUPD personnel, by virtue of Missouri state laws like all other peace officers in the State of Missouri, possess certain statewide powers of arrest for certain offenses. Specifically, as outlined in the Revised Statutes of Missouri the applicable portions state:

"in addition to the powers prescribed in subsections 1 and 5 of this section, section 544.216, RSMo. ,and any other arrest powers, a law enforcement officer or federal law enforcement officer as defined in subsection 8 of this section, may arrest on view, and without a warrant, at any place within this state, any person the officer sees asserting physical force or using forcible compulsion for the purpose of causing or creating a substantial risk of death or serious physical injury to any person or any person the officer sees committing a dangerous felony as defined in section 556.061, RSMo. Any such action shall be deemed to be within the scope of the officer's employment".

Thus, in every respect, commissioned law enforcement officers employed by Lincoln have enforcement authority. Furthermore, by virtue of state law, LUPD personnel may apprehend violators anywhere within the State of Missouri for any offense regardless if committed in their presence, or not as long as the incident originated on the campus and that officer is attempting to apprehend, while in continuous pursuit, a violator who flees that officer from the campus. Please note that on-campus crimes reported to other local law enforcement agencies will typically be referred to LUPD, since it is the local law enforcement agency that has the jurisdiction for Lincoln University.

COUNSELING ADVISEMENT OF CRIME REPORTING

As a result of the negotiated rulemaking process which was followed by the passage of the law, the 1998 amendments to the *"Clery Act"* clarified the identity of those considered to be campus security authorities. Campus "Pastoral Counselors" and "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 crime statistics.

Pastoral counselors and professional counselors are encouraged; if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure for crime statistics.

For the purposes of the *"Clery Act",* pastoral counselors are defined *"as an employee of an 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 with the scope of that recognition as a pastoral counselor."*

Professional counselors are defined as *"an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification."*

CAMPUS SECURITY PROCEDURES AND CRIME PREVENTION

In an effort to ensure a safe and secure environment in which to live, work and study, the Lincoln University Police Department is committed to informing the members of the Lincoln University community about the functions and various safety and security programs of the department. The Lincoln University Police Department conducts presentations at each session of Freshmen Orientation. These sessions cover the purpose of the department, its organizational structure and authority, the types of crimes on campus, how to avoid becoming a victim of crime and what to do if an individual becomes a victim. Statistics are provided from the annual security report. In addition to addressing issues with students, sessions are also conducted with parents of the incoming students. A variety of *security tips* and *other links of interest* are also posted on the department website.

Furthermore, a representative of the Lincoln University Police Department meets with new students during the week of orientation mandated by university admissions personnel for all incoming freshman and transfer students. At this meeting, the Police Department representative presents an overview of the various security policies of the campus, and discuss the options available to students for reporting crimes, as well as provide helpful information designed to prevent our students from becoming victims of crimes and from engaging in prohibited conduct.

In an effort to provide proactive police and security services to the community, officers of the Lincoln University Police Department conduct a variety of security-related training and assistance upon individual or group request. *Operation I-dent*, for example, provides a service, free of charge, to students who wish to engrave their personal belongings to prevent theft. Secondly, on the department website, a variety of useful forms (such as a *property inventory form*) are posted, to help in recovering those items should they become lost and/or stolen.

MONITORING OF CRIMES AT OFF-CAMPUS ACTIVITIES

Since the Ft. Wood Campus does not have any off campus property, this section does not apply.

DRUG AND ALCOHOL PROCESSES AND PROCEDURES

BACKGROUND

On December 12, 1989, President Bush signed the *Drug-Free Schools and Communities Act Amendments of 1989 (Amendments) Public Law 101-226* Section 22 amends provisions for the Drug-Free Schools and Communities Act of 1986 and the *Higher Education Act of 1965* to require that, as a condition of receiving funds or any other form of financial assistance under any federal program after Oct. 1, 1990, a university or college must submit certification that it has adopted and implemented a drug prevention program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees (See *20 USC 1011i* & *34 CFR 86* for more info).

Lincoln University has developed and adopted the drug and alcohol awareness/prevention program described herein pursuant to the requirements set forth in the Drug-Free Schools and Communities Act. As set forth in *34 CFR 86.100*, Lincoln University is required to provide at a minimum, an annual distribution of the *Drug and Alcohol Policy* in writing to each employee and student that must contain the following:

1. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
2. A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs;
5. A clear statement of the disciplinary sanctions that Lincoln University will impose on employees and students and a description of termination of employment and referral for prosecution for the unlawful possession, use, or distribution of illicit drugs and alcohol. Disciplinary sanctions may also include completing an appropriate rehabilitation program; and
6. A statement on implementation of a biennial review by Lincoln University of its program to determine the effectiveness, implement needed changes, and ensure that disciplinary sanctions are consistently enforced.

POLICY STATEMENT

Standards of Conduct: The unlawful possession, use or distribution of illicit drugs and alcohol by students or employees on the university property or as a part of any university activity is prohibited.
A copy of this *Drug and Alcohol Policy* shall be distributed annually to each university employee and to each university student who is taking one or more classes for academic credit and students enrolled in continuing education classes.

Please note that the lawful distribution, dispensing, possession, or use of alcohol is allowed on the Lincoln University campus for those times, places, and purposes approved by the President of the University.

APPLICABLE SANCTIONS

University Disciplinary Sanctions for Students and Employees

Citations for violating the Lincoln University Drug and Alcohol Policy can be found in the *Student Code of Conduct*.

Illegal Drugs & Other Substances: Being in the presence of any drug that is prohibited by law. The manufacture, use, possession or sale of any drug that is prohibited by law. Possessing drug paraphernalia or other paraphernalia used to facilitate illegal use, and attempting to manufacture or sell counterfeit drugs are also included in this violation. (Article II.B.2.)

Alcohol: The possession, use or distribution of alcohol by students on university property or as a part of any official university activity is prohibited. Any student who violates this standard of conduct shall be subject to disciplinary sanctions. Sanctions may include suspension and/or referral for prosecution. (Article II.B.15.)

Any student or employee who violates these standards shall be subject to disciplinary sanctions. Disciplinary sanctions for students may include any of the sanctions prescribed in *Article V.B.*, including suspension or dismissal and/or referral for prosecution (community service, counseling, or other rehabilitation programs may also be required as a condition of any sanctions). The procedures for imposing student disciplinary sanctions may be found in *Article V.A.* The *Student Code of Conduct* can also be found in the *Student Handbook*.

Disciplinary Sanctions for Employees: Shall include an oral warning, a written reprimand, suspension or termination and referral for prosecution (See the *"*Drug-Free Workplace Policy*"* located in the Health and Safety section in the various *Lincoln University Employee Handbooks* for more information). Any disciplinary sanction may include the completion of an appropriate rehabilitation or counseling program.

Jefferson City Alcohol Ordinances

The following sections located in *"The Jefferson City Code"* contain the following local ordinances that mirror the state laws on alcohol violations that are applicable to faculty, staff, and students affiliated with the Lincoln University community.

Applicable sections located in *CHAPTER 4, ARTICLE II* of the City Code:

- Sec. 4-15. Sales to Minors, Drunkards, etc.
- Sec. 4-16. Purchase or possession by minors.
- Section 4-23. Misrepresentation of age by minor to obtain liquor—use of altered driver's license, passport or I.D. cards, penalties.

The following ordinances below deal specifically with the possession and/or consumption of alcohol in public places (regardless of age):

- Sec. 4-17. Public consumption.
- Sec. 4-22. Possession of open container of alcoholic beverage or consumption of alcoholic beverage in certain public places.

Missouri Legal Sanctions

Missouri Liquor Laws

The Liquor Control Law for the State of Missouri *(311 RSMo.)* provides that any person under the age of 21 years who purchases, attempts to purchase or has in his/her possession any intoxicating liquor is guilty of a misdemeanor *(311.325 RSMo)*. Anyone who shall procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years is guilty of a misdemeanor *(311.310 RSMo)*. It is a Class A misdemeanor for a property owner to knowingly allow a person under the age of 21 to drink or possess intoxicating liquor or fail to stop a minor from drinking or possessing liquor. Any subsequent violation is a Class E felony *(311.310 RSMo)*. Anyone 17 - 20 years old that uses a fake ID to obtain alcohol is also guilty of a misdemeanor *(311.320 RSMo)*. Under current Missouri law, a subject under the age of 21 who is visibly intoxicated can be arrested without being in physical possession of the intoxicating beverage. A person who has been convicted of a misdemeanor may be subjected to a fine ranging from $50.00 to $1,000.00 and/or imprisonment for up to one year *(311.880 RSMo.)*.

Missouri Offense Table for Alcohol Violations (*RSMo. 311*)

RSMo.	Description	Crime/Class
311.310	Supplying liquor to a minor or intoxicated person	Unclassified misdemeanor
311.320	Misrepresentation of age by minor to obtain liquor	Unclassified misdemeanor
311.325	Possession	Up to 1 year, D,A/misdemeanor
311.880	Misdemeanor Violations	Up to 1 year, A/misdemeanor

Under current Missouri law, a subject under the age of 21 who is visibly intoxicated can be arrested without being in physical possession of the intoxicating beverage **(**311.325 RSMo**).**

Driving While Intoxicated (DWI) in Missouri (RSMo. 577)

A person commits the crime of "driving while intoxicated" if he/she operates a motor vehicle while in an intoxicated or drugged condition (*577.010.1 RSMo.*). A person is in an "intoxicated condition" when he/she is under the influence of alcohol, a controlled substance, or drug, or any combination thereof (*577.001 RSMo.*). *An individual is considered intoxicated with any amount of a controlled substance or other specific drugs in their system.*

If you are stopped by an officer of the law in Missouri, you may be subject to receive a DWI:

- If you drive with a blood alcohol concentration (BAC) of *.08* or higher (*regardless of whether your driving ability was actually impaired 577.012 RSMo.)*; or
- It is determined that your driving ability is impaired (*even though you may be under the .08 limit*).

First offense is a class B misdemeanor subject to a fine up to $1,000 and/or 6 months imprisonment (*577.010 RSMo.*). A defendant found guilty must also participate in a Substance Abuse Traffic Offender Program (SATOP) (*302.580 RSMo.*) Multiple offenses offense range from a class A misdemeanor (a fine up to $1,000 and/or 1 year imprisonment) up to class B felony (5 - 15 years in prison) (see *577.023 RSMo.*). After multiple offenses Missouri law typically requires a driver to install an ignition interlock device on a vehicle after reinstatement of a driver's license for 6 months (*302.454 RSMo.)*.

Refusal to Take Blood Alcohol Test

Missouri law specifies that if you are driving a vehicle, you have given consent to submit to a chemical test for the purpose of determining the amount of alcohol in your blood (*577.020 RSMo.*). Refusal to take a test could result in your license being immediately revoked (*577.041 RSMo.*).

Missouri Abuse and Lose Law (Drivers Under 21)
In Missouri, the BAC limit for drivers who are under *21* is *.02*. Penalties include suspension of license *90* days (first offense); 1 year (any subsequent offense). The Abuse and Lose Law also includes the possession or use of alcohol and or drugs while driving or using a fake ID (see *302.400* & *302.425 RSMo. for more info.*).

Missouri Administrative Sanctions (RSMo. 302 specifically 302.500 – 302.540)
Individuals arrested for driving while intoxicated, driving with a blood alcohol content of *.08* or higher, or driving under the influence of drugs (DUID) are processed administratively as well as criminally (*302.505 RSMo*.). A driver license is *suspended or revoked* for 90 days for the first offense. A driver convicted of a second alcohol or drug-related offense, regardless of the length of time between convictions, will normally receive a *1-year* revocation for accumulation of points. A driver convicted a second time for an alcohol or drug-related offense within a five-year period may also receive a *5-year* license denial (*302.525 RSMo*.). A driver convicted 3 or more times for an alcohol or drug related offense will receive a *10-year* license denial (*302.060 RSMo*.). The license reinstatement process will include a SATOP along with other requirements prior to reinstatement (*302.540*, *302.304*, *&* *302.541 RSMo.)*. (See the *Missouri Department of Revenue's DWI website* for more information on revocations, suspensions and multiple offenses).

Missouri Drug Laws
Beginning January 1, 2017 chapters 195 and 579 RSMo shall be known as the "Comprehensive Drug Control Act".

The manufacturing, possession, sale, and distribution of illicit drugs *(i.e. controlled substance or imitation controlled substance)* are prohibited by state law. Penalties for first time offense for a drug possession violation can range from a fine of $1,000 to life imprisonment. Other prohibited acts include possession with intent to use drug paraphernalia and advertising the sale of drug paraphernalia. The tables below give information on penalties and fines for specific drug crimes in Missouri (see *195.010 RSMo.* for definitions and *195.017 RSMo.* for the scheduling information of controlled substances in Missouri).

Missouri Offense Table for Drug Violations (RSMo. 579)

RSMo.	Description	Prison Term
195.244	Advertisements to promote sale of drug paraphernalia or imitation controlled substances prohibited, penalty.	6 months, B/misdemeanor
579.015	Possession or control of a controlled substance. * **Triggers 10g and >35g marijuana any amount of any other controlled substance or synthetic marijuana (formerly RSMo. 195.202)**	Up to 1 year or up to 7 years, D, A/misdemeanor or D/Felony
579.020	Delivery of a controlled substance **(formerly RSMo. 195.212)**	Up to 4 – 15 years, E, C, B, /Felony
579.030	Distribution of a controlled substance near ***protected location*.** **(formerly RSMo. 195.218)**	10 years – life (30 years), A/Felony
579.040*	**Distribution, delivery, or sale of drug paraphernalia**	Up to 1 or 4 years, A/misdemeanor –E/Felony*

579.050*	**Manufacture of an imitation controlled substance**	Up to 4 years, E/Felony*
579.055	Manufacture of a controlled substance **(formerly RSMo.** 195.211**)**	Up to 4 years or 3years - life (30 years), E, C, B, A/Felony
579.065	Trafficking drugs, first degree (**formerly RSMo.** 195.222**)**	5 years – life (30 years), B/A Felony
579.068	Trafficking drugs, second degree (**formerly RSMo.** 195.223**)**	3 years – life (30 years), C, B, A/ Felony
579.072	Providing materials for production of a controlled substance (**formerly RSMo.** 195.226**)**	Up to 4 years, E/Felony
579.074	Unlawful use of drug paraphernalia,(**formerly RSMo.** 195.233**)**	Up to 1 or 4 years, D, A/misdemeanor –E/Felony
579.076	Unlawful delivery or manufacture of drug paraphernalia, (**formerly RSMo.** 195.235**)**	Up to 1 or 4 years, A/misdemeanor –E/Felony
579.078	Possession of an imitation controlled substance (**formerly RSMo.** 195.241**)**	Up to 1 year, A/misdemeanor
579.080	Delivery of an imitation controlled substance **(formerly 195.242)**	E felony
579.101	Possession or purchase of solvents to aid others in violations (**formerly RSMo.** 578.260)	Up to 6 months or Up to 4 years B/misdemeanor or E/Felony
579.103	Selling or transferring solvents to cause certain symptoms (**formerly RSMo.**578.265)	Up to 7 years, D/Felony
579.105	Keeping or maintaining a public nuisance (**formerly RSMo.** 195.202)	Up to 4 years, E/Felony
579.110	Possession of methamphetamine precursors (**formerly RSMo.** 195.420)	Up to 4 years, E/Felony
579.170	**Prior and persistent drug offenders (added increase in charge)** (formerly 195.275).	**1 or 2 classes higher than previous offense**

Medical Amnesty Law (RSMO 195.205)

The medical amnesty law offers protection from criminal liability (arrest, charge, prosecution, and conviction) to a person who calls 911 for a drug or alcohol overdose.

Crimes from which there is immunity:

1. Possession of a controlled substance
2. Unlawful possession of drug paraphernalia
3. Possession of an imitation of a controlled substance
4. Minor use of an altered ID, purchase/possession of liquor by a minor, and sale of liquor to a minor
5. Violating a restraining order and or violating probation or parole
6. Maintaining a public nuisance

The law does not provide immunity for:

- Delivery, distribution, or manufacturing of a controlled substance, except in regard to minors and alcohol.
- It's important to know that officers can still arrest someone at the scene if he/she has an outstanding warrant

In order to receive immunity, a person must first make the call to 911 for help, in good faith.

**All trafficking and distribution penalties shall be sentenced to be served without probation or parole if the court finds the defendant is a prior or persistent drug offender depending on the charge.*

Classification of Missouri Penalties and Fines for Offenses

Missouri Penalties and Fines for Offenses

Felony Class	Penalties (Years of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	10 – 30, or life	-
B	5 - 15	-
C	3 - 10	Up to $10,000
D	Up to 7	Up to $10,000
E	Up to 4	Up to $10,000
Misdemeanor Class	Penalties (Term of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	Up to 1 year	$2,000
B	Up to 6 month	$1.000
C	Up to 15 days	$750
D	-	$500
Infraction	-	$400

Employee Workers Compensation Benefits Involving Drugs and Alcohol (287.120.6 RSMo.)
If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred and if the cause of the accident was directly related to the use of drugs and/or alcohol, the employee will *not* be eligible to receive workers' compensation benefits.

If it is determined that the employee was under the influence of drugs and/or alcohol at the time a work-related injury occurred, even if the cause of the accident was not directly related to the use of drugs and/or alcohol, the employee will be assessed a reduction in workers' compensation benefits of 50 percent.

An employer can require that an employee take a drug and/or alcohol test after an accident if there is reason to believe that an intoxicating substance may be involved. An employee's refusal to take a test for alcohol or a non-prescribed controlled substance, as defined by section *195.010 RSMo*, at the request of the employer shall result in the forfeiture of benefits under this chapter if the employer had sufficient cause to suspect use of alcohol or a non-prescribed controlled substance by the claimant *or* if the employer's policy clearly authorizes post-injury testing. For more information contact the State of Missouri's Office of Administration, *Central Accident Reporting Office (CARO)* at (573) 751-2837 or email at *caro@oa.mo.gov*.

Federal Sanctions

Although most controlled substance offenses are prosecuted under state law, possession can become a federal charge in many circumstances. For example, it is a federal offense where either the defendant or the drug crossed state lines, or the offense took place in a national park, federal land, or aboard an airplane. It is a violation of federal law to possess, manufacture, or distribute a controlled substance. Defined by federal statute, controlled substances include, but are not limited to, marijuana, cocaine, PCP, LSD, and other narcotics (See *21 CFR 1308.11 – 21 CFR 1308.15* for Drug Schedule info). The severity of the sanctions imposed for both possession and distribution offenses depend on the type and quantity of drugs, prior convictions, and whether death or serious injury resulted.

Possession

A student or employee found guilty of possessing a controlled substance may be subject to some or all of the following sanctions under criminal federal law:

Fines and/or Penalties for Possession *(21 USC 844.(a))*

Conviction	Imprisonment	Fines
1st	Up to 1 year	$1,000
2nd (Incl. any previous state)	15 days to 2 years	$2,500
3rd (Incl. any previous state)	90 days to 3 years	$5,000

In addition, any individual who knowingly possesses *specific* controlled substances (i.e. heroin, cocaine, or their derivatives) may be assessed a civil fine of up to $10,000 *(21 USC 844a)*.

Manufacture, or Distribute a Controlled Substance

First conviction is a minimum of 5-10 years imprisonment to life and/or a maximum fine of $10,000,000 for an individual depending on the amount and schedule of the controlled substance involved. (See *21 USC 841(a)(1)* for more information *on "Penalties on Possession of Controlled Substance with Intent to Distribute"*)

Trafficking Penalties

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (*21 USC 860*) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense listed in *21 USC 841(b)*, with a mandatory prison sentence of at least one year (See the *US Drug Enforcement Agency (DEA) Drug Schedule Penalties* for more information on trafficking penalties).

Forfeiture of Property

Federal law may require the forfeiture of property used to possess or to facilitate possession of a controlled substance, and the forfeiture of vehicles, boats, aircraft or any other conveyances used to transport or conceal a controlled substance *(21 USC 881(a)(4))*.

Denial of Federal Benefits

If an individual is convicted on *federal or state* drug charges for possession, distribution/sale, or trafficking, the federal government may also deny or revoke federal benefits such as grants (i.e. Pell and FSEOG), loans, or work study. A student can receive financial aid prior to the end of the revocation period, if certain rehabilitation requirements are met (see the *20 USC 1091(r)*, *drug eligibility worksheet* and *studentaid.gov* for more info).

Years of Revocation for Federal Benefits

Citation	Offense	1st	2nd	3rd
20 USC 1091(r)	Possession	1	2	indefinite
20 USC 1091(r)	Distribution/Sale	2	indefinite	
21 USC 862(b)	Trafficking	5	10	indefinite

HEALTH RISKS

Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drownings, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.

Drug and alcohol use in the workplace not only contributes to lost productivity, but also causes tremendous costs related to absenteeism, accidents, health care, loss of trained personnel, and employee treatment programs. Drug and alcohol abuse causes physical and emotional dependence. Users may develop a craving for these drugs or alcohol and their bodies may respond to the presence of drugs in ways that lead to increased drug and alcohol use.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Alcohol can increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death.

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

Drugs

Like many prescription drugs, "recreational" drugs come with potentially harmful side effects that can have serious and long-term effects on your health. High doses of many of the drugs, or impure or more dangerous substitutes for these drugs, can cause immediate life-threatening health problems such as heart attack, respiratory failure, and coma. Combining drugs with each other or with alcohol is especially dangerous.

Drug Health Effects Table

	Narcotics	Depressants	Stimulants	Hallucinogens	Cannabis
Drug Name	(Opium, Morphine, Codeine, Heroin, Hydromorphone, Meperidine, Methadone)	(Chloral Hydrate, Barbiturates, Benzodiazepines, Methaqualone, Glutethimide)	(Cocaine, Amphetamines, Phenmetrazine, Methylphenidate)	(LSD, Mescaline & Peyote, Amphetamine Variants, Phencyclidine, Phencyclidine)	(Marijuana, Tetrahydrocannabinol, hashish, hashish oil)
Possible Effects	euphoria, drowsiness, respiratory depression, constricted pupils, nausea	slurred speech, disorientation, drunken behavior without odor of alcohol	increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	analogues, illusions, & hallucinations, poor perception of time and distance	euphoria, relaxed inhibitions, increased appetite, disoriented behavior
Effects of Overdose	Slow & shallow breathing, clammy skin, convulsions, coma, possible death	shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	agitation, increase in body temperature, hallucinations, convulsions, possible death	Longer, more intense "trip" episodes, psychosis, possible death	fatigue, paranoia, possible psychosis
Withdrawal Syndrome	watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating	anxiety, insomnia, tremors, delirium, convulsions, possible death	apathy, long periods of sleep, irritability, depression, disorientation	withdrawal syndrome not reported	insomnia, hyperactivity, decreased appetite occasionally reported
Risk of Physical Dependence	High	Moderate to High	Possible	Unknown	Unknown
Risk of Psychological Dependence	High	Moderate to High	High	Unknown, High for Phencyclidine and analogs (i.e. PCP)	Moderate

(See the *Lincoln University Drug and Alcohol Awareness page* for additional information on health risks)

EDUCATIONAL INFORMATION

The University has developed an annual educational programs consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis, may include sessions such as: skits, a residence hall speaker series, and annual poster series. These educational programs are typically put on by *Student Health Services*, *Residential Life*, *Student Activities & Greek Life*, *and the Lincoln University Police Department* and other various organizations around campus

Alcohol and Drug Awareness Programs in 2021

Date	Program Name	Program Sponsor(s)	Audience
10/20/21& 11/30/21	Opioid Education/Awareness	Missouri Partners in Prevention/LU Thompkins Health Center	Students
10/29/21	Alcohol Education/Awareness	LU Thompkins Health Center	Students

COUNSELING INFORMATION

As a part of its drug prevention program, the university has prepared the following information summary for educational purposes. Lincoln University also provides counseling services located at Student Health Services center. *Student Health*, *Residential Life*, and Student Activities also sponsor various Drug & Alcohol Abuse Education programs throughout the year on an as needed basis.

Counseling Services: Lincoln University has a counselor on staff with *Student Health Services* located at the Thompkins Health Center that can be reached at (573) 681-5164. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm.

In 1980, the State of Missouri created the *Division of Alcohol and Drug Abuse* as a division of the *Department of Mental Health*, and in the spring of 2013 the *Division of Alcohol and Drug Abuse* became the Division of Behavioral Health. Among the responsibilities of the Division is the provision of public information relating to alcohol and drug abuse and its prevention, treatment and rehabilitation *(631.010 RSMo.)*. You can contact the *Division of Behavioral Health* at (573) 751-4942 or *click here* for additional information on district counseling offices.

Other counseling and/or treatment resources available close to the Jefferson City Campus:

- *Alcoholics Anonymous (Cole County)* 573-636-5499
- *Center for Family and Individual Counseling* (573) 446-5034
- *Pathways Community Health (alcohol and Substance Abuse)* (844) 853-8937
- *Capital Region Medical Center* (573) 632-5560
- *St. Mary's Health Center* (573) 634-5303
- *Drug Abuse.Org Treatment Centers List (Jefferson City, Mo)*

Counseling and/or treatment resources available close to the Ft. Leonard Wood Campus:

- *Alcoholics Anonymous (Phelps & Pulaski County)* (573) 364-5154
- *Phelps County Regional Medical Center Outpatient Services* (573) **458-8899**
- *Drug Abuse.Org Treatment Centers List (Waynesville, Mo)*

Hotline numbers for counseling services and information include:

- Cocaine Help: (1-800-COCAINE)
- *Marijuana Anonymous*: (1-800-766-6779)
- *National Institute for Drug Abuse* (NIDA): (1-301-443-4577)
- *Substance Abuse and Mental Health Services Administration* SAMHSA: (1-800-662-HELP (4357))

*The university makes no endorsement with regard to any counseling/treatment facility and assumes no responsibility for the quality of services available (*see the *Lincoln University Drug and Alcohol Awareness page* for additional information on educations resources).

Faculty & Staff Specific Counseling Information: The current *Employee Assistance Program* (EAP) is made available through the University's current health care provider. The university's benefit plans, including hospitalization and salary continuation (to the extent vacation and sick leave annual balances are available), may be used for treatment of substance abuse as for any other diseases or disabilities. Please contact Human Resources at (573) 681-5018 or visit the *HR website* to obtain more information on drug and alcohol counseling services from the current health care provider.

BIENNIAL REVIEW

Lincoln University shall conduct biennial reviews of the university's drug prevention program to determine the effectiveness of the program and to recommend/implement changes as appropriate. Each such review shall also include an evaluation of disciplinary sanctions imposed during the review period to ensure that these sanctions are consistently enforced. A copy of this review shall also be made available to the Department of Education and the public upon request. Requests can be made at the Office of Student Affairs.

EMERGENCY RESPONSE AND EVACUATION

In compliance with *34 CFR 668.46(g)* the following describes the policies of Lincoln University's Emergency Response and Evacuation procedures.

Fort Leonard Wood (FTLW) Campus of the Ft. Wood Campus has developed a Crisis Management Plan that includes information about the University's response to emergency situations. Fort Leonard Wood Ft. Wood Campus conducts exercises each year and tests the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

In the event of a serious incident which poses an immediate threat to members of the Lincoln University community, Ft. Wood Campus has systems in place for communicating information quickly to those individuals. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include Telephonic, Intranet and face to face communications. These systems are tested on an annual basis and may or may not be announced.

Lincoln University utilizes the Rave Guardian system on the main campus to send out emergency messages.

If you are interested in signing up for the Rave Guardian Notification System please follow these directions:

1. Visit getrave.com/login/lincolnu
2. You will be directed to log in to the University portal
3. Complete registration information
4. **DON'T FORGET TO OPT-IN**

MISSING STUDENTS

Since the Ft. Leonard Wood Campus does not have any campus housing facilities, this section does not apply.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROCESSESS AND PROCEDURES

POLICY STATEMENT

Lincoln University does 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 also 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, Lincoln University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, 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 University official. In this context, Lincoln University 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 members of the university community. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved. No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this policy.

DEFINTIONS

Comparison of Missouri and Federal Sexual Assault Definitions

Section 304 of VAWA stipulates that an Institution of Higher Education must provide the local statutory definition of consent for its jurisdiction in its Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy. The Final Rule was promulgated under rulemaking on November 1, 2014 and shall became effective July 2015. The final rule updates can be found in *34 CFR 668.46* & *34 CFR 668 Appendix A*. No changes were made to *34 CFR 668.49 Institutional fire safety policies and fire statistics*.

Definitions of sexual assault, domestic violence, dating violence, and stalking can be found in section 304 of Public Law 113-4 "*The Violence Against Women Act 2013*" (VAWA). However, institutions must also abide by the state statues that reflect the federal definitions.

Definitions

Missouri sexual offenses statutes *can be found in RSMO. 566 (see Sexual Offense and VAWA Crimes Tables* and *566.010 Definitions of Sexual Offenses* for more info*).*

"Consent" 556.061(14)

Consent or lack of consent may be expressed or implied.

Assent does not constitute consent if:

(A) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

(B) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(C) It is induced by force, duress or deception;

- ✓ ***"No"*** means ***"No"***
- ✓ ***"No"*** can be expressed or implied ***(it does not have to be spoken)***
- ✓ ***"Yes"*** means ***"No"*** if conditions ***a, b, or c*** listed above exist

Note on consent and age (reason of youth) in regards to sexual activity in Missouri

- If you are ***21 or older***, **17** is the minimum age of consent.
- If you have sexual contact with an individual and you are more than ***4 years older*** than the individual that is at least **14**, you can be charged with Child molestation 4th degree (566.071 RSMO).

(***Based on current Child molestation statutes in*** 566.067 through 566.103 RSMO***, consult your legal counsel for more info***)

*"**Incapacitated**" 556.061(28) RSMO, a temporary or permanent physical or mental condition in which a person is unconscious, unable to appraise the nature of his or her conduct, or unable to communicate unwillingness to an act;*

"***Sexual contact***" *566.010(6) RSMO,* any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying the sexual desire of any person *or for the purpose of terrorizing the victim*;

*"**Sexual assault**" 455.010(1)(e) RSMO.*, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that persons consent;

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

A. ***Rape (FBI UCR) –*** 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 (*Definition effective 01/01/13 from FBI UCR*).
Also see "Frequently Asked Questions about the Change in the UCR Definition of Rape May 20, 2013"

Corresponding Missouri Statutes
Rape ***(No longer forcible rape in Mo Statute)***
566.030 Rape in the first degree, penalties—suspended sentences not granted, when.
566.031 Rape in the second degree, penalties.
(Count statutory rape as rape if it is without consent)

Sodomy **-** Oral or anal sexual intercourse with another person, 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 or physical incapacity.

Corresponding Missouri Statutes
566.060 Sodomy 1st Degree, penalties--suspended sentence not granted, when.
566.061 Sodomy 2nd Degree (Formerly Deviate Sexual Assault 566.70), penalties--suspended sentence not granted, when.
566.062 Statutory Sodomy 1st Degree
566.064 Statutory Sodomy 2nd Degree

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, 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 or physical incapacity (Please note that a finger or hand is also considered an object).

Corresponding Missouri Statutes
566.060 Sodomy 1st Degree, penalties--suspended sentence not granted, when.
566.061 Sodomy 2nd Degree (Formerly Deviate Sexual Assault 566.70), penalties--suspended sentence not granted, when.
566.062 Statutory Sodomy 1st Degree
566.064 Statutory Sodomy 2nd Degree

34 CFR 668 Appendix A ***was updated during the 2013 rulemaking process to correspond with the 2013 UCR expanded definition of Rape (which includes the crimes of sodomy and sexual assault with an object).***

B. ***Fondling (FBI UCR NIBRS)*** **-** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Corresponding Missouri Statutes
Sexual Abuse
566.100 Sexual abuse in the first degree, penalties.
566.101 Sexual abuse, second degree, penalties.
566.071 Child Molestation 4th degree
566.068 Child Molestation 2nd degree

C. ***Incest (FBI UCR NIBRS)*** **-** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Corresponding Missouri Statutes
568.020 Incest

D. ***Statutory Rape (FBI UCR NIBRS)*** **–** Non-forcible sexual intercourse with a person who is under the statutory age of consent (See page 40 of **"**The National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program 2013 Handbook (NIBRS)".

Corresponding Missouri Statutes (Counted only if crime is non-forcible)
566.032 Statutory Rape 1st Degree (twenty-one years of age or older, that has sexual intercourse with another person who is less than seventeen years of age.)
566.034 Statutory Rape 2nd Degree
(Sexual Intercourse with a person who is under the age of 14 in Missouri)

Federal Law Violence Against Women Act (VAWA) Crime Categories Additions

Definitions used in section the Violence Against Women Act of 1994 (42 U.S.C. 13925(a))
After completion of the negotiated federal rule making these definitions will be codified in 34 CFR 668.48(a).

***Domestic Violence*:**

1. A felony or misdemeanor crime of violence committed--
   (i) By a current or former spouse or intimate partner of the victim;
   (ii) By a person with whom the victim shares a child in common;
   (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
   (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
   (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

***Dating Violence*:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purpose of this definition-
   (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   (ii) Dating violence does not include acts covered under the definition of domestic violence.

***Stalking*:**

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
   (i) Fear for the person's safety or the safety of others; or
   (ii) Suffer substantial emotional distress.
2. For the purpose of this definition –
   (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
   (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
   (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

Applicable Missouri Laws (Revised Statutes of Missouri (RSMO.)

MISSOURI STATUTE DEFINTIONS ON DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING *(See RSMO. 455 For more info)*

Domestic Violence (455.010(5) RSMO.) is "***abuse***" or "***stalking***" committed by a "***family or household member***"

Dating Violence is considered the same as domestic violence under current Missouri law in the definition for domestic assault based on the definition of ***"Family" or "Household Member"***

"***Family or Household Member***" (455.010(7) RSMO.) *"spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past,* ***any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim****, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;"*

*"**Abuse**"* (*455.010(1) RSMO.*) includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

a. ***"Assault"***, purposely or knowingly placing or attempting to place another in fear of physical harm;
b. ***"Battery"***, purposely or knowingly causing physical harm to another with or without a deadly weapon;
c. ***"Coercion"***, compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;
d. ***"Harassment"***, engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child.
   Such conduct might include, but is not limited to:
   i. Following another about in a public place or places;
   ii. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;
e. *"Sexual assault"*, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that persons consent;*
f. ***"Unlawful imprisonment"***, holding, confining, detaining or abducting another person against that person's will;

"Stalking" (*455.010(14) RSMO.*) is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person, **or a person who also resides together in the same household with the person seeking the order of protection** when it is reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

a. "Alarm" means to cause fear of danger of physical harm; **and**
b. "Course of conduct" means a pattern of conduct composed of **two or more** acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact;

MISSOURI STATUTE ON CRIMES THAT COVER DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Domestic Assault *(*RSMO. 565*) (Similar to Domestic Violence in Federal but Domestic Violence includes Dating Violence in definition) (See* Missouri Bar Handbook on Domestic violence *)*

565.072 Domestic assault, first degree--penalty

1. A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.
2. The offense of domestic assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, in which case it is a class A felony.

565.073 Domestic assault, second degree--penalty

1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:
   (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
   (2) Recklessly causes serious physical injury to such domestic victim; or
   (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.
2. The offense of domestic assault in the second degree is a class D felony.

565.074 Domestic assault, third degree--penalty

1. A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section 565.002.
2. The offense of domestic assault in the third degree is a class E felony.

565.076 Domestic assault, fourth degree--penalty

1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and:

   (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;
   (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
   (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
(5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or
(6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of assault of a domestic victim two or more times, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

565.225 Stalking, first degree, penalty.

1. As used in this section and section 565.227, the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:
   (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or
   (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
   (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
   (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or
   (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or
   (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.
3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.
4. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.
5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, in which case stalking in the first degree is a class D felony.

565.227. Stalking, second degree, penalty.

1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.
2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.
3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.
4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, in which case stalking in the second degree is a class E felony.

Other VAWA Crimes Related in Missouri Statute

565.090 Harassment 1st degree (harassment is a precursor to stalking)

A person commits the offense of harassment in the first degree if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person, and such act does cause such person to suffer emotional distress.

1. The offense of harassment in the first degree is a class E felony.
2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violation of federal, state, county, or municipal law.

565.091 Harassment 2nd degree

1. A person commits the offense of harassment in the second degree if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person.
2. The offense of harassment in the second degree is a class A misdemeanor.

565.240 Unlawful Posting Info on Internet

1. A person commits the offense of unlawful posting of certain information over the internet if he or she knowingly posts the name, home address, Social Security number, or telephone number of any person on the internet intending to cause great bodily harm or death, or threatening to cause great bodily harm or death to such person.
2. The offense of unlawful posting of certain information over the internet is a class C misdemeanor.

565.252. Invasion of privacy

1. A person commits the offense of invasion of privacy if he or she knowingly:
   (1) Photographs, films, videotapes, produces, or otherwise creates an image of another person, without the person's consent, while the person is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy; or
   (2) Photographs, films, videotapes, produces, or otherwise creates an image of another person under or through the clothing worn by that other person for the purpose of viewing the body of or the undergarments worn by that other person without that person's consent.
2. Invasion of privacy is a class A misdemeanor unless:
   (1) A person who creates an image in violation of this section distributes the image to another or transmits the image in a manner that allows access to that image via computer;
   (2) A person disseminates or permits the dissemination by any means, to another person, of a videotape, photograph, or film obtained in violation of this section;
   (3) More than one person is viewed, photographed, filmed or videotaped during the same course of conduct; or
   (4) The offense was committed by a person who has previously been found guilty of invasion of privacy in which case invasion of privacy is a class E felony.
3. Prior findings of guilt shall be pleaded and proven in the same manner required by the provisions of section 558.021.
4. As used in this section, "same course of conduct" means more than one person has been viewed, photographed, filmed, or videotaped under the same or similar circumstances pursuant to one scheme or course of conduct, whether at the same or different times.

573.110 Non-Consensual Dissemination of Private Sexual Images

See RSMO 573.110 for the complete statute……

2. A person commits the offense of nonconsensual dissemination of private sexual images if he or she:
   1) Intentionally disseminates with the intent to harass, threaten, or coerce an image of another person:
      a) Who is at least eighteen years of age;
      b) Who is identifiable from the image itself or information displayed in connection with the image; and
      c) Who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part;
   2) Obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and
   3) Knows or should have known that the person in the image did not consent to the dissemination.

573.112 Threatening the Non-Consensual Dissemination of Private Sexual Images

Threatening the nonconsensual dissemination of private sexual images, offense of — elements — penalty.

1. A person commits the offense of threatening the nonconsensual dissemination of private sexual images if he or she gains or attempts to gain anything of value, or coerces or attempts to coerce another person to act or refrain from acting, by threatening to disseminate an image of another person, which was obtained under circumstances in which a reasonable person would know or understand that the image was to remain private, against the will of such person:

    1) Who is at least eighteen years of age;
    2) Who is identifiable from the image itself or information displayed in connection with the image; and
    3) Who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part.

2. The offense of threatening the nonconsensual dissemination of private sexual images is a class E felony.

Missouri Penalties and Fines for Offenses

Felony Class	Penalties (Years of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	10 – 30, or life	-
B	5 - 15	-
C	3 - 10	Up to $10,000
D	Up to 7	Up to $10,000
E	Up to 4	Up to $10,000
Misdemeanor Class	Penalties (Term of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	Up to 1 year	$2,000
B	Up to 6 month	$1.000
C	Up to 15 days	$750
D	-	$500
Infraction	-	$400

(See Missouri Sexual Offenses & VAWA Crimes Tables for more info.)

BYSTANDER INVENTION INFORMATION

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

1. **Notice the Incident**
   Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation there is no reason to help.

2. **Interpret incident as emergency**
   Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance. Again, if people do not interpret a situation as one in which someone needs assistance, then there is no need to provide help.

3. **Assume Responsibility**
   Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if there are other bystanders present. When other bystanders are present responsibility for helping is diffused. If a lone bystander is present, he or she is more likely to assume responsibility.

4. **Decide How To Respond Appropriately**
   Once you have decided to act, you want to consider the best way to safely intervene.

   Some of the options include:
   1. **Directly responding** - You take responsibility as the person intervening and you confront the situation directly.
   2. **Distraction** - You use distraction to redirect the focus somewhere else.
   3. **Delegate** - You ask someone else to intervene, be it the police, security, or someone else.
      This might include delegating to:
      - LUPD — Lincoln University Employees
      - Supervisors — Colleagues/Other Students
      - Human Resources — External Police/9-1-1
      - Local Domestic Violence Center — Hotline or website resources

5. **Take Action**
   - Whether this is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security.
   - The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
   - Educate yourself about interpersonal violence AND share this info with friends
     Confront friends who make excuses for other people's abusive behavior Speak up against racist, sexist, and homophobic jokes or remarks

Tips for Intervening In a situation potentially involving sexual assault, relationship violence, or stalking:

- Approach everyone as a friend
- Do not be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

See "*The Bystander Intervention Playbook*" for more info on intervening techniques
(Adapted from information presented by the University of Wisconsin La Crosse)

WARNING SIGNS OF AN ABUSIVE PERSON

This is a list of behaviors that are seen in people who abuse their partners. The first four behaviors (past abuse, threats of violence, breaking objects and any force during an argument) are almost always seen in an abusive person. If someone exhibits more than three of any of these warning signs, there is a strong potential for abuse in the relationship. An abuser may exhibit only a few of these behaviors, but they may be quite exaggerated.

- **Past abuse**
  An abuser may say, "I hit someone in the past, but she made me do it." An abusive person who minimizes what happened with a previous partner is likely to be violent with their current partner. Abusive behavior does not just go away; long-term counseling and a sincere desire to change are necessary.

- **Threats of violence or abuse**
  Threats can involve anything that is meant to control the victim. For example, "I'll tell your parents about your drug use if you don't do what I want." Healthy relationships do not involve threats, but an abusive person will try to excuse this behavior by saying that "everybody talks like that."
- **Breaking objects**
  An abuser may break things, beat on tables or walls or throw objects around or near the victim. This behavior terrorizes the victim and can send the message that physical abuse is the next step.

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

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

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

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

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

- **Isolation**
  The abuser will attempt to diminish and destroy the victim's support system. If a female victim has male friends, she is accused of being a "whore." If she has female friends, she is accused of being a "lesbian." If she is close to her family, she is accused of being "tied to the apron strings." The abuser will accuse people who are close to the victim of "causing trouble."

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

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

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

- **Cruelty to animals or children**
  An abuser may brutally punish animals or be insensitive to their pain or suffering. Pets can be used to control the victim or to emotionally abuse them.
- **"Playful" use of force during sex**
  The abuser may like to hold the victim down during sex. They may want to act out sexual fantasies in which the victim is helpless. An abuser may show little concern about whether the victim wants to have sex and use sulking or anger to manipulate the victim into compliance. They may demand sex or start having sex with the victim when they are sleeping or very intoxicated.

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

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

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

Help Reduce Your Risk and Avoid Potential Attacks

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

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

1. Get help by contacting the Campus Counselor and/or Student Health Center for support services
2. Learn how to look for "red flags" in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider getting a *protective order* or stay away order
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
5. Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

Sexual Assault Prevention (From RAINN)

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible
- If you suspect you have been drugged, go to a hospital and ask to be tested
- Keep track of how many drinks you have had
- Try to come and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours

Traveling around campus (walking)

- Make sure your cell phone is easily accessible and fully charged
- Be familiar with where emergency phones are installed on the campus
- Be aware of open buildings where you can use a phone
- Keep some change accessible just in case you need to use a pay phone
- Take major, public paths rather than less populated shortcuts
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walking back from the library very late at night is sometimes unavoidable, so try to walk with a friend

- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, try calling campus security. Many campuses offer safe ride programs

EDUCATIONAL PROGRAMS

Lincoln University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking in federal and state laws in Missouri;
c. Defines what behavior and actions constitute consent to sexual activity in the State of Missouri;
d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Lincoln University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis, may include sessions such as: skits, a residence hall speaker series, an annual poster series.

Sexual Assault, Domestic Violence, Dating Violence, Stalking Programs 2021

Date	Program Name	Program Sponsor(s)	Audience
8/10/21	Adapting to College Life	LU Thompkins Health Center	Students
11/9/21	Relationship Violence Prevention/ Bystander Education	LU Residential Life Services	Students

POSSIBLE SANCTIONS AND PROTECTIVE MEASUES FOLLOWING A CRIME OF RAPE, DATE/AQUAINTENCE RAPE, DOMESTICE VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

Sexual offense, domestic violence, dating violence, and stalking cases referred to the Lincoln University Student Conduct system may result in the perpetrator being suspended from the university. More than one sanction may be recommended or imposed for any single violation when deemed appropriate by the Judicial Officer or Disciplinary Committee. All disciplinary sanctions are noted in the student's non-academic student file. Records of suspended students are kept indefinitely. Sanctions for students may involve change in living arrangements, counseling, community service, suspension, "No-Contact" order, or expulsion depending on the circumstances specific to the case (see the *Lincoln University Student Code of Conduct* for more info).

Faculty or staff found to be in violation of this policy will be subject to discipline up to and including written reprimand, suspension, demotion, or termination. (See the Lincoln University *Employee Handbooks* for more information). Any disciplinary sanction may include the completion of an appropriate counseling or other rehabilitation program. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law (See *Missouri Sexual Offenses & VAWA Crimes Tables*).

PROCEDURES VICTIMS SHOULD FOLLOW IF A SEXUAL OFFENSE, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING HAS OCCURED

The first priority of a victim of sexual assault or domestic violence is to get to a place of safety, then to obtain necessary medical attention as soon as possible. *Jefferson City Capitol Region Hospital*, and *Phelps County Regional Medical Center* (Ft. Wood Campus) have certified ER hospital staff members that are authorized to perform medical/legal examinations. An assault should be reported directly to the *Lincoln University Police Department (LUPD)* (573-681-5555 or 911), Ft. Wood Military Police (573-596-6141 or 911), the *Dean of Students* (681-5128), the *Student Health Center* (681-5476), the *Director of Student Housing* (681-5971), or if applicable, the *Director of a Student's Residence Hall*. Reports can also be made online at https://bluetigerportal.lincolnu.edu/web/title-ix/report-online (anonymous reporting is also available on webpage). Although Lincoln University strongly advocates that a victim of sexual assault or domestic violence, dating violence, or stalking report the incident to the Lincoln University Police Department in a timely manner, it is the victim's choice to make such a report and the victim has a right to decline involvement with the police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to the incident more difficult. If a victim chooses not to make a complaint regarding and incident, he or she nevertheless should consider speaking with the Lincoln University Police Department or other law enforcement agency to preserve evidence in the event that the victim changes his or her mind at a later date.

Preserving Evidence for Sexual Assaults

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal exam victims of rape or assault should not bathe, changes clothes, douche, use toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours or so that the evidence may be preserved. 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 diseases.

Preserving Evidence for Victims of Violence

Victims of violence should not bathe or change clothes prior to documentation of physical evidence. Preserving evidence may be necessary to prove criminal domestic violence, dating violence, stalking, or in obtaining a protection order. If victims do not opt for forensic evidence collection, health care providers can still treat injuries.

Preserving Evidence for Victims of Stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings (i.e...Facebooks, twitter, etc…etc), computer screenshots, voicemails, or any other form of evidence that would be helpful.

Reporting an Incident to LUPD

To report the incident to LUPD, an individual should contact the Lincoln University Police Department at (573) 681-5555 or by dialing 911 or by use of any red campus emergency phone, or by reporting to the on-scene officer, if he or she has already been summoned. If a report of an assault has been made to another university official, they will assist in making a report to the Lincoln University Police Department, if requested.

Filing a police report with a Lincoln University Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

However, filing a police report will however do the following:

- Ensure that a victim of sexual assault, dating violence, or domestic violence receives a safe escort to Capitol Region or St. Mary's Hospital to receive the necessary medical treatment at no expense to the victim (if the victim chooses to do so);
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (see information on preserving evidence above);

Please note that evidence can still be collected a Sexual Assault Nurse Examiner even if the victim chooses not to make a report to law enforcement.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the university's Student Conduct System, or only the latter. Victims also have the option of contacting the Title IX coordinator, various Responsible Employees or a *campus security authority* (CSA)'s to discuss reporting options. One of these university representatives will guide the victim through the available options and support the victim in his or her decision. A victim may also choose to speak confidentially to the Lincoln University Counselor located at the Thompkins Health Center.

Reporting an Incident to Other Campus Security Authorities

It will be the role of the campus security authority (CSA) to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they simply need advice as to whether or not they should report an incident. If an individual chooses not to report a crime to LUPD and chooses to report to any of the other local police, CSA's can assist an individual in

contacting other law enforcement agencies such as the *Jefferson City Police Department* at (573) 634-6400 or *Cole County Sheriff's Office* at (573) 634-9160. ***Please note*** that on-campus crimes reported to these agencies will typically be referred to LUPD, since it is the local law enforcement agency that has the jurisdiction for Lincoln University. CSA's will not be responsible for taking any actions in regards to suspected perpetrators of a crime, nor are they to make any judgments as to whether or not a crime took place; they are simply responsible for reporting crimes to the Lincoln University Police Department.

CSA's are also not responsible for convincing victims of a crime to contact the police if victims do not want the police contacted. LUPD will send all Campus Security Authorities requests for information on crimes which were reported to the CSA for inclusion in yearly campus safety statistical reporting. As noted by law, all Universities receiving federal financial aid must report the statistical information on crimes that occur on campus and include them in an annual report. If it is determined by Lincoln University that the alleged perpetrator(s) pose a serious and immediate threat to the University community the University is also obligated by law to make timely warnings to protect the campus. The statistical information and "Timely Warnings" will not contain any names or specific locations to maintain the confidentiality of a victim (see "*Confidentiality of Victims*" for more information).

The following programs and offices listed below have CSA's that can assist a victim of sexual assault, domestic violence, dating violence, and stalking:

Office/Program	**Location** (*Campus Map*)	**Phone Number**
Athletics	202 Jason Gymnasium	(573) 681-5953
Access and Ability Services	304 Founders Hall	(573) 681-5162
Career and Academic Support Services	232A Page Library	(573) 681-5975
Dean of Students	301 Young Hall	(573) 681-5128
Lincoln University Department of Nursing (Ft. Leonard Wood Campus)	Building 733 Colorado Avenue, Fort Leonard Wood, MO	(573) 329-5160
Lincoln University Police Department	900 Leslie Boulevard	(573) 681-5555
Lincoln University ROTC	903 Lafayette Street	(573) 681-5350
Residential Life	301 Young Hall	(573) 681-5971
Student Activities	210 Scruggs Center	(573) 681-5036
Student Conduct	301 Young Hall	(573) 681-5585
Student Health Services	822 Lee Drive	(573) 681-5476
Title IX Coordinator, Zakiya Brown	304C Young Hall	(573) 681-5003

In cases where an individual may be a ***"Responsible Employee"*** *(under Title IX)* ***and CSA*** *(under Clery)*, the individual will make it known that their role as a "Responsible Employee" takes precedence over CSA responsibilities for confidentiality purposes (see the *"STATISTICAL REPORTING AND TIMELY WARNING OBLIGATIONS UNDER THE CLERY ACT"* section located in the *Title IX Sexual Harassment, Sex Equity, and Gender-Based Discrimination Processes and Procedures*).

Reporting an Incident to a Counselor

Campus "Pastoral Counselors" and "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 crime statistics and the information can be disclosed confidentially. However, pastoral counselors and professional counselors are encouraged; if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis (see *counseling services* section below for contact info for the campus counselor and additional off-campus resources).

University Responsibilities in Regards to Orders of Protection

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

All commissioned LUPD officers possess the same powers on the Lincoln University campus as city police officers within their particular city. The Lincoln University Police Department shall enforce any violation of an *Ex Parte* Order of Protection or Full Order of Protection by a respondent in the same manner as any police officer in any jurisdiction. A violation of either type of order in Missouri is considered a class A misdemeanor (1-year imprisonment and/or $1,000 fine) for the first offense and any subsequent offense is treated as a class D felony (up to 4-years imprisonment and/or $5,000 fine) per *455.085 RSMO.* Any person who obtains an Order of Protection from Missouri or any other state should provide a copy to LUPD and/or the Title IX Coordinator. Depending on conditions specified in a particular order the University may make arrangements with both parties that permit access to classrooms, library, the cafeteria, and/or any other public places. These arrangements shall be made to ensure normal access to public areas that do not violate the terms and conditions of the Order of Protection under normal day to day activities

How to File an Order of Protection

In Jefferson City a *Petition for Order of Protection* can be filed at the *Cole County Circuit Clerk's Office*. This office is located in the *Cole County 19th Judicial Circuit Court* building located at 301 East High Street, Jefferson City, MO 65101. The Missouri Adult Abuse Act requires that court clerks explain how to file all of these necessary forms and documents. In addition, most counties have victim advocates to assist you in the process for filing for an Order of Protection and they may even go with you to court. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from domestic violence or a motion for hearing on violation of any order of protection may be

filed with the *Cole County Sheriff's Office* at 350 East High Street, Jefferson City, MO 65101 *(contact LUPD, JCPD, Cole County Sheriff's Office, or review the Missouri Courts Forms* Adult Abuse page and the *"Domestic Violence and the Law: A Practical Guide for Survivors"* from the Missouri Bar for more info on Orders of Protection).

Ft. Wood Campus Information for Filling an Order of Protection

Pulaski County Circuit Clerk's Office, 301 Historic 66 East Suite 202, Waynesville, MO. 65583 at (573) 774-6196 and the *Pulaski County Sheriff's Department*, 301 Historic 66 East Suite 136, Waynesville, MO. 65583, at (573) 774-6196.

"*No Trespass*" Orders

If there is enough reason to believe (through investigation) that an individual is likely to cause harm to any member on campus the Lincoln University Police Department can issue a *No Trespass* order. Any individual found to be on campus after a *No Trespass* order has been issued against them may be immediately be arrested by the Lincoln University Police Department. "*No Trespass*" orders can be issued against any member of the Lincoln University community (students, faculty, or staff) or the public. No Trespass Orders can be issued by LUPD for a 5 day period and can be extended to a year or longer upon approval by the Lincoln University President. A violation of a No Trespass Order is a class B Misdemeanor that could result in up to 6 months in jail and/or $500 fine per *569.140 RSMO*.

Retaliation against any member of the Lincoln University community, acting in good faith, who has made a complaint of threatening or potentially violent behavior, is a very concerning violation of the student code of conduct. Any violation of these polices will also result in serious disciplinary action and/or academic suspension or expulsion.

"*No Contact*" Order

If the circumstances of an alleged violation is judged to be severe enough by the Dean of Students or LUPD, the university reserves the right to impose a "No Contact" order prior to a conduct hearing has occurred. The use of a "No Contact" order is used when there is a threat to the health and safety of the respondent and/or other members of the university community. "No Contact" orders restrict individuals from entering specific university buildings and activities to eliminate contact with alleged victims and/or other forms of contact with certain person(s). A "No Contact" order can be a temporary order in place while a conduct case or appeal is pending, or extended to a longer period of time to protect the student(s) and/or other members of the university community from threats to their health or safety (see the *Lincoln University Student Code of* Conduct for more info on "No Contact" Orders).

PROCEDURES FOR INSTITUTIONAL ACTION IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

If the assailant is a student, regardless of criminal or civil action, campus administrative action may be initiated through the Student Conduct system. Specific violations related to domestic violence, dating violence, sexual assault, stalking, and retaliation in the *Lincoln University Student Code of Conduct* are **Assault** (Article II.B.7), **Harassment** (Article II.B.8), and **Sexual Misconduct** (Article II.B.9).

Student Conduct Procedures

All Student Conduct proceedings shall provide a prompt, fair, and impartial investigation and resolution; and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Filing a Complaint

Any university official or student may file a complaint against a student based on a violation of Lincoln University's *Student Code of Conduct*, *Residence Hall Rules and Regulations*, *University Rules and/or Regulations*, or other *University Policies*. In order to file a complaint, an individual must fill out the Lincoln University Incident Form (IRF). This form is available online at: *https://www.formstack.com/forms/LU_MO-irf)*. The University Judicial Officer has the responsibility to receive and, where appropriate, investigate complaints arising out of a claim(s) that the one the University policies has been violated. After receiving a complaint, the Judicial Officer will determine through investigation if the alleged charges have merit. Any student charged with a violation will be scheduled for a Pre-Hearing Conference meeting to begin the investigative process. ***Please note that all Lincoln University employees other than professional and pastoral counselors also have reporting requirements that must be fulfilled under the Title IX policy (see the Title IX Sexual Harassment, Sex Equity, and Gender Discrimination Processes and Procedures for more info).***

Pre-Conference Hearings

If the case merits a hearing, a written notice along with a hearing date and time will be sent to the student. The student will be given the choice to waive his/her right to a hearing. If the student waives his/her right to a hearing, he/she accepts responsibility for all charges. In the event that a student waives the right to a hearing during the Pre-Hearing Conference, the Judicial Officer will examine the information available, and if the information reviewed indicates that the accused student is responsible, render a sanction (*see possible sanctions*). If the information available does not indicate that the accused student is responsible, the student will be found not responsible. If the student pleads "not responsible," the case will be forwarded to the appropriate disciplinary committee. When a student waives the right to a hearing, sanctions may be appealed to the University President.

Conduct Hearings

In the case of a Conduct Hearing, the Judicial Officer will arrange for the hearing by scheduling a meeting of the Student Life Review Board or the Residence Hall Conduct Council.

- Student Life Review Board (SLRB): The Board generally hears cases that may result in suspension. The SLRB consists of a combination of faculty, staff, and students. The quorum is five voting members; the chair shall not have a vote. The SLRB makes confidential recommendations for disciplinary actions to the Dean of Students who will impose sanctions. Suspension sanctions may be appealed to the President.
- Residential Hall Conduct Council: The council hears cases of residential hall violations. The council consists of resident advisors, resident directors, students and staff. The quorum is five members. The council's decisions may be appealed to the Dean of Students and these decisions are final.

Standard of Evidence

The standard of proof used for a student conduct case is a *preponderance of evidence*. This means a **greater** than 50% chance (based on the evidence by the complainant), that the student is responsible for the code violation in the complaint.

Rights of the Accuser and the Accused

The accuser and the accused are entitled to a prompt, fair, and impartial proceeding that is:

1. Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
2. Conducted in a manner that—
   a. Is consistent with the institution's policies and transparent to the accuser and accused;
   b. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
   c. Provides timely and equal access to the accuser, the accused, and appropriate officials to information that will be used during informal and formal disciplinary meetings and hearings (as permitted by state and federal laws); and
3. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.

Both the accuser and the accused shall be simultaneously informed, in writing, of:

- the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;
- the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; and
- any change to the results that occurs prior to the time that such results become final; and when such results become final.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Formal Title IX Complaint Process

Title IX protects individuals from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs, activities or employment of schools, regardless of the location. Title IX protects both males and females from sexual harassment by any school employee, student, and a non-employee third party. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's Title IX Sexual Harassment, Sex Equity, and Gender Discrimination Processes and Procedures which can be obtained at Lincoln University

Human Resources Office in order to remedy any hostile environment (see the *Title IX Information* and the *Title IX Grievance Procedures* *webpages* for more information). Reports can also be files online here at https://bluetigerportal.lincolnu.edu/web/title-ix/report-online.

CONFIDENTIALITY OF VICTIMS

Lincoln University will protect the confidentiality of victims of sexual assaults, domestic violence, dating violence, and stalking to the fullest extent of the law. The following programs and offices of Student Activities, Residential Life, Student Development/Civic Engagement, Student Health Services, Athletics, Career and Academic Support Services, LU ROTC, LU Department of Nursing (Ft. Wood Campus), LUPD, and the Dean of Students will cooperatively work together to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University complaint (*contact information*). Additionally, person identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The University does not publish the name of a crime victim nor specific housing information regarding victims in the LUPD Daily Crime Log. Victims may request that directory information on file be removed from public sources. Please contact the Director of Residential life at (573) 681-5971 for more information on removing information from public sources.

COUNSELING SERVICES

Lincoln University has a counselor on staff with *Student Health Services* located at the Thompkins Health Center that can be reached at (573) 681-5167. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm. Counseling and support services available to victims who choose counseling and support outside the university system are listed below.

External Counseling Services:

External Organization	Phone Number
St, Mary's (SSM) Behavior Health Unit	(573) 761-0458
Capital Region Medical Center	(573) 632-5560
Pathways Community Based Healthcare	(573) 634-3000
Pathways Community Based Healthcare Crisis Hotline after hours	(800) 833-3915
Rape and Abuse Crisis Service Hotline	(573) 634-4911
Cole County Prosecutors Office Victims' Advocate	(573) 634-9180
Planned Parenthood	(573) 443-0427
Birthright	(573) 635-8822
St. Mary's Health Center (SSM)	(573) 634-5303

Please note that services from external sources can be held confidential and some external sources can be contacted 24 hours a day such as the Rape and Abuse Crisis Service (RACS) Hotline. Legal support services may also be obtained by utilizing the Cole County Prosecutors Office Victims' Advocate at (573) 634-9180.

Online Resources:

Organization	Website
Missouri Coalition Against Domestic Assault and Sexual Violence	*http://www.mocadsv.org*
US Dept. of Justice Office on Violence Against Women	*http://www.ovw.usdoj.gov*
National Coalition Against Domestic Violence	*http://www.ncadv.org*
National Sexual Violence Resource Center	*http://www.nsvrc.org*
Stalking Resource Center	*http://www.victimsofcrime.org/our-programs/stalking-resource-center*

Faculty & Staff Specific Counseling Services

The current *Employee Assistance Program* (EAP) is made available through the University's current health care provider. The university's benefit plans, including hospitalization and salary continuation (to the extent vacation and sick leave annual balances are available), may be used for domestic/dating violence and/or sexual assault counseling as for any other diseases or disabilities. Please contact Human Resources at (573) 681-5018 or visit the *HR website* to obtain more information on counseling services from the current health care provider.

OPTIONS FOR SUPPORTIVE SERVICES

Lincoln University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. Please review other portions of this document or contact a Campus Security Authority for more information on these services.

OPTIONS FOR CHANGING ACADEMIC, TRANSPORTATION, LIVING AND WORKING SITUATIONS

After a sexual assault, domestic violence, dating violence, or stalking incident has been reported, the victims of such crimes shall have the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate temporary or permanent relocation of the victim to safe and secure working location, alternative housing, and/or transfer of classes if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Please contact the *Director of Residential Life* (681-5971) or *LUPD* (681-5555) for more information on changing living arrangements.

VICTIMS' RIGHTS

A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with *a written explanation of the student or employee's rights and options*.

SEX OFFENDER REGISTRY

Pursuant to *20 U.S.C.§1092(f)(I)* and section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (*42 U.S.C. 16921*), Lincoln University provides the following information regarding sex offenders.

Section 121 (also known as Megan's law) amended 42 U.S.C. § 14071(j) also known as the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act of 1994*.

Pursuant to the afore cited federal laws, persons who are required to register under a state sex offender registry are required to notify the state regarding each post-secondary school at which the offender works or is a student. In the state of Missouri, sex offenders are required to register with the county sheriff's department *(589.400 RSMO.)*. The Missouri State Highway Patrol maintains a *statewide sex offender registry*. In addition to the state sex offender registry, the U.S. Department of Justice also maintains a *nation-wide sex offender registry*.

SEXUAL ASSAULT PROCEEDING DISCLOSURE

Lincoln University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in *Section 16 of Title 18, United States Code*), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. This information is guaranteed privacy protection under the Family Education Rights and Privacy Act (FERPA) and disclosure to the victim or next of kin does not violate any of its provisions.

MANDATORY REPORTER LAW IN MISSOURI (*RSMO. 210*)

At various times throughout the year faculty and staff members may be responsible for the supervision of various programs in which minors (**individuals under the age of 18**) participate on campus. If a faculty or staff member suspects that a minor on campus is a victim of physical or sexual abuse they should notify the Lincoln University Police Department, a campus administrator (i.e. supervisor), and the Children's Division of the Department of Social Services (*the Department*).

By law, a mandatory reporter must notify the Department directly and not just supervisors. All faculty and staff responsible for the supervision of a child for any part of a 24 hour day are considered mandatory reporters under *RSMO. 210.110* & *210.115*. Responsible employees cannot leave the onus of reporting in the hands of the chain of command of an organization. Lincoln University shall not impede or inhibit any employee from reporting. No person making a report shall be subject to any sanction, including any adverse employment action, for making such report. If it is discovered that a mandatory reporter has ***not*** notified the department of possible abuse, the individual could be subject to be found guilty of a class A misdemeanor (up to 1 year in jail or $1000 fine) per *RSMO. 210.165*.

How to Make an Official Report

If an individual is not sure it's abuse or neglect, they can call *the local Children's Division office* to discuss their concerns. They can advise the individual whether or not to call the hotline.

They can also give advice that might help you help the family in crisis.
An individual may call the hotline at 1 (800) 392-3738**,** The Children's Division staff this hotline 24 hours a day, 7 days a week, and 365 days a year. They will take information from you and respond to child abuse and neglect. If you live outside Missouri and want to report abuse or neglect of a Missouri child, call (573) 751-3448.

Be sure you have:	**You will also be asked:**
the name of the child	Is the child in a life-threatening situation now?
the name of the parent(s)	How do you know about the abuse/neglect?
the name of the alleged abuser	Did you witness the abuse/neglect?
where the child can be located	Were there other witnesses and how can they be contacted?

Since 2016 the Children's Division of the Dept. of Social Services has developed an online reporting form that is now available for mandated reporters only and should only be used to report non-emergencies. If it is an emergency or life-threatening situation, call 911 immediately and then report it directly to the Child Abuse and Neglect Hotline.

FIRE SAFETY

Since the Ft. Leonard Wood Campus does not have any campus housing facilities, this section does not apply.

Attachments

Crime Statistics Tables

Table 1: Criminal Offenses
Table 2: VAWA Related Offenses
Table 3: Arrests
Table 4: Judicial Referrals

Please note No applicable Clery crimes were reported to the Ft. Leonard Wood Police or LUPD from 2019 through 2021 on the Ft. Leonard Wood Campus, therefore no reportable crime statistics are available for this report.

Fire Statistics Tables

Since the Ft. Leonard Wood Campus does not have any student campus housing, the fire safety reporting requirements do not apply to this facility.