

# Hamline University



## **2021 Annual Security and Fire Safety Report** (Includes data from calendar year 2020)

POLICIES.SERVICES.STATISTICS

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## **Welcome Letter from Director Heikkinen**

The year 2020 showed us that the Piper community can and will rise to new challenges. A worldwide pandemic, civil unrest, and a renewed demand for long overdue social justice and police reform shaped the experience of the Hamline Community. Through it all each member of the community persevered by taking the lead. The Hamline University Department of Public Safety gives our sincere thanks to everyone for doing, and continuing to do, what is necessary to protect each other during this pandemic. Together we will make it to the end. We also want to clearly state that we stand in unity with those who demand policing reform and encourage productive communication as the cornerstone for ensuring inclusivity and fairness in our security practices. It is our mission to serve the entire community and pledge to work diligently with all community members to ensure we are successful in that endeavor.

We commit to continuing to strive to make your experience at the University a positive one. We work with the deep understanding that this is only possible by working in collaboration with community partners. Public Safety works hard to provide a safe and healthy environment and believes that an informed community is a stronger community. Communication, information, and trust are key components of this successful collaboration.

The Annual Security and Fire Safety Report (ASFSR) is one method of providing critical information to the Hamline community. Publication of this report is required by the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report provides information necessary for students, staff and faculty to make informed decisions. Highlighted in the ASFSR are university policies, procedures and programs as they pertain to Hamline Public Safety. Included are policies for responding to emergency situations, sexual offenses, dating violence, domestic violence and stalking. Additionally, the report contains three years of Clery reportable crime statistics for the campus. This report contains data from calendar year 2020. Hamline Public Safety acts as the coordinating agency in preparing this report, but it truly is a university wide effort. Contributors include Student Affairs, General Counsel, Residence Life, Campus Health Services, Human Resources, and other departments across campus. Working in partnership with the community to address issues that affect all of us is the only way to reduce crime and maintain a safe campus.

All policies and procedures discussed in this report are applicable to all Hamline owned or leased properties. If you have any questions about Hamline Public Safety, please visit our

website at: <https://www.hamline.edu/offices/security/>, call us at (651) 523-2100 or stop by our office located in Sorin Hall.

Sincerely,

Melinda Heikkinen

Director, Hamline Public Safety/COVID Coordinator

## **Hamline Public Safety**

Hamline Public Safety provides a full range of services to the St. Paul Hamline community 24 hours a day, 7 days a week, 365 days a year. Public Safety is comprised of 1 director, 4 full time shift sergeants, 8 full time officers, 1 lead dispatcher, 1 full time dispatcher, student dispatchers and student officers.

Hamline Public Safety is not a police department. Personnel do not possess law enforcement (arrest) authority. However, personnel do utilize private person arrest authority pursuant to Minnesota State Statute 629.37 when appropriate. The jurisdiction of Hamline Public Safety remains within campus and ends on the property lines. As employees of Hamline University, Public Safety is responsible for enforcement of University policies. In addition to its enforcement role, Hamline Public Safety maintains the University's safety walking escort program and motorist assistance program.

The department is committed to the philosophy of community-oriented campus safety and works closely with residential life, student affairs, and human resources. The department maintains a collaborative working relationship with the St. Paul Police and Minnesota State Patrol as well as social service agencies. These relationships ensure timely and effective responses not only to criminal activity but to identifying and providing resources to those in need.

Hamline Public Safety employees address, alone or in conjunction with law enforcement personnel, violators of state law, federal law and University policy. Violators of state or federal laws are reported to local law enforcement authorities, while violations of University policies are administered under the Hamline University student code of conduct or through human resources.

There is no working memorandum of understanding between Hamline University and any law enforcement agency regarding investigation of criminal incidents.

## **Reporting Procedures**

### **Emergency and Campus Security Procedure**

It is imperative that all crime and suspicious activity be reported to Hamline Public Safety accurately and promptly. By working together, the university community and Public Safety can

reduce crime on campus. Members of the university community may report criminal activities or other emergencies in several ways. Hamline Public Safety officers can take reports in the Public Safety office located in Sorin Hall, via phone by calling (651) 523-2100, or at a mutually convenient on campus location.

When contacting Hamline Public Safety or emergency services, relay the following information:

- Who you are (name, student, faculty, staff)
- Where you are
- What is happening
- What or whom you need

When speaking to Hamline Public Safety or emergency services dispatcher, do not hang up first; the dispatcher may need additional information.

Upon receiving a call, the Public Safety dispatcher will gather pertinent information and dispatch a Public Safety officer to your location. Remember to always make the victim, environment, yourself, and others safe. Also follow any special emergency procedures that have been relayed to you.

Always try to work with Public Safety, emergency officials, and other staff members involved to solve the problem. When following up after an incident, always communicate with anyone who needs to know about the situation. All reported violations of university policies; state and federal laws are documented in incident reports by Hamline Public Safety.

Emergency Call List:

- **Fire Emergency:** In the event of a fire on campus, pull the nearest alarm box and evacuate the building. Call Hamline Public Safety at (651) 523-2100 to report the fire, and they will call 911.
- **Medical Emergency:** In the event of a medical emergency, call Hamline Public Safety at (651) 523-2100, and they will respond to the scene of the emergency immediately and call 911 as appropriate.
- **Police Emergency:** In the event of a police emergency, call Hamline Public Safety at (651) 523-2100. Hamline Public Safety Officers will respond immediately and contact the police as appropriate.

- Facilities Emergency: In the event of a physical plant emergency, call Hamline Public Safety at (651) 523-2100 and Hamline Public Safety officers will respond immediately and contact facilities as appropriate.

While we encourage all campus community members to promptly report all crimes and other emergencies directly to Hamline Public Safety, we recognize that some may prefer to report to other individuals or university offices. When the victim of a crime elects to or is unable to make such a report, a list of confidential departments/titles that students and employees can report criminal offenses is included as Appendix A. Non-confidential resources are listed in Appendix B.

All Hamline Public Safety incident reports involving students or residential life facilities are referred to the office of Student Affairs for review and referral for potential action, as appropriate. Hamline Public Safety will investigate a report when it is deemed appropriate. Additional information obtained via any investigation will also be forwarded to the office of student affairs and residential life. A person reporting a crime to Hamline Public Safety has the right to report the crime to SPPD by calling 911 or the non-emergency number. Hamline Public Safety officers regularly discuss this option with the victim of a crime and will assist the victim with that process.

All incidents of criminal behavior will be assessed for investigation. Hamline Public Safety will refer the reporting party and/or victim to other university departments as appropriate. In all cases, victims will be encouraged to contact local law enforcement authorities; Hamline Public Safety can assist in this. Victims always have the right to decline notifying local law enforcement. Please note that under Minnesota law, a hospital medical provider may be required to notify law enforcement of a reported sexual assault however the complainant may decline to speak with a law enforcement officer or participate in a criminal prosecution.

Hamline Public Safety officers act as agents of Hamline University while they are on duty. Hamline Public Safety officers can detain alleged perpetrators of criminal acts through citizen arrest for transfer to the St. Paul police.

Hamline Public Safety officers provide safety escort services to members of the university

community or visitors on a 24-hour basis to and from any on-campus location. Off campus escorts may be provided under certain circumstances and can be arranged through the Dean of Students Office or the Director of Public Safety.

### **Reporting Suspicious Persons or Activity**

University facilities are designed for use by members of the Hamline community only, to include students, faculty, staff and sanctioned visitors. People not fitting this description should be reported to Hamline Public Safety and will be asked to leave campus. All Hamline University buildings are accessible to members of the campus community during hours designated by the University.

### **Reporting Guns on Campus**

The policy of Hamline University has always been to prohibit guns, rifles, and all other weapons on campus. The campus “property” is defined as the physical place of business, and includes but is not limited to: all buildings, driveways, streets, sidewalks or walkways, parking lots, parking garages, and other parking areas, as well as university vehicles. This prohibition includes students, faculty, and staff, as well as vendors, sub-contractors, and visitors. Anyone encountered on campus with a weapon will be directed to leave campus immediately. It is our view that safety of our students and staff mandates that we continue to do all we can to preserve and maintain a safe haven for learning. Hamline University is a peaceful community dedicated to nonviolence, and the introduction of guns will not be tolerated.

### **Reporting Responsibilities**

All identified Campus Security Authorities who become aware of an alleged violation of university policy, student code of conduct, or criminal law, are required to report the allegation to the Hamline Public Safety department, academic deans, the office of student affairs, associate deans, department chairs (academic and administrative), director of human resources, registrar, provost or vice presidents. The above listed individuals have significant responsibility for student and campus activities (excluding counselors/chaplain) and must report potential criminal activity of which they are aware to campus Hamline Public Safety. All other students, faculty, and staff members who become aware of an alleged violation of university policy, student code of conduct, or criminal law are strongly encouraged to report the allegation to the same campus officials.

## **Confidential Reporting Procedures**

Victims of crime who do not want to pursue action within the University system or the criminal justice system, may still consider making a confidential report. With your permission, a Hamline Public Safety officer can file a report as to the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution and the incident may need to be announced in a timely warning, if an ongoing threat is present. Reporting procedures applicable to allegations of sexual assault are further discussed later in this report.

Licensed counselors in the Counseling Center, the chaplain and rabbi are not obligated to report incidents, since those individuals are viewed as confidential resources. The counseling center chaplain, and rabbi may inform the persons they are counseling of any procedures to report crimes on a voluntary and confidential basis if they deem it appropriate.

## **Timely Warnings**

In accordance with the Jeanne Clery Act, timely warnings are required to be distributed when there is evidence of a serious or continuing threat to students or employees on the campus. Timely warnings are issued when the above criteria are met and the crime is reported to the university within five (5) days of occurrence. The Director of the Hamline Public Safety Department will collaborate with all necessary parties to prepare and distribute timely warnings. If circumstances dictate, the Director of Hamline Public Safety is authorized to distribute time warnings without collaboration.

While timely warnings are generally issued as a result of crimes against people, they may be issued for crimes against property if that crime causes a threat the health and safety of the HU campus community and meets the criteria listed above. Timely warnings are primary distributed through the Hamline ALERT system via text and/or email. Depending on

circumstances, timely warnings may also be published through campus bulletins and/or residence hall bulletins. All students, faculty and staff are automatically enrolled into the Hamline Alert every semester. Hamline Alert is an opt-out program. Users are encouraged to log into this system and verify/update their cell phone number, if available, to receive more timely information.

- Users should go to <https://hamlineuniversity.bbcportal.com/> to login.
- Your username is your Hamline email address.
- You may generate a unique password by selecting “forgot password” and following the instructions.
- Please contact the Director of Public Safety if you have any questions.

### **Emergency Notifications**

Hamline University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring on campus. Hamline University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat. These methods of communication include but are not limited to the Hamline Alert, a system that provides email and text message alerts to the campus community, the Hamline University website, Facebook, and Twitter pages as well as an audible mass notification system. Please contact Hamline Public Safety if you have any questions.

If Hamline Public Safety confirms that a significant emergency or dangerous situation exists, Public Safety personnel will activate emergency notification procedures to provide immediate notification to the threat of the University community. All emergency notifications will be sent to the entire Hamline University community because many students, faculty, and staff are traveling to/from campus.

The Director of Hamline Public Safety and the Director of Public Relations and Social Media (or their designee) will determine when it is appropriate to communicate information to the larger community external from Hamline University. Hamline Public Safety will, without delay and considering the safety of the community, determine the content of the notification and initiate the notification, unless issuing a notification will, in the professional judgment of responsible

authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The content of the notification will be determined through a variety of resources including but not limited to using cameras, going near the area, or communicating with law enforcement who will be responding directly to the affected area. The content of the notification will not contain identifying information about the reporting person or victim (if not the same).

The Director of Hamline Public Safety or Director of Public Relations and Social Media (or their designee) will provide timely updates. Timely updates may be released via the University website, University e-mail, Twitter, Facebook or HU Alert.

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

Evacuation drills are coordinated by Hamline Public Safety each semester for all residential facilities, administrative and academic facilities. Students, faculty and staff learn the locations of emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term evacuation. Residence Life advises resident students about one of the two drills. Hamline Public Safety and residence life staff on scene will communicate information to students regarding developing situations or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Hamline University, evacuation drills are used to educate and train occupants on issues specific to their building. During the drill, occupants “practice” drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by Hamline Public Safety and residence life staff to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration. All

reports include a description of the exercise, the date, the time and whether it was announced or unannounced.

Students receive information about evacuation and shelter-in-place procedures during their first-floor meetings and during other educational sessions that they can participate in throughout the year. The residence life staff is trained in these procedures as well as act as an on-going resource for the students living in residential facilities. Shelter in Place means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

## **University Policies and Regulations**

### **Access to Campus Facilities**

Hamline University buildings and grounds are available to students, staff, faculty, and their guests, and to University guests or contractors with reason to enter for activities that are officially approved. HU business hours are 8:00-5:00 PM, Monday-Friday. This excludes holidays and times when the university is officially closed. Hamline Public Safety officers check and lock all academic and administrative buildings daily, at predetermined times. Controlled access to buildings is provided by external card access readers. Afterhours access to building without external card readers must be requested through Hamline Public Safety. All residential buildings have card access and remain locked 24/7/365. Access is also monitored using cameras and video management system. Requests for Hamline University access cards are processed by the Hamline Public Safety department and residence life. All residential areas at Hamline are locked and inaccessible to anyone other than floor or building residents, Hamline Public Safety and facilities staff, 24 hours a day. Residents are required to escort visitors always within residential areas.

The Hamline Public Safety department regularly checks all residence hall exterior doors to ensure the doors remain locked. If you notice an unlocked or propped door that should be locked, immediately report the location to Hamline Public Safety. Fire exit doors in all buildings are alarmed and the appropriate authorities will be notified and respond accordingly when they are engaged.

Lost keys shall be immediately reported to the Hamline Public Safety department. Resident students should additionally report lost keys to residence life. Locks may be changed any time a student loses their room key.

### **Alcohol and Drug Policies**

Hamline University chooses to be an alcohol (limited) and drug free community. We do so out of the conviction that this policy:

- Promotes a caring environment.
- Enhances the atmosphere for study, learning, growth, work, and wellness.
- Supports members of the community affected by or concerned with the abuse of alcohol and other drugs.
- Respects the rights of those who choose not to use alcohol or other drugs.
- Additional information concerning alcohol and other drug policies may be found online at [www.hamline.edu/policies](http://www.hamline.edu/policies).

The possession, use, or distribution of alcoholic beverages is prohibited in most areas of the Hamline campus. Exceptions are university sponsored events and alcohol used by students of legal age in their private residence. Furthermore, the possession, use, distribution, or sale of illegal drugs on all University property is strictly prohibited in accordance with university policy, State and Federal laws. University policies and State laws regarding alcohol and drug use are enforced by Hamline Public Safety, the residence life staff, concerned members of the campus community and the St. Paul Police Department.

To comply with the requirements of the Drug Free Workplace Act of 1988 (DFWA), Hamline University prohibits the unlawful manufacture, distribution, dispensation, possession or use of controlled substances by employees on University premises or while conducting University business off the University premises. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences. Employees must report for work on time and in an appropriate mental and physical condition for work and must remain in that condition during the day. Employees who violate this policy will be subject to appropriate disciplinary action that may include, but is not limited to, counseling, mandatory participation in an appropriate rehabilitation program, a warning, probation, suspension, discharge and referral to the proper law enforcement authorities for prosecution.

These policies apply to all full-time and part-time students and all full-time and part-time employees, including faculty, administration, exempt and non-exempt, union employees and any student employees and interns. Prevention, Intervention, and Assistance Programs are available to all members of the Hamline Community to combat and cope with problems stemming from chemical use and abuse. Students are encouraged to contact the Hamline Health & Counseling Services Office (651-523-2204) if they themselves or a friend are affected by chemical use or abuse. Programs are also available for university employees through the Office of Human Resources (651-523-2210).

### Missing Students

Anyone receiving a missing student report is required to immediately bring it to the attention of the Hamline Public Safety Department by calling (651) 523-2100. Hamline Public Safety, in collaboration with the Dean of Students office will initiate an investigation. After assessing the missing person information, should Hamline Public Safety determine the student appears to be missing and has been missing for more than 24 hours; Hamline University will notify the St. Paul Police Department. The Dean of Student's office will notify the student's emergency contact person (if one is provided) no later than 24 hours after the student is determined to be missing.

If the missing student is under 18 years of age and is not an emancipated individual, Hamline University will notify the student's parent or legal guardian immediately after Hamline Public Safety has determined that the student is missing. In addition to registering an emergency contact, students residing in on-campus housing have the option to confidentially identify an individual to be contacted by Hamline University in the event the student is determined to be missing for more than 24 hours. Only University officials and law enforcement will have access to the confidential contact information. This policy does not preclude Hamline University from initiating internal missing person procedures in less than 24 hours if circumstances warrant faster implementation.

## **Sexual Assault, Sexual Harassment and Sexual Misconduct Policy -Prior to August 14, 2020/Title IX Sexual Harassment – after August 14, 2020**

This report reflects policies in place during the reporting period of calendar year 2020. The Department of Education issued changes to Title IX regulations that went into effect on August 14, 2020. Hamline University updated their policies to remain in compliance and implemented on that same date. Policies in effect from January 1, 2020 through August 19, 2020 are listed first in the sections below. Any changes that went onto effect on August 14, 2020 are also noted within or at the end of each section.

Hamline University does not discriminate based on race, color, creed, national and ethnic origin, sex, age, religion, disability, marital status, status with respect to public assistance or sexual orientation in administration of its educational policies, financial aid program, athletics and all other programs. Harassment based upon an individual's legally protected status is a form of prohibited discrimination. In accordance of Title IX, this policy addresses the University's prohibition of sexual discrimination. Sexual Harassment is a form of sexual discrimination. Sexual harassment includes a variety of unwelcome behavior of a sexual nature, and at its most severe form includes sexual misconduct. Examples of sexual misconduct include, but are not limited to: sexual assault, domestic violence, dating violence, and stalking.

Questions or concerns regarding sexual discrimination, sexual harassment or sexual misconduct may be directed to Hamline's Title IX Coordinator:

Patti Kersten, Dean of Students and Title IX Coordinator (651-523-2421),  
West Hall, room 106.

Questions or concerns may also be directed to the Office of Civil Rights of the United States Department of Education.

Hamline University is committed to a safe and healthy environment and as such will not tolerate sexual harassment or sexual misconduct in any form including but not limited to: sexual assault, domestic violence, dating violence, and stalking. Sexual assault is a crime and is a violation of an individual's rights and dignity. Sexual assault is not only an act of disrespect, violence, aggression or coercion against an individual, but also an attack on our University community. The University is committed to promptly, impartially, and equitably addressing and resolving all

reports of discrimination, harassment, sexual misconduct or violence, domestic or dating violence, or stalking. When the University finds that such behavior has occurred, it will take steps to prevent the recurrence of the behavior and to correct its effects. Retaliation against an individual who brings a complaint or pursues legal action or an individual who serves as a witness in an investigation is prohibited and will not be tolerated.

### Scope of Policy

Sexual harassment or misconduct committed relating to any University program, whether on or off campus, is prohibited and will not be tolerated. This applies to academic, educational, extracurricular, athletic, residential, and other University programs. In addition, this policy applies to off campus conduct that the University determines may cause or threaten to cause an unacceptable disruption at the University or which may interfere with an individual's right to non-discriminatory educational environment. Changes effective August 14, 2020, limit the applicability of University Title IX Policy to incidents that occur within the United States and on campus property. The University may, however use other institutional policy to address incidents of sexual harassment that occur during academic, educational, extracurricular, athletic, residential, and other University programs outside the United States, off campus, and/or involve members of the University community.

This policy applies to all students, employees, contractors, and other visitors. This also applies regardless of the sexual orientation or gender identity of any of the parties. Hamline University is committed to addressing sexual misconduct and encourages victims to report incidents to appropriate university authorities. Individuals found responsible of sexual assault will be subject to any disciplinary action deemed appropriate by the university, up to and including suspension, expulsion, or discipline for student's disciplinary action up to and including termination of employment for personnel and no trespass orders and/or other disciplinary action against other individuals deemed responsible for violating the university's policy.

### Definitions

#### Complainant

The person reporting to have been subject to conduct that violates the Sexual Misconduct Policy.

## Respondent

The person alleged to have engaged in conduct that violates this policy.

## Sexual Harassment

Sexual harassment includes unwelcome conduct such as sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal, nonverbal or physical conduct or communication of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's educational experience or employment, or the individual's submission or rejection of such conduct is used as the basis of an educational program or activity decision or employment decision affecting such individual; or
- Such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's education or employment or creating an intimidating, hostile, or offensive educational or work environment.

Sexual harassment is distinguished from a voluntary sexual relationship by the introduction of the element of coercion, threat, hostility, or unwanted attention of a sexual nature.

Actions that can constitute sexual harassment include:

- Unwelcome sexual flirtations, advances, or propositions;
- Requests for sexual favors
- Verbal abuse of a sexual nature, obscene language, off-color jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations
- The display of derogatory or sexually suggestive posters, cartoons, drawings, objects, notes, letters, emails, or text messages
- Visual conduct such as leering or making gestures
- Videotaping or taking photographs of a sexual nature without consent
- Cyber harassment, including but not limited to disseminating information, photos, or video of a sexual nature without consent
- Engaging in conduct of a sexual nature which creates an intimidating, hostile, or offensive academic or work environment (e.g., sexually-oriented jokes, offensive physical contact, obscene messages, and gestures)
- Punishing or threatening to take adverse action against a subordinate or student for

refusing to comply with sexual demands.

Although certain forms of sexual harassment may seem self-evident, recognizing such behavior when it is happening to you or others around you can be difficult. In making such an assessment consider whether the behavior:

- Is offensive, unwanted or both
- Interferes with your ability to enjoy your employment or academic environment
- Interferes with job or academic performance
- Causes unnecessary discomfort, humiliation, or harm to you or others around you.

If at any time you can answer yes to any of the above questions, you should immediately contact the university's Title IX Coordinator Patti Kersten at 651-523-2948. Faculty and employees are reminded to review the university's Non-Discrimination, Harassment, Retaliation Based on Protected Class Status, and Intimate Relationships Between Employees and Students policy for other guidance relating to romantic relationships.

### Sexual Misconduct

Sexual Misconduct is a form of sexual harassment and incorporates a variety of behaviors, including sexual assault or other sexual violence, domestic violence, dating violence, peeping, voyeurism, and going beyond the boundaries of consent (such as secretly allowing others to watch a sexual encounter). Many types of sexual misconduct include nonconsensual sexual contact, but this is not a necessary component. Threatening or intimidating speech, which meets the definition of sexual harassment, for example, will constitute sexual misconduct.

Photographs, video, or other visual or auditory records of sexual activity made or shared without explicit consent constitute sexual misconduct, even if the activity documented was consensual.

### Sexual Assault

Sexual Assault is any sexual contact, including but not limited to sexual penetration, with another person who does not or cannot give consent. This may or may not include force. The use of alcohol or drugs does not diminish a person's responsibility for assaulting someone. Sexual Assault includes, but is not limited to:

- Unwanted sex by acquaintance or stranger

- Unwanted touching, fondling, grabbing
- Use of coercion to cause submission

### Consent

Consent is words or overt actions by a person clearly indicating a freely given present agreement to perform a particular sexual act with the actor. Consent must be informed and freely and actively given. Consent can only be given by someone who acts freely, voluntarily, and with knowledge of the nature of the act involved. Consent can be withdrawn at any time. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent.

As explained further below consent cannot be given if someone:

- Is incapacitated by drugs or alcohol
- Is threatened, coerced or intimidated into submission
- Is not conscious
- Is physically incapacitated
- Is mentally incapacitated
- Is not of legal age to consent (16 years old in Minnesota)

Consent cannot be inferred from:

- Permission for one particular act
- A prior sexual, romantic or marital relationship
- An existing sexual, romantic or marital relationship
- Silence, or an absence of resistance
- Prior sexual activity with other individuals

### Incapacitation

Incapacitation means the physical and/or mental inability to make informed, rational judgments. Where alcohol is involved, incapacitation is determined by how the alcohol consumed impacts a person, including the person's decision-making capacity, awareness of consequences, and ability to make informed judgments. The question is whether the respondent

knew, or a sober, reasonable person in the position of the accused student should have known, that the person was incapacitated.

### Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. In Minnesota Statutes, dating violence would generally fall within the Domestic Assault Statute (609.2242) of the Minnesota Criminal Code.

### Domestic Violence

A Felony or misdemeanor crime of violence committed

- a) By a current or former spouse or intimate partner of the victim.
- b) By a person with whom the victim shares a child in common.
- c) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
- d) 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
- e) 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. In Minnesota State statutes, domestic violence would generally fall within the Domestic Assault statute (609.2242) of the Minnesota Criminal Code.

### Stalking

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

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition

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

In Minnesota state statutes, stalking would generally fall within the Stalking statute (609.749) of the Minnesota Criminal Code.

### Bystander Intervention

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

Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

### Retaliation

Retaliation means adverse action taken against an individual for making a good faith report of a violation of this policy, for supporting another person's report, or participating in an investigation or other proceedings based on the report.

### Consensual Relations – prior to August 14, 2020

### Relationships Between Employees and Students – after August 14, 2020

Students, faculty and staff members should understand that apparently “consensual sexual

relationships,” particularly those among persons of unequal status, may be or become a violation of this policy. Anyone who engages in a sexual relationship with a person over whom he or she has any degree of power or authority must understand that the validity of the consent involved can and may be questioned. For more information on consensual relationships, see the University’s Consensual Relations policy – Prior to August 14, 2020; see Non-Discrimination, Harassment, Retaliation Based on Protected Class Status, and Intimate Relationships Between Employees and Students Policy – after August 14, 2020.

### Confidentiality Policy

The university encourages victims of sexual violence to talk to someone and get the support they need, and so the university can respond appropriately. While only certain university employees are considered “responsible employees” for purposes of reporting known or suspected incidents of sexual misconduct, it is the university’s expectation that all students and employees who do not serve as one of the confidential sources identified above and are obligated to report the details of the event (including names of the victim and accused) to the Title IX coordinator.

When a report of sexual harassment or sexual misconduct is made to the University, every effort will be made by the University to ensure confidentiality to the extent possible, subject to the University’s need to investigate and respond to such complaints and to report campus crimes in accordance with applicable law. While the University is obligated to report general information regarding incidents of sexual assaults, reports will not include names or other information that may personally identify the victim.

### Prevention Efforts

In conjunction with residence life programming, Hamline University conducts educational and training programs on alcohol and other drug use and abuse and the awareness and prevention of sex offenses upon request. Additional education and training programs for students is available from several sources. The University Health and Counseling Center and Title IX offer programming surrounding issues such as healthy lifestyles, balancing your life and bystander intervention training.

All University employees are required to complete, “Sexual Harassment Prevention Training”. The program educates employees on understanding, recognizing, refraining from, and reporting instances of sexual harassment and sexual abuse.

The University Sexual Misconduct policy – Prior to August 14, 2020 and Title IX Sexual Harassment/Non-Discrimination, Harassment, Retaliation Based on Protected Class Status, and Intimate Relationships Between Employees and Students – After August 14, 2020 are intended to eliminate, prevent, and address the effects of sexual misconduct is posted on the University website and linked in several places, including the University policy website, and the faculty handbook. Key university employees have participated in extensive Title IX training including the Title IX coordinator, Title IX investigators, adjudicators, senior staff and program directors in the Office of Residential Life, Hamline Public Safety, Human Resources and other members of the President’s Leadership Team. Additional prevention programs supplementing our existing employee training on preventing sexual harassment and sexual abuse specifically address sexual assault, domestic violence, dating violence and stalking.

### **Education and Prevention Programs**

Hamline University is committed to the prevention of Sexual Misconduct that includes the prevention of Dating Violence, Domestic Violence, Sexual Assault and Stalking and prohibits these crimes. The following information includes the trainings, programs and campaigns in place to address the knowledge of our policies, procedures and response, support and prevention work. It should be noted that during 2020 many of these programs were conducted using a hybrid (virtual/face to face) modality to minimize the potential spread of COVID-19 and to accommodate those students attending classes completely on-line.

### **New Student Trainings**

- First year students attend SOAR in the summer and during this program, a session is dedicated to sexual misconduct awareness, consent and prevention. In addition, students and parents received a letter from the Title IX Coordinator addressing the topic and included information about prevention, response and our policy prohibiting sexual misconduct: sexual assault, domestic violence, dating violence and stalking.
- All new students to the University are required to take an on-line training program. The graduate students take the sexual misconduct training from Trained and the undergraduates complete My Student Body with modules on sexual misconduct, drugs and alcohol.

- First year students attend Fall Orientation during the 3 days before classes begin in the fall. They are required to attend a one hour program (shorted during the 2020 orientation due to COVID programming restrictions) on respect: Respect self, others and community. Included within the program is information about consent, respectful relationships, bystander intervention, policies, Title IX and the Universities approach to response, support and prevention.
- Transfer students attend their Piper Passages, 1 day prior to classes starting. They have A 60-minute program that includes information about Title IX, consent, respectful relationships, bystander intervention programs, policies, and the universities approach to response, support and prevention.

### All Students

- All students are encouraged to use the information within My Student Body for information about to increase their awareness and to assist with prevention of all forms of sexual misconduct. Students continue to have access to the information their entire time as a student.
- Annual information is sent to students about our University's prohibition of sexual misconduct and sexual harassment, policies prohibiting conduct, procedures for response to reported incidents and support for those bring forth reports.
- All athlete meetings – presentations to all athletes about sexual misconduct and prevention.

### New Employees

- HR Training. All new employees attend new-hire training that includes information about title ix, policies and procedures
  - On-line Training. All new employees are required to complete the employee module of Trained, sexual misconduct
  - In person training. All new employees are required to attend an hour session about Title IX and the University's policies, procedures including response, support, prevention and their role in reporting. In addition, a clear message that our university prohibits all acts of sexual misconduct.

### All Employees

- All employees have access to Trained sexual misconduct awareness training through

Our learning devise: Canvas.

- In person training for new employees is also available for current employees.
- Confidential resources of the campus receive specific training centered on their role as a confidential resource.
- First responders and employees with heightened responsibility have specific training.

#### Awareness and Prevention Campaigns (continuous throughout the year)

- Poster series about consent, policies, amnesty, and reporting are up around campus
- All bathrooms and offices across campus had new brochures and resources cards
- It's On Us. We have signed onto the campaign and do awareness programming of the campaign: Tabling, web presence and Hamline's video along with the on-line pledge.
- Healthy relationship programming through Peer Health
- Safe Sex. Women's Resource Center: information on safe sex and give out supplies
- Toilet Tribune: Peer Health Educators Monthly Newsletter that includes sexual health, sexual assault awareness, domestic/dating violence information and awareness monthly

#### Awareness and Prevention Programs (All programs open to entire Hamline Community)

##### **Jan. 2020**

Sexualities & Gender Diversity Programs 4 part Training Series

StepUP! Bystander Training - open/student athletes (Step UP! Training - staff)

StepUP! Bystander Training for Trainers (Step UP! Training - staff)

##### **Feb 2020**

Love Your Body - Peer Wellness and campus partners

Black Love Matters We all love Differently: A panel on love and sexuality (Black Student Collective)

Mahle Lecture - Bishop Karen P. Oliveto, the first openly LGBTQ+ Bishop of the UMC (Wesley Center)

##### **March 2020**

Fidgety Fairytale's LGBTQ+ Musical Event - (Sexualities & Gender Diversity Programs, School of Education)

Masculinity Workshop (HU Programing Board)

“Stories that Matter: Using Oral History to Shape Healthy Futures for Today's Communities” (Women Studies Department Lecture)

Feminist Friday: The “Female Gaze” (Women’s Resource Center)

### **May 2020**

Feminist Friday: Sex During Coronavirus (Women’s Resource Center)

Fem Fair Virtual (Women’s Resource Center)

### **August 2020**

Peer Wellness Educator training

Residential Life and New Student Mentor Student Staff Trainings

### **September 2020**

Mental Health First Responder Training

Student Organization Leadership Workshop

Sexual Health Training

### **October 2020**

Coming Out Week Keynote - Coming Out through the Years (Sexualities & Gender Diversity Programs and Spectrum)

Feminist Friday: Feminist Mental Health Practices (Women’s Resource Center - staff)

Throughout the calendar year additional closed sessions of StepUP! Bystander training were conducted for specific groups to include athletics, new student mentors, residential advisors, and other student organizations.

### University Committee/Student Organizations

- Sexual Violence Prevention Task Force (SVPTF) –membership includes faculty, staff and students met monthly pre-COVID creating on-going professional development and awareness training, policy work and prevention programming for the task force and campus. Students Preventing Sexual Violence (SPSV) (student organization) meet regularly and does prevention and awareness programming for the group and community.

Topics included:

- College Activism

- Rape Culture and the Media
- SPSV 101
- “You are Beautiful”
- Small Acts of Activism
  - Special Guest Speakers:
    - Dr. Patti Kersten - focus on Title IX talks

## **University Reporting and Investigation**

### **Initiation of Complaint**

Complaints are generally initiated by individuals who believe that their rights under these policies prior to and after August 14, 2020 have been violated and any individual may initiate the complaint procedure. In addition, circumstances may arise in which a complaint may be initiated in the name of the university to protect the safety, integrity and welfare of the community. Generally, the Title IX Coordinator will decide whether a complaint should be initiated in the name of the University. When a complaint is made under this policy, the university may ask that any report be confirmed in a written and signed complaint form.

The Title IX Coordinator or another University official is available to assist in the completion of this form. Complaint forms are available from the Title IX Coordinator, the Dean of Students office, Human Resources and on the university’s website.

### **Requests for Confidentiality or Non-action**

Upon receiving a report of a violation of this policy, the University will seek the consent of the complainant to proceed using the procedure set forth herein. The University strives to honor any request that a complainant may make to keep any such report confidential or for the University not to investigate or respond to such report and complying with any such request will limit the University’s ability to look into and respond to a report. In deciding whether the complainant’s request can be honored; the University will weigh the request against the seriousness of the alleged misconduct, the University’s obligation to maintain a safe and nondiscriminatory learning environment for its students, and the University’s commitment to addressing and preventing recurrence of misconduct. This determination will be made by the Title IX Coordinator.

If the university decides that it has an obligation to investigate and address the reported policy

violation, it will notify the complainant before proceeding. The university will maintain confidentiality to the extent reasonably possible, subject to its need to investigate and respond to the situation in accordance with this policy. In all cases, the individuals investigating and responding to incidents or allegations of misconduct will share information about the incident or allegation, investigation and response within and outside the university only on a “need to know” basis. However, complete confidentiality generally will not be possible. Accordingly, if a complainant is not certain that he or she wishes the university to initiate the response and resolution process, the complainant should contact a confidential reporting resource.

### Interim Measures

At any time after a report of a potential violation of these policies has been received by the university, the university may take immediate steps as it finds appropriate to protect a complainant or to meet its obligations to maintain a safe, nondiscriminatory learning environment for students. The university may take such steps even when a complainant asks that the university keep a reported violation of this policy confidential and that it not investigate the matter. Such measures will vary based on the facts and circumstances and based on a complainant’s confidentiality preferences, but may include:

- Establishing a “no contact” order between individuals.
- Prohibiting an individual from being on campus or at University events.
- Changing a student’s or employee’s status, in consultation with appropriate administrator(s).
- Changing work, class, or other schedules, in consultation with appropriate administrator(s).
- Changing academic requirements or providing assistance with academic issues.
- Issuing a timely warning of any substantial threat or continuing danger to the community.
- Making information about and providing assistance with respect to orders for protection and harassment restraining orders, including enforcement of such orders.

### Advisor

The complainant and the respondent have the right to be assisted by an advisor of their choice if the advisor is not a potential witness in the case. Guidelines for advisors are:

- The purpose of the advisor is to support a student in the complaint process. Advisors should be chosen for their ability to assist a student with the process.

- Advisors may confer with the student involved, but they may not actively participate in the process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint procedure. The advisor may not appear in lieu of the complainant or respondent or speak on his or her behalf.
- All information concerning any case may be made available to advisors with the written permission of the involved student.
- Violations of confidentiality or other forms of interference with the complaint procedure by the advisor may result in disqualification of an advisor. The university will provide the parties information regarding the selection of an advisor by another party.

Effective August 14, 2020, in the event of a hearing, the advisor will cross examine witnesses and the other party during the hearing.

### **Non-Participation**

If, at any time during the complaint procedure, a party decides to not participate, the University reserves the right to proceed with the Complaint process and make a determination based upon the information available.

Effective August 14, 2020, non-participation of complainant or respondent will result in the removal of any previously provided evidence, including statements, from consideration in the decision-making process.

In August of 2021, the Biden Administration removed the requirement for complainant or respondent to respond to cross examination and allowed for all previously gathered evidence to be included in the hearing committee's decision-making process.

### **Investigation and Voluntary Resolution**

When a complainant or the university chooses to move forward with the complaint procedure set forth in these policies, there are two avenues for resolution of an alleged policy violation: investigation and voluntary informal resolution. If a complaint is processed through voluntary resolution, the complainant, respondent or university has the option to move the complaint to the investigation process at any time.

The Title IX Coordinator is available to explain the voluntary resolution and investigation

procedures as indicated in the chart below. In addition, the Title IX Coordinator may also directly refer the matter to other institutional disciplinary procedures. This referral option will generally be used when: (1) the type of behavior that is alleged to have occurred does not constitute a violation of the sexual misconduct policy or (2) the behavior that is alleged to have occurred is better handled under another disciplinary procedure.

### **Voluntary Resolution /Investigation Processes**

If voluntary resolution is pursued, the Title IX Coordinator (or their designee) will attempt to facilitate a resolution that is agreeable to all parties. Under the voluntary resolution process, the university will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the university, and the university community. Any party to the complaint has the option to discontinue the voluntary resolution process and request an investigation. The University also always has the discretion to initiate an investigation. If at any point during the voluntary resolution process, the complainant, the respondent, or the University wish to cease the voluntary resolution process and to proceed through the investigation procedure, the voluntary resolution process will stop and the process will stop and the investigation process outlined below will be invoked.

Any voluntary resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the university to stop, remedy, and prevent policy violations. To facilitate such a resolution, the Title IX Coordinator will make a recommended resolution that may include a variety of institutional responses or requirements, including, but not limited to, the following: warning, behavioral contracts, change in housing, restitution, required attendance at educational programs, required assessment or counseling, informal complaint at the complainant's request (except in cases of sexual assault), the respondent's education record including a finding that this policy was violated, restriction of privileges, and/or probation.

If all parties to the complaint and the university agree in writing to the terms and conditions of a recommended resolution within five business days, the case will be resolved without further process under this procedure. If all parties to the complaint do not agree in writing to the terms and conditions of the recommended resolution within five business days, the complaint will be referred to the investigation process.

## Investigation Process

If a complaint is not processed through the Voluntary Resolution Process, the complaint shall be processed according to the Investigation process outlined below.

### Investigation

Following the submission of a completed complaint form that states a possible violation of these policies, the University will strive to complete a thorough, fair and impartial investigation. All investigators receive annual training on issues related to domestic violence, sexual, stalking, training on the Hamline University Voluntary Resolution/Investigation process that will protect the safety of victims and promotes accountability as well as how to conduct an investigation. The investigation will be conducted by one or more investigators appointed by the University. At least one investigator shall be appointed for each case. The investigator(s) shall interview the complainant, respondent and/or other witnesses or request additional information from the complainant, respondent or others. In addition, the complainant and respondent shall have an opportunity to advise the investigator of any witnesses they believe should be interviewed, and/or other evidence that they believe should be reviewed by the investigator(s). All interviews with the complainant, respondent, and other witnesses will be recorded.

Every attempt will be made to complete the investigation process within thirty (30) business days of the filing of the complaint or the referral from the voluntary resolution process, but in some cases more time will be required. If a criminal complaint has been filed, the university's procedures, including any investigation, may be temporarily delayed allowing law enforcement to gather evidence. Such delay may only occur at the request of law enforcement and shall not be any longer than necessary for law enforcement to complete the gathering of evidence. In no case will the University wait for the conclusion of a criminal investigation or criminal proceeding to begin its own investigation.

### Prior to August 14, 2020 – Sexual Misconduct Policy Process

#### Review of Investigation Report:

The investigation report consists of summaries of interviews of all parties and witnesses, evidence gathered, and an overall summary of the facts of the case.

Upon completion of the investigation, parties involved as well as their advisors will be given the

opportunity to review the investigation report, make comments, provide additional evidence and submit a written statement to the review committee.

#### Review Committee

A review committee appointed by the Title IX Coordinator will consist of three University employees will be trained to participate as a member of the review committee. The committee will review the investigation, comments and statements of parties, and make a determination as to whether it is more likely than not (preponderance of evidence) that a violation of this policy occurred, and if so, what sanctions are warranted. The university reserves the right to appoint additional adjudicators to assist in making a determination.

### **After August 14, 2020 – Title IX Sexual Harassment Policy Process**

#### Review of Investigation Report Draft

The investigation report consists of summaries of interviews of all parties and witnesses, evidence gathered, and an overall summary of the facts of the case. Parties review the report and make comments on their part of the draft report to the investigator to create the final investigation report.

#### Notification of Hearing Board Members

The complainant and the respondent shall receive written notice of the identity of any member of the hearing board members. The complainant or respondent may request the removal of a committee member on the grounds of personal bias or other conflict of interest. Such requests may be made by submitting a written statement to the Title IX Coordinator setting forth the basis for the challenge no later than two (2) business days after receiving the notice of the identity of the review committee assigned to the matter. The Title IX Coordinator will determine whether to accept or deny the challenge. If the request is accepted, a replacement will be appointed and notice will be provided to the complainant and respondent.

The decision of the Title IX Coordinator regarding the challenge is final and is not appealable.

### Live Hearing

A live hearing will be conducted by the appointed members above all of whom have completed appropriate training. All board members, parties and witness are present virtually or in person and are expected to respond to all questions asked by the hearing board and through the cross examination conducted by the adviser of the other party. The hearing will consist of opening statements from parties, questions from the board to parties and witnesses, cross examination of witness and parties by the adviser of the other party.

Time allotments may be imposed throughout the hearing and the hearing board chair has determination of relevance of information and questioning. The hearing board will render a decision using the preponderance of the evidence standard, provide rationale for decision and determine appropriate sanction when party is found responsible for a violation of policy.

Changes that became effective on August 14, 2020, require that a hearing take place in from a committee allowing complainant and respondent the opportunity to cross-examine each other through their advisors. However, in August of 2021, the Biden Administration retained the requirement to conduct a hearing but allows complainant or respondent to decline to respond to questions asked during cross-examination. Evidence, including written and verbal statements, gather prior to the hearing will remain admissible during the decision-making process.

### **Determination and Decision**

The review committee or hearing board will render a decision and provide rationale for that decision using the preponderance of the evidence standard. While the Title IX Coordinator is available for consultation, the Title IX Coordinator will not participate in making a decision.

The written decision will provide findings of fact, conclusions, and where a violation is deemed to have occurred, the sanctions imposed. The parties shall receive simultaneous written notice of the determination within five (5) business days after the parties' due date for submitting any rebuttal written statement.

The determination of the adjudicator(s) may be appealed as provided below. If no appeal is filed within the time periods prescribed below, the decision will be final. If the decision is made that there is not sufficient basis to believe that it is more likely than not that a violation of this policy

occurred, the parties will be notified of that determination and the complainant will be informed of other procedures for resolving the complaint and of other resources that may be available to the complainant.

If the decision is made that it is more likely than not that the policy was violated, the review Committee/hearing board shall determine appropriate sanction(s). The determination will include steps to take to prevent recurrence of any such violations, and as appropriate, remedies for the Complainant.

Sanctions imposed upon students who are determined to have violated this policy may include a variety of institutional responses or requirements, including, but not limited to, the following: warning (except in cases of sexual assault), removal from campus housing, not allowed to represent the University in volunteer or paid work, restitution, required attendance at educational programs, required assessment or counseling, restriction of privileges, probation, suspension, and/or expulsion.

Appropriate sanctions for university personnel deemed to have violated this policy include, but are not limited to unpaid suspensions, suspension of promotion and salary increments, suspension or withdrawal of privileges, demotion and/or termination of employment. If it is determined that it is more likely than not that a third party violated this policy, the review committee shall determine appropriate sanction(s) including but not limited to conditions upon presence on campus or at university events, no trespass and no contact orders, or other steps deemed necessary to protect the campus community. Third parties have no right to appeal the determination of the review committee.

### Appeal

Either party may appeal the decision or sanctions imposed based on lack of due process, new information, or if sanctions are inappropriate. The appeal committee is composed of up to three University employees who have received training regarding serving on such committees. No person who served on the review committee/hearing board may serve on the appeal board in the same matter.

Notice of decision: After receipt of an appeal and time for all parties to respond, and within ten (10) days of the expiration of the appeals period, the appeal review committee must make a

decision on the appeal, and the Designated Official must provide the Parties with written notice of the decision. The decision of the appeal board is final.

### **Time Frame for Resolution**

Generally, the university will complete the investigation and review process outlined above within sixty (60) days of receiving a complaint or report of a violation of this policy. Some complaints and reports may, however, take longer to investigate and resolve. The university is, however, committed to investigating and resolving all matters as promptly as possible.

### **Crime Statistics Reporting**

#### **Definitions of Clery Reportable Crimes**

The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law as defined below. University Security submits the annual crime statistics published in this report to the Department of Education. These statistics are also published and made available to the University community and public via the Hamline Public Safety website and the availability of a hard copy of the report located in the Hamline Public Safety office in Sorin Hall. The statistical information gathered by the Department of Education is available to the public through their website. A daily crime log is available at the Hamline Public Safety office in Sorin Hall during regular business hours and online through the University Security website.

#### Aggravated Assault

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

#### Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle or aircraft, personal property, etc.

#### Burglary

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

### Dating Violence

Means violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors: (i) the length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship.

### Disciplinary Referrals

The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction imposed by the University.

### Domestic Violence

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

### Drug Abuse Violations

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Hate Crime A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator biased against the victim. This bias is preformed based on race, gender, religion, sexual orientation, ethnicity, national origin, disability, or gender identity. In addition to other crimes listed in the report hate crime statistics will be included for the following:

- Larceny/Theft: Unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
- Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism of property: to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Stalking

Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

### Liquor Law Violations

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

### Negligent Manslaughter

The killing of another person through gross negligence.

### Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

### Murder and Non-negligent Manslaughter

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

### Robbery

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

### Sexual Assault

Any sexual act directed against another person without the consent of the victim, including instances when the victim is incapable of giving consent. For Clery Reporting purposes the following crimes are reported under Sexual Assault:

- Rape: the penetration, no matter how slight, of the vagina or anus, with any body part of object, or oral penetration by the sex organ of another person, without the consent of the victim.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent.
- Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in the state of Minnesota is 16.

### Weapon Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

## **Definitions of Clery Geography**

### **On-Campus**

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

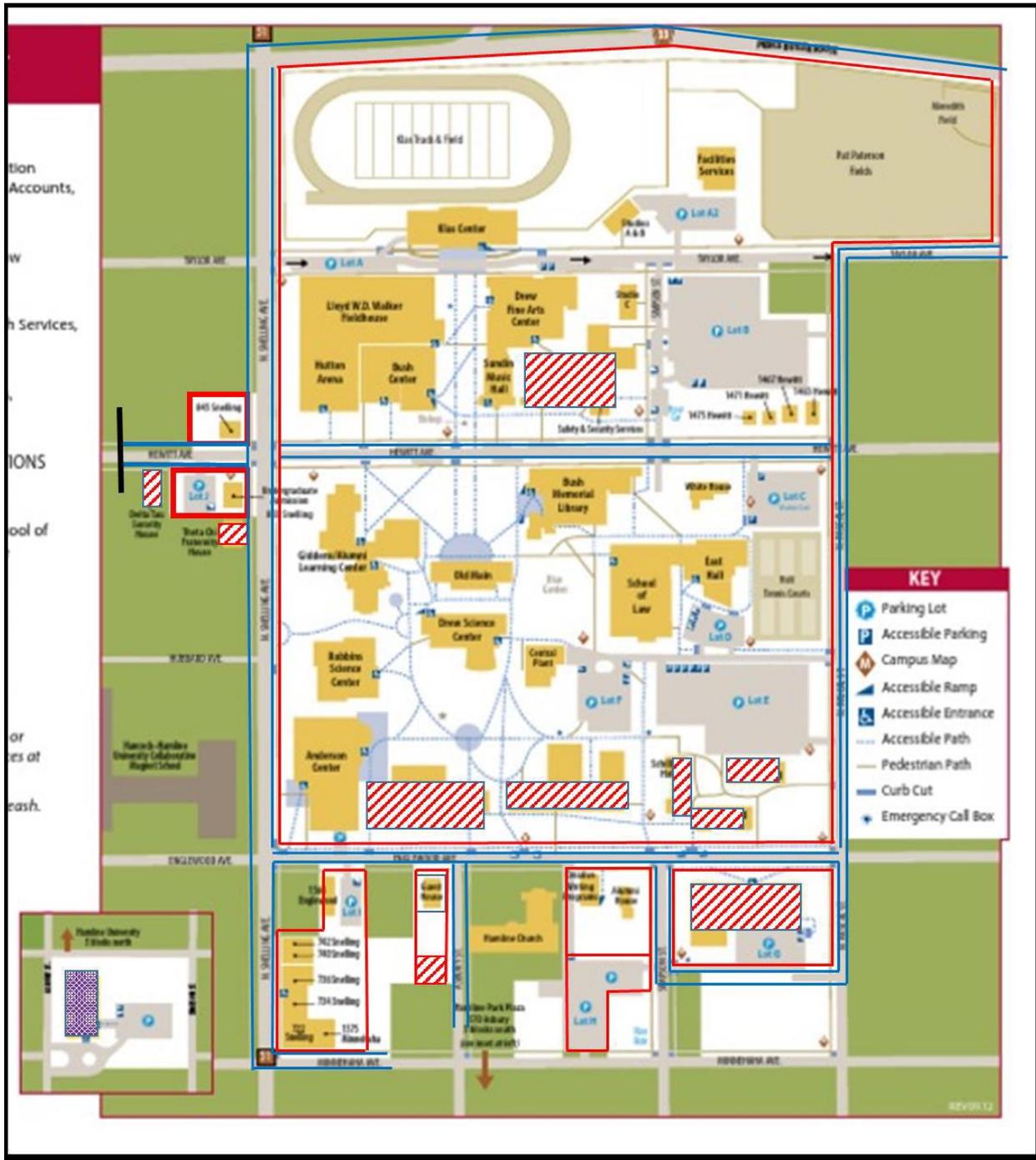
### **Non-Campus Building or Property**

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

### **Public Property**

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

## Hamline University Clery Geography Map



### Clery Geography Map Key

Red lines indicate On Campus boundaries

Blues lines indicate Public Property boundaries

Squares with Red Hash Marks indicated residential facilities

Square with purple Diamonds indicates non-campus facility in Minneapolis, MN

## Procedures for Preparing Annual Disclosure of Crime Statistics

Crime statistics are gathered from, but not limited to, the following sources: University Security, Residential Life, Title IX Office, Office of Student Affairs, campus security authorities, and local law enforcement agencies of on-campus, residential facilities, non-campus, and public property locations. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Crime Statistics (data from calendar year 2020)

Criminal Offense	On Campus			On Campus Student Housing Facilities			Public Property			Non-Campus		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	3	0	1	3	0	1	0	0	0	0	0	0
Foundling	4	1	0	2	3	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	1	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	11	1	2	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	1	6	5	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	1	0	1	1	0	1	0	0	0	0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0
Dating Violence	1	0	0	1	0	0	0	0	0	0	0	0
Stalking	1	2	1	1	0	1	0	0	0	0	0	0

\*Statistics for University housing facilities are recorded and included in both the all on-campus category and the on-campus student housing facilities category.

## Hate Crimes

No hate crimes were reported in calendar years 2018, 2019, or 2020.

## **Sex Offender Notification**

The Federal Campus Sex Crimes Prevention Act, effective October 28, 2002, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state regarding registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Minnesota Bureau of Criminal Apprehension administers a predatory offender registration and tracking program. Any questions about the program may be directed to the Criminal Assessment Program at 1-888-234-1248 or (651)-603-6748.

Information regarding the program can be found at the following website:

<https://dps.mn.gov/divisions/bca/bca-divisions/investigations/Pages/predatory-offender-registrations.aspx>

General information on registration requirements and notification procedures can be accessed from the City of St. Paul:

<https://www.stpaul.gov/search/node/Sex%20Offender%20Notification>

Information on Level 3 sex offenders may be obtained at the following web address:

<https://coms.doc.state.mn.us/publicregistrantsearch>

## **Residential Fire Safety and Policies and Procedures**

The following guidelines are to be followed due to fire safety concerns. Electrical appliances are permitted in student rooms provided their use does not disturb other residents and that its state of repair is not a fire hazard. Safety, insurance, and health code standards require certain restrictions be placed on the use of some electrical appliances in the halls. Appliances with an open coil or burner, air conditioners, hot plates, grills, skillets, halogen lamps, gas appliances, toasters, toaster ovens, and ceiling fans are not allowed in student rooms. Kitchen cooking must be confined to designated cooking areas. No student owned microwaves, toasters, toaster ovens, or hot plates are allowed in residence hall rooms. All electrical appliances brought to the campus by students are subject to inspection and approval by the university.

The safety of every student is of paramount importance to the University. Residence halls have been equipped with various emergency systems and equipment to help ensure student safety. As

such, the tampering with and/or misuse of fire and safety equipment, including fire alarms, fire doors, fire extinguishers, fire hoses, smoke alarms, exit signs, heat sensors, and any other safety equipment, poses a serious threat to life and property and will result in a \$500 fine. The starting of any fire on university property without written authorization is strictly prohibited. Hamline reserves the right to take disciplinary action through the appropriate university channels and/or local law enforcement agencies.

For safety reasons, observe the following:

- Due to the significant risk of fire, the burning of candles, incense or other open flames are not permitted in residence hall rooms. With continuous monitoring, and with the permission of the area coordinator, lit candles are permitted in public areas for programs, dinners and other special events.
- No materials may be draped or affixed overhead (i.e. on the ceiling or over light bulbs).
- Flammable substances, such as gasoline and cleaning fluids, are not to be used or stored in University residences.
- No storage of flammable materials, such as wood (including sheets of wood), empty boxes, excessive amounts of paper or cardboard.
- Do not overload the electrical outlets. The university recommends only one appliance per outlet. Also, multiple outlet 'octopus' plugs are not allowed, as they can be a fire hazard.
- If an extension cord is needed, use a heavy-duty extension cord equipped with a circuit breaker. Use them in a manner that will not create a fire hazard (i.e. running them under carpet, overloading outlets, etc.).
- Splicing of electrical wires or removal of any outlet plates or light switch plates is prohibited.
- All holiday decorations (Christmas greenery) must be fireproofed. A fireproofing service is provided by Facilities. All greenery should be taken to Facilities who will fireproof the greenery and deliver it to the student's room within 24 hours. All greenery should be tagged, indicating that it has been officially fireproofed.
- Electrical appliances should not be left unattended. Once an appliance has been used, be sure to unplug it.
- Refrigerators may not be placed in closets. There must be proper circulation behind the unit to allow the heat that is displaced to be circulated.
- Items stored too close to heating units are extremely dangerous. Keep a three-foot

clearing. Waste should be disposed as soon as possible.

- The hallways must be kept free of debris and personal items. Students assume financial responsibility for having these items removed after the first week of classes.
- At the beginning of each break, the residence hall staff enters each room to check for potential fire hazards, electrical problems, as well as safety and energy concerns. With decreased occupancy during breaks, there is greater potential for fires to remain undetected until severe damage has occurred.
- Smoking is not permitted in the residence halls or honor houses. Students who wish to smoke must do so outside at least 25 feet away from the building.

### **Appliance Use and Storage**

Certain equipment and household items are not permitted in the residence halls. The list of equipment not allowed in the residence halls includes, but is not limited to:

Air Conditioners

Halogen Lamps

Water Beds

Charcoal or Gas Grills and any type of Outdoor Fire Pit

Hot Plates

Motorbikes

Motorcycles

Candles

Incense

Toasters

George Foreman style grills

Microwave Ovens (which are not the Micro fridge unit)

Other items which may pose health and safety concerns may be restricted. Holiday decorations must be fire resistant, and no live trees and wreaths or unattended lights are permitted.

### **Procedure for Faculty and Staff in Case of Fire**

All faculty, staff and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. During an evacuation for fire or another emergency, occupants are encouraged to take personal belongings (purse, wallet, HU card, cell phone, etc.) and follow the evacuation procedures for their building (close your door, proceed to the nearest exit and use the stairs, not the elevators). Once you have evacuated, seek shelter in the nearest

campus building. If Hamline Public Safety, law enforcement, or fire department personnel are on the scene, follow their directions.

### **Plans for Future Improvement in Fire Safety**

Future improvements will be made as needed as part of the ongoing assessment process.

### **Residential Fire Safety Tips**

Living in a residence hall is commonly associated with new responsibilities, including keeping your residence hall space safe. A few tips to keep your space fire safe include:

- Locate your residence hall's evacuation plans. Learn them and evacuate the building every time the fire alarm goes off.
- Familiarize yourself with the HU policy to know what items are permitted and what items are prohibited. If you discover a fire or smell smoke, activate the building fire alarm by pulling the nearest manual pull station.
- Check your room door before opening by using the back of your hand. If the handle is hot, do not open the door. Call Hamline Public Safety at 651-523-2100.
- Check for smoke and fire outside your window. If safe to do so, open your window and hang a sheet outside to alert emergency response personnel to your location.
- If your clothes catch on fire, STOP, DROP, and ROLL wherever you are. Cover your face and roll from side to side until the flames are out. If you have a disability (permanent or temporary) that could impede your ability to evacuate, make sure to speak with your resident advisor and/or Area Coordinator about alternative arrangements to evacuating. Emergency response personnel are notified of students who have permanent or temporary disabilities.

## Annual Fire Safety Report

Additional HEA Amendments in 2008 required that the University report fire statistics in an annual fire safety report that can be embedded in the annual security report. Each on campus student housing facility fire safety system includes fire alarms, smoke detectors, fire extinguishers, and emergency exit signage. The Hamline Public Safety department performs bi-annual residence hall fire drills.

### Hamline University Fire Safety Systems in Residential Facilities

<b>Residential Facility</b>	<b>Sprinkler</b>	<b>Fire Alarm</b>	<b>Smoke Detection</b>	<b>Fire Extinguisher</b>	<b>Evacuation Plans and Placards</b>	<b>Number of Fire Drills</b>	<b>Year</b>
Drew Hall 1523 Hewitt Ave		Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Hamline Apartments 1470 Englewood	Y	Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Manor Hall 1513 Englewood		Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Osborn Hall 1481 Englewood		Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Peterson Hall 1475 Englewood		Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Schilling Hall 1485 Englewood		Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Sorin Hall 1536 Englewood	Y	Y	Y	Y	Y	2	2018
						2	2019
						2	2020
Res House #1 (Hmong House) 1475 Minnehaha			Y	Y	Y	2	2018
						2	2019
						2	2020
Res House #2 (HALO House) 1485 Minnehaha			Y	Y	Y	2	2018
						2	2019
						2	2020
Res House #3 (PRIDE House) 737 Asbury			Y	Y	Y	2	2018
						2	2019
						2	2020

Residential houses occupied by student groups upon approval from University Residential Life staff and were occupied until May 2020.

Hamline University Board of Trustees also owns residential homes at 862 Pascal, 1515 Minnehaha (duplex), 1471 Minnehaha, 1479 Minnehaha, 463 Minnehaha (4-plex), 1561 Minnehaha, 1521 Minnehaha, 1549 Minnehaha, 1555 Minnehaha, 1434 Taylor Ave W., and 900 Holton. These houses are leased exclusively in tenant agreements with non-student private parties. As a landlord Hamline University inspects fire alarms and fire extinguishers. Hamline University President’s residence is at 1027 Summit Ave and is occupied solely by the President of Hamline University and her family.

**Hamline University on Campus Student Housing Fire Statistics**

<b>2020</b>					
<b>Residential Facility</b>	<b># of fires</b>	<b>Cause of fire</b>	<b>Injuries related to fire that resulted in treatment at a medical</b>	<b># of deaths related to the fire</b>	<b>Value of property damage</b>
N/A	0	N/A	0	0	0
<b>2019</b>					
<b>Residential Facility</b>	<b># of fires</b>	<b>Cause of fire</b>	<b>Injuries related to fire that resulted in treatment at a medical</b>	<b># of deaths related to the fire</b>	<b>Value of property damage</b>
N/A	0	N/A	0	0	0
<b>2018</b>					
<b>Residential Facility</b>	<b># of fires</b>	<b>Cause of fire</b>	<b>Injuries related to fire that resulted in treatment at a medical</b>	<b># of deaths related to the fire</b>	<b>Value of property damage</b>
N/A	0	N/A	0	0	0

## **Appendix A**

### **University and Community Confidential Resources**

#### On Campus Confidential Resources

Counseling and Health Services Center

Manor Hall, Room 16 (basement level; courtyard entrance on the campus side)

651-523-2204

Religious and Spiritual Life Office-Chaplain

Rev. Kelly Figueroa-Ray

Anderson Center in the Wesley Center

(651) 523-2750

Rabbi Esther Adler

Anderson Center in the Wesley Center

(651) 523-2750

#### Off-Campus Confidential Resources

Regions Hospital

Emergency Room

640 Jackson Street

St. Paul, MN

(651) 254-3456 (ER is 24/7/365)

S.O.S. - Sexual Violence Services of Ramsey County

24-Hour Counseling, Advocacy, Information and Referral

651-266-1000

St. Paul Domestic Abuse Intervention Project

Office and 24-Hour Crisis Line

651-645-2824

Out Front Minnesota

24-Hour Anti-violence crisis support line for LGBT victims

1-800-800-0350 (Option 3)

## **Appendix B**

### **University On-Campus Non-Confidential Resources**

Hamline Public Safety

24/7/365

Sorin Hall -1st floor

651-523-2100

security@hamline.edu (non-emergencies only)

Hamline Dean of Students and Title IX Coordinator

Dr. Patti Kersten

8am-5pm, Monday-Friday

651-523-2948 (direct)

651-523-2421 (office)

pkersten01@hamline.edu

After Hours: Through Public Safety, 24/7/365

Dispatch 651-523-2100

Hamline Provost

8:00am-5pm, Monday-Friday

651-523-2043

[provost@hamline.edu](mailto:provost@hamline.edu)

Hamline University Director of Human Resources

8:00am-5:00pm

651-523-2021

Residential Life Staff

Residential Life Office 8am-5pm

651-523-2061-West Hall 106

After Hours:

Hamline Public Safety

24/7/365

Sorin Hall -1st floor

651-523-2100

security@hamline.edu (non-emergencies only)

Area Coordinators: Professional Staff on Duty 651-325-1365

Resident Advisors-Contact the on-duty Resident Advisor for your area:

Manor-Sorin Resident Advisor: 651-325-1484

Drew Resident Advisor: 651 325-1472

Heights Resident Advisor: 651-325-1434

Apartments Resident Advisor: 651-325-1516

## Appendix C

### Safety Tips

Hamline University's Hamline Public Safety measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps you can take for personal safety and loss prevention:

- Never prop doors open, even for a brief time.
- Avoid using stairs in remote sections of a building.
- Wallets, purses, and book bags should never be left unattended.
- Keep your keys in your possession. Do not place them under mats or in other obvious hiding places. Avoid working or studying alone in a building at night.
- When traversing the campus at night, stay within well-lit walkways. Do not take shortcuts through wooded areas.
- If you cannot avoid walking alone at night, call for a Safety Escort at 651- 523-2100.
- If your purse or wallet is snatched, don't fight back. Give it up rather than risk personal injury, and report the incident to the Hamline Public Safety department immediately.
- Do not put an ID tag with your name, address, or license number on your key chain; if lost, the key chain could lead to theft.
- Carry only the cash and credit cards you need.
- Carry a whistle or other means of making a loud noise.
- Have your keys in hand when you approach your vehicle.
- Keep car doors and windows locked. Check front and back seats and the cargo area before entering.
- Keep the doors and windows to your residence locked, even if you will be gone only a brief time.
- Do not keep your portable valuables in clear view next to windows that could easily be broken.
- Keep your bike locked in a rack or storage facility when not using it.
- Immediately call Hamline Public Safety to report any criminal incidents or suspicious persons.
- Laptops, smart phones and iPads should never be left unattended.

- Don't put personal information on social networking sites.
- Do not accept drinks from strangers or leave your drink unattended because it could be drugged.
- If you suspect someone of having alcohol poisoning, call Hamline Public Safety immediately. Do not wait until it is too late.