

## **ICC CAMPUS CRIMES POLICY**

### **PURPOSE**

The purpose of the Crime Campus Policy is to meet the intent of the Cleary Act, Title IX and other as defined in the Annual Security Report (ASR).

### **POLICY**

The ICC Executive Director shall complete the following:

1. Identify the individual(s) who is/are responsible for collecting and forwarding information regarding incident reports on campus.
2. Identify the individual(s) who is/are responsible for disseminating early warnings and notifying students, faculty and staff when an incident occurs;
3. Identify the individual(s) who shall collect and provide SGU with a listing of valid email addresses for all students, faculty and staff so the Annual Security Report (ASR) can be distributed to them, as well as the name and contact information of a contact person who will follow up, hand deliver and document distribution to those individuals whose email addresses come back as undeliverable.
4. Identify the individual(s) who shall gather and provide information including to SGU regarding drug/alcohol prevention and document said information for a bi-annual review.

### **ICC Boundaries**

The Boundary of the ICC campus shall include the building, the parking lot and the grounds surrounding the building. The boundaries on the east side of the building shall extend east to the road/street, which includes the parking lot running the length of the building. The boundaries on the north side of the building shall include the driveway to the rear of the building. The west side shall extend from the wall to the edge of the lawn, which shall include any sidewalks. The south side of the building boundary shall extend from the wall to the edge of the lawn approximately feet.

### **ICC Campus Crimes Policy**

The college is committed to the safety security of all students, faculty, staff and campus visitors. ICC staff monitor campus activity and monitor the campus interiors, exteriors and parking lot. There are two staff members on duty during the hours of 4:30 PM Monday through Friday. Local Law Enforcement is available on call.

### **Timely Warnings**

In the event that a situation arises that is judged by staff to constitute an ongoing or continuing threat, building-wide “timely warning” will be issued. The warning will be issued through the College sound system.

### **Procedures for the Reporting of Criminal Offenses**

To report a Crime: ICC staff should be contacted immediately. Reports must be made to the staff person on duty at the front desk. Any suspicious activity or person seen in the parking lot or loitering around vehicles, inside buildings or around buildings on campus should be reported

to any staff member. In addition, you may report a crime to the following:

Executive Director  
Business Manager  
After/Evening Supervisor

### **Crime Reporting**

ICC encourages anyone who is the victim or witness to any crime to promptly report the incident to ICC staff and YST LEA. In situations calling for immediate assistance staff must refer to the YST LEA. Because police reports are public records under federal law, the College cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other College campus security authorities to include SGU.

### **Confidential Reporting Procedures**

If you are the victim of a crime and do not want to pursue action within the College or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Executive Director or a designee of the campus can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

### **Access Policy**

During business hours, the College will be open to students, parents, employees, contractors, guests and invitees. During non business hours access to all College facilities is by key, if issued, or by admittance staff. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities. Over extended breaks, the doors of all buildings will be secured around the clock.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. These surveys examine security issues such as landscaping, locks, alarms, lighting and communications. Additionally, during the academic year, the Executive Directive, staff and Maintenance department will discuss issues of pressing concern.

### **Authority and Jurisdiction**

The College's Staff have complete police authority to *call law enforcement* to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If minor offenses involving College rules and regulations are committed by a College student, the staff may also refer the individual to the Dean of Student Affairs or his designee.

Major offenses, such as rape, murder, aggravated assault, robbery and auto theft, are reported to

the YST LEA and joint investigative efforts with investigators from the College, and Federal authorities if necessary are requested to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted by the appropriate jurisdiction.

### **General Procedures for Reporting a Crime or Emergency**

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the ICC staff in a timely manner. All campus police incident reports are forwarded to the Dean of Student Affairs' office or his designee for review and potential action. An on Campus investigation will be completed and a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Dean of Student Affairs or his designee.

If assistance is required from the YST LEA will be contact. If a sexual assault or rape should occur, staff on the scene, will refer the victim to the IHS services. The College does not have a Sexual Assault Crisis Consultation Team.

### **Awareness Programs Crime Prevention Programs**

During orientation, students are informed of the policy. An oral presentation outline ways to maintain personal safety and security. Students are told about crime on-campus and in surrounding neighbor-hoods. Similar information is presented to new employee through the Employee Manual.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos and articles and advertisements in College and student newspapers.

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. College Police/Security/other personnel facilitate programs for student, parent, faculty and new employee orientations, student organizations, community organizations, in addition to programs providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

### **Policy on Drugs and Alcohol in the College**

The Board of Directors endorses the statement of the network of colleges and universities committed to the elimination of drug and alcohol abuse, which is based on the following premise:

American society is harmed in many ways by the abuse of alcohol and other drugs -- decreased productivity, serious health problems, breakdown of the family structure, and strained social resources. Problems of illicit use and abuse of substances have a pervasive effect upon many segments of society -- all socio-economic groups, all age levels and even the unborn. Education and learning are especially impaired by alcohol abuse and illicit drug use. (Statement of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse)

The Board recognizes that education regarding alcohol and substance abuse is an appropriate and even necessary part of contemporary college life. Since the unauthorized use of controlled substances, in addition to the potential harmful effect it may have on students and employees, is contrary to Tribal and federal law and regulation, it must be prohibited in any college activity, on or off the college campus.

All students and employees are considered to be responsible for their actions and their conduct. These provisions shall apply to all colleges under the jurisdiction of the Board:

1. No student or employee shall knowingly possess, use, distribute, transmit, sell or be under the influence of any controlled substance on the college campus or off the college campus at a college-sponsored activity, function, or event. Use or possession of a drug authorized by a medical prescription from a registered physician shall not be a violation of this provision.

### **Policies Regarding Sex Offenses Sexual Assault Prevention and Response**

If you are a victim of a sexual assault at this College, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The College strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to ICC staff. Filing a report with ICC staff will not obligate the victim to prosecute nor will it subject the reported victim to scrutiny or judgmental opinions from officers. Filing a report will ensure that a person who reports being a victim of a sexual assault:

- receives the necessary medical treatment and tests without expense to them;
- provide the opportunity for collection of evidence helpful in prosecution, which
- cannot be obtained later (ideally a victim of sexual assault should not wash,
- douche, use the toilet or change clothing prior to a medical/legal exam)
- assure the reported victim has access to free confidential counseling from
- counselors specifically trained in the area of sexual assault crisis intervention.

When a person who contacts ICC staff and reports they have been the victim of a sexual assault, the YST LEA and the Dean of Student Affairs Office will be notified as well. The reported victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the College's student conduct system or one or the other. A representative from the Tribe or the Dean of Student Affairs or his designee will guide the reported victim through the available options and support the reported victim in his or her decision. Various counseling options and support services are available in the community.

College student conduct proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the Student Handbook. The Handbook provides, in part, that the accused student and the reported victim will each be allowed to choose one (1) person who has had no formal legal training to accompany them throughout the hearing. Both the reported victim and accused student will be informed of the outcome of the hearing. A student found to have violated Board of Directors Policy regarding sexual misconduct may be suspended or

expelled from the College for the first offense - include this statement or substitute with a mandated statement of sanctions that may be imposed upon a determination that a student has committed a sex offense – must be more than a statement that 'sanctions will be imposed. In addition to be criminally prosecuted in the courts. Those students who report they are a victim of a sexual assault have the option to request a change in their academic situations after a reported sexual assault, if such changes are reasonably available.

### **Policy Statement Addressing Sex Offender Registration**

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College provides a link to the Sex Offender Registry.

This Act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning 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 a vocation or is a student.

On the Yankton Sioux Reservation, convicted sex offenders must register with the Sex Offender Registry. The Sex Offender Registry information provided under this law shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees and volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited and a willful violation shall be punishable as provided by law.

Adopted: 7/23/18