

2024

ANNUAL SECURITY AND FIRE SAFETY REPORT

Contains Crime and Fire Statistics from 2021, 2022, and 2023



ANNUAL SECURITY AND FIRE SAFETY REPORT

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| Quick Reference Information | | |
|--|----------------|-------------------------------------|
| <u>EMERGENCY</u> | | |
| (413) 782-1411 | OR | 9-1-1 |
| University Police – Non-Emergency | (413) 782-1207 | Public Safety Building |
| University Health Services | (413) 782-1211 | CSP 235 |
| University Health Services (After Hours) | (413) 519-4055 | |
| University Counseling Center (24/7) | (413) 310-5389 | |
| Title IX Coordinator – Sarah Butterick | (413) 782-1216 | Human Resources – Rivers Hall, 109 |
| Student/Residence Life | (413) 782-1317 | Campus Center, 222 |
| Dean of Students | (413) 782-1283 | Campus Center, 229 |
| Springfield Police Department | (413) 787-6302 | 130 Pearl Street, Springfield |
| Springfield Fire Department | (413) 787-6411 | 605 Worthington Street, Springfield |
| Massachusetts State Police – Springfield | (413) 736-8390 | 600 Liberty Street, Springfield |
| Baystate Medical Center | (413) 794-0000 | 759 Chestnut Street, Springfield |
| Mercy Medical Center | (413) 748-9000 | 271 Carew Street, Springfield |





Department of Public Safety Overview

The Department of Public Safety consists of several categories of staff: University Police, Security Staff, Key and Lock Control, Student Cadets (formerly “Student Patrol”), and administrative support staff all working cooperatively to enhance the quality of life at Western New England University.

The University Police staff consists of a Chief of Police, a Deputy Chief of Police, a Detective Lieutenant, three Sergeants, eight Police Officers, and seven Community Service Officers (CSOs). Together, they handle the daily law enforcement, emergency, and community policing needs of the university community. The University Police staff responds to all campus emergencies, including **POLICE**, **FIRE**, and **MEDICAL** emergencies.

The Security Staff's daily responsibility revolves around providing security-related functions inside the Alumni Healthful Living Center. The Security Staff are also responsible for security at some programs and events on campus throughout the year.

The Student Cadet (formerly “Student Patrol”) staff assists all divisions of the Department, primarily during the evening hours. The Student Cadets receive training in emergency medical response, emergency dispatching, and crowd control. Student Cadets also assist with security during large events hosted at the university.



University Police Authority

University Police Officers are appointed as Special State Police Officers by the Colonel of the Massachusetts State Police, under Massachusetts General Law Chapter 22C, Section 63. University Police Officers have the same arrest authority as any other law enforcement officer in the Commonwealth.

University Police have the power of arrest for criminal offenses committed in or on lands or structures owned, used, or occupied by Western New England University.

Community Service Officers, Security Staff, and Student Cadets do not have the power to arrest. However, Community Service Officers and Security Staff do have the authority to enforce university policy.

University Police Training, Certification, and Accreditation

University Police Officers must successfully complete a police academy sponsored by the Municipal Police Training Council (MPTC) or have the equivalency in the training to be certified as a police officer by the Peace Officer Standards and Training Commission (POSTC).

Every police officer in Massachusetts must be recertified by POSTC every three years. To obtain recertification, officers must complete annual in-service training and must meet any standard set by the commission.

The Department of Public Safety is proud to be an accredited police department through Massachusetts Police Accreditation Commission (MPAC). Accredited police departments are required adopt, comply, and regularly evaluate their standards and policies, aligning them with highest of industry standards.

The Department of Public Safety is also active members with the National Association of Clergy Compliance Officers and Professionals (NAACOP) and the International Association of Campus Law Enforcement Administrators (IACLEA).



Relationship with Local Law Enforcement

University Police work closely with the Massachusetts State Police and the Springfield Police Department, periodically conducting joint training exercises and sharing law enforcement information.

University Police entered into a Memorandum of Understanding (MOU) with the Springfield Police Department on December 12, 2021. This MOU was updated on December 6, 2022.

This MOU is meant as a guide to help formalize the commitment of the agencies to work together to provide the effort and support required to aid the overall response to sexual misconduct, including sexual assault, dating/domestic violence, stalking, sexual harassment, gender-based violence, and violence based on sexual orientation or gender identity or expression, at Western New England University. The agencies share the goal of preventing sexual misconduct at Western New England University and in the broader community, and responding appropriately to victims of sexual misconduct.

This MOU is intended to allow Western New England University to meet its obligation to resolve sexual misconduct complaints promptly and equitably under Title IX of the Education Amendments of 1972 and to comply with Massachusetts General Law Chapter 6, §169E (C) and 610 CMR 14.00.



Reporting a Crime or Emergency

The Western New England University Police are responsible for responding to all campus emergencies, including **POLICE**, **FIRE**, or **MEDICAL** emergencies.

Community members are encouraged to contact University Police to report any crimes, suspicious activity, or safety concerns. Responding officers will ensure the scene is safe, restore peace, and take any necessary action.

There are three methods to contact the University Police:

Telephone: You can call University Police Dispatch at [413-782-1411](tel:413-782-1411) or [413-782-1207](tel:413-782-1207). It is recommended that you pre-program these numbers into your speed dial. Alternatively, you may call [9-1-1](tel:9-1-1) or utilize [Text-to-911](tel:9-1-1), however, these calls will be routed to a Public Safety Answering Point, typically the Springfield Emergency Communications Center (Police & Fire), before then being redirected to the University Police.

When placing a call, please be prepared to provide:

- Your name and telephone number
- Location of you or the incident
- Nature of your call or request
- If possible, remain on the line unless instructed otherwise.

Emergency "Blue Light" Phone: The campus is equipped with 35 emergency "Blue Light" phones strategically located across campus. These phones directly connect you to the University Police and can be used for assistance other than emergency services. Additionally, the campus CCTV system can monitor these phones.

In Person: Walk-in complaints or requests for assistance are always welcome 24 hours a day, 7 days a week, and 365 days a year. The University Police is conveniently located on Evergreen Road near the Alumni Healthful Living Center.





Campus Security Authorities

The Clery Act defines the term “Campus Security Authority” as:

- A campus police department or a campus security department of an institution;
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property);
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to act or respond to particular issues on behalf of the institution. For example, staff responsible for campus student and family housing, a student center, or student extra-curricular activities; a director of athletics, coaches and trainers, faculty advisors to student groups, staff responsible for student discipline and campus judicial staff.

At Western New England University, the following employees are considered to be a “Campus Security Authority”:

- All employees of the Department of Public Safety, to include:
 - Police Officers
 - Community Service Officers
 - Building Security Staff
 - Student Cadets
- The Title IX Coordinator
- All employees of Residence Life
- All employees of Student Life
- All employees of Athletics
- All Peer Advisors
- Student Organizations Advisors and Connection Mentors



Building and Facility Access and Security

Security Policy

Western New England University and its employees strictly enforce policy related to access and security of all buildings and facilities. The following is an overview of related policies located in the *Student Handbook* and/or *Housing Agreement*.

Violations of any security policy can result in internal disciplinary action for community members and the ejection/trespass of any guest or visitor.

Guest/Visitor Policy:

All guests and visitors must be registered as required by policies established by Residence Life. Guests and visitors must abide by all university policies and violations of such policies are the responsibility of their host.

Access Security Policy:

The lending of any access control card, university identification card, or physical access key is prohibited. The automatic access control system is monitored in real-time to ensure that only authorized individuals can enter a university facility.

Solicitation Policy:

Solicitations, promotions, and other similar activities are forbidden in residential areas.

Automatic Access Control

The university currently utilizes an automatic access control system, which is industry standard for most colleges and universities. The system will lock and unlock a building based on a pre-programmed schedule maintained by the Department of Public Safety. The system also allows students, staff, and faculty to access certain locked buildings utilizing their university-issued identification.

Physical Key Control

Although some academic buildings utilize the automatic access control system to control the locking and unlocking of interior doors, the use of a physical keys is required for most interior doors, including all interior doors of residential complexes and dormitories.

The university adheres to a strict security standard for all physical keyways. First, the core to each lock is assembled with its own "combined" number ensuring that only the issued key will open that lock. Second, the possibility of duplicating room keys is remote because the key "blank" is registered to Western New England University and is not available to independent key makers for duplication. Lastly, lost or stolen keys require the student to submit a work order to the lock shop. Once reported the locks will then be changed, and a new core and new keys will be issued for the residence. For stolen keys, the student should also file a report with the campus police.



Access to Campus Academic Facilities

Academic buildings are accessible to members of the campus community, guests, and visitors during the day, at night, and on weekends depending on normal operating hours and scheduled events. Access to academic buildings is automatically controlled by the university's access control system.

Access to Residential Buildings or Facilities

Traditional Residential Dormitories

(Commonwealth Hall, Berkshire Hall, Hampden Hall, Franklin Hall, Windham Hall, Southwood Hall, and LaRiviere Center)

The university's access control system controls the exterior doors of all traditional residential dormitories. The access control system is programmed to keep these doors locked 24 hours a day, 7 days a week. The system is also designed to prohibit access to anyone not residing in the specific building. Interior doors utilize a physical key to access individual dorm rooms.

Apartment-Style Dormitories

(Plymouth Hall, Evergreen Village, and Gateway Village)

Apartment-style dormitories are accessed by utilizing a physical key. Each key is created and assigned to a specific resident. The issued key can open both the individual's dorm as well as any common area doorway.

Special Resident Access

Laundry Facilities: For traditional residential dormitories, laundry facilities are located within the secured area of the residence building. For residents of Gateway and Evergreen Village, a stand-alone building houses the laundry facilities and access is granted using a university identification card.

Gateway Village Parking: A security-control gate is installed at the main entrance and only residents and employees are able to access the parking area.





Crime Prevention Services and Educational Programs

Crime Prevention Overview

The Department of Public Safety make several Crime Prevention presentations to the various residence halls on campus. The presentations focus on topics that concern the community and assist students in the prevention and detection of crime. The presentations assist students and staff in recognizing the potential for anyone to become a victim of a crime and the importance of prompt and accurate reporting.

The following are Crime Prevention topics that are addressed by the Department of Public Safety at presentations throughout the academic year. Typically, these presentations are made at “floor programs” in various residential buildings with the assistance of Residence Life staff, although these topics are also covered during the Student Orientation and Registration (SOAR) programs for new incoming students. The program presentations include but are not limited to:

- Awareness for domestic and dating violence, sexual assault, and stalking:
- Operating Under the Influence (OUI)
- Drug, alcohol, and substance abuse awareness and prevention
- Suspect identification
- General safety

Proactive Crime Prevention

“Crime Prevention Notices” are issued to faculty, staff, and students to aid and assist the prevention and detection of crime. These written notices are an excellent way to communicate the “help us, help you” message underlining the crime prevention philosophy.

Crime Prevention Notices serve as reminders to help make faculty, staff, and students more conscious of security. Students and employees are also periodically provided with crime prevention information in flyers during the semester, reminding them of safety and security issues.



Emergency Response Plan

During a campus emergency, the Emergency Response Plan is intended to establish policies, procedures and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of the campus.

This plan describes the roles and responsibilities of departments, schools, units and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of university and community resources. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

Currently, the Assistant Vice President for Public Safety and Security is responsible for developing, implementing, and maintaining the emergency response plan. While the responsibility of emergency management is shared between university departments, the Department of Public Safety plays a key role in carrying out the day-to-day operations.



Timely Warnings and Emergency Notifications

Timely Warnings

The Western New England University Police provides timely warnings to faculty, staff, and students as required. These timely warnings are disseminated by email and the KODIAK network. These internal systems include faculty, staff, and student users. Additional means of dissemination include flyers, direct mail, and telephone communication to resident advisors. Typical warnings include the time, location and type of crime committed. Warnings also include information regarding how to report suspicious activity and how to avoid being a victim of crime. The Western New England University Police website also publishes this information under “Crime Alerts” as well as through social media.

Timely Warnings are usually published with the assistance of Marketing and External Affairs in conjunction with the Emergency Response Team.

Emergency Notifications – Immediate or Active Threats

Federal Law requires that this University immediately notifies the campus community or the appropriate area (s) of the community that may be affected due to the situation. The University has implemented the RAVE notification system. RAVE is an emergency messaging system. It allows faculty, staff, and students to receive notifications of school closure, delays, and emergency alerts as text messages on their cell phones and by email to non-University email accounts. The ERP states, “A Public Safety Supervisor, upon confirming a significant emergency or dangerous situation that is ongoing, may activate the All Campus Alert system and/or RAVE text messaging system without delay if, in the Supervisor’s professional judgment doing so will protect the health and safety of the members of the University community.” It is the fastest, most reliable way to reach community members. To enroll in the RAVE system, please log into your “Connect2U” account. If you have any problems, please contact our department at (413) 782- 1207.

Daily Clery Crime Log – Fire Log – Police Log

The Western New England University Police maintains a log for all crimes committed in our jurisdiction. In addition, all fires are recorded listing injuries and property damage caused by fires. The official logs are available for in-person inspection at the Campus Police Station.





Missing Student Notification Policy and Procedures

All resident students must read and acknowledge the “Missing Student Notification Policy and Procedure” before applying for campus residency. Acknowledgment is achieved electronically before housing requests can be processed. This procedure guarantees resident students are informed.

While the University Police investigates the report and Student Life is tasked with notification responsibilities, they may share these duties and responsibilities in the best interests of the University and the student involved. University Police will document in detail all missing person reports.

The Missing Student Notification Policy and Procedure is the following:

→ **Purpose**

To establish policy and procedures for the University community regarding the reporting, investigation, and required confidential notification when a Residential Student is deemed to be missing.

→ **Scope**

While the scope of policy and procedures is directed primarily to residential students and the staffs of the Division of Student Life and the Department of Public Safety, all members of the academic community (students, faculty, staff, and administrators) share the responsibility of notifying designated University officials when they believe that a student is missing.

→ **Definitions**

Missing - For purposes of this policy, a residential student is presumed missing if they are overdue in reaching home or campus for more than 24 hours past their expected arrival and a check of their place of residence supports that determination.

Additionally, other factors may lead University staff to believe a student is missing, and a check of their place of residence supports that determination.

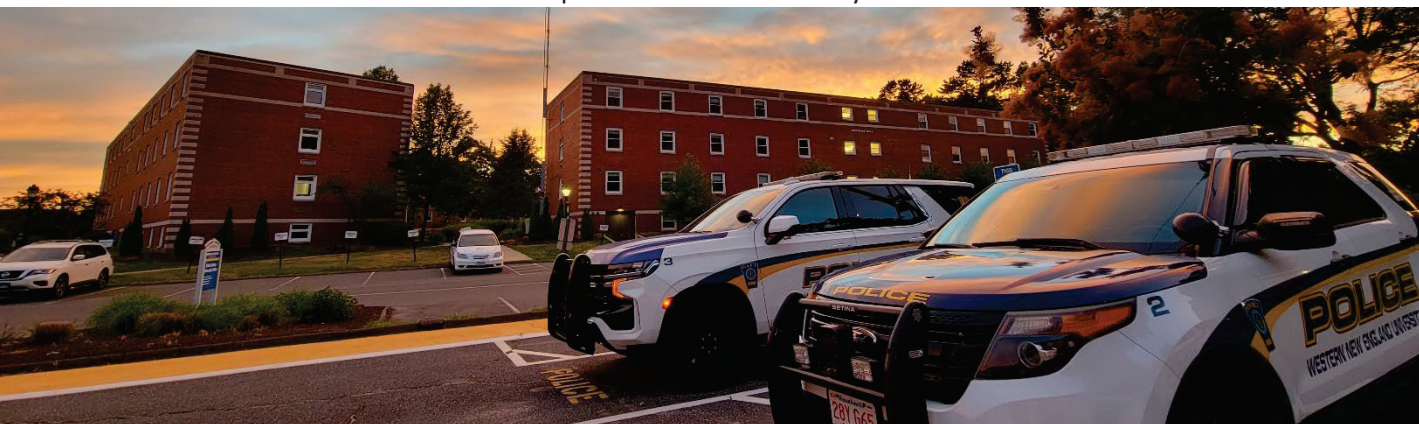


→ **Notification to Residential Students**

- A. Residential students are to be informed they have the option to confidentially identify an individual, and their telephone number(s), to be contacted by the institution not later than 24 hours after the time that the student is determined to be missing. The office of Residence Life will collect and maintain the confidential contact information. The student is responsible for ensuring that the contact information is up-to-date and accurate.
- B. Residential students, who are under 18 years of age and not emancipated individuals, are to be informed that the institution is required to notify a custodial parent or guardian not later than 24 hours after the time that the student is determined to be missing.
- C. Residential Students are to be informed that the institution will notify the appropriate law enforcement agency within 24 hours after the time that the student is determined to be missing.

→ **Procedures for Investigating and Notification of Missing Students**

- A. Any report of a missing student should immediately be directed to the Department of Public Safety.
- B. When a student is reported missing, the Department of Public Safety shall:
 - a. Initiate an investigation to determine the validity of the missing student report;
 - b. Establish a status of the missing student;
 - c. Advise the division of Student Life of the missing student report, detailing the length of time the student has been missing and other relevant information.
- C. The division of Student Life shall:
 - a. Notify the individual identified by the missing student as the confidential contact within 24 hours of making the determination that the student is missing.
 - b. If the missing student is under the age of 18, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours of the determination that the student is missing.
 - c. In the event confidential contact information is unavailable or incomplete, this status shall be provided to the Department of Public Safety.





Preventing and responding to:

Domestic and Dating Violence, Sexual Assault, Stalking, and Sexual Harassment

On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act. Included in the bill were amendments to the Clery Act that afforded additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking.

On March 15, 2022, President Biden signed into law the Violence Against Women Act (VAWA) Reauthorization Act of 2022. The legislation reauthorizes all current VAWA grant programs through 2027. Further, the bill:

- Requires colleges and universities to conduct campus climate surveys of students to track their experiences of sexual violence on campus;
- Expands and provides additional funding for the Rape Prevention and Education Grant Program and other existing campus grants designed to provide comprehensive prevention education for students;
- Establishes a pilot program that provides funding to colleges and universities (among other entities) to create programs on restorative practices to prevent and address sexual violence;
- Requires the Secretary of Health and Human Services to create a demonstration grant program for colleges and universities to provide comprehensive forensic training to train healthcare providers on forensic assessments and trauma-informed care to survivors of sexual violence; and
- Requires the Government Accountability Office to examine the relationships between victims of sexual violence and their ability to repay their student loans.



Western New England University does not discriminate on the basis of sex, gender, gender identity, gender expression, or sexual orientation, in its educational programs. This includes prohibitions of sexual harassment, sexual violence, dating violence, domestic violence, and stalking. As a result, Western New England University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a university official. In this context, Western New England University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the University community.

The Title IX Coordinator works cooperatively with representatives from Student Life, Residence Life, Diversity Programs and Services, Athletics, Human Resources, Public Safety, Student Activities, and Career Development to:

- Identify the needs, issues, trends, and climate of campus around sex discrimination issues;
- Develop, implement, and monitor approaches and efforts to addressing those needs;
- Review, recommend and implement Title IX policies, initiatives, programming, and materials;
- Provide oversight of and accessibility to reporting and response systems; and
- Ensure Title IX-related work is compliant and consistent with identified best practices.

Western New England University is committed to providing an environment that is free from harassment, discrimination, and violence. To that end, the University works to ensure compliance with Title IX of the Educational Amendments of 1972, a federal civil rights law that prohibits discrimination on the basis of sex in federally-funded education programs and activities.

Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or on a person's not conforming to conventional notions of masculinity or femininity. Other examples of the types of discrimination that are covered under Title IX include the failure to provide equal opportunity in athletics; discrimination in a school's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy and parental status.



University Policy Definitions

These are the terms used by the university in our policy and procedures:

- **Consent** is defined in University Policy as: “A freely and affirmatively communicated willingness to participate in sexual activity, expressed either by words or clear, unambiguous actions.”
 - Consent to engage in sexual activity involves a knowing, free, and ongoing decision on the part of an individual to engage in that activity.
 - Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity.
 - Consent cannot be obtained from an individual who is incapacitated.
 - Consent is not effective if it results from the use or threat of physical force, intimidation, or coercion (i.e. words or actions involving threats or implied threats), or any other factor that would eliminate an individual’s ability to exercise their own free will.
 - Consent is ineffective if given by a minor (in Massachusetts, those not yet sixteen (16) years of age).
 - Silence, passivity, lack of resistance, or a lack of verbally refusing sexual activity does not, by itself, necessarily indicate consent.
- **Sexual Assault** means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Incest** is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.



Definitions

The Violence Against Women Act (VAWA) requires that institutions report incidents of sexual assault, domestic and dating violence (also known as “intimate partner violence”) and stalking in its Annual Security Report.

The following federal law definitions apply to this reporting requirement. VAWA also requires that institutions publish state law definitions of the same crimes, including the applicable jurisdiction’s definition of consent. The definitions are, therefore, provided below:

| FEDERAL/CLERY ACT DEFINITION | MASSACHUSETTS LAW DEFINITION |
|--|---|
| <p>Domestic Violence: Felony or misdemeanor crimes of violence committed—</p> <ul style="list-style-type: none"> 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; or 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. | <p>Dating/Domestic Violence: The Commonwealth of Massachusetts does not have crimes defined as “dating violence” or “domestic violence” but Massachusetts General Laws, Chapter 209A § 1 prohibits the crime of “abuse.”</p> <p>Abuse is defined as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”</p> <p>Family or household members are defined as “persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.”</p> |
| <p>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.</p> | |



| FEDERAL/CLERY ACT DEFINITION | MASSACHUSETTS LAW DEFINITION |
|---|---|
| <p>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.</p> | <p>Stalking: Massachusetts General Laws, Chapter 265 § 43(A). Stalking is defined as: “Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury.”</p> <p>The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.</p> |
| <p>Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.</p> | <p>Sexual Assault: Massachusetts does not have a crime of “sexual assault” but Massachusetts General Laws, Chapter 265 § 22 prohibits the crime of rape. Rape is defined as having “sexual intercourse or unnatural sexual intercourse with a person, and compel[ling] such person to submit by force and against his will, or compel[ling] such person to submit by threat of bodily injury.” Under Massachusetts law, both men and women may be the survivors of rape and both may be the perpetrators of rape. Massachusetts has several separate crimes related to rape and abuse of a child (see M.G.L. c. 265 § 22A – 23B). Assault with intent to commit rape is a crime under Massachusetts law (see M.G.L. c. 265 § 24) and drugging a person for sexual intercourse is prohibited by Massachusetts General Laws, Chapter 272 § 3. Indecent Assault and Battery is also a crime under Massachusetts law. In particular, the statute prohibits indecent assault and battery against a child under age fourteen (see M.G.L. c. 265 § 13B, § 13B1/2, § 13B3/4), against a person with an intellectual disability (see M.G.L. c. 265 § 13F), and against a person aged fourteen or older (see M.G.L. c. 265 § 13H). Massachusetts law also prohibits statutory rape (see M.G.L. c. 272, §23) and incest (see M.G.L. c. 272, §17).</p> |



Reporting: University Counseling Services ***Sexual Assault, Domestic and Dating Violence, or Stalking***

CALL FOR HELP

Call University Police at (413) 782-1411 (or dial 1411 from any campus phone). If off campus, contact the local police department by dialing 911. By calling for help, you can utilize emergency services to protect your safety and well-being.

OBTAIN EMERGENCY CARE

MEDICAL

If needed, obtain medical care immediately. If you were the victim of a sexual assault, Sexual Assault Nurse Examiners (SANEs) are specially trained to care for survivors of sexual violence and to perform sexual assault evidence collection kits.

The SANE program is available in two hospitals within the City of Springfield:

- Baystate Medical Center – 759 Chestnut Street, Springfield
- Mercy Medical Center – 271 Carew Street, Springfield

MENTAL HEALTH

Should a survivor need to seek mental health resources, Counseling Services is available free of charge through a 24-hour crisis line:

(413) 310-5389

EVIDENCE COLLECTION AND PRESERVATION

SEXUAL ASSAULT EVIDENCE COLLECTION

In the event of a sexual assault, the survivor should not shower, wash, or throw away the clothes worn at the time of the assault, if possible. This can help in collecting evidence that may be useful if the survivor chooses to report the assault to law enforcement in the future. However, the collection of evidence and undergoing a medical exam do not obligate the survivor to participate in any investigation or prosecution of the sexual assault. That is the survivor's choice.



SEXUAL ASSAULT EVIDENCE COLLECTION, cont.

The suggested medical exam includes a general physical exam and an exam to check for internal injuries. The survivor may choose to receive emergency contraception and/or prophylaxis for sexually transmitted infections.

If a survivor believes they were drugged, toxicology screening is available, although many drugs leave the body quickly and this screening may not always be able to detect them.

The survivor has the right to accept or reject any part of the medical exam. After 120 hours (5 days), a physical exam for evidence collection is no longer necessary since the evidence is unlikely to exist. However, medical care and counseling continue to be important, and a physical exam may provide evidence of a sexual assault, dating violence or domestic violence.

At the survivor's request, evidence gathered at the hospital must be held for at least 15 years, whether or not the survivor has decided to report to law enforcement. Physicians who provide treatment to survivors of sexual assault are required by Massachusetts General Laws, Chapter 112, Section 12A ½, to notify the state and local municipal police of the incident and its approximate location, but to provide no other details, including the survivor's name.

EVIDENCE PRESERVATION

It is important to preserve evidence in cases of sexual assault, dating violence, domestic violence, or stalking, if possible. Victims should take certain actions promptly to preserve evidence for criminal prosecution and/or to obtain a protective order. Recommended examples of evidence preservation include preparing a written account or chronology of the incident(s), identifying potential witnesses, taking photographs of any injuries or property damage, and preserving copies of communications, including texts, emails, and voicemail recordings. Because a survivor has 15 years to decide to go forward with a case, it is beneficial for the survivor to at least preserve the evidence as soon as possible; so that if the decision to move forward is made there is evidence to support the case.

Additionally, survivors of sexual assault, dating violence, domestic violence, or stalking should be careful to store such documented history of incidents in a place or on technology that is not readily accessible to, or subject to destruction by, the abuser or stalker.



Assistance for Victims: Rights, Options, and Resources

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

In Massachusetts, a victim of domestic violence has rights guaranteed under Chapter 209A. In situations where the victim and abuser do not meet the criteria of a domestic relationship (under Chapter 209A), a Harassment Prevention Order may be obtained under Chapter 258E to protect the victim from harassment.

209A/258E RIGHTS

Under Chapter 209A and Chapter 258E, a victim has the following rights:

The right to:

- Obtain, from an appropriate court, an order:
 - Restraining your attacker from abusing/harassing you,
 - Directing your attacker to refrain from contacting you,
 - Directing your attacker to leave and/or stay away from your:
 - Household,
 - Building,
 - Workplace
 - Awarding custody of minor children,
 - Directing your attacker to pay support,
 - Directing your attacker to pay you for losses suffered as a result of abuse/harassment.
- Obtain a criminal complaint at an appropriate court.
- Be transported to a hospital for medical treatment.
- Request police remain on scene until you leave or your safety is ensured.
- Request police assist you in locating a safe place, such as:
 - A meeting location for a shelter,
 - A family member or friend's residence,
 - Similar place of safety.
- Request a copy of the police incident report (at no cost).





UNIVERSITY SUPPORT AND ASSISTANCE

The University may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, University offices will work cooperatively to ensure that the complainant's health, physical safety, work, and academic status are protected, pending the outcome of a formal University investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa, and assistance in notifying appropriate local law enforcement. Additionally, personally identifiable information about the victim will be treated as confidential and only shared with persons who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).

Further, the University will maintain as confidential, any accommodations or supportive measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or supportive measures. The University does not publish the names of crime victims nor house identifiable information regarding victims in the campus police department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by contacting Enrollment Services at (413) 782-2080.



RESOURCES FOR VICTIMS

On Campus Resources

- Public Safety/University Police
 - Emergency: (413) 782-1411
 - Non-Emergency: (413) 782-1207
- University Center for Health and Well-Being
 - Health Services: (413) 782-1211
 - Health Services, after hours: (413) 519-4055
 - Counseling Services/Crisis: (413) 310-5389
- Confidential Resource Providers
 - Lauren Dansereau: (413) 796-2308
 - Ryan Berthiaume: (413) 796-2385
- Title IX Coordinator
 - Sarah Butterick: (413) 782-1216
- Deputy Title IX Coordinators:
 - Lori Mayhew-Wood: (413) 796-2230
Associate Director of Athletics
 - Jordan G. Hall: (413) 782-1376
Associate Dean of Student Life, Law School
 - Beth Hill: (413) 782-1368
Health and Wellness Educator
 - Michelle Clark: (413) 782-2078
Assistant Registrar
 - Amy Burton: (413) 796-2010
Assistant Dean for Student Life, College of Pharmacy and Health Services
 - Mike Vallee: (413) 782-1599
Head Athletic Trainer
- University Administration:
 - Residence Life: (413) 782-1317
 - Student Life/Dean of Students: (413) 782-1474

Local and State Resources

- Abuse and Rape Crisis (YWCA of Western Massachusetts)
 - Phone: (413) 733-7100
- First Call (United Way)
 - Phone: (413) 737-2712
- Massachusetts Coalition for Battered Women's Service Group
 - Phone: (617) 248-0922



University Adjudication of Title IX Violations

Whether or not criminal charges are filed, the University* or a person may file a complaint under the Title IX Sexual Misconduct Policy. The University's policy on Sexual Misconduct / Harassment describes:

- The Steps
- Anticipated timelines
- Decision-making process
- How the institution determines which type of proceeding to use based on the circumstances of the allocation of dating or domestic violations, sexual assault, or stalking.

Reports of all domestic violence, dating violence, sexual assault, and stalking made to University Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

**Title IX states that if an institution knows or reasonably should know of sexual harassment, to include sexual violence, the institution has a duty to investigate. Consequently, whether a complainant chooses to cooperate or not should not be the deciding factor for whether or not disciplinary charges are brought against an accused party. If an investigation determines that it is more likely than not that the institution's sexual misconduct policy was violated, then the University may assume the role of the complainant.*

The University disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. The University will endeavor to complete the investigation and adjudication of formal complaints within one hundred (100) business days from the date of the investigators' first interview of the complainant, however, the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing panel members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and are taught how to conduct the investigation and a hearing process that protects the safety of the victim and promotes accountability.



The policy governing the adjudication process provides that:

- The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing panel that protects the safety of victims and promotes accountability;
- The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
- The institution will allow for timely access to the accuser, the accused, and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meetings and hearings.
- The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
- The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding. An advisor may only consult and advise their advisee, but not speak for the advisee at any meeting or hearing. In the event a party is unable to choose an advisor, the party may request, and the University shall provide, a trained advisor;
- A decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the University’s Title IX Sexual Misconduct Policy.
- The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to the result or disciplinary actions prior to the time that such results become final; and
- The accuser and the accused each have the right to appeal the outcome of the hearing by procedures outlined in the Title IX Sexual Misconduct Policy and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved. Sexual Misconduct Allegations that do not rise to the level of Title IX violations because they do not meet the jurisdictional requirements of the law will be investigated under procedures listed in the Student Code of Conduct if the Respondent is a student and under the Employee Handbook if the Respondent is an employee.



Confidentiality

The University will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

When a complainant does not consent to the disclosure of their name or other identifiable information to the alleged perpetrator, the University's ability to respond to the complaint may be limited.

Sanctions and Supportive Measures

In all cases, investigations that result in a finding of more likely than not that a violation of the policy occurred will lead to the initiation of disciplinary procedures against the accused individual. Potential University sanctions are listed in the policy. The University may implement supportive measures following the report of domestic violence, dating violence, sexual assault, and/or stalking which may include some or all of the following actions: Interim suspension and/or immediate removal from campus or removal from housing.

Sexual assault, domestic violence, dating violence, and stalking are violations of the Title IX Sexual Misconduct Policy. Students and employees who violate this policy will be subject to discipline, up to and including termination of employment or separation from the University. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or their designee will determine whether interim interventions and supportive measures should be implemented, and if so, take steps to implement those supportive measures as soon as possible. Examples of interim supportive measures include, but are not limited to: University order of no contact, work relocation, adjustment of work schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or supportive measures will constitute related violations that may lead to additional disciplinary action. Supportive measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the Title IX Coordinator.



Sanctions and Supportive Measures, cont.

Supportive measures are offered to both parties and are designed to restore or preserve equal access to the University's educational and employment programs or activities without imposing an unreasonable burden on the other party, including measures designed to protect the safety of all parties and the broader University community, or deter Sexual Misconduct. The approval and application of supportive measures will be determined by the specific circumstances of each case.

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency 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, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services, or is a student.

Sex Offender Information

Sex Offender Registry inquiries and information can be accessed by visiting the Commonwealth of Massachusetts Sex Offender Registry Board at: <https://www.mass.gov/orgs/sex-offender-registry-board> or the Springfield Police Department, located at 130 Pearl Street, Springfield MA, (413) 787-6322.





FIRE SAFETY INFORMATION

FIRE SAFETY OVERVIEW

The Department of Public Safety is responsible for ensuring compliance with federal, state, and local fire safety laws and regulations. The Department of Public Safety is also responsible for fire emergency preparedness and awareness training.

FIRE DRILLS

Fire Drills are conducted in all residential complexes twice a year, once per semester.

FIRE SYSTEMS AND SAFETY EQUIPMENT

The following is a list of residential locations and their fire safety equipment:

| Location | Smoke Detectors | Carbon Monoxide Detectors | Pull Stations | Sprinklers | Fire Extinguishers | Fire Drills Conducted |
|-------------------|-----------------|---------------------------|---------------|------------|--------------------|-----------------------|
| Berkshire Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| Commonwealth Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| Evergreen Village | Yes | No | Yes | Yes | Yes | 2 |
| Franklin Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| Gateway Village | Yes | Yes | No | No | Yes | 2 |
| Hampden Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| Plymouth Hall | Yes | No | Yes | No | Yes | 2 |
| LaRiviere Center | Yes | Yes | Yes | Yes | Yes | 2 |
| Southwood Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| Windham Hall | Yes | Yes | Yes | Yes | Yes | 2 |
| 42 Bellamy Road | Yes | Yes | No | No | Yes | 0* |
| 54 Bellamy Road | Yes | Yes | No | No | Yes | 0* |
| 64 Bellamy Road | Yes | Yes | No | No | Yes | 0* |
| 84 Valley Road | Yes | Yes | No | No | Yes | 0* |
| 103 Timber Lane | Yes | Yes | No | No | Yes | 0* |

*No Fire Drill is conducted as the locations are not currently used for student housing.



FIRE SAFETY STATISTICS

| 2023 | | | | | |
|-------------------|-------------|---------------|---------------|------------------------------|-----------------------|
| Location | Total Fires | Date and Time | Cause of Fire | Number of Injuries or Deaths | Property Damage Value |
| Berkshire Hall | 0 | | | | |
| Commonwealth Hall | 0 | | | | |
| Evergreen Village | 0 | | | | |
| Franklin Hall | 0 | | | | |
| Gateway Village | 0 | | | | |
| Hampden Hall | 0 | | | | |
| Plymouth Hall | 0 | | | | |
| LaRiviere Center | 0 | | | | |
| Southwood Hall | 0 | | | | |
| Windham Hall | 0 | | | | |
| 42 Bellamy Road | 0 | | | | |
| 54 Bellamy Road | 0 | | | | |
| 64 Bellamy Road | 0 | | | | |
| 84 Valley Road | 0 | | | | |
| 103 Timber Lane | 0 | | | | |

| 2022 | | | | | |
|-------------------|-------------|--------------------|---------------|------------------------------|-----------------------|
| Location | Total Fires | Date and Time | Cause of Fire | Number of Injuries or Deaths | Property Damage Value |
| Berkshire Hall | 0 | | | | |
| Commonwealth Hall | 0 | | | | |
| Evergreen Village | 0 | | | | |
| Franklin Hall | 1 | 11/3/2022 10:53 AM | Arson | 0 | \$467 |
| Gateway Village | 1 | 12/3/2022 1:22 PM | Cooking | 0 | \$0 |
| Hampden Hall | 0 | | | | |
| Plymouth Hall | 0 | | | | |
| LaRiviere Center | 0 | | | | |
| Southwood Hall | 0 | | | | |
| Windham Hall | 0 | | | | |
| 42 Bellamy Road | 0 | | | | |
| 54 Bellamy Road | 0 | | | | |
| 64 Bellamy Road | 0 | | | | |
| 84 Valley Road | 0 | | | | |
| 103 Timber Lane | 0 | | | | |



| 2021 | | | | | |
|-------------------|-------------|--|--------------------|------------------------------|-----------------------|
| Location | Total Fires | Date and Time | Cause of Fire | Number of Injuries or Deaths | Property Damage Value |
| Berkshire Hall | 0 | | | | |
| Commonwealth Hall | 0 | | | | |
| Evergreen Village | 0 | | | | |
| Franklin Hall | 0 | | | | |
| Gateway Village | 2 | 3/27/2021 6:58 PM 3/31/2021 6:31 PM | Cooking Cooking | 0 0 | \$0 \$0 |
| Hampden Hall | 0 | | | | |
| Plymouth Hall | 0 | | | | |
| LaRiviere Center | 0 | | | | |
| Southwood Hall | 0 | | | | |
| Windham Hall | 0 | | | | |
| 42 Bellamy Road | 0 | | | | |
| 54 Bellamy Road | 0 | | | | |
| 64 Bellamy Road | 0 | | | | |
| 84 Valley Road | 0 | | | | |
| 103 Timber Lane | 0 | | | | |



APPENDIX A: CRIME REPORT

| | 2021 | | | | | 2022 | | | | | 2023 | | | | |
|---|--------|-----------|------------|--------|-------|--------|-----------|------------|--------|-------|--------|-----------|------------|--------|-------|
| | Campus | Residence | Non-Campus | Public | Total | Campus | Residence | Non-Campus | Public | Total | Campus | Residence | Non-Campus | Public | Total |
| CRIMINAL OFFENSES | | | | | | | | | | | | | | | |
| Murder/Non-Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 2 | 2 | 0 | 0 | 2 | 1 | 1 | 0 | 0 | 1 | 2 | 2 | 0 | 0 | 2 |
| Fondling | 7 | 4 | 0 | 0 | 7 | 2 | 1 | 0 | 0 | 2 | 1 | 1 | 0 | 0 | 1 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 1 | 1 | 0 | 0 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Unfounded Crimes | | | | | 0 | | | | | 0 | | | | | 2 |
| VAWA OFFENSES | | | | | | | | | | | | | | | |
| Domestic Violence | 1 | 1 | 0 | 0 | 1 | 2 | 1 | 0 | 0 | 2 | 3 | 3 | 0 | 0 | 3 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 1 | 0 | 0 | 0 | 1 | 3 | 2 | 0 | 0 | 3 | 3 | 2 | 0 | 0 | 3 |
| ARRESTS AND DISCIPLINARY REFERRALS | | | | | | | | | | | | | | | |
| Arrests: Weapons | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests: Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Disciplinary Referrals: Weapons | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 5 | 0 | 0 | 5 |
| Disciplinary Referrals: Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 74 | 54 | 0 | 0 | 74 | 89 | 88 | 0 | 4 | 93 | 109 | 96 | 0 | 0 | 109 |
| HATE CRIMES | | | | | | | | | | | | | | | |
| Disability | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ethnicity | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gender | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gender Identity | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Race | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| National Origin | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Religion | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sexual Orientation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 |



APPENDIX B

CLERY ACT CRIME DEFINITIONS

The following definitions of Clery Act crimes are from the final regulations on the Violence Against Women Reauthorization Act of 2013, published in the Federal Register on October 20, 2014.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

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

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



Domestic Violence: (i) 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, or (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.

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.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Hate Crime: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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.

Larceny-Theft*: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.



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.

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

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

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.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of [the regulations].

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.

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

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.



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.

Weapons 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.

**Only reportable if a classified as a hate crime.*



APPENDIX C

DEFINITIONS OF CERTAIN CRIMES UNDER MASSACHUSETTS LAW

The following are definitions of criminal offenses found in Massachusetts General Law, all of which are enforceable by our University Police.

The Commonwealth of Massachusetts does not have crimes defined as “dating violence” or “domestic violence” but Massachusetts General Laws, Chapter 209A § 1 prohibits the crime of “*abuse.*”

Abuse is defined as “the occurrence of one or more of the following acts between family or household members: (a) attempting to cause or causing physical harm; (b) placing another in fear of imminent serious physical harm; (c) causing another to engage involuntarily in sexual relations by force, threat or duress.”

Family or household members are defined as “persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

Massachusetts does not have a crime of “*sexual assault*” but Massachusetts General Laws, Chapter 265 § 22 prohibits the crime of rape.

Rape is defined as having “sexual intercourse or unnatural sexual intercourse with a person, and compel[ling] such person to submit by force and against his will, or compel[ling] such person to submit by threat of bodily injury.”

Under Massachusetts law, both men and women may be the survivors of rape and both may be the perpetrators of rape. Massachusetts has several separate crimes related to rape and abuse of a child (see M.G.L. c. 265 § 22A – 23B). Assault with intent to commit rape is a crime under Massachusetts law (see M.G.L. c. 265 § 24) and drugging a person for sexual intercourse is prohibited by Massachusetts General Laws, Chapter 272 § 3.



Indecent Assault and Battery is also a crime under Massachusetts law. In particular, the statute prohibits indecent assault and battery against a child under age fourteen (see M.G.L. c. 265 § 13B, § 13B1/2, § 13B3/4), against a person with an intellectual disability (see M.G.L. c. 265 § 13F), and against a person aged fourteen or older (see M.G.L. c. 265 § 13H).

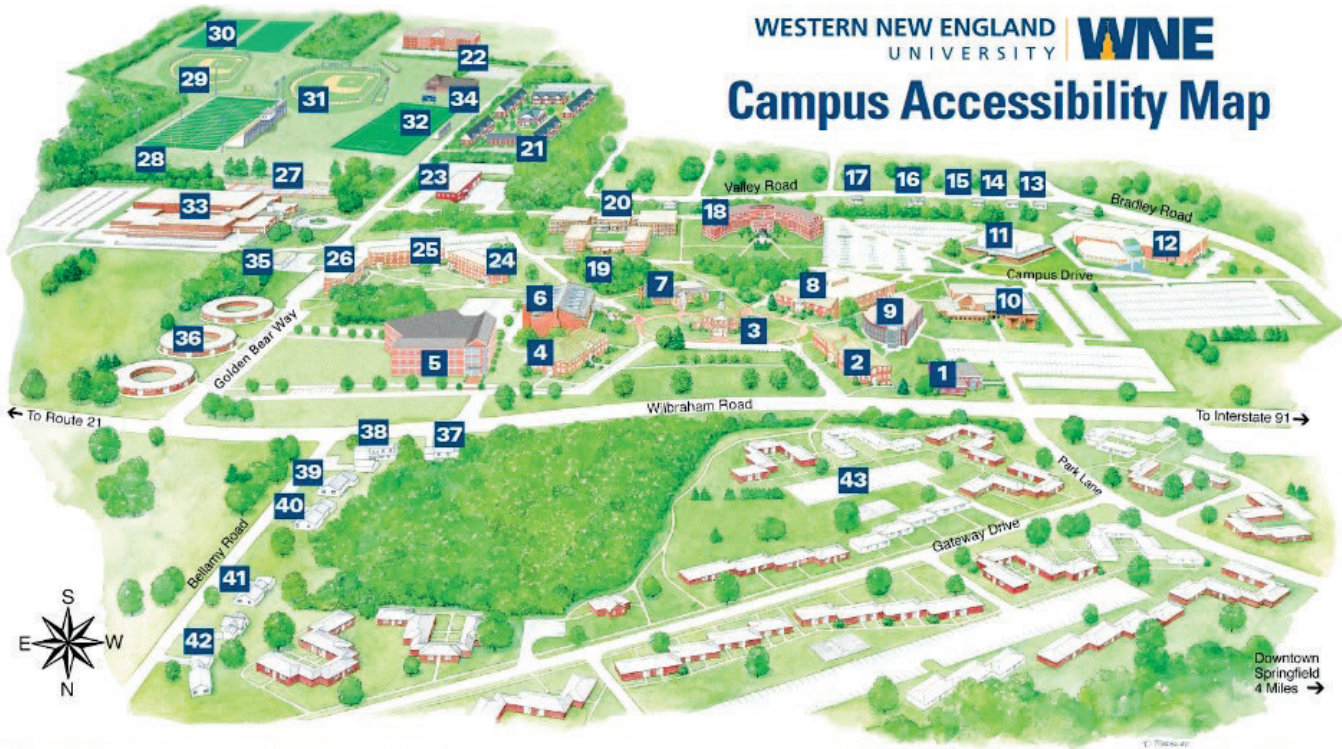
Stalking is a crime under Massachusetts General Laws, Chapter 265 § 43(A). Stalking is defined as: “Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 ½ years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

For the purposes of obtaining a **harassment** prevention order under Massachusetts General Laws, Chapter 258E, harassment is defined as (i) 3 or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse or damage to property and that does in fact cause fear, intimidation, abuse or damage to property; or (ii) an act that: (A) by force, threat or duress causes another to involuntarily engage in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.

Consent does not have a statutory definition in Massachusetts in the context of sexual activity.



APPENDIX D



WESTERN NEW ENGLAND UNIVERSITY | WNE Campus Accessibility Map

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|--|--|---|--|---|
| <p>1. Kevin S. Delbridge Welcome Center Admissions (Undergraduate) Center for Graduate and Advanced Studies Community Relations Marketing and Communications Visitors Center</p> <p>2. Herman Hall* Classrooms and Faculty Offices College of Arts and Sciences Mathematics Center Student Accessibility Services Writing Center</p> <p>3. Joseph J. Deliso Sr. Hall*^ Administration Controller's Office Payroll</p> <p>4. Emerson Hall* Classrooms and Faculty Offices</p> <p>5. Center for the Sciences and Pharmacy*^ College of Pharmacy and Health Sciences Pharmacy, Pre-pharmacy, Science and Psychology Classrooms/Laboratories/ Faculty Offices Health Services</p> | <p>6. D'Amour Library* Academic Scheduling Business Analytics Center Digital Learning Center Educational Technology Center Enrollment Services TV Studio/Classroom</p> <p>7. Churchill Hall Classrooms Cohen Trading Room College of Business Information Technology</p> <p>8. St. Germain Campus Center*^ Academic Success Center Art Gallery Bookstore Campus Events Counseling Dean of Students Diversity Programs First Year Students & Students in Transition International Student and Scholar Services Kevin S. and Sandra E. Delbridge Career Center Residence Life Spiritual Life Student Involvement and Leadership Student Affairs</p> | <p>Student Volunteerism Vanech Family University Advising Center</p> <p>9. University Commons*^ Residential, Commuter, Faculty, Staff Dining Convenience Store Food Court Conference Rooms</p> <p>10. Sleith Hall* Classrooms/Laboratories College of Engineering Lyman and Leslie Wood Auditorium</p> <p>11. Rivers Memorial Hall*^ Human Resources Radio Station Student Publication Offices Theatre/Music Programs</p> <p>12. Blake Law Center*^ School of Law Law Library Law School Common Law Clinics Occupational Therapy Division</p> <p>13. Information Technology Office</p> <p>14. Faculty Offices</p> | <p>15. Faculty Offices</p> <p>16. Faculty Offices</p> <p>17. Faculty Offices</p> <p>18. Commonwealth Hall* Residence Hall</p> <p>19. Windham Hall Residence Hall</p> <p>20. LaRiviere Center Residential Living and Learning Center</p> <p>21. Evergreen Village Townhouses Residence Townhouses</p> <p>22. Southwood Hall Residence Hall</p> <p>23. Campus Utilities Building*^ Campus Post Office Facilities Management Printing Services Procurement Services</p> <p>24. Franklin Hall Residence Hall</p> <p>25. Hampden Hall Residence Hall</p> <p>26. Berkshire Hall Residence Hall</p> <p>27. Tennis Courts</p> | <p>28. Golden Bear Multipurpose Turf Stadium</p> <p>29. Softball Field</p> <p>30. Recreational Fields</p> <p>31. George E. Trelease Memorial Baseball Park</p> <p>32. Suprenant Field Soccer Field</p> <p>33. Anthony S. Caprio Alumni Healthful Living Center*^ Athletics</p> <p>34. Flynn Family Pavilion*</p> <p>35. Public Safety*^</p> <p>36. Plymouth Complex</p> <p>37. ROTC</p> <p>38. Advancement Offices</p> <p>39. Advancement Offices</p> <p>40. Advancement Operations</p> <p>41. Residence Houses</p> <p>42. Residence House</p> <p>43. Gateway Village Resident Apartments</p> |
|--|--|---|--|---|

* Buildings with accessible auto door openers ^ Buildings with Gender Inclusive bathrooms

