

# 2022

## ANNUAL SAFETY & SECURITY REPORT

### ANNUAL FIRE SAFETY REPORT



**DELTA STATE  
UNIVERSITY** 

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## Introduction

Delta State University is located in Cleveland, Mississippi, in the heart of our state's delta region. Founded in 1924 as Delta State Teacher's College, the University now provides a comprehensive undergraduate and graduate curriculum to students representing all 50 States and more than 20 countries.

Programs offered at the undergraduate level provide educational opportunities in the Colleges of Arts and Sciences, Business, Education, and the Robert E. Smith School of Nursing. Graduate programs on the master's, educational specialist, and doctoral levels provide advanced academic training. The University's signature programs include Commercial Aviation, School of Nursing, and the Delta Music Institute. Delta State is also home to Grammy Museum Mississippi.

Delta State University's campus in Cleveland, MS, has five residence halls that house up to 1,237 students. Significant facilities include our Bologna Performing Arts Center, Delta Music Institute (Whitfield Gym), Mayers Aquatic Center, Capps Archives and History Museum, and Nowell Student Union, including the bookstore, post office, and the "The Mill" food court featuring Fire House Subs and Chick Fil A.

### *Delta State University Police Department (UPD)*

The Delta State University Department of Campus Safety and University Police maintains order and promotes safety for students, employees, residents, and visitors. The University employs law enforcement officers and civilian personnel to perform these functions. These employees work in the following divisions: Administration/Investigations, Emergency Management, Parking Services, Uniformed Patrol, and Special Event Operations.

UPD police officers have statutory arrest powers and authority on all property owned, leased, or governed by the Mississippi Institutions of Higher Learning. All police officers meet criteria established by the Mississippi Board on Law Enforcement Officers Standards and Training by completing a primary academy and are state-certified. All staff regularly attend advanced and in-service training programs to further their professional education and meet MBOLEST CEU standards.

UPD police officers are on duty year-round, twenty-four hours a day, including holidays. Police services include, but are not limited to: patrolling university property to ensure safety and deter crime; emergency response; and investigating crimes on university property and in areas of concurrent jurisdiction; assisting local, other states, and federal law enforcement agencies related to the University; providing courtesy motorist assistance; and safety escorts after hours; enforcing state law and university regulations; educating the campus community on methods to keep themselves and their property safe.

Our primary directive is to protect life and property, understand and serve the campus community's needs, and improve the quality of life by building capacities to maintain order, resolve problems, and apprehend criminals in a manner consistent with the law and reflective of shared University values.

### *Policy for Reporting the Annual Disclosure of Crime Statistics*

The University Police Department prepares the Combined Annual Security and Fire Safety Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act. The full text of this report can be located on our website at <http://www.deltastate.edu/student-affairs/police/campus-safety/>. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, the Department of Housing & Residence Life, Vice-President of Student Affairs, the Office of Human Resources, the Admissions Office, Title IX Officer, Student Counseling Services, and numerous other university departments. Each entity provides updated information on its educational efforts and programs to comply with the Act. Campus crime, arrest, and referral statistics include those reported to UPD, designated campus security authorities, and local law enforcement agencies. These statistics may also include crimes that have occurred adjacent to university-owned properties. The University notifies all students, staff, and faculty annually via email of the availability of the Annual Security and Fire Safety Report on the university website.

### **Campus Facilities Access & Security**

During non-operating hours, academic buildings are routinely patrolled by University Police. Once a building exterior has been secured, authorized persons may access Delta State University identification cards or keys or contact the University Police. Residence halls are locked using numeric combination locks, electronic access on exterior doors, and standard lock and deadbolts on the individual room doors. Access is granted to those with the numeric combination and those with residence hall-specific authorization on their DSU ID cards. Child Development locations also have exterior electronic assessments, and authorization is granted by the Director and support staff of the Child Development Center.

All active residence halls and several campus buildings have surveillance cameras. These systems are maintained and reviewed by the University Police Department, OIT, and the Office of Resident Life.

Crime prevention through environmental design practices is considered during any construction or maintenance phase of on-campus facilities.

## Reporting Crimes, Emergencies, or Related Matters

### Reporting Emergencies

Police, fire, and medical emergencies may be reported by calling the University Police Department ext. 4155 on the campus phone system, by dialing (662) 846-4155, or **911** from a cell or off-campus phone. The University Police Department will dispatch units to the scene with additional law enforcement, Fire Service, or EMS dispatched as needed.

The University Police Officers are on duty twenty-four hours a day, including all holidays, to assist the University community. The UPD encourages all community members to store the UPD phone number in their cellular phones for easy access.

### Reporting Non-Emergencies

Any University community member who is the victim of a crime on campus or witnesses a crime on campus is encouraged to immediately report all suspicious or criminal activity to the UPD for investigation.

If a crime occurs off campus, report it to the law enforcement agency for that area. If you are unsure which department has legal jurisdiction, contact University Police for assistance. When reporting an offense or incident, try to be as detailed as possible and consider the following information:

- Name, location, and phone number of the caller
- Nature of offense/incident
- Location of offense/incident
- Description of any person(s) or vehicle(s) involved

### Confidential Reporting

Delta State University recognizes that students, faculty, and staff may be hesitant about reporting crimes to the police; therefore, we have provided a confidential crime reporting form on the campus website at <http://www.deltastate.edu/student-affairs/police/>. Click the **DSU CARES** button, type your information in the box, and click submit. **You do not have to provide your name or email when you submit this form.** Your information may lead to the arrest of a violator, which is used in our annual crime report statistics.

The purpose of this confidential reporting tool is to comply with your wish to keep your involvement in the matter confidential. With such information, the University can keep an accurate record of the number of incidents or crimes on campus, determine if there is a crime pattern, and alert the campus community to any potential danger.

### Limited Voluntary/Confidential Reporting

Some police reports are public records under state law; however, the UPD can hold certain aspects of the report of a crime in confidence until the investigation is concluded.

Delta State University encourages anyone who is a victim or witness to any crime to report the incident to the police. Professional and pastoral counselors are exempt from reporting requirements. However, Delta State University encourages pastoral, professional, and mental health counselors, as well as clergy, to inform those they counsel of the procedures for reporting crimes on a voluntary basis. These inclusions will be added to the crime statistics and expedite due process.

## Campus Security Authorities

The Clery Act mandates that universities disclose statistics for crimes reported to the UPD, other police agencies, and Campus Security Authorities (CSAs). While we implore our campus community to report all criminal incidents to the University Police, we understand that sometimes students, faculty, and staff may be inclined to report incidents to someone other than law enforcement. Therefore, the University designates specific individuals as Campus Security Authorities, as defined by the Clery Act.

A Campus Security Authority, or CSA, can include those responsible for monitoring entrance into school property or facilities, athletic personnel, and any school official who has significant responsibility for students and campus activities, including, but not limited to, student housing and student discipline. All members of the UPD are also considered CSAs. Campus Security Authorities are trained on how to report crimes or incidents involving murder/non-negligent manslaughter, negligent manslaughter, sex offenses, sexual assault, domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations, and weapons violations.

An individual may file a disciplinary complaint by filing a police incident report, a Housing & Residence Life incident report, a Human Resources incident report, or by contacting a Campus Security Authority. When a report of a disciplinary complaint is submitted to a CSA, they must complete the Campus Security Authority Reporting Form and submit it to the University Police. The disciplinary complaint will then be submitted to the Vice President for Student Affairs or the Disciplinary Committee Chair to review and determine the validity and possible investigation.

If you are the victim of a crime and you wish for your identity to remain confidential and desire no formal investigation, you must inform the CSA to whom you are reporting the event. If confidentiality has been requested, the listed university official receiving a crime report will gather sufficient information to allow the university to implement proper crime alerts if warranted. So the information may be included in the statistical records maintained by the University Police Department.

Reports of crimes may be reported to the following:

- University Police Officers
- Vice President for Student Affairs
- Title IX Coordinator
- Director of Student Life
- Director, Asst. Director or Coordinator of Housing and Residence Life
- Residence Hall Directors or their Assistant(s)
- Resident Assistants
- Desk Assistants
- Student Organization Faculty/Staff Advisors
- Athletic Director, Assoc. Athletic Directors, Head Coaches, Coaches, Assistant Coaches
- Director of Human Resources

### Pastoral and Professional Mental Health Counselors

According to the Clery Act, pastoral and professional mental health counselors, who are appropriately credentialed and hired by the University to serve in a counseling role, are not considered Campus Security Authorities when acting in the counseling role. As a policy, the University encourages pastoral and professional mental health counselors to notify those they are counseling of the voluntary, confidential reporting options available to them.

## **University Disciplinary Process**

Article IX, Section 5 of the By-laws and Policies of the Board of Trustees of State Institutions of Higher Learning states that the President of Delta State University is charged with the responsibility of maintaining appropriate standards of student conduct and is authorized to expel, dismiss, suspend, and place limitations on continued attendance and to levy penalties for disciplinary violations subject to procedures of due process.

The President has delegated the student conduct disciplinary process to the Vice President for Student Affairs (VPSA). The VPSA assigns a Disciplinary Committee or Disciplinary Officer(s). In cases of sexual assault, domestic violence, dating violence, and stalking crimes, disciplinary proceedings will be conducted by officials who, at a minimum, will receive annual training on issues relating to sexual assault, domestic violence, dating violence, and stalking crimes, and how to conduct investigative and hearing processes that protect the safety of victims and promotes accountability.

Violation of local, state, or federal law can be assigned to law enforcement authorities. Disciplinary hearings are utilized in order to arrive at decisions regarding student conduct. These decisions affect the student and his/her relationship with the University. The administration of discipline is an educational process. Such procedures will give full cognizance to tests of fairness, justice, truth, and due process requirements. The requirements for due process will include notice of charges, a fair and timely hearing, and an opportunity to appeal. All disciplinary proceedings will be prompt, fair, and impartial from the point of the report to the final determination by the University.

An individual may file a disciplinary complaint by filing a police incident report, a Housing & Residence Life incident report, a Human Resources incident report, or by contacting a Campus Security Authority. The disciplinary complaint will be submitted to the VPSA or the Disciplinary Committee Chair for review and determination of the validity and for a possible investigation. If it is determined that the complaint is valid and needs action, the complaint will be submitted to the University Police Captain of Investigations, who will conduct a full investigation. (Note: Because of expertise in the area of investigations, the University Police Department assists with investigating disciplinary complaints even if a criminal complaint has not been filed.) Once the investigation is complete, the complaint and investigative findings will be submitted to the Disciplinary Committee for adjudication. The Disciplinary Committee will review the documents and interview the accuser, accused, and witnesses. The Disciplinary Committee will then deliberate to determine responsibility and recommend disciplinary actions. Absent extenuating circumstances, the University will strive to conduct a full investigation of a complaint and adjudicate the complaint within thirty calendar days.

Delta State University expects that all members of the University community – students, faculty, and staff – should be able to pursue their work and education in a safe environment, free from acts of intimidation, sexual assault, or hate violence. To this end, the University is committed to maintaining a working and learning environment free of sexual misconduct. The University aims to eradicate sexual misconduct through education, training, clear policies, and serious consequences for violations of these acts. All forms of sexual assault, relationship violence, and stalking are regarded as serious offenses that are likely to result in suspension or expulsion and criminal prosecution. The prosecution of students, faculty, and staff for crimes they commit, whether by state or federal prosecutors, is independent of and could be in addition to the charges and actions taken under university regulations and disciplinary procedures.

Disciplinary hearings are conducted uniformly for all types of cases. However, in cases that involve Title IX violations, the Title IX Coordinator's investigation and process may be involved. The University's disciplinary process is consistent with the institution's policies and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. The accuser and the accused are entitled to the same opportunities to



have no more than two non-participating advisors present at any hearing or meeting related to the investigation or adjudication. Both parties will be notified in writing of their rights, the process and procedure of the hearing, and what is allowed. Additionally, the accuser and the accused shall be simultaneously informed, in writing, of the outcome of any institutional disciplinary proceeding, which will include procedures for appeal and any changes as a result of the appeal process. Both the accuser and the accused shall be informed in writing of the outcome of any campus disciplinary proceeding brought alleging sexual assault. This does not constitute a violation of FERPA.

The hearing process further involves both parties presenting their case to the Disciplinary Committee. The standard of evidence will be the "preponderance of evidence" presented to the committee. Sanctions for offenses range from censure, social probation, community service, educational/counseling consultation, restitution, levy of fines, no-contact directive, revocation of the residence contract, or suspension or expulsion from the University. In cases where a person has been found guilty of crimes of sexual assault, domestic violence, dating violence, or stalking, the sanctions may include the following: censure, social probation, community service, educational or counseling consultation, restitution, and levy of fines, no-contact directive, revocation of the residence contract, or suspension or expulsion from the University.

The disciplinary committee's determination is only the University's determination; the alleged suspect can still face criminal prosecution.

The accuser and accused must have the same opportunity to have others present. Both parties shall be informed of the outcome of any disciplinary proceeding. The complainant shall be informed of the following:

- Their option is to notify law enforcement.
- Availability of on-campus and off-campus counseling services.
- Available assistance, if reasonable, in changing academic, working, and/or living situations.
- Available options, if possible and reasonable, for transportation.

At the discretion of the VPSA, cases may be assigned to a Disciplinary Committee or Officer based on the type of violation, location of the violation, or the student's current disciplinary status. If a sanction is appealed, the case will be heard by the VPSA. The VPSA has the right to immediately suspend any student from all university property or activity, pending a hearing, if the circumstances or seriousness of the alleged violations warrant such action. The VPSA may interject their authority in a judicial matter (before or after a decision is rendered) if they determine the safety or welfare of the complainant, accused, or University population is threatened.

A student guilty of violating University regulations has the right to appeal. For original adjudication cases, he/she has five days to accept or appeal the decision rendered in the case. If, after five (5) days, the accused has not accepted or rejected the proposed sanctions, it will automatically go into effect. After original adjudication, the limit of time in which to appeal is established by the VPSA. The decision to appeal must be communicated to the Disciplinary Officer or whoever heard the original case. The VPSA may refuse to allow an appeal after the original adjudication if it is determined that there is no merit in the case. Such a decision may be appealed to the President of the University.

## Police Daily Crime Log

A log of criminal incidents reported to the university police, which occur within the reporting area defined by the Jeanne Clery Act, is maintained by the UPD on its web page. The log is available for public inspection twenty-four hours a day online. Log entries are recorded after the information becomes available to the UPD or after the report has been finalized. The UPD may withhold information from the daily crime log according to Federal or State statutes and regulations if the release of such information would jeopardize an ongoing criminal investigation, the safety of an individual, cause a suspect to evade detection, flee, or result in the destruction of evidence. Requests for crime data more significant than 120 days from the current date will be available within five (5) business days.

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

### Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

**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, by a person similarly situated to a spouse of the victim under the domestic or family laws of the State of Mississippi, 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.

**Dating Violence** – Includes violence committed by a person—(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; (b) where the existence of such a relationship will be determined by the reporting party’s statement and 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.

Dating violence is not explicitly codified by Mississippi Statutes but is included by definition in the Domestic Abuse Law.

**Stalking** – Engaging in the 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. 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; and
- C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Mississippi State statute, 97-3-107 – Stalking is consistent with the VAWA definition.

**Sexual Assault** – An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual 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 his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees

wherein marriage is prohibited by law.

- Statutory rape is defined as sexual intercourse with a person who is under the statutory age of consent.

*Mississippi Code Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking:*

**Domestic Violence** – Any of the following acts committed against a current or former spouse, a person living as a spouse or who formerly lived as a spouse, or a child of persons living as spouses or who formerly lived as spouses, a parent, grandparent, child, grandchild or someone similarly situated to the defendant, a person with whom the defendant has a biological or legally adopted child in common, or a person in a current or former dating relationship: Attempts to cause serious bodily injury to another, or causes such an injury purposely, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life; or Attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or Strangles or attempts to strangle another; or Attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; or Negligently causes bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or Attempts by physical menace to put another in fear of imminent serious bodily harm; or Violation of a domestic violence protection order; or Stalking; or Cyberstalking; or Threats of such acts.

**Dating Violence** – The term dating violence is not defined as such under Mississippi law. However, domestic violence is defined by reference to the term “dating relationship.” Accordingly, it is proper to define dating violence as follows: Dating violence means any of the following acts committed against a person in a current or former dating relationship as mentioned above. Dating relationship means a social relationship of a romantic or intimate nature between two individuals; it does not include a causal relationship or ordinary fraternization between two individuals in a business or social context. Whether a relationship is a dating relationship shall be determined by examining the following factors: the length of the relationship, the type of relationship and the frequency of interaction between the two individuals involved in the relationship.

**Sexual Assault** – Mississippi state criminal law does not define the term sexual assault. Rather, the criminal law sets forth such crimes as rape or sexual battery. The definition of these terms is set forth below.

**Rape** - Every person who has forcible sexual intercourse with any person; or who has sexual intercourse with any person without that person’s consent by administering to such person any substance or liquid, which shall produce such stupor or such imbecility of mind or weakness of body as to prevent effectual resistance, is guilty of rape. For this crime, sexual intercourse means 1) A joining of the sexual organs of a male and female human being in which the penis of the male is inserted into the vagina of the female; or 2) The penetration of the sexual organs of a male or female human being in which the penis or an object is inserted into the genitals, anus or perineum of a male or female.

**Statutory Rape** - The crime of statutory rape is committed when: Any person seventeen years of age or older has sexual intercourse with a child who is at least 14 but under 16 years of age; is 36 or more months younger than the person, and is not the person’s spouse; or A person of any age has sexual intercourse with a child who: is under the age of 14 years; is 24 or more months younger than the person, and is not the person’s spouse. For this crime, sexual intercourse has the same meaning as rape above. Neither the victim’s consent nor the victim’s lack of chastity is a defense to a charge of statutory rape.

**Sexual Battery** - A person is guilty of sexual battery if he or she engages in sexual penetration with: Another person without his or her consent; A mentally defective, mentally incapacitated or physically helpless person; A child at least 14 but under 16 years of age, if the person is 36 or more months older than the child; or A child under the age of 14 years of age, if the person is 24 or more months older than the child. For purposes of sexual battery, sexual penetration includes cunnilingus, fellatio, buggery or pederasty, any penetration of the genital or anal openings of another person’s body by any part of a person’s body and insertion of any object into the genital or anal openings of another person’s body. A **mentally defective person** suffers from a mental disease, defect or condition that renders that person temporarily or permanently incapable of knowing the nature and quality of his or her conduct. A **mentally**

**incapacitated person** is one rendered incapable of knowing or controlling his or her conduct or incapable of resisting an act due to the influence of any drug, narcotic, anesthetic, or other substance administered to that person without his or her consent. A **physically helpless person** is unconscious or, for any other reason, is physically incapable of communicating an unwillingness to engage in an act. A victim's spouse, not living separately and apart from the victim, cannot be found guilty of this crime unless the sexual penetration is forcible.

**Stalking** – Any person who purposefully engages in a course of conduct directed at a specific person, or who makes a credible threat, and who knows or should know that the conduct would cause a reasonable person to fear for his or her own safety, to fear for the safety of another person or to fear damage or destruction of his or her property, is guilty of the crime of stalking. Course of conduct means a pattern of conduct composed of a series of two or more acts over a period of time, however short, evidencing a continuity of purpose and that would cause a reasonable person to fear for his or her safety, fear for the safety of another person, or to fear damage or destruction of his or her property. Such acts may include but are not limited to the following or any combination thereof, whether done directly or indirectly: Following or confronting the other person in a public place or on private property against the other person's will; Contacting the other person by telephone or mail, or by electronic mail or communication, or Threatening or causing harm to the other person or a third party. A credible threat means a verbal or written threat to cause harm to a specific person or to cause damage to property that would cause a reasonable person to fear for that person's safety or damage to the property.

**Cyberstalking** - A person uses electronic mail or electronic communication with any words or language threatening to inflict bodily harm to any person or to that person's child, sibling, spouse, or dependent, or physical injury to the property of any person, or to extort money or other things of value from any person. A person electronically mails or electronically communicates to another person repeatedly, whether or not a conversation ensues, for threatening, terrifying, or harassing any person. A person electronically mails or electronically communicates to another person and knowingly makes any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person's family or household with the intent to threaten, terrify or harass. A person knowingly permits an electronic communication device under the person's control to be used for any purpose prohibited above.

**Consent** – The University defines consent as a clear, unambiguous, and voluntary agreement between the participants, communicated by clearly understandable words or actions, to engage in each form of sexual activity. The lack of informed consent to sexual contact constitutes sexual misconduct.

### *The Violence Against Women Reauthorization Act (VAWA)*

The University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act). It reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all university community members. Toward that end, Delta State University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

### **The Campus Sexual Violence Elimination (SaVE) Act**

The Campus SaVE Act increases transparency on campus about incidents of sexual violence and guarantees victims enhanced rights, sets standards for disciplinary proceedings, and requires campus-wide prevention education programs. The Campus SaVE Act amends the Clery Act, which addresses campus sexual assault policies within the Higher Education Act of 1965. President Obama signed Campus SaVE into law on March 7, 2013, as part of the Violence Against Women Act (VAWA) Reauthorization. The Campus SaVE Act amends the Clery Act, which requires campuses to provide annual statistics on incidents of campus crimes, including sexual assaults occurring on campus and reported to campus authorities or local police. The Campus SaVE Act broadens this requirement to mandate fuller reporting of sexual violence, including incidents of domestic violence, dating violence, and stalking.

The University prohibits sexual misconduct in any form, including sexual assault, sexual abuse, sexual harassment, and other nonconsensual sexual conduct. The University's sexual misconduct policies state the resources available to students and employees and describe prohibited conduct. Sexual misconduct is inconsistent with the standards and ideas of our community and will not be tolerated. The university is committed to fostering an academic, work, and living environment free from all forms of harassment, including sexual harassment, sexual misconduct, and sexual assault.

Additionally, federal law views sexual misconduct and sexual assault as forms of sexual harassment prohibited under Title VII and Title IX. This policy and those procedures assist the university in complying with federal and state legal mandates and university policies concerning such misconduct; this applies to all members of the university community. The complete sexual misconduct policies and the entire procedures for the resolution of allegations of sexual misconduct, sexual assault, and sexual harassment can be accessed at

<http://www.deltastate.edu/policies/policy/university-policies/student-affairs/rights-and-responsibilities/title-ix-sexual-misconduct-sexual-assault-and-sexual-harassment-policy/>.

In accordance with Title IX regulations, the university has designated Ms. Julie Jackson, Director of Housing, as the university's Title IX coordinator. The Title IX coordinator is knowledgeable about sexual misconduct and will provide information on all options for complaint resolutions. Questions regarding the sexual misconduct policy, as well as concerns or complaints of non-compliance, may be directed to the Title IX coordinator as follows:

**TITLE IX COORDINATOR**

Telephone: 662.846.4159

Website: <http://www.deltastate.edu/titleix/>

**Procedures Victims Should Follow**

The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence. The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until they have a medical exam. Contact a close friend or relative, if available, who can support and accompany the victim to the medical exam or police department.
- Get medical attention as soon as possible. An exam may reveal the presence of physical injury the victim is unaware of. Following a sexual assault, antibiotics are typically given during the exam to help prevent the victim from acquiring certain sexually transmitted diseases. If the victim reports memory loss, loss of consciousness, or other circumstances suspicious of a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. However, some of the commonly used "date rape" drugs are only detectable in the urine for six to eight hours after ingestion.
- Contact the police. Sexual assault is a crime; it is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The district attorney determines the final decision to prosecute. The decision to prosecute may be made at another time.
- Consider talking to a counselor. Seeing a counselor may be critical in helping the victim understand her/his feelings and begin the process of recovery.

**Involvement of Law Enforcement and Campus Authorities**

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, University Counseling or Title IX Coordinator will assist any victim with notifying law enforcement if the victim so desires.

| <b>Delta State University Resource Numbers</b>      |                     |
|---|---------------------|
| Counseling  | 662-846-4690        |
| Health Services                                     | 662-846-4630        |
| Office Housing & Residence Life                     | 662-846-4151        |
| <b>University Police Department Dispatch Center</b> | <b>662-846-4155</b> |
| Student Affairs                                     | 662-846-4150        |
| <b>Community and State Resource Numbers</b>         |                     |
| Bolivar County District Attorney                    | 662-843-8000        |
| Bolivar County Health Department                    | 662-843-2706        |
| <b>Bolivar County Sheriff</b>                       | <b>662-843-5378</b> |
| Bolivar Medical Center                              | 662-846-0061        |
| <b>Cleveland Police Department</b>                  | <b>662-843-3611</b> |
| Delta Community Mental Health Services              | 662-846-7556        |
| MS Domestic Violence Hotline                        | 800-898-3234        |
| MS Sexual Assault Hotline                           | 800-656-4673        |
| Our House Inc. (Greenville, MS)                     | 662-332-5683        |

**Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include the following:**

- [www.rainn.org](http://www.rainn.org) – Rape, Abuse and Incest National Network
- [www.ovv.usdoj.gov/sexassault](http://www.ovv.usdoj.gov/sexassault) – Department of Justice
- [www.ed.gov/about/offices/list/ocr/index](http://www.ed.gov/about/offices/list/ocr/index) – Department of Education, Office of Civil Rights

**Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

If you have been a victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the following:

**TITLE IX COORDINATOR**

**Telephone: 662.846.4159**

**Website: <http://www.deltastate.edu/titleix/>**

**University Police Department**

Bailey Hall 108

1003 West Sunflower Road, Cleveland, MS 38733

Phone: 662.846.4155

Email: [police@deltastate.edu](mailto:police@deltastate.edu)

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

## Procedures When a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking is Reported

The university has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The university will make such accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement. Students and employees should contact the Title IX Coordinator for such accommodation.

## Adjudication of Violations

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for a good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, the policy provides that: The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present; The accuser, the accused, and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting 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 accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The university will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. The advisor, which may include an attorney, will not be allowed to question witnesses, address the hearing panel, or otherwise participate in the hearing process. The advisor may serve in an advisory capacity only during the hearing. The accuser and the accused will be notified simultaneously, in writing, of any initial, interim, and final decision of any disciplinary proceeding; and. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously, in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously, in writing, of any change to the result prior to the time that it becomes final, as well as of the final result once the appeal is resolved.

## **Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

This policy applies to all students, employees, and others, as appropriate, concerning activities occurring on any university property and university-related activities occurring off-campus, including university programs outside the United States.

## How to File a Disciplinary Complaint under this Policy

Complaints of sexual misconduct reported in person to the Title IX coordinator, made in writing through the CART system reported to faculty, chairs, deans, dean of students or any university employee, who shall then immediately report the incident to the university's Title IX coordinator.

The Title IX coordinator shall have the responsibility, upon receiving a complaint or report of sexual misconduct, to conduct a preliminary investigation to determine whether or not there is sufficient evidence of a violation of the university's sexual misconduct policy, which would justify proceeding with a formal investigation.

### Steps in the Disciplinary Process

When a formal investigation finds that a violation of the University's Sexual Misconduct Policy has, more likely than not, occurred, the Title IX coordinator will, within three (3) business days, give written notice to the complainant and respondent of the finding and the exact time and place that a hearing will take place. Generally, cases of sexual misconduct will be investigated and fully decided within sixty (60) business days of the date that the Title IX coordinator is notified of the complaint, unless there are extenuating circumstances, such as uncooperative witnesses, break periods, and periods when the University is closed. The Title IX coordinator shall select three (3) members of a Sexual Misconduct Investigative Team (SMIT) to investigate the complaint or report of sexual misconduct and an appropriate number of team members to serve on the hearing panel. During the investigation, SMIT members will collect all evidence relating to the complaint or report of sexual misconduct from all available sources and conduct interviews when appropriate.

### University-Initiated Protective Measures

The Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented and if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to, a University order of no contact, residence hall relocation, adjustment of course 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 protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

### Notification to Victims of Crimes of Violence

The university will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### Assistance for Victims: Rights and Options

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. Such written information will include the following: the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred; information about how the institution will protect the confidentiality of victims and other necessary parties; a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community; a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures and an explanation of the procedures for institutional disciplinary action.

### Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

The University complies with Mississippi state law in recognizing orders of protection issued by a court of law, including all emergency protection orders, temporary protection orders, and final protection orders. The university is sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to the availability of counseling, health, mental health, victim advocacy, legal assistance, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available.

Any person who obtains an order of protection from a Mississippi court or any other state should provide a copy to the University Police Department and the Office of the Title IX coordinator. Note that upon the issuance of a protection order in the state of Mississippi, the order shall be entered into the Mississippi Protection Order Registry by the clerk



of the court and a copy provided to the sheriff in the county of the court of issuance. A complainant may then meet with University Police to develop a Safety Action Plan, a plan for University Police and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include but is not limited to escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home. The university will make such accommodations if the victim requests or to comply with the protection order.

The university may issue an institutional no-contact order if deemed appropriate or at the request of the victim or accused. If the victim reports that such an institutional no contact order has been violated. In that case, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

#### **Accommodations and Protective Measures Available for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, the university will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures. At the victim's request and to the extent of the victim's cooperation and consent, the University will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, or transportation situations regardless of whether the victim chooses to report the crime to University Police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. To request changes to academic, living, transportation, and working situations or protective measures, or to receive assistance in requesting these accommodations, a victim should contact the Office of the Title IX Coordinator.

#### **Confidentiality**

Victims may request that directory information on file with the university be withheld. To have directory information withheld, the victim must complete a written request and submit verifiable identification to the Office of the University Registrar. A form is available on the campus in the Office of the University Registrar (Kent Wyatt Hall). Students who cannot come to campus can send an inquiry to registrar@deltastate.edu, and a form with return instructions will be sent to the student. Regardless of whether a victim has opted out of allowing the university to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need to know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The university does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued based on a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

### Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment

(Information obtained from the Rape, Abuse & Incest National Network, [www.rainn.org](http://www.rainn.org) )

- 1) **Be aware** of your surroundings. Knowing where you are and who is around you may help you find a way to escape a bad situation.
- 2) Try to **avoid isolated areas**. It is more challenging to get help if no one is around.
- 3) **Walk with purpose**. Even if you do not know where you are going, act like you do.
- 4) **Trust your instincts**. It is likely not the best place to be if a situation feels unsafe or uncomfortable.
- 5) **Try not to load yourself down** with packages or bags, as this can make you appear more vulnerable.
- 6) **Make sure your cell phone is with you** and charged and that you have cab money.
- 7) **Do not allow yourself to be isolated by** someone you do not trust or someone you do not know.
- 8) **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings.
- 9) **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- 10) **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- 11) **Do not leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- 12) **Do not accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. Do not drink from the punch bowls or other large, standard open containers at parties.
- 13) **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- 14) **If you suspect you or a friend has been drugged, contact law enforcement immediately, (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- 15) If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - a. **Remember that being in this situation is not your fault**. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself**. Do not feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you do not feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie**. If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
- 16) **Try to think of an escape route**. How would you try to get out of the room? Where are the doors and windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- 17) **If you and/or the other person have been drinking**, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students, and new employees about ongoing awareness and prevention campaigns for the campus community that includes the following:

- primary prevention information addressing sexual assault, dating violence, domestic violence, and stalking
- bystander intervention education
- sexual harassment information, including workplace harassment
- definition of consent
- State law on domestic violence, sexual assault, and stalking
- information on risk reduction
- information on resources available on campus to address these issues
- information on campus expectations and values
- checkup for Sexual Violence Prevention (SVP)
- Keys to Coping (online support)

For online Sexual Assault resources, visit the website: <http://www.deltastate.edu/student-life/sexual-assault-help/>

### Ongoing Education and Awareness Programs

Throughout the year, the university and invited organizations provide training and educational programming to faculty, staff, and students on various issues related to sexual assault, intimate partner violence, sexual harassment, and stalking. Programming available includes bystander intervention training, sexual assault response training, workshops for athletic teams, Greek organizations, ally training, and many others. Student Health Services offers training and primary prevention workshops to university students on healthy sexuality and healthy relationships; The Title IX coordinator provides ongoing training and education to faculty, staff, and students on issues related to sexual misconduct and stalking and staff reporting responsibilities. Student Counseling Services, Housing & Residence Life, and the University Police Department offer programs on domestic violence, dating violence, sexual assault, and stalking to the campus community.

Student Affairs sponsored the “Walk a Mile in Her Shoes” event. The event raised awareness and education about domestic and sexual violence among students, faculty, staff, and community members and SGA sponsors an initiative to address sexual assault on college campuses.

### Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. Bystanders are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. The university wants to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm.

A person may not always know what to do, even if they want to help. The immediate danger could be when a person is yelling at or physically abusive toward another, and it is not safe to interrupt; if you or someone else is in immediate danger, dial 911. Further information regarding bystander intervention is listed below:

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, make out with, or attempt to have sex with someone who is incapacitated.

3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on-campus or off-campus resources listed in this document for support in health, counseling, or legal assistance.

### Campus Crime Prevention Programs

In conjunction with the training curriculum provided by the Title IX Coordinator, education and prevention information concerning sexual assault, domestic violence, dating violence, and stalking is included in the University's online training module, which will be required training for students, staff, and faculty.

If necessary, protective measures will include: assistance in changing the academic and living situations of the victim, changes/adjustments to the work area/environment, or alternate transportation routes/methods after an alleged sexual assault incident if requested by the victim; and if these changes are reasonably available. In cases where it remains possible that the defendant and the victim are still on campus, a no-contact directive will be issued and enforced. The University strictly adheres to the FERPA Act in all matters where it is pertinent.

Counseling, mental health, and other services are available on campus and in the surrounding community for victims of sexual assault.

Written notification of available protective measures is provided to each victim of an alleged sexual assault incident. These accommodations will be available even if a police report is not filed.

## **Emergency Management**

The University Emergency Operations Plan addresses the university's response to emergencies by taking an all-hazard approach to natural and human-caused emergencies and hazards. The university maintains an Emergency Operations Center and Emergency Operations Group (EOG), which senior university officials may activate for responding to emergencies on the campus. Team members and University Police have received Incident Command System (ICS) training, which is utilized when responding to these incidents. The campus community should familiarize themselves with the university's publicly available website, [www.deltastate.edu/emergency/](http://www.deltastate.edu/emergency/), which contains information on emergency situations, evacuation, safety tips, alert methods, and shelter. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility.

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

The university conducts tests of its emergency capabilities regularly. The tests include, but are not limited to, drills, tabletop, functional exercises, and full-scale simulations. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. All exercises are documented, and appropriate after-action reports are completed. Residence Life and UPD conduct drills each semester for all residence halls to ensure an adequate emergency response. They also coordinate evacuation drills at least twice a year. Students living in residence housing are provided the locations of emergency exits in the buildings and are guided in the direction they should travel when exiting each facility for a short-term building evacuation. Residents are told in advance of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. Residence Life staff and/or first responders on-scene will communicate information to students regarding the developing situation or any evacuation status changes in these cases. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fire or other emergencies. Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to a building. Prior to conducting drills, students who reside in the residence halls are provided information about emergency evacuation. Additionally, evacuation routes are posted on the doors of residence hall rooms. During drills, occupants practice procedures and familiarize themselves with the location of exits and the sound of the fire alarms. In addition to educating occupants about the evacuation procedures during the drills, the process also allows the university to test the operation of fire alarm system components. Evacuation drills are evaluated by Residence Life staff and the local fire department to review egress and behavioral patterns. Reports are prepared by participating departments that identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration. Students who reside in residence halls receive information about evacuation and shelter-in-place procedures during their dorm meetings. Residence Life staff members are also trained in these procedures and act as ongoing resources for the students living in the residence halls.

## Emergency Notification

### Campus Community Emergency Alert System – (OKRAAlert)

OKRAAlert is a mass notification system for emergency messaging designed to send emergency messages to the university's employees and students in a matter of minutes. OKRAAlert will be used in conjunction with existing university avenues of emergency communication, including news alerts and the university's website. Students and employees are enrolled in the system each semester. The system allows only one cellular phone number per person. Anyone wishing to verify enrollment in OKRAAlert should go to:

- [DSU Online Services](#) and log in
- 'Personal Information'
- 'Enroll in OKRAAlert (Emergency Text Message Notification)'

To "OPT-OUT" of the system, press "X" (delete) by the phone number.

**YOU ARE ENCOURAGED NOT TO "OPT-OUT" at any time during employment or attendance at Delta State University.**

OKRAAlert messages are broadcast to the registered campus population and first responder agencies. The University conducts tests on the system each semester.

### Immediate (Emergency) Notification

It is the university's policy to immediately notify the campus community upon the confirmation of any significant emergency or dangerous situation occurring on our campus involving a threat to the health and safety of students, guests, and employees. UPD identifies specific threats, whether manufactured or natural, which leads to the immediate activation of our OKRAAlert system communicating the threat to the campus community. However, other threats which would allow for the activation may need to be assessed, and consultation with other experts may be required. The immediate notification of an emergency event will be issued without delay and will consider the campus community's safety. The only exception is if doing so would compromise efforts to assist, contain, respond to, or otherwise mitigate the emergency. In an emergency, the chief of police or an incident commander will determine the nature and severity of the situation and, if appropriate, will declare an immediate campus threat and authorize activation of the OKRAAlert by the UPD, OIT, or the Office of Communications & Marketing. Once immediate notification has been made, more detailed follow-up information will be released via email.

### Timely Warning Notification

In the event that a situation arises, either on or off campus, that in the judgment of the chief of police or his designee constitutes an ongoing or continuing criminal threat to persons or property, a campus-wide "timely warning" will be issued as soon as the pertinent information is available. The only exception is if doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. A timely warning intends to enable people to protect themselves and aid in preventing similar crimes. The warning will be distributed to all students, faculty, and staff by email, posting, or other mass communication, as appropriate.

Anyone with information that warrants a timely warning should report the circumstances to the University Police at 662.846.4155 or in person at the University Police Department in Bailey Hall. Once the timely warning has been made, more detailed follow-up information will be released on the university website, [www.deltastate.edu](http://www.deltastate.edu), or via email.

## **Crime Prevention and Safety Information for the Campus Community**

The Delta State University Police Department has an active crime prevention program, which is dedicated to reducing criminal opportunities and encourages the campus community members to take responsibility for their safety and security and the safety and security of others. Crime prevention programs are available for all students, staff, and faculty. Some topics include but are not limited to personal safety and property security, alcohol and DUI awareness, drug abuse awareness, fire safety, and sexual assault/date rape prevention.

Safety on a college campus is a genuine concern. Delta State offers services and crime prevention programs to improve safety in the university community. Ultimately, each person is responsible for his/her own safety, but practicing preventive methods can help reduce the probability of one becoming a victim of crime. The police department will offer workshops and presentations on crime prevention during the year. You should take the opportunity to attend these programs. If you have questions about campus safety, please call us at (662) 846-4155 or email: [police@deltastate.edu](mailto:police@deltastate.edu).

### **Campus Safety/Education**

#### **(Crime Prevention and Security Awareness Programs) 34CFR 668.46(b)(6)**

The mission of the University Police Department is to provide a safe and supportive environment for the University community through professional law enforcement, prevention of crime, intervention with offenders, problem-solving, and community participation.

The goal of crime prevention and security awareness programs is to eliminate or minimize criminal opportunities whenever possible and to encourage students, faculty, and staff to be responsible for their safety and the safety of others. Crime Prevention and Security Awareness Information are available on the UPD website: [www.deltastate.edu/student-affairs/police/](http://www.deltastate.edu/student-affairs/police/).

**Crime Prevention and Security Awareness Training** - Student Affairs has taken a proactive role in obtaining the proper staff training and necessary training materials to comply with the current and on-going demands on the University's compliance requirements as it relates to Clery, VAWA, Title IX, and the Campus SaVE Act additions.

**S.A.F.E. (Self-defense, Awareness, and Familiarization Exchange)** - You are your best defense. This educational awareness and crime victim prevention program encompasses strategies, techniques, options, and prevention. It will provide teenage and adult women with information that may reduce their risk of exposure to violence.

**Lock It Up** - This program is designed to increase security awareness by reducing vulnerability. Officers use note cards and/or door hangers that alert would-be victims to their potential security or theft risk. Unlocked doors, wallets or purses, book bags, bikes, or anything left exposed to a potential thief would receive a "Lock It Up" card.

### Campus Prevention Programs/Awareness Campaigns

**Student Orientation** - The Delta State University Police addresses new students about the police department, its policies, procedures, campus safety, parking, community policing, the police section of the website, and university conduct.

**Residence Halls Programs** – Residence halls directors and resident assistants are required to present “student-help” programs. Rape Aggression Defense tips have also been the topic of these programs. These programs include Clery and VAWA mandated programs along with student-life skills, how-to discussions, and other awareness topics. Safety and Domestic violence prevention programs are scheduled for each semester in the dorms.

Additional prevention and awareness information concerning sexual assault, domestic violence, dating violence, and stalking will be presented yearly to students, staff, and faculty through the University's online training program.

**Panhellenic, Interfraternity and National Pan Hellenic Councils** – Alcohol abuse education and other pertinent crime prevention information will be presented yearly to the members of fraternities and sororities by representatives of the University Police Department or other qualified professionals.

**SGA Crime Prevention Week** – The University Police, in concert with the Student Government, presents safety and awareness programs during the academic year.

**National Night Out** – In the fall or spring, the UPD hosts a crime prevention forum or open house in the police department or other public locations to establish officer-student relationships and promote awareness.

**Escort Service** - The UPD provides an after-hours safety escort seven days a week. Escorts are provided upon request to those who have concerns for their personal safety when moving about campus after hours. If you need an escort, call 662.846.4155.

### **University Counseling Center**

The University Counseling Center provides university students with individual and group assistance in adapting to stressful situations while attending DSU. Examples such as adjusting to the university environment, relationship issues with a roommate, professor, parents, or significant other, choosing a vocation, selecting a major, and solving personal, social, and educational difficulties are common reasons students utilize counseling. The professional staff is also trained to help with clinical issues like depression, anxiety, grief, anger, trauma, and alcohol and drug abuse. In a confidential relationship, the student may express his/her thoughts and feelings, and an experienced counselor helps the student gain insight into problems and explore possible solutions.

The University Counseling Center is open for service and FREE to students, faculty, and staff, Monday through Friday from 8:00 a.m. to 5:00 p.m. Stress management, Counseling, American Disabilities Act consultation, and Alcohol and Drug abuse appointments may be made in person or by calling the counseling center. Alcohol and Chemical dependency information, brochures, and treatment referrals can be found there as well.



## **Alcohol and Drug Abuse processes for the Campus Community**

### Policy Statement

Delta State University strives to maintain campus communities, activities, and worksites free from the illegal use, possession, or distribution of alcohol, illegal drugs, or controlled substances as defined by state law and in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, as amended and by regulation at 21 Code of Federal Regulations section 1308. The university prohibits the unlawful possession, use, manufacture, or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds, or property controlled by the university or used as part of university activities. This policy is implemented in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. The University Alcohol and Drug Policy prescribe standards of conduct expected of academic and staff employees, students, and visitors to maintain an alcohol and drug-free campus communities, activities, and worksites and contains provisions to ensure that the university complies with federal and state statutes.

### **DEFINITIONS**

**Student** – Includes all persons enrolled at the University, whether full-time or part-time.

**Employee** – Includes all faculty and staff employed, whether full-time or part-time.

**Illicit Drugs** – Defined in Section 202 of the Controlled Substance Act; the Mississippi Uniform Controlled Substance Law, Mississippi Code Supplement (1989), and 21 USC 1308 of the Federal Code.

**Alcoholic beverages** – Defined in Sections 41-29-139, 142, 67-1-5, and 97-29-7 of the Mississippi Code Annotated.

### **POLICIES and RESPONSIBILITIES**

#### Standards of Conduct

The unlawful possession, use, or distribution of illicit drugs and alcohol by its students and employees on university premises is strictly prohibited and violates University policy. It shall be the personal responsibility of each student, faculty, and staff employee to adhere to this policy. Failure to do so will result in sanctions as stipulated in this policy.

#### Legal Sanctions

As specified in Section 37-105-9, 41-29-139, 41-29-142, and 97-29-47 of the Mississippi Code, Annotated legal sanctions are applied to the following actions: possession of alcohol on University property; public drunkenness on University property; utilization of false ID to obtain alcohol; driving under the influence of alcohol; possession of illicit drugs; sale of illicit drugs; sale of illicit drugs near schools; possession of paraphernalia; and sale of paraphernalia. Sanctions range from fines of \$25 to \$1 million and jail sentences of 30 days in the county jail to 30 years in the state penitentiary.

The University strives to maintain those campus communities, activities, and worksites are free from the illegal use, possession, or distribution of alcohol, illegal drugs, or controlled substances as defined by state law and in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, as amended and by regulation at 21 Code of Federal Regulations section 1308. The University recognizes that the illegal or abusive use of alcohol or drugs by members of the University community can prevent the University from meeting its commitments and accomplishing its missions. Further, such use jeopardizes the safety and welfare of the individual, fellow employees and students, and the University community. The University Alcohol and Drug Policy prescribe standards of conduct expected of academic and staff employees, students, and visitors to maintain an alcohol and drug-free campus communities, activities and worksites and contains provisions to ensure that the University complies with federal and state laws statutes.

### Sanctions

Sanctions may be imposed upon employees or students who violate the University's alcohol and drug abuse policy as follows:

### Employees

Suspension pending further investigation (with pay); satisfactory participation in a drug or alcohol abuse assistance or rehabilitation program; issuance of a formal warning; or termination.

### Students

Probation for a minimum of six months up to the remainder of their tenure, and/or a fine of up to \$100 and/or work of 10 hours up to 50 hours, and/or specified number of hours of counseling; or suspension for a specified time or with the sentence suspended, expulsion from the University or one of its residential units, or any combination of the above-listed sanctions or other forms of creative sanctions which might be imposed. Further disciplinary procedures can be found in the Delta State University Student Handbook, a copy of which can be obtained online at [www.deltastate.edu](http://www.deltastate.edu).

### Health Risks

Delta State University recognizes that illicit drug use and alcohol abuse are wrong and harmful. Medical research reveals that such behavior is a causative factor in the heart, liver, and other diseases and in various cancers and brain damage. The abuse of alcohol and other drugs is not only destructive to physical health but also erodes the self-discipline and motivation necessary for learning. Pervasive drug use and alcohol abuse create an environment that is destructive to learning and working. Closely tied to being truant and dropping out of school, they are associated with crime and misconduct that disrupt the maintenance of an orderly and safe university atmosphere conducive to learning and working.

### Prevention and Counseling Programs

The University makes available to all its students and employees the services of the Counseling Center located in the University Health Center, (662) 846-4690. In addition to offering direct services to students and employees experiencing problems with alcohol or substance abuse, the Counseling Center provides referral services to several centers for alcohol and drug treatment and rehabilitation. In addition, substance abuse programs are offered in the residence hall by the University Counseling Center or external professional agencies.

Interactive prevention and help programs are on the University's Student Affairs website: <http://www.deltastate.edu/student-life/>, which includes "checkup Alcohol" and the Drug and Alcohol Abuse Prevention Program for the University.

## **Sex Offender Registry**

The Campus Sex Crimes Prevention Act provides registration and community notification requirements for sex offenders enrolled in or working at higher education institutions. Effective October 2003, the law required higher education institutions to issue a statement advising the campus community where law enforcement agency information, provided by a state, concerning registered sex offenders could be obtained. This information can be found by accessing the Mississippi Sex Offender Registry at <http://state.sor.dps.ms.gov> on the state's website.

## Firearms and Weapons on University Property

### University Firearms Policy

Delta State University is committed to maintaining a safe and secure environment that supports the university's academic mission. The University prohibits possessing firearms or other weapons by anyone other than duly authorized law enforcement officers, institutional security officials, and other authorized persons. "Authorized persons" includes those individuals authorized by applicable law by the institutional executive officer or the institutional chief of police. "Authorized persons" also include those who have in their possession a valid; unexpired state firearms permit with the "Instructor Certified" (IC) sticker on the back or the equivalent permit issued by a state with a reciprocity agreement with Mississippi. Even so, those possessing such permits cannot possess firearms in any institutional facilities or areas deemed **non-public**. Students and employees are not authorized to possess firearms on the institutional property or at off-campus institutional events, regardless of issued firearms permits. The possession of weapons violating this policy may subject one to criminal liability, removal from campus or campus events or facilities, employment discipline, or sanctions under the University Student Code of Conduct.

For more information, contact the University Police Department at 662.846.4155.

## Missing Student Notification

### University Missing Persons Procedure

If a member of the University community has reason to believe that a student is missing, he or she should immediately notify the University Police Department at 662.846. 4155 or call "911". University Police will initiate an immediate investigation. After investigating the missing person report, University Police will notify the student's emergency contact, or confidentially identified individual, immediately after the student is determined to be missing when the missing student is under age 18 and is not an emancipated individual. In that case, University Police will notify the student's parents or legal guardian immediately after University Police has determined the student is missing. University Police Department will inform local and surrounding law enforcement agencies immediately of any student determined to be missing. In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by the university in the event the student is determined to be missing. The confidential contact should be someone who will likely know your location and whom you wish to contact if you are missing. Students who wish to identify a confidential contact can do so by completing the Missing Person Contact Information on the CART system. This confidential contact information will be accessible only to authorized campus officials and law enforcement officers, and it will not be disclosed outside of a missing person investigation

## Reportable Crimes

**Murder/Non-Negligent Manslaughter** – Defined as the willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** – Defined as the killing of another person through gross negligence.

**Rape-completed** – 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 victim's consent.

**Rape-Attempts to Commit Rape** – Assaults or attempts to rape.

**Fondling** – Defined as touching another person's private part for sexual gratification without the victim's consent, 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.

**Incest** – Defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** – Defined as non-forcible sexual intercourse with a person under the statutory age of consent.

**Robbery** – Defined as taking or attempting to take anything of value from the car, custody or control of a person or

persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – Defined as an unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This type of assault is usually accompanied by a weapon or 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 or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary** – Unlawful entry of a structure to commit a felony or a theft

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

**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.

**Weapon Law Violations** – The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned

**Drug Abuse Violations** – Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations** – The violation of laws prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned (Drunkenness and driving under the influence are not included in this definition.)

**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

**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 by the reporting party's statement and 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

**Stalking** – This means engaging in the 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. For the purposes of this definition,

- 1) **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.
- 2) **A reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily,
- 4) **Require** medical or other professional treatment or counseling.

**Hate Crimes** – Includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes:

**Larceny/Theft** – Includes pocket picking, purse snatching, shoplifting, theft from building, theft from a motor vehicle, theft of motor vehicle parts or accessories, and all other larcenies.

**Simple Assault** – 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 by threatening words or other

conduct without displaying a weapon or subjecting the victim to a physical attack.

**Destruction/Damage/Vandalism to Property** (except arson) – To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the owner's consent or the person having custody or control of it.

#### **Categories of Prejudice**

**Race** – A preformed negative attitude toward a group of persons with common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.

**Gender** – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

**Ethnicity/National Origin** – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

**Gender Identity** – A preformed negative opinion or attitude toward a group of persons because the perceived gender of those persons may be different from the gender traditionally associated with their gender at birth.

#### **GEOGRAPHY DEFINITIONS FROM THE CLERY ACT**

**On-Campus** – On-campus is defined as (1) 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 (2) any building or property that is reasonably contiguous to the area identified as paragraph 1, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**Non-Campus Building or Property** – A non-campus building or property is defined as (1) any building or property owned or controlled by a student organization that the institution officially recognizes; or (2) any building or property owned or controlled by an institution that is used in direct support of or concerning 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** – Public property is all property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to and accessible from the campus owned by a public entity.

## **Annual Crime Statistics**

In compliance with the Jeanne Clery Act, the Delta State University Police Department is responsible for reporting specific crime statistics to the Department of Education. Additionally, the University Police Department must comply with other state and federal crime statistics reporting mandates. There is a vast difference in reporting requirements between the Clery report and other State and Federal crime reporting statistics. Clery reporting requires the reporting of student disciplinary referrals for certain crimes.

In particular rare instances, a case may be classified as unfounded and subsequently withheld from reporting. These instances must include that the report was made, but there was no evidence to support the case, or the investigation did not yield any evidence to support the case. Additionally, the reauthorization of the Violence Against Women Act (VAWA), signed into law in 2013, called for reporting in three new categories: dating violence, domestic violence, and stalking.

This report contains crime statistics compiled from 2019 through 2021. Delta State University does not record criminal activity where students are engaged in off-campus locations unless the attending law enforcement agency involves the University Police Department. The university does not have "off-campus housed" residential student organizations that the institution officially recognizes. In addition, DSU does not own or operate any off-campus housing.

| <b>CRIMINAL OFFENSES - ON-CAMPUS</b>                         | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 1           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 1           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 1           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Domestic Violence  | 1           | 0           | 0           |
| Dating Violence  | 0           | 0           | 0           |
| Stalking   | 0           | 0           | 0           |
| <b>CRIMINAL OFFENSES - ON-CAMPUS RESIDENCE HALLS</b>         | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 1           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Domestic Violence  | 1           | 0           | 0           |
| Dating Violence  | 0           | 0           | 0           |
| Stalking   | 0           | 0           | 0           |

| <b>CRIMINAL OFFENSES – NON-CAMPUS</b>                        | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 1           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Domestic Violence  | 0           | 0           | 0           |
| Dating Violence  | 1           | 0           | 0           |
| Stalking   | 0           | 0           | 0           |

- Changed years prior to properly reflect what is University used or owned non campus property not adjacent Municipality

| <b>CRIMINAL OFFENSES – PUBLIC PROPERTY</b>                   | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 0           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Domestic Violence  | 0           | 0           | 0           |
| Dating Violence  | 0           | 0           | 0           |
| Stalking   | 0           | 0           | 0           |

- Identified adjacent public property is Shumate Park and Grammy Museum MS.



| <b>CRIMINAL OFFENSES - ON-CAMPUS RESIDENCE HALLS HATE CRIMES</b> | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                                | 0           | 0           | 0           |
| Negligent manslaughter   | 0           | 0           | 0           |
| Sex offenses – Forcible  | 0           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only)     | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Simple Assault   | 0           | 0           | 0           |
| Larceny-Theft  | 0           | 0           | 0           |
| Intimidation   | 0           | 0           | 0           |
| Destruction/damage/vandalism of property                         | 0           | 0           | 0           |

| <b>CRIMINAL OFFENSES - ON-CAMPUS HATE CRIMES</b>             | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 0           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Simple Assault   | 0           | 0           | 0           |
| Larceny-Theft  | 0           | 0           | 0           |
| Intimidation   | 0           | 0           | 0           |
| Destruction/damage/vandalism of property                     | 0           | 0           | 0           |

| <b>CRIMINAL OFFENSES - NON-CAMPUS HATE CRIMES</b>            | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 0           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Simple Assault   | 0           | 0           | 0           |
| Larceny-Theft  | 0           | 0           | 0           |
| Intimidation   | 0           | 0           | 0           |
| Destruction/damage/vandalism of property                     | 0           | 0           | 0           |

| <b>CRIMINAL OFFENSES – PUBLIC PROPERTY HATE CRIMES</b>       | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Murder/Non-negligent manslaughter                            | 0           | 0           | 0           |
| Negligent manslaughter                                       | 0           | 0           | 0           |
| Sex offenses – Forcible                                      | 0           | 0           | 0           |
| Sex offenses - Non-forcible (incest and statutory rape only) | 0           | 0           | 0           |
| Robbery  | 0           | 0           | 0           |
| Aggravated assault   | 0           | 0           | 0           |
| Burglary   | 0           | 0           | 0           |
| Motor vehicle theft  | 0           | 0           | 0           |
| Arson  | 0           | 0           | 0           |
| Simple Assault   | 0           | 0           | 0           |
| Larceny-Theft  | 0           | 0           | 0           |
| Intimidation   | 0           | 0           | 0           |
| Destruction/damage/vandalism of property                     | 0           | 0           | 0           |

| <b>ARRESTS - ON-CAMPUS</b>                              | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|---|-------------|-------------|-------------|
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 0           | 0           | 0           |
| Liquor law violations                                   | 0           | 0           | 0           |
| <b>ARRESTS - ON-CAMPUS RESIDENCE HALLS</b>              | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 0           | 0           | 0           |
| Liquor law violations                                   | 0           | 0           | 0           |
| <b>ARRESTS – NON-CAMPUS</b>                             | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 0           | 0           | 0           |
| Liquor law violations                                   | 0           | 0           | 0           |
| <b>ARRESTS – PUBLIC PROPERTY</b>                        | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 0           | 0           | 0           |
| Liquor law violations                                   | 0           | 0           | 0           |
| <b>DISCIPLINARY ACTIONS - ON-CAMPUS</b>                 | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 6           | 0           | 2           |
| Liquor law violations                                   | 3           | 0           | 0           |
| <b>DISCIPLINARY ACTIONS - ON-CAMPUS RESIDENCE HALLS</b> | <b>2019</b> | <b>2020</b> | <b>2021</b> |
| Illegal weapons possession                              | 0           | 0           | 0           |
| Drug law violations                                     | 6           | 0           | 2           |
| Liquor law violations                                   | 3           | 0           | 0           |

| <b>DISCIPLINARY ACTIONS – NON-CAMPUS</b> | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Illegal weapons possession               | 0           | 0           | 0           |
| Drug law violations                      | 0           | 0           | 0           |
| Liquor law violations                    | 0           | 0           | 0           |

| <b>DISCIPLINARY ACTIONS – PUBLICPROPERTY</b> | <b>2019</b> | <b>2020</b> | <b>2021</b> |
|--|-------------|-------------|-------------|
| Illegal weapons possession                   | 0           | 0           | 0           |
| Drug law violations                          | 0           | 0           | 0           |
| Liquor law violations                        | 0           | 0           | 0           |

## Annual Fire Safety Report

| Name of Facility                       | 2019  |          |        | 2020  |          |        | 2021  |          |        |
|--|-------|----------|--------|-------|----------|--------|-------|----------|--------|
|  | Fires | Injuries | Deaths | Fires | Injuries | Deaths | Fires | Injuries | Deaths |
| Cain-Tatum                             | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Lawler-Harkins                         | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Cleveland                              | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Brumby-Castle                          | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Court of Governors<br>(Closed 7/31/17) | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Blansett                               | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Foundation                             | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| Hill Apartments                        | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |
| <b>TOTALS</b>                          | 0     | 0        | 0      | 0     | 0        | 0      | 0     | 0        | 0      |

### Fire Systems Inventory

All residence halls at Delta State University are equipped with electronic fire warning systems. Several of the systems can pinpoint the specific area that caused the alarm to sound, thereby reducing the response time of the Residence Hall Staff, Facilities Management Staff, and University Police.

#### Description of Student Housing Facility Fire Safety Systems

| Residential Facilities      | Alarm System        | Sprinkled |
|-----------------------------|---------------------|-----------|
| Cain-Tatum                  | MIRCOM FX-2003-6DS  | Yes       |
| Lawler-Harkins              | Simplex 4000 Series | Yes       |
| Cleveland (closed)          | Simplex 4010        | Yes       |
| Brumby-Castle               | Simplex 4010        | Yes       |
| Court of Governors (closed) | Simplex ES & 4010   | Yes       |
| Blansett (partial closure)  | Simplex 4005        | Yes       |
| Foundation                  | Simplex 4100 U      | Yes       |
| Hill Apartment              | Simplex ES          | Yes       |

### Smoke/Fire

Report a fire or emergency by calling the University Police at (662) 846-4155, giving the exact location of the fire, your name, building name, room number and floor. State exactly what is burning, smoking or smells like a fire to you. In each building, occupants will be notified by means of an alarm system, Okra alert, electronic communication or oral communication, although this last method is not advisable for work areas with ten or more persons. The building manager must assure that there is an effective method to notify occupants of an emergency. Occupants must be aware of whom to notify in the event the building manager is absent. Occupants should know at least two exits from the building and be familiar with the evacuation route posted on your floor. When notified to evacuate, do so in a calm and orderly fashion; walk don't run; keep conversation level down; close all doors behind you, use the stairs not elevators and assist others in need of assistance. During evacuation, floor marshals ensure that every person on his/her floor has been notified and evacuation routes are clear. If possible, the floor marshal will check that all doors are closed and be the last one out. Upon leaving the floor, the floor marshal will report the status of floor evacuation to the

building manager. Persons with disabilities (mobility, hearing, sight) who require assistance to evacuate are responsible for pre-arranging with someone in their immediate work area/residence hall to assist them during the evacuation. Anyone knowing of a person with disability or injury who was not able to evacuate will report this to a floor marshal, building manager or University Police immediately.

The Dean, Director or Department Head shall designate a building manager with thorough understanding and appropriate knowledge of the plan and ensure that they are adequately instructed in their duties and responsibilities. There must be adequate alternates to assume responsibilities in the absence of the building manager or floor marshals. These designations should also be made in the pre- planning stages and names submitted to University Police for campus wide compilation. University Vice Presidents are responsible for ensuring the above are completed.

Campus wide fire evacuation drills are conducted annually in each building and are critiqued and documented by the building manager and submitted to University Police. Prior to holding a fire evacuation drill where the alarm is to be triggered, University Police, Facilities Management and the fire inspector are to be notified.

The University Police Department responds to all reports of fire on the campus and completes an incident report. The Fire Safety Log is maintained by the UPD and available for public inspection. The log will provide at a minimum the date the fire was reported, nature of the fire, date and time of the fire, and a general location.

## Office of Housing and Residence Life – Student Housing Procedures

### Policies Related to Use Of Electrical Appliances and/or Open Flames

Residents are not permitted to have any appliance with an open flame or exposed heating element in any residence hall. Cooking appliances are limited to microwaves, refrigerators, and coffee makers. These must be closely supervised by the user. After one violation, all privileges will be revoked.

Evacuation procedures are explained and reviewed during hall meetings each semester in the residence halls.

For more Housing & Residence Life policies:

[www.deltastate.edu/student-life/housing-and-residence-life/housing-code/](http://www.deltastate.edu/student-life/housing-and-residence-life/housing-code/).

### Tobacco Free University Policy

#### Policy Statement

Delta State University implements this policy in consideration of the general health, safety and comfort of all Delta State University students, faculty, staff and visitors. Effective September 7, 2010, Delta State University prohibits the use of all tobacco products on its campus. This policy applies to all students, faculty, staff and visitors on Delta State University property or in its facilities.

#### Definitions

**Employee** – This generally includes faculty and staff employees who are working on paid appointments by the University. It generally excludes students or temporary employees. For specific information on who is considered an employee, contact the Human Resources Department.

**Supervisor** – An employee designated by management who exercises major supervisory functions over another employee or employees. These functions include hiring, evaluating, assigning work, and disciplining employees.

**Smoking** – inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any device used to transmit or convey tobacco smoke or any inhalant.

**Tobacco products** – cigarettes, chewing tobacco, pipes, cigars, snuff, or any device designed to transmit or convey tobacco smoke or any inhalant.

#### Procedures

Use of all tobacco products is prohibited in all owned, operated, leased, occupied, and controlled entities of Delta State University including; buildings, grounds, parking areas, walkways, athletic fields, tennis courts, golf course, and any other recreational or public areas. When any person enters the grounds of the University, the use of any smoking material or tobacco product shall cease. The offending tobacco product shall be disposed of in an appropriate receptacle. Improper disposal of cigarette or cigar butts, or collateral litter of tobacco-product use, shall also be considered a violation of this policy.

#### Responsibilities

All of the members of the Delta State University community share responsibility for complying with this policy. Specific enforcement of this policy is primarily the authority of the Delta State University Police who are authorized to cite violators of this policy. Auxiliary enforcement of this policy is delegated to all University Chairs, Building Managers, Directors, Deans, and Supervisors. Auxiliary enforcement is an affirmative obligation to ensure that this policy is followed in all University academic and administrative units. Auxiliary enforcement includes making individuals aware of this University Policy as well as reporting violators to campus police.

- Violations of this policy should be addressed in a tactful, non-confrontational and compassionate manner.
- Violations should be reported to any University Chair, Director, Dean, Building Manager, Supervisor, or to the University Police.

## Tobacco Violation Penalties

### **Students**

Violators will be penalized according to the Student Code of Conduct. Students should take great care in addressing their peers who do not comply with this policy. Violators should be reminded of this policy in a tactful and compassionate manner.

- Multiple infractions may result in stiffer corrective actions under the Student Code of Conduct, including fines and/or community service.
- Further violations should be reported to university police.

### **Faculty & Staff**

Violators of this policy should be advised in a tactful manner. Continued infractions by faculty and staff may result in corrective action under the Human Resources Policies and Procedures or other University regulations. Further violations should be reported to university police.

### **Visitors**

Visitors who violate this policy should be advised in a tactful manner. Visitors refusing to comply with this policy may be asked to leave campus. Further violations should be reported to university police.

## **Distribution of the Annual Security and Fire Safety Report**

In September of each year, an electronic copy of the Annual Report is sent to all students, faculty, and staff via their University email.

Copies of the report are available at the Delta State University Police Department by request.

To view the report online: <http://www.deltastate.edu/student-affairs/police/campus-safety/>



# DELTA STATE UNIVERSITY EMERGENCY PROTOCOLS 662-846-4155

## FIRE ALARM/ BUILDING EVACUATION

- **THE FIRE ALARM SOUNDING** indicates a fire or building evacuation.
- Call UPD 662-846-4155 provide your location and what you see.
- **DO NOT** assume an alarm is false, always investigate and be prepared to escape.
- If you see fire or smoke before an alarm sounds, pull the nearest fire alarm and get out.
- **DO NOT** use an Elevator. Try to assist any elderly or disabled persons out of the building.
- If you are in a class stay together once outside.
- All persons should be at least 500 feet away or as directed by emergency personnel.

## MEDICAL EMERGENCY

- Call 911 **IMMEDIATELY DO NOT WAIT.**
- Render first aid if you are trained to do so.
- Report all medical emergencies, accidents, or injuries to the UPD 662-846-4155.
- AEDs (defibrillators) are located on campus.

## TORNADO WARNING

- **LISTEN** for overhead siren.
- **SHELTER** on a ground floor interior hallway/room staying away from exterior glass, windows and doors.
- A Tornado Warning means a Tornado has been sighted or confirmed by radar.
- **STAY** sheltered until advised of an "all clear" by University officials.

## HOSTILE OR DISRUPTIVE BEHAVIOR

- Stay Calm and **GET AWAY!**
- If person is violent call 911
- Get away from the problem area and call UPD 662-846-4155
- Do not confront the subject or block his/her exit as they could be dangerous.
- Get to an area where you can lock the door and stay secured until help arrives.

## POLICE EMERGENCY (SHELTER IN PLACE)

- The Okra Alert will advise that a Shelter in Place or Police Emergency has occurred. (RUN,HIDE, FIGHT protocols)
- **RUN.** React and do not wait for further instruction or confirmation. Run away from the affected area if safe to do so, get off campus and do not return until safe.
- **HIDE:** In a lockable area such as any classroom, offices or designated areas.
  - **LOCK** any door, close blinds, cover windows, turn off lights and stay down.
  - **STAY** away from windows and doors. Use furnishings as barricades. Silence your phone.
- If you are in a hallway or lobby go to the nearest secured area.
- **DO NOT TRY TO HELP POLICE!**
- **FIGHT:** If you are forced into an encounter FIGHT like your life depends on it.
- **KEEP HANDS UP AND VISIBLE TO POLICE.** Do **NOT** put your hands in your pockets.
- Do **NOT UNLOCK THE DOOR** for anyone other than clearly identified police.
- Law enforcement will escort you to safety or give the "all clear".

## BOMB OR BOMB THREAT

- If you observe a suspicious device do not touch or move it.
- Clear the area and call UPD 662.846.4155 immediately.
- If you are advised of a bomb by phone:
  - Check the caller ID on your phone and note information.
  - Note the date and time of the call and where received.
  - Ask the caller where, when, how, why, the bomb was placed
  - Observe any identifiers: age, gender, speech, attitude, noises, or accent.
- If advised of a bomb or suspicious in writing or e-mail:
  - Try not to handle the letter or package. Save and report.
  - Note the date, time, and location, return address or e-mail address



**REPORT ALL INCIDENTS AND SUSPICIOUS PEOPLE TO UPD 662-846-4155  
IF YOU SEE SOMETHING SAY SOMETHING**