

**2010**

**Annual  
Security  
And  
Fire  
Safety  
Report**

**Michigan Tech**  
Create the Future



**Department of Public Safety and Police Services**

# ***Michigan Tech Department of Public Safety & Police Services 2010 Annual Security & Fire Safety Report***

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### **University Profile**

#### **Vision Statement**

Michigan Tech will grow as a premier technological research university of international stature, delivering education, new knowledge, and innovation for the needs of our technological world.

#### **Mission Statement**

We prepare students to create the future.

Michigan Tech students create the future in more than 120 degree programs in arts, humanities, and social sciences; business and economics; computing; engineering; forestry and environmental science; natural and physical sciences; and technology.

#### **Size**

Michigan Tech enrolls approximately 7,000 undergraduate and graduate students from across the nation and around the world.

#### **University History**

For more than 115 years, Michigan Tech faculty has explored the boundaries of knowledge while teaching students to become citizens who contribute to the sustainability of our world.

# **Michigan Tech**

**Michigan Technological University**

In 1885, the University was founded as the Michigan Mining School, specializing in training for mining engineers, with four faculty members and twenty-three students in the second story of the old Houghton Fire Hall.

During the period of 1887 to 1898, student and faculty numbers increased, and the School was moved to its present location. Between 1925 and 1935, the Michigan Mining School became the Michigan College of Mining and Technology.

By the time the institution became officially known as Michigan Technological University in 1964, several programs had been added to the curriculum: chemical, electrical, civil, mechanical, and geological engineering; forestry; engineering administration; and physics. Under the leadership of J. Robert Van Pelt, from 1956 to 1964, the University's long-dormant PhD programs were revived and an aggressive research initiative began.

Between 1964 and present time, the University has grown into a leading public research university and a key educational partner within the state of Michigan, the nation, and beyond.

### **Why an Annual Security Report?**

#### **Federal Legal Requirements – The Clery Act**

Enacted in 1990, The Student Right to Know and the Campus Security Act (pub. L. 101-542) was designed to "...assist students in making decisions which affect their personal safety..." and "...to make sure institutions of higher education provide students, prospective students, and faculty the information they need to avoid becoming the victims of campus crime." The Higher Education Act of 1998 and the subsequent amendment of the implementing regulations (34 C.F.R. 668.46) significantly expanded institutions' obligations under the Act. The Act was also renamed the "Jeanne Clery Disclosure of

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Campus Security Policy and Crime Statistics Act” (hereafter the Clery Act). The Clery Act requires colleges and universities to:

- Publish an annual report every year by October 1<sup>st</sup> that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus and certain non-campus facilities. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have “significant responsibility for student and campus activities”.
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”
- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”.

### ***The Michigan Tech Department of Public Safety and Police Services***



The Michigan Tech Department of Public Safety and Police Services exists to provide **quality** police and security service with respect, fairness and compassion to all who visit, study, teach, and work at Michigan Tech. We are committed to the enhancement of the quality of life by providing a safe and secure campus environment conducive to learning by educating the community on safety and risk avoidance issues, by enforcing all laws of the State of Michigan and regulations of Michigan Tech University, by preventing and detecting crime, and by apprehending and prosecuting violators. This mission is accomplished by

continually improving the professional operations of our department, seeking the support of and building partnerships with the entire community, and supporting the mission of the University. With public service as our foundation, we will vigorously investigate and solve problems as well as incidents, seek solutions, and foster a sense of security in our community. The overall attitude and feeling of safety on campus directly affects the atmosphere of individual growth and accomplishment. The extent to which we positively affect this endeavor is the extent to which we succeed in our mission.

We hope you will find this report informative and helpful, and that your stay at Michigan Tech will be both pleasant and safe. The statistics contained herein, which include crimes on campus and crimes in adjacent public areas, are collected by the Department of Public Safety and Police Services and are based on crimes reported directly to Public Safety and Police Services and information provided by the local police departments.

The University has no specific policies or procedures allowing survivors or witnesses to report crimes on a confidential basis for purposes of statistical collection only. However, if a campus official has knowledge of a reportable crime that was not reported for investigation or disciplinary action and he or she informs the Department of Public Safety, that occurrence will be included in these statistics.

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If you have questions or would like further information about safety and security at Michigan Tech, please visit our website at <http://www.publicsafety.mtu.edu>.

The telephone number for police, fire, or ambulance emergency calls on campus is **9-1-1**. The telephone number for routine business, informational, and non-emergency inquiries is: (906) 487-2216.



The department is comprised of 11 command staff and police officers, 6 police dispatchers, one Parking Control Officer and 8 student officers who provide parking enforcement and building security services. The Department provides a full range of police services including patrol, traffic enforcement, traffic accident investigation and criminal investigation on a 24 hour per day/7 day per week basis. Additionally, we provide crime prevention services, motorist assistance, safe walk, bicycle and vehicle registration and weapon registration and storage among other services.

The Department of Public Safety and Police Services also provides security at a variety of events around campus. Our officers are present at football games, hockey games, basketball games, graduation ceremonies, concerts and other special events to provide emergency services as needed.

### **Police Department Training**

Each Michigan Tech Police Officer is a graduate of a police academy accredited by the Michigan Commission on Law Enforcement Standards. Officers also attend annual training throughout the year to continually sharpen their skills, in order to ensure that the safest environment possible is created for the students, staff, and faculty



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of Michigan Tech. In addition to the wide variety of high quality training classes provided to our officers, the Michigan Tech Department of Public Safety and Police Services participates in cross training with other law enforcement agencies, such as the Houghton City P.D., Hancock City P.D., Houghton County Sheriff's Dept. and the Michigan State Police. It is our belief that cooperative training with these agencies will not only foster positive relationships, but in the unlikely event that a major incident should occur on Michigan Tech property, critical key personnel are prepared to respond.

### **Reporting Criminal Incidents and Other Emergencies**

It is critically important that all crimes occurring on campus or in Michigan Tech owned or leased off-campus buildings and property be immediately reported to the Department of Public Safety and Police Services to ensure that appropriate action is taken.

Whether it happens to you or you're a witness, don't let reporting a crime or an emergency be an afterthought. Immediately go to a safe place and call. Stay on the line and as accurately as possible, tell the dispatcher exactly

what has happened. For each incident reported, an investigation is conducted and a file is created. Crimes can be reported at any time of day or night seven days a week:



- **In person** - At the Department of Public Safety & Police Services – Widmaier House, 206 MacInnes Dr.
- **By calling** - **For emergencies whether on-campus or off-campus, dial 9-1-1.**
  - For **non-emergencies**:
    - Public Safety & Police Services, dial 487-2216.
    - Houghton City Police Dept., dial 487-5912.
    - Hancock City Police Dept., dial 482-3102.
    - Houghton County Sheriff Dept., dial 482-0055.
    - Michigan State Police, dial 337-2211.
- **Tip Line** – You may anonymously report any concerns of unusual behavior or alarming events that you observe on campus via the following methods:
  - Telephone: 906-487-OTIP (0847)
  - On the web: [www.mtu.edu/tips](http://www.mtu.edu/tips)
  - **REMEMBER** – For emergencies, dial **9-1-1**

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### **Campus Emergency Telephones**

Campus emergency phones are located on poles or attached to buildings and encased in yellow or black boxes with a **blue light** overhead. Other emergency phones are a simple handset with a **blue light** overhead. To activate the box phones, open the door and push the button inside. To use the handsets, just pick it up to connect direct to the Police Dispatch Center, or dial 911. A sign at each phone location will give the appropriate information. In all cases you will be connected directly to a Police Dispatcher. These phones are located at the following locations and marked with a blue phone icon on the map on the next page.

- **Administration Building (North Entrance)**
- **Central Stores (South Entrance)**
- **Daniell Heights (Intersection of Division St. and Woodmar Dr.)**
- **Daniell Heights (Service Building in Upper Daniell Heights)**
- **Fisher Hall (North Entrance)**
- **Forestry (South Entrance of Atrium)**
- **Library (North, east, and west entrances )**
- **Lot 10 (West end, across from McNair Hall)**
- **Lot 21 (Pathway to Seventh St. near Clark St.)**
- **Lot 26 (Pathway to Forestry Driveway near 7<sup>th</sup> St.)**
- **MacInnes Drive (Near Driveway to Portage Health Clinic)**
- **M & M Building (Lot 31 near East Entrance)**
- **McNair Hall (East Entrance near Lot 16)**
- **Rekhi Hall (West Entrance)**
- **Wadsworth Hall (South – Center Entrance)**
- **Wadsworth Hall (Northwest Side)**
- **Walker Arts (West Entrance)**



We encourage all students, faculty, staff, and guests to promptly report criminal incidents, accidents, and other emergencies to the Department of Public Safety & Police Services. The Michigan Tech Police take reports of all crimes that occur within our jurisdiction.



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## **Monitoring and Recording Criminal Activity**

The Michigan Tech Department of Public Safety and Police Services relies on its close working relationships with local law enforcement agencies to receive information about criminal incidents that students and employees may be involved in. The University Police Department will actively investigate any crime information it receives concerning or involving a member of the Michigan Tech campus community. If the University is notified of a situation in which a campus community member is a victim of a crime, even if the crime occurred several blocks or miles away, the department may issue a Crime Alert or Timely Warning detailing the incident and providing tips so that community members may avoid similar incidents.

## **Security Considerations in the Maintenance of Campus Facilities**

Michigan Tech maintains a strong commitment to campus safety and security. Exterior lighting and facilities upkeep is a critical part of that commitment. Representatives from the Department of Public Safety and Police Services conduct security surveys to identify areas throughout the campus where lighting appears inadequate or that may require additional facilities upkeep. Department of Public Safety & Police Services personnel assess the physical condition of campus facilities (including landscaping, grounds keeping, and outdoor lighting) on their regular patrols of University property. If lights are discovered to be out or dim, officers report the condition to Facilities Management and initiate a work order. University Police and representatives from Facilities Management also work together to identify inoperative locking mechanisms. All members of the campus community are encouraged to report deficient physical conditions to Facilities Management at 487-2303 or by calling the Department of Public Safety & Police Services directly on the non-emergency number at 487-2216.

The Department of Public Safety and Police Services can contact Facilities Management staff 24/7 to respond to calls for emergency maintenance service regarding unsafe facility conditions or those raising concerns for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.



During non-business hours, unsafe conditions should be reported to the Department of Public Safety and Police Services, who will notify the on-call Facilities Management supervisor to arrange for an immediate response if necessary. A Facilities Management representative can usually respond to the site of the emergency request within 30 minutes of the report regardless of the time of day.

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### **Residence Hall Security**

Michigan Tech strives to give on-campus residents an environment in which they are able to live comfortably and safely. In order to keep our students safe, certain entrances to residence halls are only accessible by individuals who live in that particular hall and therefore have swipe access using his/her Michigan Tech ID card. For those who need to enter the hall for other reasons such as visiting a friend or during business hours, the main entrances remain unlocked from 7:00 a.m. until 12:00 a.m. on a daily basis.

To assist residents, each hall is staffed by live-on professional staff members, community coordinators, and resident assistants (RAs). While the resident assistant is the member of the Housing staff that students will have the most interaction with, all members of the Housing team are available to ensure a positive residence hall living experience.

During move-in, each student receives a key to his/her residence hall room and mailbox. All residents have keys, and it is advised that they should make use of them to safeguard themselves, their belongings, and University equipment in their possession. In the case of a lost key, the room door lock is replaced to ensure that the occupants and their belongings remain safe.

Guests are allowed to remain after-hours or overnight, but there are policies that must be followed. If the individual is staying overnight, he/she must be checked in at the reception desk of the hall they are staying in. The guest will also receive a temporary parking pass allowing their vehicle in a Michigan Tech lot. If the guest is not staying overnight, then there is no need to sign in, however, in both cases; the individual must be escorted at all times by the host.

### **Missing Persons Notification**

All students will be provided with the opportunity to identify a contact person or persons whom the Michigan Tech Department of Public Safety and Police Services will notify if the resident is determined by them to be missing. This information will be registered confidentially through the Safety First Alert System, and only used in these emergency situations.

If a person is reported missing, Public Safety and Police Services will be contacted as soon as possible, even if that student has not registered a contact person. If this report is made to a professional staff member of Housing, the staff member will attempt to gain as much information as possible regarding the reason for concern. This information is as follows:

- What is the relationship of the concerned party to the resident?
- How long has the resident been out of contact with the concerned party?
- Is there reason to believe the resident may be in some type of distress?
- Is there a threat of imminent harm?

If less than 24 hours has elapsed, then there are several steps that will be taken in an attempt to make contact with the missing resident, including:

- Contact Public Safety and Police Services.
- Perform a visual check of the student's room and space.
- Attempt to make contact with the student via cell phone, e-mail, IM, etc.

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- Contact known associates
- Utilize University resources. Check for recent activity on the student's Michigan Tech ID card.

Upon receipt of the Missing Student Report, HRL will immediately inform the Michigan Tech Department of Public Safety and Police Services of this fact.

If a resident has been missing for more than 24 hours or there is a threat of imminent harm or the possibility of foul play and the missing resident cannot be immediately reached, then the Michigan Tech Department of Public Safety and Police Services should be contacted immediately. The Department of Public Safety and Police Services will initiate the process of investigation and contacting the missing person's designated emergency contact. The professional staff member initially contacted about the missing resident should notify the community coordinator (CC) on-duty and HRL staff member on-call.

By law, in the event that the individual deemed to be missing is under the age of 18 and not emancipated, Michigan Tech must notify a custodial parent or guardian within 24 hours of the declaration of the resident missing as well as any contacts specified by the resident.

### **Timely Warning Notices & Crime Alerts**



To help prevent crimes or serious incidents, the Department of Public Safety and Police Services, in conjunction with other departments on campus, from time to time issues alerts to ensure that students, faculty, and staff are made aware of serious crimes and other important events occurring on and near campus in a timely manner. Members of the community who know of a crime or other serious incident should report that incident as soon as possible to University Police so that the appropriate

type of alert can be issued, if warranted. Alternatively, community members are advised to report crimes or other serious incidents to University administrators. Representatives of these offices will promptly notify and collaborate with University Police to issue an alert, if warranted.

In the event of an emergency involving an imminent threat on campus, Public Safety and Police Services will confirm that there is a significant emergency or dangerous situation. In conjunction with university administration, they will determine the appropriate segment or segments of the campus community to receive a notification; determine the content of the notification; and utilize the University's mass notification system to notify the campus community. These messages are transmitted only during emergencies and are an additional real-time avenue of communication. The text messaging system is tested campus wide at least once each year.

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**“Timely Warning Notices”** - In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Public Safety and Police Services constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued to all faculty, staff and students.

**“Crime Alerts”** - If a situation arises in which the campus community may be at special risk due to a serious criminal incident or possible suspect, the Department of Public Safety and Police Services distributes a Crime Alert Bulletin notifying the community as quickly as possible.

### **Distribution of Timely Warning Notices and Crime Alerts**

The Department of Public Safety and Police Services issues Timely Warning Notices and Crime Alerts in a variety of formats through the *Safety First Alert* service. Students, faculty and staff may sign up for this free service by visiting [www.mtu.edu/safetyfirstalert/SIGNUPNOW](http://www.mtu.edu/safetyfirstalert/SIGNUPNOW). The Safety First Alert system is tested campus wide at least once each year.

- Michigan Tech E-mail
- Voice mail
- Text message to mobile devices
- Michigan Tech Home Web Page
- Campus and Community Media outlets
- Michigan Tech EDS (Electronic Display System)

Depending upon the particular circumstances of the crime, additional flyer notifications may be posted on the doors of residence halls and other campus buildings as appropriate.

### **Emergency Preparedness**



The University’s Crisis Management Team is comprised of senior administrative and management personnel and Public Safety command staff, who meet regularly to develop and practice the implementation of emergency plans, including disaster response and evacuation. This multidisciplinary approach is an important part of the University’s emergency response and business continuity plans.

This has led to the implementation of annual “Mock Disaster” exercises which involve local police, fire, and EMS agencies as well as the University’s Incident Command Team. The first disaster drill was held on August 14<sup>th</sup>, and was announced prior to that date. The scenario included a “fire” in the new residential apartment building complete with a “hostile intruder” and numerous “injuries”.

Post-exercise feedback will be analyzed and used by the Crisis Management Team in order to refine and improve the emergency response systems and procedures.

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### **Sex Offender Information**

Information regarding registered sex offenders can be obtained from the Department of Public Safety and Police Services or at the Michigan Sex Offender Registry, located at [www.mipsor.state.mi.us](http://www.mipsor.state.mi.us)

### **Daily Crime Log**

The Department of Public Safety and Police Services maintains a Daily Crime Log that records, by the date the incident was reported, all crimes and other serious incidents that occur on campus, in a non-campus University owned or controlled building or property, and on public property that is within campus or immediately adjacent to and accessible from campus.

The Daily Crime Log is available for public inspection at the Department of Public Safety and Police Services building, located at 206 MacInnes Drive. The Daily Crime Log includes the nature, date, time, and general location of each crime reported to us, as well as the disposition of the complaint, if that is known at the time the log is created. The department posts specific incidents in the Daily Crime Log within two business days of receiving a report of an incident. We reserve the right to exclude crime report information from the log in certain circumstances.

### **Crime Prevention Education and Awareness**

#### **Preventing Crime through Building Partnerships**

While crime prevention is a top priority of the Michigan Tech Department of Public Safety and Police Services, the department cannot protect everyone, everywhere at all times. Thus, we encourage and invite every member of the community to partner with us in this important effort. Together with other campus offices, the department provides programs to enhance personal safety, teach proactive crime reduction strategies, and help community members develop personal safety habits and self-esteem, which contributes to a healthy community.



The Department's crime prevention strategy rests on a multi-layered foundation of proactive area patrol of the campus, crime prevention education and training, building and area security surveys, and property registration. This approach relies on the dual concepts of eliminating or minimizing criminal opportunities, whenever possible, and encouraging community members to take responsibility for their own and other's safety.

Throughout the year, members of the department's Crime Prevention Unit are available to assist any individual or group in planning,

presenting, and coordinating programs of interest or concern, or conducting safety and security seminars in residence halls, department offices and any other setting both on and off campus. These

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seminars can be tailored to meet the needs of the group and can be arranged by calling the Department of Public Safety and Police Services at 487-2216.

Examples of programs offered to promote awareness, safety, and prevention:

- R.A.D. (Rape Awareness Defense)
- National Night Out
- Fire Safety Day
- Safe Walk
- Operation I.D.
- Bicycle Registration
- Alcohol/Drug Awareness presentations
- Personal Safety presentations

### **H.E.R.C.U.L.E.S. (Husky Emergency Response Coalition Under Law Enforcement Supervision)**

HERCULES is a volunteer organization at Michigan Tech's Department of Public Safety and Police Services, created to assist the local medical responders and improve the emergency response times on campus. All members will have access to training sessions for medical certifications ranging from C-CERT to Medical First Response. New members are welcome at anytime with no prior experience necessary.

### **Emergency Guide**

An emergency guide offering advice for how to respond to various emergency situations is available at the Public Safety and Police Services website. We encourage everyone on campus to review this material in order to be more prepared in the event of emergency. Additionally, a hard copy of this guide is posted in each residence hall room.

### **Hostile Intruder Response Plan**

The potential for a shooting in the workplace exists on every college campus throughout the United States. Although the possession of firearms on or around campus is rare, the availability of firearms and past national shootings dictate the need for a response plan, in case a shooting or other violent attack occurs.

**Please familiarize yourself with the following steps to follow in the event of a Hostile Intruder.**

- Protect yourself first. Then get help; call 911.
- Get away as fast as you can. If the intruder is armed and you are in the line of fire, do not run in a straight line. Try to keep objects such as trees, bushes, and vehicles between you and the intruder.
- If you cannot get away, hide in a place that you think the intruder will not notice.
- If you cannot get away or hide and others have been shot, you may save yourself by playing dead.
- If you are caught, you may choose to submit or fight back. If you submit, avert your eyes and obey all commands. Fighting back is very dangerous, but it could be your last option.

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### **Special Conditions—Hostile Intruder(s) Inside a Building**

- If you cannot escape safely through an exit, lock yourself and other endangered persons inside a room. Cover any windows or openings with a line of sight into the hallway. If there is a threat from outside, close, latch, and cover the windows with curtains or shades. Block the door with furniture.
- Do not sound a fire alarm. The alarm could draw people into the open, where they could be injured.
- Turn off lights and multimedia equipment and remain silent.
- You may wish to consider escaping through a window.

### **Special Conditions—Hostile Intruder(s) in a Residence Hall**

- When a hostile person(s) is actively causing deadly harm or the imminent threat of deadly harm within the residence hall, we recommend the following procedures be implemented:
  - Lock yourself in your room.
  - If communication is available, dial 911.
  - If away from your room, join others in a room that can be locked.
  - Do not stay in the open hall.
  - Do not sound the fire alarm. A fire alarm would signal the occupants in the rooms to evacuate the building and thus place them in potential harm as they attempted to exit.
  - Barricade yourself in your room with desks, beds, or anything you can push against the door.
  - Lock your windows and close the blinds or curtains.
  - Stay away from the windows.
  - Turn off all lights and multimedia equipment.
  - Try to stay calm and be as quiet as possible
  - If you are caught in the open, such as hallways and lounge areas, you must decide what you are going to do. This is a very crucial time and can possibly mean life or death depending on your actions.
  - You can try to hide, but make sure it is a well-hidden space, or you may be found as the intruder moves through the residence hall looking for more victims.
  - If you think you can safely make it out of the building by running, do so. If you decide to run, do not run in a straight line. Keep any objects you can between you and the hostile person(s) while in the building. Once outside, do not run in a straight line.
  - If the person(s) are causing death or serious physical injury to others and you are unable to run or hide, you may choose to play dead if other victims are around you.
  - If you are caught in an open area in the residence hall, you may choose to fight back. This is dangerous, but depending on your situation, this could be your last option
  - If you are caught by the intruder and are not going to fight back, obey all commands and do not look the intruder in the eyes.
  - Once the police arrive, obey all commands. This may involve your being handcuffed or made to put your hands in the air. This is done for safety reasons, and once circumstances are evaluated by the police, they will give you further directions to follow.

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### **What to do if you are stopped by the Michigan Tech Police?**

Michigan Law requires that all drivers shall yield the right of way to emergency vehicles. Drivers are to immediately pull over parallel to the right-hand side of the road and bring your vehicle safely to a stop.

### **Why Do the Michigan Tech Police Stop People?**

There are many different reasons why you might be stopped by the Michigan Tech Police. Whatever the reason, the police officer needs your cooperation.

- You may have committed a traffic violation.
- You may fit the description of a suspect.
- The officer may think you are in trouble, need help, or are otherwise at risk.
- You may have witnessed a crime.

If you are stopped by the Michigan Tech Police while driving, you may feel confused, anxious, or even angry. These are natural feelings, but remember, traffic stops are also stressful and dangerous for the officer. Each year, numerous police officers are killed or seriously injured while making the "routine" traffic stop. Traffic stops are especially dangerous during the hours of darkness. This understandable concern for citizen and officer safety provides the basis for standard police procedures.

With this in mind, there are things that you, the law abiding citizen, can do to help lessen what may be an unpleasant experience. Remember, when stopped by the Michigan Tech Police Department:

- The officer may pull you over at any time for a traffic offense or investigation.
- When you see the emergency lights and/or hear the siren, remain calm and safely pull over parallel to the right side of the road.
- Stay in your vehicle unless the officer asks you to get out.
- Keep your hands on the steering wheel so the officer can see them.
- Avoid any sudden movements, especially toward the floorboard, rear seat, or passenger side of the vehicle.
- Wait for the officer to ask you for your license or other documents before you reach for them. Michigan law requires drivers to show their driver's license, registration, and proof of insurance upon request.
- If your documents are out of reach, tell the officer where they are before you reach for them.
- If the stop occurs during darkness, put on your dome or interior lights so the officer can easily see that all is in order.
- You, as the operator, are solely responsible for your vehicle and its occupants. If there are passengers in your vehicle, encourage them to remain quiet and cooperate with the officer's instructions.
- Be honest with the officer. If you really didn't see the stop sign or were unaware of the speed limit, let the officer know.
- Additional officers routinely respond to traffic stops to ensure that all is well. It would be normal to see two or three marked or unmarked units on a routine traffic stop.
- If you are issued a citation, accepting it is not an admission of guilt. If you feel the instructions or the reasons for the stop are vague or unclear, ask the officer for details.
- Avoid becoming argumentative. Arguing will not change the officer's mind. You will have the opportunity to contest the citation in court.

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- The enforcement of traffic laws helps keep everyone safe. Each situation is unique and police officers must alter their response to fit the circumstance.

### **Generally, Officers:**

- Will provide their name upon request.
- If not in uniform, will present proper identification; you may request to examine their credentials to verify they are an officer.
- Michigan Tech Police will inform a person of the reason for being stopped.
- Will only arrest a person when they have probable cause to believe the person has committed a crime.
- May search the body of a person or search a vehicle, to prevent injury to themselves or another person, or to prevent the disposal or destruction of evidence.

### **Questions? Compliments? Complaints?**

If you have a question about procedures or a complaint about your treatment, contact the Department of Public Safety and Police Services and ask to speak with a supervisor. You may also send a letter of compliment if you feel the officer was particularly helpful in your situation. Remember: In the interest of public safety, cooperation with the Michigan Tech Police Department is a community responsibility.

## **Sexual Misconduct Policy for Michigan Tech Students**

### **Guiding Principles**

Sexual misconduct is an ongoing national problem that impacts college students. The University is committed to educating students, faculty, and staff about this topic; to improving responses; and to working with the surrounding communities to offer as great a variety of services as possible. The University's Code of Community Conduct expressly prohibits sexual misconduct. The purpose of this policy is to define sexual misconduct, to encourage students to be accountable for their behavior, and to provide an appropriate disciplinary and educational response to reports of sexual misconduct.

### **Definitions**

- **Effective consent** - informed, freely given, with mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity.
  - In the absence of mutually understandable words or actions (a meeting of the minds on what is to be done, where, with whom, and in what way), it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that they have consent from their partner(s).
  - Mutually understandable consent is a subjective standard. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with each other.
  - Consent which is obtained through the use of fraud or force whether that force be physical force, threats, intimidation, or coercion, is ineffective consent.
  - Effective consent may never be given by minors, mentally disabled persons, or physically incapacitated persons. One who is physically incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary), or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent. One may not engage in sexual activity with another, who one knows, or should reasonable have known, is physically incapacitated. Incapacitation means being in a state where a person lacks the

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capacity to understand the fact that the situation is sexual or cannot appreciate (rationally and reasonably) the nature and/or extent of the situation.

- **Intercourse** – Vaginal or anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
- **Sexual Touching** – Any intentional or reckless contact with the breasts, buttocks, groin, mouth, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts.
- **The definitions in Section VIII of the Code of Community Conduct** are incorporated in the Sexual Misconduct Policy by this reference.

#### **Interpretive Rules for Sexual Misconduct Charges**

- The person who is the object of sexual aggression (the “complainant”) is not required to physically or otherwise resist a sexual aggressor.
- Silence, previous sexual relationships, and/or current relationship with the alleged perpetrator (the “respondent”), or anyone else, may not, in themselves, be taken to imply consent. Consent cannot be implied by attire, or inferred from the buying of dinner or the spending of money on a date.
- Intentional use of alcohol/drugs by the respondent is not an excuse for violation of the sexual misconduct policy.
- A student who deliberately drugs or attempts to persuade another to consume alcohol for the purpose of rendering that person incapacitated or sexually submissive/passive commits a violation of the sexual misconduct policy.
- Effective consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly (because you cannot be expected to read the mind of your sexual partner(s)), and all sexual activity must cease.
- An "intent to rape" is not required under this policy. The requisite intent for rape is demonstrated by engaging in the act of intercourse intentionally.
- Effective consent has an expiration date. Effective consent lasts for a reasonable time, depending on the circumstances. Effective consent must be contemporaneous with the sexual activity involved.
- Nonconsensual sexual contact or exploitation is not limited to strangers and can include acquaintances.

#### **Prohibited Conduct**

- **Nonconsensual Sexual Contact** - Any sexual intercourse (anal, oral or vaginal); or any sexual touching (including disrobing or exposure); without *effective* consent.
- **Sexual Exploitation** - Taking nonconsensual, unjust or abusive advantage of another in a sexual or intimate context, including without limitation: prostituting another person, engaging in, permitting or facilitating nonconsensual viewing, photographing, videotaping, audio taping, or posting to the internet sexual or intimate activity (such as dressing, showering and similar activity of oneself or others), knowingly infecting another person with HIV or other sexually transmitted disease and/or inducing incapacitation of another person with the intent to facilitate nonconsensual sexual intercourse or contact with that person.

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### **Group Infractions**

When members of groups, individuals acting collusively, or members of a student organization act in concert in violation of the sexual misconduct policy, they will be charged individually and the group may be charged as a student organization. Sanctions against an organization can range from organizational probation to expulsion.

### **False Reporting**

Michigan Tech will not tolerate intentional false reporting of sexual misconduct. It is a violation of the Code of Community Conduct to make an intentionally false report of sexual misconduct, and it may also violate state criminal statutes and civil defamation laws.

### **Limitations of Confidentiality**

- **Complete Confidentiality** – If a student desires details of the sexual misconduct incident to be kept confidential, the student should speak with counselors (on or off-campus), who will maintain confidentiality. Counselors will explain the details of confidentiality rules. Campus counselors are available free of charge and can be seen on an emergency basis by calling Counseling and Wellness Services at 487-2538. In addition, students may speak with members of the clergy and chaplains, who will also keep reports made to them confidential.
- **Duty to Investigate** – Students are encouraged to speak to University officials (such as Residence Life staff, Department of Public Safety and Police Services, deans, coaches, or other administrators) of the institution for purposes of seeking information or reporting incidents. The University recognizes that many students desire confidentiality and many students might not want the University to investigate and attempt to resolve the sexual misconduct incident. However, it is the duty of University officials to follow up on all allegations of sexual misconduct they receive. Consistent with FERPA and the Campus Security Act, University officials will contain the extent to which personal details are disclosed.
- **Federal Reporting Statistical Requirements** - The University officials (including administrative staff, student employees in Residence Life, Department of Public Safety and Police Services, deans, coaches and other administrators) must fulfill federal crime reporting requirements. All personally identifiable information is kept confidential, but statistical information must be passed along to Department of Public Safety and Police Services regarding the type of incident and its general location (on or off campus, in the surrounding area, but no addresses are given), for publication in the Campus Security Act Annual Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.
- **Federal Timely Warning Requirements** - When sexual misconduct occurs, University officials must issue timely warnings for incidents reported to them that continue to pose a substantial threat of bodily harm or danger to members of the campus community.
- **Open Campus Police Logs – Department of Public Safety and Police Services** - When incidents are reported to law enforcement officials, federal law requires that the police note incidents in a police log that is made public within two business days of the report of an incident. No names or other information that could reveal the identity of the student who may be the victim of sexual

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misconduct will be made public. Arrest records, however, are not confidential and are not protected by FERPA. Any adult student who is arrested can expect that records relating to an arrest will be made public.

- **Confidentiality of Medical Services** - If a student seeks medical attention, medical providers are required to alert law enforcement of potential sex crimes. If police are called to the hospital, the student has the right not to talk to them. Custody of all physical evidence obtained at the hospital is eventually held at the law enforcement agency. The decision to prosecute an alleged assailant rests with the local prosecuting attorney. This decision can be made without the consent of the person who was assaulted.

#### **Procedures**

- **Jurisdiction** - The jurisdiction of Michigan Tech over sexual misconduct incidents is broad. In accordance with the Code of Community Conduct, the University will investigate and resolve, to the extent practical and possible, all complaints of sexual misconduct:
  - regardless of the location of the incident,
  - regardless of the incident occurring during the course of a semester or during a semester break,
  - as long as the person who is charged with sexual misconduct is a currently enrolled student, or was at the time of the incident,
  - regardless of the enrollment status of the alleged victim,
  - if the impact of the sexual misconduct incident is likely to have a substantial effect on campus life or activities of the alleged student victim or alleged student assailant,
  - if the incident poses a threat of danger to other students.

When allegations arise after a student has graduated regarding incidents that occurred before the student graduated, the University maintains the right to investigate and resolve such complaints. If found to be responsible, a student could face revocation of his or her degree or other sanctions.

- **Section XI of the Code of Community Conduct** provides a detailed explanation of the process which will be followed for complaints filed under the sexual misconduct policy.
  - Guidelines to Support Complaining Person. It is the goal of the University to ensure that individuals alleging sexual misconduct have access to needed resources, services, and information including:
    - University officials will treat the complaining person with respect.
    - Complaints of sexual misconduct will be responded to quickly and with sensitivity by the University officials.
    - University officials will not discourage the complaining person from reporting a sexual misconduct offense.
    - University officials will provide information regarding available counseling, mental health or student services for students of sexual misconduct, both on campus and in the community.
    - The complaining person may seek a campus hearing under the Sexual Misconduct Policy, seek criminal charges with campus or local law enforcement, seek civil action with a civil trial, choose multiple options, or choose not to take

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- any action. University officials will investigate each complaint in order to maintain campus safety.
- The complaining person may request a campus "No Contact" condition against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining person or others.
  - The complaining student may request a change in academic and living situations. If such changes are requested by the student and are reasonably available, the University will support the request. Neither a criminal conviction nor an investigation need be completed before the student request that this interim action be put in place.
  - The complaining person may have a support person, who is a member of the University community, to accompany and assist in the campus hearing process. The support person may advise and provide support to the participant but may not take part directly in the hearing itself. When criminal charges have been filed against the accused student (and the accused student will have an attorney present during the hearing), the complaining person may also have an attorney present. The attorney may advise the participant but may not take part directly in the hearing itself.
  - Irrelevant prior sexual history will not be admitted in a campus hearing.
  - The complaining person may request a privacy screen to be set up during the hearing. If a privacy screen is desired, the complaining person must make the written request to the Director of Student Judicial Affairs five (5) days before the scheduled hearing.
  - The complaining person may make an impact statement to the hearing committee and have that statement considered by the committee in determining potential sanctions.
  - The complaining person may be informed of the outcome and sanction of the disciplinary hearing involving sexual misconduct.
  - The complaining person may appeal the findings and sanctions of the hearing committee in accordance with the standards for appeal established in the Code of Community Conduct document.
- Guidelines to Support the Responding Student. It is the goal of the University to ensure that students responding to charges of sexual misconduct have access to needed resources, services and information. The University strives to offer a reasonable parity of resources, services and information, to the extent possible, to all parties to the incident, including, but not limited to:
- Timely notice of disciplinary charges, including the nature of the charge and possible sanctions, will be provided.
  - The responding student will be provided with a hearing on the charges, including timely notice of the hearing date, and adequate time for preparation.
  - The responding student may have access to campus resources for medical, counseling, and advisory services.
  - The responding student may have a support person, who is a member of the University community, to accompany and assist in the campus hearing process. The support person may advise and provide support to the participant but may

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not take part directly in the hearing itself. When criminal charges have been filed against the accused student (and the accused student will have an attorney present during the hearing), the complaining person may also have an attorney present. The attorney may advise the participant but may not take part directly in the hearing itself.

- The responding student may request a privacy screen to be set up during the hearing. If a privacy screen is desired, the responding student must make the written request to the Director of Student Judicial Affairs five (5) days before the scheduled hearing.
- The responding student may refuse to answer some or all questions to avoid self-implication, and this silence may not be used against the accused student.
- The responding student may question witnesses at the hearing committee meeting.
- Basic rules of evidence (relevance and credibility) will be observed in the hearing.
- The responding student may submit an impact statement to the hearing committee.
- A written notice of the outcome and sanction of the hearing will be provided to the responding student.
- The responding student may appeal the finding and sanction of the hearing committee, in accordance with the standards for appeal established in the Code of Community Conduct.

#### **Appendix A: Options and Frequently Asked Questions**

Students have a number of options to consider when they have been involved in a sexual misconduct incident. A student can choose any and all of the options listed here. The options are noted as follows: 1. option for medical attention, and 2. reporting options that include (a) campus Code of Community Conduct violation charges, (b) request campus "No Contact" condition, (c) criminal prosecution option, (d) option for civil suit, and (e) request for civil restraining orders/personal protection orders.

#### **Options for medical attention:**

**Testing at the hospital for the presence of "date rape" drugs can be done 24-48 hours after the ingestion of most of these types of sedative or hallucinogenic drugs.**

**Q: What are "date-rape" drugs?**

**A:** So-called date-rape drugs are usually powerful sedatives or hallucinogenic drugs, such as Rohypnol (a.k.a. rope, roaches, R2, Roofies), GHB (a chemical compound often mixed by people who look up the recipe on the Internet, and buy the ingredients from supermarkets and hardware stores), Burundanga, Ketomine, Scopolamine, etc. Rohypnol is a prescription sedative sold in Europe and South America, but illegal in the United States. Other date rape drugs are of varying types, but all produce similar results: blackout or incoherence for 2-8 hours.

**Q: How do I know if I have been drugged?**

**A:** If you are drinking, and you experience a "high" far beyond what would be normal for the amount of alcohol you have had, suspect that you may have been drugged. Similarly, if all of a sudden you begin to get extremely dizzy: incoherent; or lose your balance, equilibrium, sense of time, or place, you may have been drugged. The only way to know for sure is to have someone take you to the hospital the minute you begin to experience these symptoms. It is hard to know

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if you have been drugged because these drugs can be easily slipped into any drink, alcoholic or not. These drugs are mostly tasteless, odorless, and colorless, and will dissolve instantly. They take hold in about 15-25 minutes, and complete unconsciousness can result shortly thereafter. If your drink tastes slightly salty, this could be an indication of the presence of GHB. If your drink suddenly turns blue, this is a sure sign of Rohypnol, the latest version of which now is manufactured to change the color of the liquid it is dissolved in.

**Q: How do they test for the presence of these drugs?**

**A:** Blood and urine tests are the usual methods.

**If less than 72 hours have passed since the assault, physical evidence should be collected as soon as possible at the hospital with a PERK (rape kit).**

**Q: What is a PERK?**

**A:** PERK is an evidence collection procedure (Physical Evidence Recovery Kit) — hair, fluid, tissue samples are taken. A gynecological exam is performed. Female nurses are available. They will also treat injuries and test for HIV/STDs, pregnancy, and date rape drugs.

**Q: Do I have to go to the hospital?**

**A:** You are not required to seek medical attention. However, even if you do not want to prosecute now, collecting the evidence is important in case you change your mind later. Without a PERK, it is very hard to prosecute successfully. Medical attention is also important because some injuries may not be immediately apparent to the student or may not show up until several days after an incident.

**Q: What do I do if it has been 74 hours since the incident?**

**A:** After 72+ hours, it may be too late to collect bodily fluids. Have the evidence collected as soon as possible. You still may be able to have PERK after 72 hours, if not long past, so it is best to check with the hospital to be sure.

**Q: Where is the rape kit (PERK) done?**

**A:** The PERK is performed at Portage Health System Hospital.

**Q: How do I get to the hospital?**

**A:** Department of Public Safety and Police Services can accompany and transport you. Or, you could get a ride from a friend, obtain a taxi, or you can go alone.

**Q: Do I have to go alone?**

**A:** No, you can take a same sex friend/family member/advocate who can stay with you through the exam. Counselors or local rape crisis advocates can be called to accompany/assist you, if you wish.

**Q: How much does it cost?**

**A:** An emergency room visit with lab work can cost in the range of \$300 to \$500. Students who decide to prosecute may have the cost reimbursed by the state's assistance fund. PERK's are covered by most insurance, and hospitals may do blind-billing (will not list the type of medical service, so parents don't find out).

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**Q: How long will it take?**

**A:** The procedure may take three hours or more.

**Q: If I am still wearing the clothes I was assaulted in, what should I do?**

**A:** You will need to take a change of clothes with you unless you have already changed. If you have already changed, it is important to secure physical evidence. Place all clothing, towels used to clean up, etc. into clean paper bags for transport to the hospital. Separate bags for each item—no PLASTIC bags!!! If you change before you go, remove your clothes over a clean white sheet, and take the sheet and the clothes to hospital for testing. If you have not changed/cleaned-up, avoid touching or brushing anything that might disturb evidence. Do not bring bedding to the hospital; let the police collect evidence from the scene of the incident.

**Q: Is the medical exam confidential?**

**A:** You must sign a release for the medical exam to be completed. Once signed, the hospital is required to notify the police. They may or may not come to the hospital. You do not have to talk to them.

**If more than 72+ hours have passed since the assault, you can seek medical testing for HIV/STD/Pregnancy at the Portage Health System Hospital.**

**Q: Can I get a rape kit?**

**A:** The rape kit (PERK) can only be done in 72 hours or less after an incident.

**Q: Why would I need medical testing?**

**A:** HIV, STDs, pregnancy and physical injuries may result from sexual contact/intercourse.

#### **Options for reporting:**

**Q: What are campus student conduct charges?**

**A:** The University prohibits sexual misconduct in its Code of Community Conduct and Sexual Misconduct Policy. Initiating Code of Community Conduct violation procedures allows the student to have the University render a disciplinary decision on whether the accused student has violated one or more of the regulations identified under the sexual misconduct policy.

**Q: How do I report a complaint to the campus student conduct system?**

**A:** A complaint can be reported at the Office of Student Judicial Affairs by a person who was the target of the sexual misconduct, a witness of the possible misconduct, or a community member who may have knowledge of the sexual misconduct. Charges can be initiated by the Office of Student Judicial Affairs from reports submitted to Department of Public Safety and Police Services, Residence Life, Affirmative Programs, Counseling and Wellness Services, faculty, and coaches, and any administrator who refers a case to the Office of Student Judicial Affairs.

**Q: Who can initiate a campus complaint for disciplinary action and against whom?**

**A:** Campus charges can be initiated against a student by another student or by a non student against a student arising out of sexual misconduct that occurs on or off-campus, during and between academic terms, including summer breaks, as long as the student being accused is presently enrolled. Charges may be filed against a student who graduated if the sexual

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misconduct occurred prior to graduation. Charges may be filed by graduated students against current students.

**Q: What if my complaint is against a member of the faculty, staff, or administration?**

**A:** You can report a complaint to the Office of Affirmative Programs and/or Department of Public Safety and Police Services.

**Q: Is the campus student conduct process confidential?**

**A:** If campus charges are filed, complete confidentiality cannot be maintained. Campus police will usually be asked to investigate, including contacting and interviewing potential witnesses. Hearing officers involved in hearing the case will know, as will members of an appeal panel. All of these people will keep confidentiality to the best of their ability and duties. After a hearing has concluded, the hearing officers must report non-personal identifying information to the director of Department of Public Safety and Police Services in order to meet annual federal campus crime statistic reporting requirements. Within two days of a report, basic details of an incident are available to the public in the campus police log. No names are given, and facts that could lead to the identity of the student who was the target of the sexual misconduct are not disclosed. Arrest records, however, are not confidential. Campus conduct hearings are not open to the public.

**Q: What will happen if I pursue campus charges?**

**A:** Campus cases are heard and resolved much more quickly than criminal charges or civil suits, often going from the filing of charges to resolution in six weeks or less. Temporary suspensions and/or campus "No Contact" orders of accused students to protect you and other students are possible in the interim. Campus sanctions for sexual misconduct range from warnings to expulsion.

**Q: Is this like filing criminal charges?**

**A:** No. Campus cases may be easier to prove than criminal charges, because the standard of proof (the amount of evidence required to convince hearing officers) is lower. Filing campus charges does not prevent you from also filing criminal charges and/or civil suits. Campus charges cannot result in imprisonment. Witnesses may be called at the campus hearing, for both you and the accused student. You can also refuse to be a witness. In certain cases, the University may pursue charges without your assistance or cooperation, when it is necessary to resolve a case in order to protect the community from a student who poses a threat to others.

#### **"No Contact" Conditions:**

**Q: What is a campus "No Contact" condition?**

**A:** A campus "No Contact" condition is a warning to students to keep a certain distance from, or a prohibition from contact with, each other. "No Contact" conditions are available to students when necessary to protect them. The campus "No Contact" condition applies to both the student who complains and the student the complaint is lodged against. Failure to comply with a campus "No Contact" condition can result in disciplinary charges and possible dismissal.

**Q: How do I get a campus "No Contact" condition?**

**A:** They can be issued by Student Judicial Affairs staff when needed. You can contact a staff member in Student Judicial Affairs to request a campus "No Contact" condition.

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**Q: What happens if a student violates a campus "No Contact" condition?**

**A:** The University would initiate Code of Community Conduct violation charges against the student for the violation, with appropriate punishment resulting if a violation is found.

#### **Criminal Prosecution Option:**

**Q: How do I initiate criminal charges?**

**A:** You can choose to pursue a full legal investigation. Once evidence has been collected by law enforcement supporting the allegation that a crime has been committed you will have the right to file criminal charges with the prosecuting attorney's office. If you decide to file criminal charges, the results of the investigation will be released to the prosecuting attorney. If the incident occurred on-campus, the campus Department of Public Safety and Police Services would conduct the investigation. You may also contact the Houghton County Prosecuting Attorney to initiate charges. If the incident occurred off-campus, you must contact the police in the jurisdiction where the incident occurred. If you need help determining the proper police agency, contact the campus Department of Public Safety and Police Services for assistance in determining the proper police agency.

**Q: Can criminal charges be filed even if I don't want them to be?**

**A:** Yes, in certain circumstances, a prosecuting attorney could prosecute a case that you do not want to be prosecuted. You are not a party to the prosecution. A sex crime is a crime against the state: prosecution is done in the name of the state, not the student.

**Q: Does it matter when I file criminal charges?**

**A:** Prosecutions are most successful in cases when you report the assault to authorities as quickly as possible. Michigan has a seven (7) year statute of limitations on reporting and prosecuting rape. Normally, criminal charges cannot be filed more than seven (7) years after the incident occurred.

**Q: If I prosecute, how long will it take?**

**A:** Investigations can sometimes take weeks or months to complete. Criminal prosecutions can take years to get from the filing of charges to the end of the final appeal. This is not meant to discourage, but to give a realistic perspective of the criminal justice system.

**Q: Are prosecutions confidential?**

**A:** Criminal rape prosecutions in Michigan are closed to the public when the student makes this request at the preliminary hearing. The name of the student is protected from release, but people involved in the prosecution would know about it, as would witnesses. Otherwise, the proceedings can be open to the public.

**Q: If the prosecution is successful, what will happen?**

**A:** Nationally, sentences for rape average 12 years, with 7-8 years served. However, other (unwanted touching, penetration) sexual assault convictions result in shorter sentences than do rape convictions. Criminal convictions for sexual assault can result in fines, jail time, community service, probation, and other punishments.

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**Q: How hard is it to win the case?**

**A:** Criminal rape convictions must be proved beyond a reasonable doubt, a very high standard. Many rapists charged plead to a lesser charge and thus do not end in a sexual assault conviction of rape. Criminal trials are decided by juries, so every case is different and the outcome is hard to predict.

**Q: How much does it cost to prosecute?**

**A:** Criminal prosecution is free if the prosecuting attorney decides to take your case.

**Q: If I choose to prosecute, do I have to be there?**

**A:** Normally, students provide testimony as witnesses and provide the main evidence against the defendant. However, you need not always participate in the trial to get a conviction, and this is something you should discuss further with the prosecuting attorney.

**Q: Will this prosecution put me on trial?**

**A:** The defendant's attorneys may try to make it look like it was your fault, and may try to call your character into question. However, irrelevant evidence of a student's past sexual history is generally inadmissible in court.

**Q: If the incident happened on campus, can I still prosecute?**

**A:** Yes, Michigan courts have jurisdiction over cases that occur on campus.

**Q: If I prosecute, do I still have other options?**

**A:** Filing criminal charges does not prevent you from also filing campus charges and/or civil suits.

**Civil Suit Option:**

**Q: How is this different than a prosecution?**

**A:** You can initiate a civil suit against a perpetrator to seek monetary damages and other civil remedies (not imprisonment).

**Q: Is this option exclusive of other options?**

**A:** No, filing a civil suit does not prevent the filing of campus charges and/or criminal charges

**Q: How do I exercise this option?**

**A:** You can initiate a civil suit by contacting an attorney. Attorneys can be found in the phone book, or by contacting Legal Services of Northern Michigan at 482-3908.

**Q: How much does a civil suit cost?**

**A:** Filing a civil suit is usually free. The attorney typically gets paid if he or she wins; you may have to pay for some expenses if you lose.

**Q: How long do I have to exercise this option?**

**A:** Civil suits can be filed up to two years after the date of the incident.

**Q: Is there an advantage to this option?**

**A:** Winning a civil suit is often easier than winning a criminal trial.

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**Q: Is there a disadvantage to this option?**

**A:** Yes, suing a student can be complicated, because they don't often have the money to pay a judgment against them.

**Q: How long will a civil suit take?**

**A:** Resolving a civil suit can take up to several years.

**Q: Will a civil suit be confidential?**

**A:** No, civil suits are not confidential and may be open to the public.

#### **Civil Restraining Order/Personal Protective Orders:**

**Q: What is this option?**

**A:** A restraining/protective order is a legal order issued by a magistrate or judge, ordering someone to physically stay away from you and/or avoid all contact with you. Restraining orders do not physically prevent anything, it just gives police power to enforce and arrest when an order is violated. They often have time expirations. Restraining orders can be no-contact orders or distance-based (a restricted distance of 100 yards at all times).

**Q: Where do I get one?**

**A:** You can obtain it from a civil magistrate or judge in the locality where the person to be restrained is located.

**Q: How do I get one?**

**A:** The judge will hold a hearing, and you will give testimony to show cause for the need for protection. You can seek assistance from police, the Office of Student Affairs or Dial-Help.

#### **Advocacy Options:**

**Q: Who can I contact as an advocate of a sexual misconduct complaints handled in the court system?**

**A:** S.A.R.T. is a free service, with trained professionals in advocacy, forensic medical exams and sensitive law enforcement interviews. S.A.R.T. can be activated by calling 911, Dial Help (482-HELP), the local hospital emergency room or any law enforcement agency.

#### **Counseling/Healing/Living Options:**

**Q: What are my on-campus options?**

**A:** There are licensed counselors on campus at Counseling and Wellness Services. Their phone number is 487-2538. Meetings are confidential and free of charge. Counselors are available on a 24-hour emergency basis by contacting Department of Public Safety and Police Services (campus police) at 487-2216.

**Q: What if this incident affects my academic performance?**

**A:** Parties in sexual misconduct cases may see that their academic performance is affected by the stress associated with the incident. The Office of Student Affairs will verify to instructors and academic support persons that highly unusual circumstances exist and they will suggest appropriate accommodations such as extended deadlines on course work and make-up exams. You may also choose to contact your instructor directly.

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**Q: What if I am uncomfortable with returning to live in my residence hall room as a result of this incident of sexual misconduct?**

**A:** You can request to relocate to another room on campus or request that we relocate the accused student to another location on campus (if reasonable and space is available). A campus "No Contact" condition can also restrict cafeteria use (time and /or place) and movement of either party through the residence halls.

**Q: What are my off-campus options?**

**A:** Off-campus options include contacting Dial Help, Inc. (482-HELP), the 24-hour, nationwide RAINN Hotline (1-800-656-HOPE), clergy, private therapists (counselors, psychologists, psychiatrists, social workers, etc.), family and friends, and Internet resources such as on-line support groups.

### **Illustrative Examples**

There are illustrative examples provided here to assist members of the University community in exploring how issues of sexual misconduct are defined by this policy.

- Samitha and Lucas meet at a party. They spend the evening dancing and getting to know each other. Lucas convinces Samitha to come up to his room. From 11:00 p.m. until 3:00 a.m., Lucas uses every line he can think of to convince Samitha to have sex with him, but she adamantly refuses. Finally, it seems to Lucas that her resolve is weakening when he tells her he won't consider it sexual relations. He convinces her to give him a "hand job" (hand to genital contact). Samitha would never have done it but for Lucas's incessant advances. He feels that he successfully seduced her and that she wanted to do it all along, but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left.

***Lucas is responsible for violating the University's Nonconsensual Sexual Contact policy. Lucas coerced Samitha into performing unwanted sexual touching upon him. Where sexual activity is coerced, it is forced. Consent is not effective when forced. Sex without effective consent is sexual misconduct.***

- Kate and Josh met at a movie. They started to date on and off. One night, Kate and Josh went out drinking. After the bars closed, they went to Kate's dorm room. Kate was very drunk and engaged in sex with Josh despite his protests. Josh was not as drunk as Kate. Kate argues that even if she might have had nonconsensual sex with Josh, it's not her fault because of how drunk she was. She believes she was so drunk she didn't even know she was having sex with him, let alone that it was something he didn't want. Is Kate guilty of sexual misconduct?

***Yes, intoxication of a party is no excuse for violation of the sexual misconduct policy. If it were, drunken people could be excused for drunk driving, because they were so drunk they didn't realize they were driving. Further, rape is not an intent-based infraction. Whether or not Kate intended to rape Josh is irrelevant. The fact that she had sex with him without his consent is sufficient to show misconduct.***

- Jamaal is a junior. Talia is a sophomore. Jamaal comes to Talia's dorm room with some mutual friends to watch a movie. Jamaal and Talia, who have never met before, are attracted to each other. After the movie, everyone leaves and Jamaal and Talia are alone. They hit it off, and are

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soon becoming more intimate. They start to make out. Jamaal verbally expresses his desire to have sex with Talia. Talia, who was abused by a baby-sitter when she was five, and has not had any sexual relations since, is shocked at how quickly things are progressing. As Jamaal takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with her, Talia has a severe flashback to her childhood trauma. She wants to tell Jamaal to stop, but cannot. Talia is stiff and unresponsive during the intercourse.

***Jamaal would be held responsible in this scenario for violating the policy on Nonconsensual Sexual Contact. It is the duty of the sexual initiator, Jamaal, to make sure that he has mutually understandable consent to engage in sex. Though consent need not be verbal, it is the clearest form of consent. Here, Jamaal had no verbal or nonverbal mutually understandable indication from Talia that she consented to sexual intercourse. Of course, wherever possible, students should attempt to be as clear as possible as to whether or not sexual contact is desired, but students must be aware that for psychological reasons, or because of alcohol or drug use, your partner may not be in a position to provide you with as clear an indication as our policy requires.***

- ✦ Tyler is a junior. Keiko is a senior. Tyler comes to Keiko's dorm room with some mutual friends to watch a movie. Tyler and Keiko, who have never met before, are attracted to each other. After the movie, everyone leaves and Tyler and Keiko are alone. They hit it off, and are soon becoming more intimate. They start to make out. Tyler verbally expresses his desire to have sex with Keiko. Keiko isn't ready to do it with Tyler, since they just met. But, she likes him and doesn't want to scare him off either. She decides to satisfy him orally, hoping they can get to know one another better later before engaging in intercourse. Perceiving the oral sex as foreplay, Tyler stops Keiko, lays her back on the bed, takes off her clothes, and engages in intercourse with her. Keiko is unresponsive during the intercourse.  
***Again, this behavior by Tyler would violate the sexual misconduct policy. Engaging in one form of sexual activity does not necessarily imply consent to another. Clearly, Keiko consented by her actions to oral sex with Tyler. But, Tyler had no mutually understandable indication from Keiko that she consented to sexual intercourse. Some verbal or clear overt action would be necessary to show Tyler that Keiko wanted to have more than oral sex with him.***
  
- ✦ Diego is a junior. Ciera is a sophomore. Diego comes to Ciera's room with some mutual friends to watch a movie. Diego and Ciera, who have never met before, are attracted to each other. After the movie, everyone leaves and Diego and Ciera are alone. They hit it off, and are soon becoming more intimate. They start to make out. Diego verbally expresses his desire to have sex with Ciera. Ciera responds by removing all of her clothing and lying down on the bed. No further words are exchanged between them. Diego and Ciera have sexual intercourse, during which Ciera is rigid and unresponsive. Diego is aware of this, but does not stop or check to see if everything is okay.  
***This scenario tests the strictness of the definition. The definition requires consent to be communication that is mutually understandable. The definition requires a meeting of the minds of the participants on an agreement to do the same thing in the same way at the same time. While reasonable people might consider Ciera's body language as sufficient to constitute consent to them, the standard is not that subjective. The question is not how you might view her actions, but whether or not Ciera and Diego communicated a true meeting of the minds to each other. For example, Ciera could have been hot, and decided to take her clothes off to cool off. More realistically, she might be willing to consent to some form of sexual activity, but not***

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*necessarily intercourse. Thus, Diego's actions represent an assumption on his part if Ciera claims that she meant something other than permission for sexual intercourse by her actions. This does not relieve Ciera of responsibility for communicating her intentions to Diego, but it does not place her at fault for not doing so. The responsibility is on the initiator of the sexual activity to make sure she/he has consent to the desired sexual activity. Finally, the definition says consent must be actively given. Active means that Ciera does something to Diego or herself.*

- Sarah is a sophomore. Madison is a sophomore. Madison comes to Sarah's residence hall room with some mutual friends to hang out. Sarah and Madison, who have never met before, are attracted to each other. There is a quite a lot of drinking in the room. Madison and Sarah are soon beyond intoxicated. Later on in the evening, everyone leaves, and Sarah and Madison are alone. They hit it off, and are soon becoming more intimate. They start to make out and before long they are sexually intimate. While engaged in sexual intimacy, Sarah's roommate Allison comes into the room to retrieve a forgotten key. She observes Sarah and Madison, but leaves quickly, feeling embarrassed. The next day, Sarah and Madison remember nothing of the night before, except kissing each other. When Allison mentions that she saw them engaged in oral sex, Sarah is shocked (not that Allison saw them, but that she was sexually intimate and has no memory of it). Feeling very violated and taken advantage of, Sarah charges Madison with rape (nonconsensual sexual intercourse).

*Two people had sex while they were both incapacitated, it matters not that Sarah is the one who feels violated. By the definition, the logical answer is that they raped each other, unless it can be shown that one or the other was clearly the aggressor or initiator or used some type of force (and this cannot be demonstrated by the facts given). But the logical answer here is not the proper result. It makes very little sense to suspend or expel both Sarah and Madison for raping each other. The University would treat this as an opportunity for educating Sarah and Madison about the risks of drinking and hooking up. Both should have warnings placed in their files, and both should be dealt with more harshly if they are found responsible for being so disrespectful of another person in the future.*

**Does your decision change at all if the situation involves two females, two males, a male accusing a female or a female accusing a male? It should not.**

- Mike and Jenny have been dating since high school. Mike is now 19 and a student at Michigan Tech. Jenny is 16 and is still a student in high school out of state. Jenny and Mike stay in touch by emailing, texting, and video chatting online. They both post messages and pictures to each other's websites. Jenny's little brother Billy walked by Jenny's room and saw Mike's website. Billy saw partially nude pictures of his sister, and he told his parents. Jenny's parents contacted their local police and prosecuted Mike for sexual exploitation of a minor because Mike had partially nude pictures of Jenny, who is still a minor. Did Mike violate the Michigan Tech Sexual Misconduct policy?  
*Yes, Mike has committed sexual exploitation which is prohibited by the Michigan Tech Sexual Misconduct policy. Jenny is a minor and cannot give effective consent to posting sexually explicit photographs on the internet. Mike may also still face prosecution in Jenny's local jurisdiction for sexual exploitation and/or statutory rape as well, depending on the laws of the local jurisdiction.*

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- Erin and Leif met online. Erin is a student at Michigan Tech, and Leif lives in another state. They have been talking on the phone and using video chat. They have had sexually explicit chat sessions online. They have been "sexting" by exchanging sexually explicit text messages with each other. Leif agrees to drive up to visit Erin for the weekend. He stays in a hotel room off campus. When they meet in person for the first time, Erin realizes she is not really attracted to Leif but she does not want to hurt his feelings. She goes with Leif on walks, to dinner, and to a party. Erin and Leif both drink a lot at the party, and Erin wakes up the next day in Leif's hotel room. She knows that they had sex. Leif gives Erin a ride back to her dorm room and tries to make plans for that day. Erin declines and says she has to study for a test. Did nonconsensual sexual contact occur? *This is a difficult case of "he said/she said". Erin did not show by words or actions that her feelings for Leif had changed. Erin has the right to change her mind regarding sexual activity with Leif, but she must communicate this to Leif. Leif did not realize that Erin was no longer interested in a sexual relationship.*  
***However, Leif is not entitled to sex just because he drove a long distance, rented a hotel room, and paid for dinner. Erin may be confused about her feelings, about not being assertive enough, about being taken advantage of while she had been drinking. She can receive support and assistance on campus at Counseling and Wellness Services or off campus through Dial Help. As she does not know Leif very well, and she does not know if protection was used, she may want to seek medical assistance to check for sexually transmitted diseases.***
- Ashish and Samitha are both enrolled in online courses at Michigan Tech. After exchanging emails and chatting online, they decide to meet in person to work on a class project. Samitha offers to let Ashish stay with her at her apartment. After the weekend, Ashish returns home. Samitha and Ashish continue to work on the class project. Ashish learns from a friend that there are nude pictures on a website that look a lot like him. Ashish goes to the website and realizes that the pictures were taken while he was sleeping at Samitha's house. He confronts her and demands that she remove the pictures. She says she does not control the website and it is out of her control. Has Samitha violated the Michigan Tech Sexual Misconduct Policy?  
***Yes, posting nude photographs without the consent of the person is a clear violation of the Michigan Tech Sexual Misconduct Policy. Even if Samitha took the pictures down, she still violated the policy. Samitha can expect to receive sanctions from Michigan Tech, and she may face local prosecution if Ashish chooses to pursue the charges locally.***
- During the summer break between his junior and senior year at Michigan Tech, Steve takes time off from school to travel and visit friends and family. While on the break from school, Steve is charged with statutory rape in another state. A trial is held and he is found guilty. The court puts Steve on probation, and he is allowed to return to finish school. Has Steve violated the Sexual Misconduct Policy?  
***Yes. Michigan Tech students are expected to uphold the Sexual Misconduct Policy during the entire time that they are students at Michigan Tech. The policy applies on weekends, during holiday breaks within the semester, and during breaks that occur between semesters. As long as the student is enrolled, the policy applies. The policy applies wherever the student may travel, within the United States and abroad. Steve should expect additional sanctions from Michigan Tech.***

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- Mai and Raj are married students who live in the Michigan Tech apartment complex. Raj is a graduate student at Michigan Tech and Mai is enrolled in undergraduate courses. Over the weekend, a domestic violence incident occurs and the Michigan Tech police are called to intervene. Mai does not want to drop out of school, but she is concerned for her safety if she stays at Michigan Tech. She requests a "no contact" order from Student Judicial Affairs. Raj is outraged and refuses to comply. He says that the school has no right to interfere in his marriage. Has Raj violated the Michigan Tech Sexual Misconduct Policy? Must Raj abide by the no contact order?

***Yes, Raj has violated the Sexual Misconduct Policy and he must also abide by the no contact order. Marriage is not permission to behave in an abusive manner. Even a married person has the right to decline sexual advances from their spouse. Even married individuals can request a no contact order. Domestic violence will not be tolerated on the Michigan Tech campus or in Michigan Tech housing. In addition to Michigan Tech sanctions, Raj can reasonably expect that the case will be referred for local prosecution.***

**Special acknowledgement to Brett Sokolow and Higher Education Risk Management Consultant for his consultation and support in the development of this policy and supporting materials.**

History: Revised August 2010

### **Educational Programs Related to Sexual Misconduct**

The University and student organizations sponsor a variety of educational programs to promote awareness of sexual misconduct offenses. Programs include but are not limited to:

- **Peers Offering Wellness Education Resources (POWER)** - Peer educators offer students a variety of programs on alcohol, safety, date rape and alternatives to traditional pledging for Greek groups. Organized through Counseling Services.
- **Rape Aggression Defense (R.A.D.)** – This program is a joint effort of the Department of Public Safety and Police Services the Recreation Department. Two certified R.A.D. instructors provide training on a woman can avoid becoming a victim, and teach self-defense techniques designed to help them escape in the unfortunate event that a woman finds herself in a dangerous situation.
- **Tech Educates about Responsible Relationships (TERR)** - This committee is a coordinating and educating body which includes representation from numerous administrative departments, students and faculty. Its mission includes developing educational programming on sexual assault and sexual harassment, and the relationship of alcohol and other drugs to sexual misconduct.
- **Distribution of Informational Brochures** - The Michigan Tech brochure on "Sexual Assault Awareness" is mailed to every student in October along with the Michigan Tech alcohol and other drug policy.
- **Technobabe Times** - This student newspaper contains information of interest to students on topics including sexual assault issues and prevention.

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- **Annual Programming on Alcohol Abuse and Sexual Misconduct** – This program is presented by the President’s Commission on Substance Abuse Prevention. In October 2008 during the “Week of Wellness”, PCSAP sponsored a table tent campaign on healthy living and alcohol-free alternatives aimed at female students.
- **“Get Carded Day”** – In September of each year, Michigan Tech participates in this event sponsored by RAIIN.org. Small wallet-sized cards with sexual assault prevention and education messages are distributed to students all over campus.

### **Drug and Alcohol Policy**

#### **Guiding Principles**

- Clear evidence exists that the misuse and abuse of alcoholic beverages and drugs can erode the foundation of the University's goals and objectives and can diminish the attainment of intellectual, social, physical, and moral growth and development.
- All University members are adults who will make personal choices about their use of alcohol, but those choices must not disrupt the University community of others.
- It is the University's mission to address alcohol-related behavior when such behavior has a negative effect on any segment of the University community or violates any city, state, or federal law or ordinance.
- The University will attempt to provide educational activities and information concerning alcohol use. However, neither this policy nor the University's consent to the use of alcoholic beverages at certain locations and under certain circumstances constitutes University sponsorship or approval of such use, but reflects its desire to permit freedom of choice where such choice does not endanger life or violate existing law.
- The University prohibits the use and abuse of controlled substances. The University will attempt to provide to its community, educational activities and information related to the legal and physiological aspects of drug use and abuse.

#### **Summary of State and Federal Laws**

All federal, state and local laws governing alcohol use are applicable to all activities at Michigan Tech.

These summaries are an educational tool. Other provisions, not included below, may also apply. Therefore, no one should take action in reliance upon the summary, and it should not be construed as legal advice.

- **Legal Age for Possession and Consumption of Alcohol** - It is illegal for a person under 21 years of age to purchase, consume, or possess alcoholic beverages. Persons under the age of 21 possessing alcoholic beverages are subject to arrest under Michigan law on the charge of being a minor in possession (MIP). Such a charge is a misdemeanor and can result in progressive fines, substance abuse prevention or treatment, and possible driver’s license sanctions.
- **Transporting Alcoholic Beverages** - It is a misdemeanor for a person under 21 years of age to knowingly transport or possess alcoholic beverages in a motor vehicle, unless such activities are in connection with the minor's employment by a liquor licensee or other authorized agent of the Liquor Control Commission. Such a charge can result in a penalty of not more than 90 days in

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jail, a fine of not more than \$100, and may be ordered to perform community service and undergo substance abuse screening and assessment.

- **Fraudulent Identification** - A person who furnishes fraudulent identification to a person less than 21 years of age, or a person under the age of 21 who uses fraudulent identification to purchase alcoholic beverages, is guilty of a misdemeanor. The penalty includes fines and the suspension of his or her driver's license for 90 days.
- **Regulation of Sale** - Under Michigan law, the sale, trade, or giving away of alcoholic beverages, including alcoholic beverages for personal use, requires a license or other prior written authorization from the Liquor Control Commission. A person who conducts any activity for which a liquor license is required without first obtaining the requisite license is guilty of a felony, punishable by imprisonment for not more than one year, and/or by a fine of not more than \$1,000. Alcoholic beverages may not lawfully be sold, traded, or otherwise furnished to a person who has not attained the age of 21 years.
- **Open Container Laws** - The consumption of alcoholic beverages on public highways in the state of Michigan is forbidden by law. It is unlawful to transport or possess any alcoholic beverages in a container that is open, uncapped, or upon which the seal is broken within the passenger compartment of a motor vehicle on the highways of this state. Such a charge is a misdemeanor and can result in progressive fines, substance abuse prevention or treatment, and possible license sanctions.
- **City Ordinances** - The cities of Houghton and Hancock have ordinances that prohibit the consumption of alcoholic beverages on any public street or sidewalk, in parks, or in any other public places including any store or establishment doing business with the public that is not licensed to sell alcoholic beverages for consumption on the premises. In addition, anyone who owns, operates, or controls any such public establishment or store shall not permit the consumption of alcoholic beverages therein.
- **Liability** - In the state of Michigan, a person who is injured by a visibly intoxicated person who became intoxicated because of the unlawful furnishing by another has the right of action against the person who contributed to the intoxication by unlawful furnishing. The person(s) who furnished the alcohol could be liable for damages.
- **Drinking and Driving** - Michigan has a "zero-tolerance" law permitting no blood alcohol for drivers under the age of 21. Drivers under the age of 21 who are found to have any blood alcohol while driving will lose their license and have four points added to their driving record. They will also be responsible for fines and/or community service. Those over the age of 21 caught driving under the influence could possibly receive progressive fines and jail time, as well as possible suspension of their driver's license.
- **Alcohol and Sexual Assault** - Engaging in sexual activity with a person who is unable to consent by reason of incapacitation is considered sexual assault and is punishable under Michigan law. For example, a person who is intoxicated or drugged may be incapacitated. Therefore, sexual activity with an intoxicated or drugged person can be actionable as sexual assault under

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Michigan law. For additional information on substance abuse and sexual assault, see [www.factsontap.org](http://www.factsontap.org)

- **Disorderly Conduct** - In the state of Michigan, a person who is intoxicated in a public place and who is either endangering directly the safety of another person or property or who is acting in a manner that is defined as causing a public disturbance is a disorderly person. They may be found guilty of a misdemeanor.

For additional information on state drunk driving laws, see the Michigan Secretary of State's web site: [www.michigan.gov/sos/](http://www.michigan.gov/sos/)

For additional information on state liquor control laws, see [www.michigan.gov/cis](http://www.michigan.gov/cis) and click Liquor Control.

For additional information on the health effects of alcohol, see [www.brad21.org/](http://www.brad21.org/) and [www.collegedrinkingprevention.gov/students/](http://www.collegedrinkingprevention.gov/students/)

#### **Laws Regarding Controlled Substances**

Under Michigan and federal law, it is unlawful for any person to manufacture, deliver, possess, use, or inhale any chemical or controlled substance, unless authorized. Controlled substances are determined by the federal government. Certain drugs are categorized according to Schedules, which depend on the drugs known or potential medical value, it's potential for physical or psychological dependence, and its risk, if any, to public health.

The penalty for the illegal possession, use, sale, or delivery of controlled substances depends on the quantity of the drug, and to which Schedule it belongs, Schedule I drugs carrying the most severe penalty, and Schedule V drugs carrying the least severe penalty. If the sale or transport of drugs crosses interstate lines, federal law and penalties will apply.

Any University employee convicted of a criminal drug offense that occurred in the workplace or while on University business must notify their immediate supervisor within five (5) business days of the conviction. This requirement applies to both student and non-student employees. Following notification of a student employee's conviction, the supervisor shall notify Student Conduct Services in the Dean of Students Office; the supervisor of a non-student employee will notify the Director of Human Resource. If the employee is paid through a federal contract or grant, the employee's supervisor should also inform the Office of Research and Supported Programs. In each case, the respective offices -- Dean of Students, Human Resources and Research and Supported Programs --shall apply appropriate sanctions and conditions according to University policies and procedures.

Students are required to inform the Financial Aid Office if convicted of a drug offense while receiving financial aid.

For additional information on Federal controlled substances laws and the health effects of controlled substances, see [www.justthinktwice.com](http://www.justthinktwice.com).

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### **University Policies**

#### **Use and/or Possession of Alcoholic Beverages on Campus**

University policy as adopted by the Board of Control notes that possession and consumption of alcoholic beverages is permitted in certain campus locations under conditions described below. This permission is subject to provisions of law, and such regulations as may be established by management responsible for operating these facilities. Those regulations include:

- At University-sponsored functions, alcoholic beverages may be served to nonpaying guests of legal drinking age upon the recommendation of the President.
- The possession and use of alcoholic beverages by those of legal drinking age is permitted for occasions and in facilities for which the University has obtained a valid liquor license or when the permission of the President has been received.
- Occupants of residence halls and University apartments may possess and use alcohol in approved rooms if such persons are of legal drinking age. The following provisions apply:
  - Those individual student rooms or apartments officially approved and assigned by the University to and currently occupied by one or more students having attained the age of 21 may be designated by the University as places where possession and consumption are permissible. (Information about how to receive official approval may be obtained from the Department of Housing and Residential Life.
  - Possession of sealed alcoholic beverage containers is permissible so long as a resident is in the active process of transporting it to a student room or apartment and is at least 21 years of age.
  - Possession of alcoholic beverages in unsealed containers is not permitted in any area other than a designated and approved student room or apartment. Alcoholic beverage containers shall not have the capacity of more than one gallon.
  - In order to accommodate residents who request to live where intoxicants are not possessed or consumed, the University will, when administratively practical, assign residents with similar requests to the same floor section or apartment.
  - Students living in Alcohol Free areas and/or under legal drinking age may not display collections of alcoholic bottles/cans; empty bottles/cans can be considered evidence of illegal possession, consumption, or both.
- The use of alcohol is permitted in Michigan Tech courses, workshops, or seminars if their purpose is solely educational, if they are under the supervision of a professional staff member, and if the beverage is a legal one as defined by the Michigan Liquor Control Act. All persons taking part in said educational activities must be at least 21 years of age to consume alcoholic beverages.
- Alcoholic beverages are not permitted at athletic events, concerts, plays, or any other event, on or off campus, that is open to the campus community and/or general public except when a valid liquor license is obtained or the permission of the President has been received.
- Kegs of any size or any common source of alcoholic beverages (over one gallon) are not permitted on campus or at any University-sponsored event, except when a valid liquor license is obtained or the permission of the President has been received.
- University general fund monies, if any, provided to the University-registered student organization may not be used for the purchase of alcoholic beverages.

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- Michigan Tech's employee discharge policy states that major infractions that warrant immediate discharge of an employee by the University include, but are not limited to, drinking alcoholic beverages on the job, or use of drugs in violation of the Controlled Substance Act.

### **Alcohol Use at Events by University-Registered Student Organizations**

- University-registered student organizations ("RSO") must submit a risk management plan to Student Activities for any social event at which alcohol is served on campus or at any University-sponsored event 30 days prior to the event. This plan is subject to review and approval by the facility manager, Dining Services and Student Activities.
- The possession, sale, use or consumption of alcoholic beverages, while on organizational premises, or during an organizational event, or in any situation sponsored or endorsed by any RSO must be in compliance with any and all applicable laws of the state, county, city and University.
- Alcoholic beverages may not be purchased through or with organizational funds nor may purchases for members or guests be undertaken or coordinated by any member in the name of, or on behalf of, the RSO. No RSO may co-sponsor, co-finance, attend or participate in a function where alcohol is purchased by any of the host groups or organizations.
- No RSO shall sponsor or co-sponsor any activity that permits unrestricted and/or public access to alcoholic beverages. Kegs of any size or any common source of alcoholic beverages are not permitted on organizational premises or during an organizational event.
- Any type of "alcohol drinking game" or contest on organizational premises or during an organizational event is strictly prohibited.
- No members, collectively or individually, of RSOs shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e. those under "legal drinking age").
- No RSO may co-sponsor an event with an alcohol distributor, charitable organization or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) where alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for the purposes of fundraising. An RSO may rent or use a room or area in a tavern as defined above for an event held within the provisions of this policy, including the use of a third party vendor and guest list.
- Because the University recognizes that the use of alcohol at recruitment functions goes against the best interest of the recruiting organization and the potential new members, alcohol cannot be used in recruitment functions by any RSO, nor can it be present at any pre or post parties regardless of whether they are "official" functions. No recruitment activities associated with any RSO may be held in conjunction with an alcohol distributor or tavern as defined in this policy.
- The possession, sale or use of any illegal drugs or controlled substances while on organizational premises or during an organizational event is strictly prohibited.

### **Alcohol Advertisement**

- Alcohol is not allowed to be advertised at official University events, nor advertised in official University publications, except that editorial boards must establish and follow alcohol advertisement policies that insure compliance with state and Federal law.
- It is unlawful for a brewer, a vendor of spirits, a wine maker, an out-of-state seller of wine, or a licensed wholesaler of beer or wine to do either of the following on the Michigan Tech campus:
  - Participate in or conduct any event, contest, activity, or undertaking that is designed to promote the sale or consumption of any alcoholic beverage.

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- Participate in or conduct any event, contest, activity, or endeavor off the campus if the event, contest, activity, or endeavor is organized or sponsored by any student group that has a majority of members who are under the legal age of consumption of alcoholic beverages.

#### **Disciplinary Action**

Students who violate state, federal or local laws concerning drugs or alcohol while on University property or at University-sponsored events, and/or those who violate University regulations regarding the prohibition of drugs or alcohol or the time, place, and manner in which alcohol is used or advertised, are subject to disciplinary action and possible criminal prosecution.

Students or student groups are subject to disciplinary action as outlined in the Code of Student Conduct, <http://sa.mtu.edu/dean/judicial/policies/>.

Individuals and organizations will be charged under the Code of Student Conduct for violations of law relating to alcohol and controlled substances whether on or off campus.

Students found responsible for a violation of this policy can receive a sanction ranging from disciplinary warning to expulsion. In addition, the University may refer the matter to the local law enforcement authorities, if the infraction violates the law and is severe enough to warrant such action.

Faculty, administrators, and staff are subject to disciplinary action by their immediate supervisor or designated person.

No employee or student will be denied due process. They should also realize that they may be subject to prosecution by civil authorities.

#### **Parental Notification**

The 1998 Reauthorization of the Higher Education Act permits colleges and universities to inform parents when their student violates university regulations and/or local, state, or federal laws with respect to alcohol and drugs. Michigan Tech has implemented the following policy:

- First alcohol violation: The University generally will NOT notify parents or legal guardians of students under the age of 21 of first time alcohol violations, unless there are extenuating circumstances.
  - Extenuating circumstances that would warrant notification to the parent or guardian of a first-time alcohol violation include conduct by the student that indicates that the student is or could be a danger to him/her self, others, or property.
- Second and subsequent violations involving intoxication: The University WILL notify parents or legal guardians of all second and subsequent violations of the alcohol policy.
- Drug violations: The University may notify the parents or guardians of all conduct by students under the age of 21 that violates the University's drug policy or that violates local, state, or federal law as it relates to illegal drug use. The University will notify on all second or subsequent offenses.
- When the University determines that it must notify the parents or legal guardians of students under the age of 21 according to the above policy, it will give the student advance notice of the notification so that the student may, if he/she chooses, initiate contact with his/her parent or guardian first.

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- The University reserves the right to not notify parents or guardians of drug or alcohol violations of students under the age of 21 if the University determines that, because of the student's family situation, doing so would endanger the student's life or well-being.

### **Prevention and Assistance**

Michigan Tech is committed both to prevention of alcohol and drug abuse, and assistance to students and employees who need help with substance abuse issues. Accordingly, in addition to the discipline procedures mentioned earlier, the University will also offer support, rehabilitation and/or counseling services to any student or employee who makes a request.

#### **For information or help, contact:**

Counseling Services	487-2538	<a href="http://www.counseling.mtu.edu">www.counseling.mtu.edu</a>
Student Affairs/Dean of Students	487-2212	<a href="http://www.sa.mtu.edu">www.sa.mtu.edu</a>
Student Activities	487-1963	<a href="http://www.sa.mtu.edu/stuact/">www.sa.mtu.edu/stuact/</a>
Dept. of Housing and Residential Life	487-2682	<a href="http://www.housing.mtu.edu">www.housing.mtu.edu</a>
HR/Benefits Office	482-2280	<a href="http://www.admin.mtu.edu/hro/benefits/index.shtml">www.admin.mtu.edu/hro/benefits/index.shtml</a>
Dial HELP	482-4357 482-HELP	<a href="http://www.dialhelp.org">www.dialhelp.org</a>

All inquiries are treated confidentially.

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**Three Year Crime Statistics**

	<b><u>2009 Houghton Campus</u></b>				<b><u>2008 Houghton Campus</u></b>				<b><u>2007 Houghton Campus</u></b>			
	TOTAL ON CAMPU S	STUDENT RESIDENTI AL FACILITY	NON- CAMPU S	PUBLIC PROPER TY	TOTAL ON CAMPU S	STUDENT RESIDENTI AL FACILITY	NON- CAMPU S	PUBLIC PROPER TY	TOTAL ON CAMPU S	STUDENT RESIDENTI AL FACILITY	NON- CAMPU S	PUBLIC PROPERTY
<b>Murder</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Manslaughter</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense</b>	2	1	0	0	0	0	0	0	1	1	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	1	1	1	0	0	0	0	0
<b>Burglary</b>	6	3	2	0	5	3	2	0	13	5	1	0
<b>Arson</b>	0	0	0	0	0	0	1	0	0	0	0	0
<b>Motor Vehicle Theft</b>	1	0	0	0	0	0	1	0	1	0	0	0
<b>Larcenies</b>	92	9	5	0	69	23	4	0	78	27	5	0
<b>Hate Crimes</b>												
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity/Race	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
<b>Liquor Law Violations</b>												
Campus Discip. Action	66	59	3	0	58	57	0	0	76	74	0	0
Arrests	11	3	0	1	6	3	0	0	11	9	0	0
<b>Drug Law Violations</b>												
Campus Discip. Action	9	9	0	0	2	2	0	0	12	12	0	0
Arrests	3	2	0	0	1	1	0	0	3	2	0	0
<b>Weapons Possession</b>												
Campus Discip. Action	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0

**\* CRIMES REPORTED IN THE RESIDENTIAL FACILITY COLUMN ARE INCLUDED IN THE ON-CAMPUS CATEGORY**

These statistics indicate initial reports to the police. Further investigation may reveal the case was unfounded or lacked sufficient evidence to result in the filing of criminal charges by the Prosecutor's Office.

\*\* In none of the reported offenses listed above was the victim intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

\*\*\* The statistics in the Annual Security Report were prepared by the Michigan Tech Department of Public Safety and Police Services with additional information from the Office of Student Affairs and local law enforcement agencies. Reports from disciplinary cases are cross referenced with records in the Department of Public Safety and Police Services to prevent double counting.

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**Three Year Crime Statistics**

**2009 Ford Forestry Center    2008 Ford Forestry Center    2007 Ford Forestry Center**

	TOTAL ON CAMPUS	STUDENT RESIDENTIAL FACILITY	NON- CAMPUS	PUBLIC PROPERTY	TOTAL ON CAMPUS	STUDENT RESIDENTIAL FACILITY	NON- CAMPUS	PUBLIC PROPERTY	TOTAL ON CAMPUS	STUDENT RESIDENTIAL FACILITY	NON- CAMPUS	PUBLIC PROPERTY
<b>Murder</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Manslaughter</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offense</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Larcenies</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Hate Crimes</b>												
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity/Race	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
<b>Liquor Law Violations</b>												
Campus Discip. Action	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
<b>Drug Law Violations</b>												
Campus Discip. Action	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
<b>Weapons Possession</b>												
Campus Discip. Action	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
<b>* CRIMES REPORTED IN THE RESIDENTIAL FACILITY COLUMN ARE INCLUDED IN THE ON-CAMPUS CATEGORY</b>												

These statistics indicate cases initially reported to the police. Further investigation may reveal the case was unfounded or lacked sufficient evidence to result in the filing of criminal charges by the Prosecutor's Office.

\*\* In none of the reported offenses listed above was the victim intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.

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# **Michigan Tech Department of Public Safety & Police Services**

## **2010 Annual Security & Fire Safety Report**

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### **Fire Safety Report**

In accordance with the Higher Education Opportunities Act of 2008, Michigan Tech is providing mandatory fire safety information as part of this Annual Report. All reports of fires and fire alarms are maintained in a fire log at the Michigan Tech Department of Public Safety and Police Services. Data collected includes the nature of the fire, date and time of occurrence and the general location of the fire.

### **Fire Safety Systems**

Michigan Tech's Houghton Campus is home to three residence halls (Wadsworth Hall, McNair Hall and Douglass Houghton Hall), a new residential apartment building which opened its doors in August 2010, and the Daniell Heights Apartments. Residential facilities at the Ford Forestry Center consist of 12 houses.

- **Residence Halls** - Each of the residence halls is equipped with a fire safety and suppression system. These systems each allow members of the housing facilities staff as well as fire safety personnel to access important information which is critical to combating any fire emergencies that may arise.

The first part of the system is the enunciator panel which is located at the main entrance to the buildings. This panel is the control center for the system and will also alert emergency personnel to the locations in the building where a fire alarm may be sounding.

Each room in the living area, as well as kitchenettes and other public areas feature both smoke alarms and sprinklers. When a smoke alarm is activated in a resident's room or the kitchenette, only that particular location will sound. In public areas, alarm activation will sound the general building alarm.

All alarms are monitored and received at the Department of Public Safety and Police Services 24 hours a day, seven days a week. When an alarm is received, is responsible for dispatching police and fire to the location to assess the situation.

Another feature to the fire system is the sprinklers which are located in all rooms and kitchenettes. In the event that a sprinkler is triggered, only the room triggered is affected. However, if three sprinklers have all been triggered, the entire building alarm will sound. Each of these sprinklers yields 30 gallons of water per minute and the sprinkler system can be isolated for control by floor.

Common areas and certain rooms in the halls are equipped with strobe lights to alert the hearing impaired to an emergency situation. The final component to this system is the fire alarm pulls which are located throughout the halls. If pulled, these activate the entire building fire alarm, and send immediate notification to the Department of Public Safety and Police Services.
- **Residential Apartment Building** – The fire safety system for the newly constructed apartment building is similar to the system in each of the residence halls as described above. Additionally, the stairway landings on each floor are designated as "Areas of Refuge". These areas are equipped with a panic button. When a panic button is activated, it is received at the Department of Public Safety and Police Services. Personnel are then dispatched to the building to check the alarm panel near the main entrance. This panel indicates which panic button was activated and allows the responder to have voice contact with the individual who activated the button.

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- **Daniell Heights Apartments** – The Daniell Heights Apartments are equipped with local fire alarms. Each apartment is equipped with smoke detectors and fire blankets are located in each kitchen. Additionally, fire extinguishers are located in the common areas on each floor of each apartment building.
  
- **Ford Forestry Center Houses** – Each of the houses is equipped with smoke detectors and fire extinguishers.

#### **Portable Electrical Appliances, Smoking, and Open Flames Policy**

To minimize the potential for fires in the residential community, it is the policy of Michigan Technological University to prohibit the use of the following items in any University owned or operated residence hall indoors:

- portable space heaters
- barbecue grills
- hibachis
- smokers, (gas, electric, charcoal) and related accessories, including lighter fluids and lighters and other similar type products for cooking/warming purposes
- flammable/combustible liquids
- fireworks, firecrackers, rockets,
- flares, sparklers and other devices halogen lamps
- ceiling/wall tapestries
- live Holiday trees or non-fire retardant artificial Holiday trees
- any open flame device or object, including
  - candles
  - candle warmers
  - incense and related accessories
  - hot plates
  - slow cookers
  - deep fryers
  - electric skillets
  - electric woks
  - griddles
  - sandwich makers/grills and other similar type of products
  - toaster ovens for cooking/warming purposes

The “cooking” and “warming” options exclude cooking and warming done in areas designed and built for such purposes.

All buildings on the Michigan Tech campus are smoke-free facilities. Recognizing this, there is no smoking allowed in any on-campus housing facility. There are, however designated entrances to the residence halls and locations that residents may smoke outside of. These entrances are clearly marked as smoking entrances.

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### **Fire Drills and Evacuation Procedure**

For the 2009 calendar year, the Department of Housing and Residential Life held a total of 14 scheduled fire drills for Wadsworth Hall, 20 drills for McNair Hall, and 15 drills for Douglass Houghton Hall. The reason for this discrepancy in number is based upon the fact that Michigan Tech runs more fire drills during the summer months due to programs for youth under the age of 18 in the residence halls. Both McNair and Douglass Houghton Halls have youth occupants during these months. Douglass Houghton Hall houses the Summer Youth Programs and due to their cycle of bringing in new participants, a drill is held once per week on Sunday evening. In McNair Hall, where the athletic camps are housed, the turnover is more rapid, which calls for more drills to be run.

Throughout the academic year, the Department of Housing and Residential Life schedules fire drills monthly. The purpose of this is to ensure that the procedure for evacuation remains fresh in the minds of students in the event that an evacuation truly becomes necessary. When evacuating the building in a fire situation, the procedure is as follows:

- Turn on ceiling light and open draperies.
- Close windows.
- Touch inside of door to test for heat.
  - If warm, Do Not open.
  - If you are trapped in your room by fire, keep your door and window closed tightly and stand in full view in the window until help arrives.
- If not warm, exit room.
- Brace yourself against the door and crack it slightly open to check the incoming air at the top of the door with your hand.
- Exit immediately. Wear shoes; take your coat, room key, and Michigan Tech ID. Close and lock the door and walk away from the building by your assigned route. Do not talk. Listen for directions. Do NOT use elevators as an emergency exit. Stay low to the ground.
- When you leave the building, move to your assigned meeting area which will be at least 100 feet away from the building.
- Do not return to your room or re-enter the building. Wait for instructions. You may re-enter the building when the alarm is silenced OR after the all clear has been given by the fire department.

### **Fire Safety Education/Training**

In order to promote safety in the event of emergency, each room in the residence halls is equipped with [“A Guide to Emergency Procedures”](#), a document outlining the processes that a student should take in case of numerous emergencies. Also, each hall holds a fire drill prior to the first week of classes. The procedure the students are to follow is discussed with them at their first “House meeting” with their resident assistant (RA). The monthly fire drills ensure that students, student staff, and professional staff are prepared to deal with a fire emergency if the need arises.

When drills occur, students are to follow the procedure list given above. In the case of Residence Life student staff, there are additional duties once these student/employees have left the building. The exact procedures are dependent upon the individual’s role within Residence Life, Housing, and Dining Services. These procedures are listed below.

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### ➤ **Resident Assistant (RA)**

- Follow the resident evacuation procedure for your room. Put on vest and take staff badge, Tech ID, fire roster, and flashlight (if at night).
- Leave the building by your assigned route. Close all fire doors and room doors on your way out.
- Program Coordinators (PCs) should head to the front of their buildings and assist with directing traffic and ensuring students can safely cross Highway 41.
- RAs should complete the Fire Drill Roster Procedure during the first fire drill of each semester and at all other unscheduled fire alarms.
  - Each RA is provided with a Fire Drill Roster and clipboard. Each clipboard has a copy of the house roster and rosters of other houses in the area.
  - Upon arriving at the fire alarm evacuation location, the RA will take attendance of all house members.
  - The RA will quickly try to determine the location of each resident not at the evacuation locations by asking roommates and friends.
  - The RA will highlight all residents on the roster that are ***accounted*** for.
  - The RA will check nearby evacuation locations to make sure the surrounding houses have been accounted for. If it has not, the RA will repeat steps c-e for this house.
  - Within five minutes of when the alarm sounded, the highlighted list will be submitted to the appropriate community coordinator (CC).
  - Following the drill, new rosters will be available in the RA mailboxes in order to update the clipboards.
  - Check in with your CC at the designated location and provide them with your roster. Follow any instructions they may give you.
  - Go to your house's assigned meeting area and wait for further instructions. Keep all residents at least 100 feet away from the building.
  - DO NOT re-enter the building yourself or allow someone else to re-enter the building unless the alarm has been silenced.

### ➤ **Community Coordinator (CC)**

- Your residence hall student roster, house meeting location listing, vest and radio should be in your possession if possible.
- Exit immediately.
- Go to your designated meeting location.
- Each RA will check in with their CC once their house is clear.
- If the CC is not available at the time of the evacuation, the first RA to arrive on the scene will take over these responsibilities.
- The reception desk employee will check in with the CC at the meeting location once the desk is closed.
- If the evacuation is during office hours, the designated staff person will check in with the CC and inform them that all staff persons are evacuated.
- All staff and students must be at least 100 feet away from the buildings.

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- Once all areas have been evacuated and accounted for, the professional staff or the Department of Public Safety and Police Services will communicate with the management Assistant (MA) and inform that everyone is out so that the alarms may be silenced.
- If an actual emergency exists, follow the direction given.
- If an extended evacuation is needed, the student life professional staff on location will request transportation and you will be instructed to evacuate residents to a designated extended evacuation location.

#### ➤ **Management Assistant (MA)**

- When the Department of Public Safety and Police Services (DPSPS) hears the Fire Enunciator Panel, their dispatcher will contact the MA on their cell phone.
- The MA will go to the building Enunciator Panel to receive more specific information, and share this information with the DPSPS officer on the scene and the fire department.
- The MA will perform the "Reset" duties ONLY after the hall has been evacuated and approval from the fire department, DPSPS officer, or live-on professional staff has been given.
- The MA will then complete the fire report and distribute.

#### ➤ **Residence Hall & Dining Staff**

- Evacuate to the designated meeting location.
- The designated staff person should prepare for notice of completed evacuation.
- The dining hall manager in charge will account for all employees and off-campus or non-hall student employees and inform the designated staff person that evacuation is completed to the designated meeting location.
- The custodial staff and any off-campus or non-hall student custodial employees will inform the designated staff person that they have evacuated. (The Housing Facilities manager and the maintenance staff will be assisting with the fire equipment inside the building).
- Any students who are residents of the hall and are working for dining or custodial services during the time of the evacuation must report to their designated house meeting location.
- Professional live-on Student Life staff members (and all family members) will take their radio and vest then evacuate to a central building location to assist with evacuation or follow other directions as given.
- All staff and students must be at least 100 feet away from buildings.
- When all employees have been accounted for, the designated staff person will inform the CC.
- Wait until the alarm is silenced to return to the building OR when the fire chief has okayed return into the building. If an actual emergency exists, wait for instructions.

#### **Contact Information**

In order to report a fire in progress, dial 911. In the case of a fire alarm, DPSPS will keep an updated log of all incidents. Contact the Director of Housing and Residential Life as well as the Director of Housing Facilities to inform of any alarms that may occur.

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**Fire Statistics**

Ford Forestry Center Housing Fire Statistics				
Building	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
Residential Houses	0	0	0	0

Houghton Campus Housing Fire Statistics				
	Number of Fires	Number of Injuries	Number of Deaths	Property Value (\$)
<b><u>Residence Halls</u></b>				
Douglass Houghton Hall	1 (a)	0	0	\$400
McNair Hall	0	0	0	\$0
Wadsworth Hall	0	0	0	\$0
<b><u>Apartments</u></b>				
Daniell Heights	1 (b)	0	0	\$400
Residential Apartment Building	0	0	0	\$0

- **(a)** At approximately 9:45pm on March 23, 2009, there was a grease fire in the Douglass Houghton Hall kitchenette. Residents were making donuts when a grease spill on the burner ignited. Fire was extinguished using fire blanket and extinguisher.
- **(b)** On October 10, 2009, there was an oven fire in Apartment 2104B of the Daniell Heights apartments. Residents were using the burners when flames began to appear. Fire burned through the safety blanket and was extinguished using the provided fire extinguisher.

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<b>False Fire Alarms</b>			
<b><u>Incident Date</u></b>	<b><u>Incident Time</u></b>	<b><u>Location</u></b>	<b><u>Cause of Alarm</u></b>
3-Feb-2009	7:36 PM	131W Wadsworth	Cooking Mishap
19-Apr-2009	12:00 AM	323 East McNair	Hair Iron
23-Apr-2009	10:59 PM	526E Wadsworth	Ruptured Spray Cleaner Bottle
13-Jun-2009	11:38 PM	443W Wadsworth	Burned Food in Microwave
30-Jun-2009	9:35 AM	DHH Exit #1	Pull Station possibly bumped
10-Jul-2009	6:58 PM	DHH Exit #2	Individual Leaning on Pull Station
5-Aug-2009	11:14 PM	470W Wadsworth	Cooking Mishap
31-Aug-2009	11:26 PM	415E Wadsworth	Burnt Popcorn in Microwave
26-Sep-2009	8:00 AM	164 West McNair	Burnt Sausage in Microwave
24-Nov-2009	2:30 AM	1st Flr Kitchenette (McNair)	Cooking produced too much smoke for extractor
1-Dec-2009	12:00 AM	1st Flr Kitchenette (McNair)	Cooking without exhaust fan
1-Dec-2009	11:00 PM	139 West McNair	Alarm Malfunction