ANNUAL SECURITY REPORT
2019

NILES CAMPUS
at BERTRAND CROSSING

1905 Foundation Drive
Niles, MI 49120
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INTRODUCTION
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies.

Included is the Annual Fire Safety report along with a Missing Student Notification policy due to the Fall 2014 opening of Beckwith Hall.

Changes to the Clery Act made by the Violence Against Women Reauthorization Act required statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and certain policies, procedures, and programs pertaining to these incidents are included in the Annual Security Report for 2019.

We are committed to keeping our campuses safe and secure for students, faculty, staff and visitors. This report is prepared in cooperation with local law enforcement agencies serving our campuses.

Lake Michigan College also employs the latest in E911 calling. Traditional 911 calls only provided the address of the emergency and could result in a delay for emergency personnel. With this new technology, the 911 center receives specific and detailed location information which allows emergency personnel to respond to the exact location of the emergency.

We rely on every community member to contribute to safety and security on campus by reporting crime and suspicious activities in a timely manner. We hope you will use the information to help foster a safe environment for yourself and others.
REPORTING CRIMINAL INCIDENTS
Crimes should be reported to a designated campus security authority to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

CAMPUS SECURITY AUTHORITY
Benton Harbor Campus/Mendel Center/Beckwith Hall/
   Hanson Technology Center/Todd Center        269-927-8100   Room

   Director Public Safety/Evening Administrator  ext. 7060   S111
   Executive Director, Facilities Management     ext. 8611   S102
   Dean of Student Affairs                      ext. 8752   A305
   Director, Intercollegiate Athletics          ext. 6192   A200a
   Director Student Life                        ext. 8734   A307
   Title IX Coordinator (Students)              ext. 8150   A302
   Security Guard                               ext. 5041   A204
   Title IX Coordinator (Employees)             ext. 8146   HTC105
   Director, Advising                           ext. 8185   A214
   Coaches                                      
   Club Advisors                                
   Registrar                                   ext. 6851   A221
   Director of Residence Life                   ext. 8190   211
   Resident Assistants                         
   Dean of Career Workforce Education – Todd Center ext. 4103   1212
   Director, Hanson Technology Center           ext. 4851   H-104
   Director, Admissions and Recruitment         ext. 6596   A210a

Niles Campus at Bertrand Crossing

   Director, Bertrand Crossing Campus           269-695-1391   101
   Security Guard                               269-470-7320

South Haven Campus

   Director, South Haven Campus                 269-637-7514   SH126
   Security Guard                               269-470-3071
CAMPUS SECURITY AUTHORITY
Campus security authorities will promptly report if they observe any crime listed below or if any person reveals to them that he/she learned of or was the victim of, a perpetrator of, or witness to any crime listed below. The reporter will immediately complete an Incident Report and send or forward to the Lake Michigan College Facilities Department, attention: Executive Director, Facilities Management or Director Public Safety/Evening Administrator. This applies to crimes on any LMC campus, public property adjacent to each campus and locations at which other College activities are taking place.

1. Types of offenses:
   a. Criminal homicide
      - Murder and non-negligent manslaughter
      - Negligent manslaughter
   b. Sex offense:
      - Forcible
      - Non-forcible
   c. Robbery
   d. Aggravated assault
   e. Burglary
   f. Motor vehicle theft
   g. Arson
   h. Domestic violence
   i. Dating violence
   j. Stalking incidents

2. Hate Crimes – Discloses whether any of the above-mentioned offenses and the crimes of larceny-theft, simple assaults, intimidation, destruction/damage/vandalism of property and any other crime involving bodily injury, were hate crimes.

3. Arrests and referrals for disciplinary action for:
   a. Illegal weapons possession
   b. Violation of drug and liquor laws

Lake Michigan College uses a contracted security service to assist with campus security. Security guards are a source to which students, employees and visitors can report criminal offenses. Campus security guards do not have police authority.

CONFIDENTIAL REPORTING
If you are the victim of a crime and do not want to pursue action with the college system or the criminal justice system, you may still want to consider making an anonymous report. A campus security official can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.
EMERGENCY PREPAREDNESS AND RESPONSE PLAN
Lake Michigan College is committed to providing a safe environment that is conducive to the pursuit of academic excellence. Pursuant to its obligations under federal, state and local laws/regulations, the college has established an Emergency Preparedness and response plan that provides protective measures for the health and safety of our students and staff during an emergency situation. The college through its partnerships with Emergency Management Professionals continues to upgrade the plan.

Emergency Teams made up of individual members of the college community have been designated as team members to assist in helping others to evacuate. They also relay information concerning injured or special-needs people who require immediate attention.

Lake Michigan College has established a CERT (Community Emergency Response Team) in which members had extensive training by the Berrien County Emergency management for responding to disasters and emergencies.

Emergency information is located in all classrooms along with a detailed map which highlights fire exits, emergency shelter areas, fire extinguishers locations, defibrillators, etc.

Evacuation notification will be by use of the fire alarm system in some cases, but not all.

The emergency system plan effectiveness is measured through testing of practice drills.

EMERGENCY PROCEDURES
MEDICAL
Do not move the injured or ill person unless threatened by fire or other imminent danger. Call the 911 Dispatcher. From a college phone, dial 9. Wait for tone – then dial 911. From a pay phone, no coin is needed. Dial 911. From a direct line phone dial 911. Say, “There’s an emergency at Lake Michigan College.” Followed by the building and address.

- Answer the questions you are asked.
- Be specific about your location.
- Do not hang up until told to do so.
- Call 6911. If no answer, dial 8135 or 8137.

Evenings & Saturdays: dial 6911. If no answer, dial 8128.

FIRE
General Procedures when the fire alarm sounds:
1. All staff and students will leave the building immediately and proceed to the nearest main parking lot.
2. If there is a handicapped person in your class or office, it may be necessary to make arrangements with others to help carry the person to safety.
3. In the event that the nearest exit is the source of fire and/or is filled with smoke, use the next nearest exit.
4. Do not use elevators.
5. Do not open a door until you touch it to determine that it is warm or hot.
6. Remain in the parking lot until an all clear has been announced by the Executive Director of Facilities, or after 5 p.m., the Student Services staff.
POLICE/AMBULANCE
For life threatening emergencies, dial 9-911. For all other emergencies dial 6911.

EMERGENCY INTERNAL NUMBERS:
- South Haven Campus dial 7500
- Niles Campus at Bertrand Crossing dial 2990

SEVERE WEATHER & CLOSING ANNOUNCEMENTS
When the College closes due to severe weather or other campus emergencies, the announcement will be made in several ways:

1. through the College’s RaveAlert system
2. on the home page of the LMC website www.lakemichigancollege.edu (in most cases) dependent on the availability of internet access to College officials
3. through local television and radio stations
4. through College Facebook and Twitter pages.

Please check these various sources of information for closing information rather than calling the College. If the College is closed, you will be able to find out through one or more of the above sources.

Television and radio stations that assist the College with closing announcements include:

<table>
<thead>
<tr>
<th>Radio</th>
<th>TV Stations</th>
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<tbody>
<tr>
<td>WSJM 94.9 FM</td>
<td>WSBT TV 22</td>
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<tr>
<td>WSJM Sports 1400 AM</td>
<td>WNDU TV 16</td>
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<tr>
<td>WSJM Sports 95.7 FM</td>
<td>WBND ABC 57</td>
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<tr>
<td>WCXT 98.3 FM</td>
<td>WSJV FOX 28</td>
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<tr>
<td>WIRX 107 FM</td>
<td>WWMU TV 3</td>
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<tr>
<td>WCSY 103.7 FM</td>
<td>WGVU TV 35</td>
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<tr>
<td>WYTZ 97.5 FM</td>
<td>WOOD TV 8</td>
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<tr>
<td>WBBL 1340 AM</td>
<td>WOTV 41</td>
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<tr>
<td>WKLQ 107.3 FM</td>
<td>WWMT TV 3</td>
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<tr>
<td>WLAW 92.5 FM</td>
<td>WXMI TV 17</td>
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<tr>
<td>WTNR 94.5 FM</td>
<td>WXSP TV</td>
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<tr>
<td>WHTS 105.3 FM</td>
<td>WZZM TV 13</td>
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<tr>
<td>WLAW 92.5 FM</td>
<td>WGVU 88.5 FM</td>
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<tr>
<td>WVIB 100.1 FM</td>
<td>WDSS 1680 AM</td>
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<tr>
<td>WBCT 93.7 FM</td>
<td>WJNZ 1140 AM</td>
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<td>WBFX 101.3 FM</td>
<td>WJQK 99.3 FM</td>
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<tr>
<td>WOOD 1300 AM</td>
<td>WHTC 1450 AM</td>
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<tr>
<td>Wood 105.7 FM</td>
<td>WYVN 92.7 FM</td>
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<tr>
<td>WSNX 104.5 FM</td>
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<tr>
<td>WTKG 1230 AM</td>
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<td>WMAX 96.1 FM</td>
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<tr>
<td>WMUS 107.9 FM</td>
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<tr>
<td>WMRR 101.7 FM</td>
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TORNADOS
In the event of a TORNADO WARNING, all employees, students, and visitors in any College facility will be instructed to go to the designated safe shelter area.

1. DO NOT GO OUTSIDE.
2. Do not use telephones.
3. Do not stand near westerly locations of the building or near glass-enclosed spaces.
4. Proceed to the designated safe shelter area for your facility. This information is found on the emergency flip chart located in every College classroom.
5. Do not use open flame (candles, lighters, etc.).
6. Remain calm and wait for an “all-clear” announcement.

CAMPUS ACCESS
During business hours, Lake Michigan College will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key or card access, if issued, or by admittance via Facilities department staff.

CAMPUS SAFETY ALERTS
Policy Statement:

TIMELY WARNINGS
In the event a situation arises, either on or off campus, that constitutes an ongoing or continuing threat, a special “timely warning” will be prepared and distributed through our emergency notification systems.

Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. These warnings advise the College community of the situation, steps to take to avoid being victimized and the number to call for more information.

Lake Michigan College works closely with local law enforcement agencies to inform the College about crimes that may warrant the College issuing a timely warning.

EMERGENCY NOTIFICATION
Emergency notifications will be issued when it is determined that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or visitors occurring on Campus.

Emergency notifications will be activated without delay upon verification of an incident that meets the above criteria so long as issuance does not compromise efforts to respond to, contain, or otherwise mitigate the emergency.

RaveAlert is an automated system that Lake Michigan College uses to inform employees and students of the College emergencies and severe weather. RaveAlert utilizes cell phone text messaging, email and voice mail notifications.

Lake Michigan College also utilizes SYN-APPS emergency notification system using ring and text messages to internal phones and to our IP clocks which provide a visual and audio message which are located in campus hallways.
Emergency Activation cards have been issued to authorize personnel at each campus site allowing emergency messages for Lockdowns, Tornado Alerts, Bomb Threats and the use of paging for emergency notification.

Tests of the RaveAlert and SYN-APPS systems are conducted annually and are scheduled and announced in advance so that follow up success is possible.

The Executive Director, Facilities Management or designee, with assistance from the Director, Marketing Services is responsible for preparing the alerts for dissemination to the College community. In the event the situation impacts the larger community outside of campus, the President or designee develops the information to be disclosed working with the Director, Marketing Services who disseminates the information to the larger community.

WEAPONS-FREE COLLEGE POLICY
The College seeks to provide a safe campus community. Restriction against the possession, discharge, use and/or carrying of weapons is intended to foster a more secure environment and to promote the overall learning purpose for which students, employees and guests attend the College. While these restrictions offer no guarantee of protection to students, employees and guests, it is hoped the restrictions will reduce the risk of injury from any dangers which might arise from the possession, discharge, use and/or carrying of weapons.

Except as allowed by Federal and State law, students, employees and guests are prohibited from possessing, using, discharging and/or carrying weapons in any setting that is under the control or supervision of the College, including, but not limited to, property leased, owned, or contracted for by the College, a College sponsored event, or a College owned vehicle. Any student or employee in violation of this policy will be subject to discipline, up to, and including expulsion and/or termination as may be applicable depending on the circumstances. Any guest in violation of this policy shall be subject to ejection as a trespasser.

Responsibility: Executive Director, Facilities Management and Director, Public Safety References: MCL 28.425, Weapons Free College Procedure

PREVENTING AND RESPONDING TO SEXUAL HARASSMENT, SEXUAL ASSAULT AND SEXUAL MISCONDUCT

SEXUAL HARASSMENT

The Elliott-Larsen Civil Rights Act prohibits discrimination based on race, color, religion, national origin, age, sex, height, weight, familial status, marital status, arrest record and disability in all employment practices, including terms, conditions and privileges of employment. This act prohibits discrimination and provides specific remedies and penalties. Title IX of the Educational Amendments of 1972 prohibits sexual harassment of students in any part of any higher education institution receiving federal funds, and requires institutions to
maintain grievance procedures capable of prompt and equitable resolution of sexual harassment complaints.

Lake Michigan College prohibits sexual harassment in its employment practices and in its education programs and activities.

Sexual harassment consists of unwelcome sexual advances, including unwanted touching, verbal remarks of a sexually suggestive or derogatory nature, requests for sexual favors, and other verbal or physical behavior of a sexual nature which have as their consequence an adverse effect on the recipients’ morale, work status, or academic or job performance. Such conduct is absolutely prohibited whether the perpetrators are students, employees of the College or contractors or other non-employees who have reason to be on College premises where:

   A. submission to such conduct is either an expressed or implied condition of employment, education, or academic, financial or counseling assistance,

   B. submission to or rejection of such conduct is used as a basis for an employment decision or the performance evaluation of students or staff, or

   C. the conduct has the purpose or effect of substantially interfering with an affected person’s work or scholarly performance, or creating an intimidating, hostile or offensive work or education environment.

The College will actively investigate any allegations of sexual harassment by students or staff, and if it is determined that sexual harassment has occurred, will take prompt and appropriate disciplinary action.

Anyone who believes that sexual harassment has occurred is expected to report such conduct promptly under appropriate College procedures.

WHAT CAN I DO?

Title IX of the Education Amendments of 1972 and Title VI and Title VII of the Civil Rights Act of 1964 protects you from sexual harassment. In addition, Lake Michigan College has a policy strictly forbidding sexual harassment in any of its employment and educational practices. This policy protects students of Lake Michigan College as well as employees of Lake Michigan College. If a person’s behavior makes you feel uncomfortable, you must let that person know it does, either by telling them or asking them to stop the behavior.

SEXUAL ASSAULT

Sexual assault happens without your consent. It is you’re not wanting the physical contact that makes it a sexual assault, not the amount of physical force used. It is unwanted physical contact of a sexual nature. It may follow sexual harassment, or be accompanied by harassment. What is important to remember is that if you did not give your consent for the physical contact, it is assault and you must let someone know.
Lake Michigan College has strict policies against sexual harassment, and the College applies these policies to sexual assault. Sexual assault is a criminal offense and should be reported to the police as well as to the Director, Public Safety/Evening Administrator or a campus security authority. Emergency phone numbers for both on and off campus are listed and can be used in the case of sexual assault.

Remember: ASSAULT IS AN EMERGENCY!

The following procedures for campus discipline are applicable in cases of an alleged sex offense. When reports of alleged violation of the Student Code of Conduct surface, they are addressed by the Dean of Student Affairs or designee. The judicial process exists to ensure that basic due process is granted to all LMC students who find themselves in conflict with College standards.

The reporting of student misconduct shall be documented by providing all relevant information on the Maxient report. The Dean of Student Affairs or designee handles matters that require disciplinary action at Lake Michigan College. Disciplinary actions taken by the Dean of Student Affairs or designee toward a student found responsible for misconduct or a violation of College rules may include, but are not limited to, an oral warning up to expulsion from the College.

Due process is the guarantee of student civil rights under the Constitution of the United States and the laws and regulations of Michigan and Lake Michigan College. Due Process is that process which prevents rights from being taken away from an individual without notice and an opportunity to respond to allegations.

A student found responsible for violating the Student Conduct Code may submit a written appeal request to the Dean of Student Affairs or designee, who will forward the appeal to the chair of the Student Appeals Committee.

The purpose of a hearing is to provide the opportunity for the campus designee or complainant and the respondent to present all relevant information and evidence with regard to the alleged misconduct. It is the responsibility of the Student Appeals Committee, as applicable, to consider impartially all relevant information and evidence, determine the facts, apply College policy, and uphold appropriate sanctions if the respondent is found responsible for the alleged violation. The Student Appeals Committee chair sends to the accused the decision in writing within seven (7) business days.

Lake Michigan College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, results of the disciplinary hearing may be provided to the victim’s next of kin, if so requested.

Please refer to the College Handbook for additional information on the Student Code of Conduct procedures.
SEXUAL MISCONDUCT
Lake Michigan College supports the rights of all students and employees to learn and work in an environment free from sexual coercion and violence. Sexual contact with another person without consent or with the use or threat of force violates the standards of civility, decency, and respect expected of all member of the campus community.

The requirements of this policy are blind to the sexual orientation or preference of individuals engaging in sexual activity or sexually exploitative behavior.

Any retaliatory action or behavior taken toward an alleged victim as a consequence of his or her decision to report a violation, pursue conduct action, or criminal prosecution, is prohibited. Retaliation by either party may result in immediate disciplinary action.

Prohibited Conduct:
A. Non-Consensual Sexual Activity

Non-consensual sexual activity includes, but is not limited to, any sexual activity by a group or individual that takes place without the effective consent of the other individuals(s) involved. Effective consent is shown by the exchange of mutually understandable words or actions between parties to a sexual interaction. Consent must be informed and freely and actively given. Silence in and of itself is not an indication of consent.

In order to be effective, consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that he or she does not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. In other words, consent may be withdrawn at any time.

In order to give effective consent, one must be of legal age (16). Sexual activity with someone a person knows to be – or should know to be – mentally or physically incapacitated (because of disability, alcohol or other drug use, sleep, unconsciousness, blackout, or bodily restraint), is a violation of this policy.

Any time sexual activity takes place between individuals; those persons must be capable of controlling their physical actions and be capable of making rational, reasonable decisions about their sexual behavior. A person who has consumed alcohol may experience diminished capacity for effective decision-making and action, and thus may be incapable of consenting to sexual activity.

Sexual activity with someone whose incapacity results from the ingestion of a so-called “date-rape” drug is in violation of this policy. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc., is prohibited and administering one of these drugs to another student or employee for the purpose of inducing incapacity is a violation of this policy.

Use of alcohol or other drugs will never function to excuse behavior that violates this policy.
B. Sexually Exploitative Behavior

Sexually exploitative behavior occurs when a student or employee takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: prostituting another student or employee, nonconsensual video/audio-taping or photographing of sexual activity, unauthorized posting or distribution of materials involving the sexual activity of another person, going beyond the boundaries of consent (such as voyeurism or secretly watching others), or knowingly transmitting an STD or HIV to another student or employee.

Responding to Sexual Assault, Stalking, Dating or Domestic Violence

Lake Michigan College recognizes that all survivors of sexual assault, stalking, dating and domestic violence have the right to have any and all assaults against them treated seriously and the right to be treated with dignity. Lake Michigan College prohibits any offences of sexual assault, stalking, dating or domestic violence.

The College further recognizes the right of a sexual assault, stalking, dating or domestic violence victim to be free from undue coercion of any kind from the institution’s personnel for the victim not to report an assault committed against him or her to civil or criminal authorities or the institution’s law enforcement authorities or disciplinary officials, or for the victim to report a sexual assault, stalking, dating or domestic violence as a lesser offense than the victim perceives it to be.

The College recognizes the right of a sexual assault, stalking, dating or domestic violence victim to decide, without pressure or coercion, what action he/she will take following an assault. The College encourages students to report all crimes to the police and to pursue sanctions against offenders through the College judicial process. The College makes information available to students about sexual assault, stalking, dating and domestic violence victim rights, options, and resources for help.

Lake Michigan College recognizes that sexual assault, stalking, dating and domestic violence are a serious social problem that occurs among college students just as it does within other segments of our society. The college makes a strong commitment to work toward preventing sexual assault, stalking, dating, and domestic violence within our community, to provide support and assistance to assault survivors, and to impose sanctions on those who have been found guilty of committing a sexual assault, stalking, dating and/or domestic violence.

Our goal is to foster and protect within an environment of mutual respect and concern and to provide a safe community in which learning and growth can occur.

For the purposes of this document the term “sexual assault” includes rape, attempted rape, and other sex offenses, both forcible and non-forcible.

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a

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spouse, by a person similarly situated to a spouse to a spouse of a victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating violence means violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. Also where the existence of such a relationship shall be determined based on a consideration of the following factors; the length of the relationship, the type of relationship, the frequency of interaction between the persons involved in the relationship.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to, fear for his or her or the safety of others: or suffer substantial emotional distress.

**Prevention, Education, and Training**

LMC is committed to the prevention of sexual misconduct and harassment through education and awareness programs. Throughout the year, LMC offers educational programs to promote awareness of sexual misconduct and harassment. Prevention programs include an overview of LMC’s policies and procedures, relevant definitions, including prohibited conduct, discussion of the impact of alcohol and drug use, effective consent, bystander intervention, and information about risk reduction. LMC’s Title IX Coordinators oversees the education and prevention calendar and tailors programming to campus needs and climate. All educational programs include a review of resources and reporting options available for students, faculty, and staff.

The College encourages victims of sexual assault to take the following steps following an assault:

1. **Preserve physical evidence.**
   The sexual assault, stalking, dating and domestic violence victim has the right for full and prompt cooperation from College personnel and law enforcement authorities in obtaining, securing, and maintaining evidence that may be necessary to the proof of criminal sexual assault, stalking, dating or domestic violence in legal proceedings, including, but not limited to, a medical examination of the victim.

   A special physical examination performed at the hospital collects evidence that will be helpful if the victim later decides to prosecute the assailant. To preserve evidence, the victim should not wash, brush teeth, use the toilet, douche, destroy clothing, or straighten up the area where the assault occurred.

2. **Report the assault to the police at 269-926-8221 or dial 911.**
   It is the victim’s decision whether or not to report the assault to the police. Reporting a sexual assault, stalking, dating or domestic violence to the police may protect the victim and others from possible future victimization by helping public safety officers apprehend the assailant. A police report also maintains the victim’s future option of criminal prosecution, and helps support a College disciplinary action or a civil law suit against the
perpetrator. Making a police report does not obligate the victim to prosecute the assailant. Whether or not the case will be prosecuted is a decision that is made later, based on a number of factors. The police do not reveal the victim’s or the suspect’s name or any identifying information to the media for printing or to the general public. If the victim chooses campus security authorities will assist in notifying law enforcement.

3. Get medical attention.
The rape evidence exam should be performed as soon as possible. The exam is available only at Spectrum Health Lakeland.

If the victim decides not to have the rape evidence exam, she/he should still be examined for possible injury, pregnancy, and sexually transmitted infections. An exam for these purposes is available at Planned Parenthood, or with a physician of choice.

Injuries as a result of sexual assault, stalking, dating or domestic violence should be treated and photographed as soon as possible.

4. Ask for information, support and assistance.
To insure that victims of sexual assault, stalking, dating and domestic assault have accurate and complete information about their rights, options, and available resources for help, as well as any assistance they need in carrying out decisions about what to do following an assault, the victim may wish to call the 24-hour crisis line at 269-925-9500. Child & Family Services of Southwestern Michigan provides information and support by phone or on-site at the hospital or police stations. The assault victim has the right to be made aware of, and assisted in exercising, any option provided under state and federal law regarding mandatory testing of sexual assault suspects for communicable diseases and notification to the victim of the results of the testing. The victim also has the right to be informed of rights and remedies accorded to crime victims generally.

5. Report the assault to the Title IX Coordinator.
Sexual assault, stalking, dating and domestic violence are expressly prohibited by the College’s rules and regulations. The College has the right to discipline students who violate these rules and regulations. It is not necessary for the victim to file a police report in order to pursue sanctions through the College; however, it is strongly recommended as beneficial to the victim. Pursuing sanctions through the College does not preclude the victim from also pursuing criminal prosecution or a civil lawsuit.

The victim has the right after the assault has been reported to appropriate campus authorities to require the institution’s personnel to take any reasonable feasible actions as are needed to prevent any unnecessary or unwanted contact or proximity with an alleged assailant, including, but not limited to, the issuance of a No Contact Order, to classroom adjustments/arrangements, providing an escort, moving the individual’s residence, adjusting the individual’s work schedule, allowing the individual to withdraw from or retake a class without penalty, providing access to tutoring or other academic support, to interim suspensions of the alleged perpetrator if necessary.
The College’s judicial process is initiated by the victim making a report. A detailed description of the process is included in the student handbook, which is available on the college webpage.

Evidentiary Standard: Preponderance of the Evidence.

6. Responsible Employees
Responsible Employees: All LMC staff and faculty have reporting obligations under Title IX. All employees are designated as Responsible Employees. Under Title IX, LMC is required to take immediate and corrective action if a Responsible Employee knew or, in the exercise of reasonable care, should have known about sexual misconduct or harassment prohibited under Title IX.

A Responsible Employee includes any employee who:
• Has the authority to take action to redress sexual misconduct or harassment
• Has the duty to report to appropriate school official’s sexual misconduct or harassment.
• Another individual could reasonably believe, have the authority or responsibility to take action.

LMC requires that all Responsible Employees immediately report allegations of violation of this policy to the Title IX Coordinator or designees.

Responsible Employees will safeguard an individual’s privacy and only share information with a small circle of individuals who are directly involved in the resolution of a report under this policy.

Sexual assault victims are assured the following rights within the College’s judicial process:

1. The right to have a support person present throughout the process to advise and provide support.
2. The right to not have her/his sexual history discussed during the proceedings, except as it relates to the specific incidents in question.
3. The right to relate her/his account of the incident.
4. The right to be informed of the results of the judicial proceeding upon written request.
5. The right to have her/his name and any identifying information kept confidential.
6. The right to a speedy hearing and decision.

A student charged with committing sexual assault is also assured of the rights listed above. A student found guilty of committing a sexual assault or other sexual offense by the College’s judicial process will be given a sanction appropriate to the offense. Possible sanctions range from a reprimand to expulsion from the College.

If a report of sexual misconduct is reported to a LMC representative, below are the procedures that will be followed:
a) In the case of Stalking, Domestic Violence or Dating Violence:

i. Assess immediate safety needs of complainant

ii. Assist complainant with contacting campus security or local police if complainant requests AND provide contact information for local police departments.

iii. Provide instructions on how to apply for Protective Order if the complainant wishes to pursue this option.

iv. Provide information to complainant on how to preserve evidence

v. Assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.

vi. Provide a No Contact or No Trespass directive to accused party if deemed appropriate.

vii. Provide written information regarding community resources.

b) For sexual assault and sexual exploitation LMC will:

i. Depending on when reported (immediate vs delayed report), provide complainant with access to medical care.

ii. Assess immediate safety needs of complainant.

iii. Assist complainant with contacting campus security or local police if complainant requests AND provide contact information for local police department.

iv. Provide written information regarding community resources including referrals to off campus mental health providers.

v. Assess need to implement interim or long-term protective measures, such as change in class schedule, "No Contact" directive between both parties.

vi. Provide a No Contact or No Trespass directive to accused party if deemed appropriate.

vii. Provide written instructions on how to apply for Protective Order

viii. Provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
ix. Inform the complainant of the outcome of the investigation, whether or not the accused will be charged with a violation of the Student Code of Conduct and what the outcome of the meeting is

x. Enforce and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

c) Protective measures for the complainant may range from No Contact Orders, to classroom adjustments/arrangements, providing an escort, moving the individual’s residence, adjusting the individual’s work schedule, allowing the individual to withdraw from or retake a class without penalty, providing access to tutoring or other academic support, to interim suspensions of the alleged perpetrator if necessary. LMC representatives will strive to maintain confidentiality regarding protective measures provided to the victim.

Investigations

Reports of student misconduct will be managed and investigated by the Title XI Coordinator. Complaints involving employees will be investigated by a Title IX Coordinator in the Human Resources office. All investigations will be conducted professionally, expeditiously, and confidentially (to the extent possible). The process may take up to 60 business days to complete from start to finish; however, many cases will be resolved before the 60 days.

LMC will provide the complainant and accused with equitable opportunities throughout the investigation and resolution process.

Upon receipt of a complaint, the Title IX Coordinator will confirm with the complainant the receipt of the complaint, and will specify who will be assigned to conduct the investigation. Generally, the Title IX Coordinator or designee interviews the complainant and any relevant witnesses identified by the complainant. Once sufficient information is gathered, the Title IX Coordinator or designee will then notify the charged individual of the allegations. With permission from the complainant, the Title IX Coordinator or designee shall advise the charged individual of the name of the complainant. Where a complainant does not wish to be identified, the extent of the investigation may be limited; however, the investigation will continue to the extent possible while maintaining the confidentiality of the complainant. The Title IX Coordinator or designee will interview the charged individual and any witnesses deemed relevant.

Additional evidence may be sought from any relevant party or witness, including but not limited to, email communications, social media postings, text messages, phone records, etc. Parties are expected to cooperate and provide this information. Failure to cooperate with an investigation may result in separate disciplinary proceedings. Parties should be aware that as members of the College community, their access to College resources has very limited privacy rights, and the College may obtain information through the College’s resources and informational technology system with or without the
individual’s cooperation. The investigation and findings generally should be completed within 60 business days of receipt of the complaint, preferably sooner as practical.

Once the Title IX Coordinator or designee has gathered the information, he/she shall render a determination on responsibility and refer the matter to the appropriate administrative official.

**Finding**

After the investigation, the Title IX Coordinator or designee shall render a finding based on the relevant evidence utilizing a preponderance of the evidence standard, i.e. the facts complained of are more likely true than not.

Upon completion of the investigation, the Title IX Coordinator or designee is authorized to take the following actions:

a) Dismissal of the claim - The Title IX Coordinator or designee finds that no violation occurred and dismisses the complaint, giving written notice of said dismissal to each party involved.

b) Determination of Responsibility - The Title IX Coordinator or designee makes a finding of responsibility for any of the allegations and notifies the parties and appropriate administrative officers of the finding and may recommend actions to be taken. Both parties shall receive notification, in writing, which will include:
   i. The result of any investigation that arose from an allegation of violation.
   
   ii. (For students) Additional appeal rights as set forth in the Student Code of Conduct.

   iii. (For Employees) If evidence supports a finding of misconduct, the College will take appropriate corrective or disciplinary action. Action taken by the College for employees may include (but will not be limited to), counseling, warning, transfer, demotion, termination.

   iii. If evidence supports a finding of responsibility, the written report of the action taken shall then be placed in the personnel record of the employee or student file. Sanctions of suspension, expulsion, or revocation or withholding of a degree will become a permanent part of a student’s record. Cases that result in all other sanctions will be maintained for seven (7) years.

   c) Potential student sanctions will be applied based upon the facts and circumstances of the case. Sanctions may include:

   1. College Property Restrictions – restriction from certain college facilities or property, either physical or virtual, for a definite period of time.
   2. Disqualification – from receipt of institutional financial aid while the sanction is imposed or possibly thereafter.
3. Educational Sanctions – a student is required to write a paper, plan and present a program, attend a class or seminar, or complete other educational requirements.

4. Expulsion – the most severe sanction of violation of college policy is expulsion, which results in immediate dismissal and permanent separation from the college. Any student who is expelled due to misconduct will not be entitled to any refund of tuition or other fees and may incur additional charges and fees after financial aid is adjusted.

5. Fine – a monetary penalty for property damage, theft, or other violations that result in inconvenience cost to others.

6. Formal Warning – a written reprimand that expresses disapproval of the student’s actions and warns against any potential violations of college policy in the future.

7. Interim Suspension – temporarily restrict student(s) from campus/college activities pending a hearing.

8. Loss of Privileges – denial of specific privileges for a designated period of time.

9. Parental Notification – as permitted by law, the college reserves the right to disclose to parents or legal guardians information about a student’s violation of college regulations and policies and Federal, State and/or local laws governing the use of alcohol or a controlled substance. The college may notify parents/legal guardians of alcohol or a controlled substance violation if the student is under the age of 21. The Dean of Student Affairs or designee determines the circumstances under which parental notification takes place.

10. Probation – a period of observation and review. The length of this period of probation will be determined by the Dean of Student Affairs or designee. If found responsible for violating any college policies or failure to comply with other requirements stipulated during this period, the student may be immediately suspended from the college and/or events pending further disciplinary review.

11. Restitution – compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary replacement.

12. Suspension – immediate dismissal from classes and activities at the college for at least the remainder of the term/semester in progress and/or a specified period of time thereafter. Any additional violations or failure to comply with other requirements stipulated during this time period of suspension may result in expulsion. During suspension, the student is not permitted to visit the college premises or attend any college functions without prior written permission from the vice president, student services or designee. Any student who is suspended due to misconduct will not be entitled to any refund of tuition or other fees and may incur additional charges and fees after financial aid is adjusted.

d) For employee appeals, refer to the appropriate handbook.

e) For hearing procedures for students, refer to the Student Code of Conduct.
Violations of Law

An employee or student may be accountable for sexual misconduct under applicable local, state, and/or federal law, as well as under LMC policy. A criminal investigation may be conducted concurrently with the Title IX investigation. Disciplinary action by LMC may proceed while criminal proceedings are pending and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced.

Resources for Support and Assistance

On-Campus

• Title IX (Students) Coordinator, Room A302, 269-927-8150
• Title IX (Employees) Coordinator, Room HTC105, 269-927-8146
• Director Public Safety, Room S111, 269-927-7060
• Dean of Student Affairs, Room A305, 269-927-8752

Off-Campus

□ Domestic and Sexual Violence Support Contacts:
  • National Domestic Violence Hotline 1-800-799-SAFE
  • Child & Family Services of Southwestern Michigan 269-925-1726
  • Safe Shelter 1-888-237-1891
  • Domestic Violence Coalition 1-888-655-9008
  • Michigan Coalition Against Domestic and Sexual Violence 517-347-7000
  • Spectrum Health Lakeland 269-927-5350

Counseling Information

Andrews Community Counseling Center: 269-471-6238  
www.andrews.edu/counseling
Providing free psychological services under the supervision of licensed psychologists. Mental health services to children, adolescents, and adults who reside in the Michigan area, or who are members of the community near the university. Office is located in Berrien Springs.

Centered on Wellness: 269-926-6199  
www.centerdonwellness.info
Offering behavioral counseling, coaching, consulting, education and prevention for children, families, couples, and adults. Offices are located in Benton Harbor and Niles.

Freedom Counseling Center: 260-982-7200  
www.freedomcounselingusa.com
Freedom Counseling Center provides high quality counseling and psychological evaluations to individuals, parents, couples, adolescents and children.
Riverwood Center: 800-336-0341 (24-hour hotline)
www.riverwoodcenter.org
Riverwood partners with children, families and adults in their journey toward recovering from behavioral health and substance use challenges, and helps individuals with intellectual disabilities succeed in community living. Offices located in Benton Harbor.

Southwestern Medical Clinic Christian counseling and Psychological Services: 269-429-7727
www.lakelandhealth.org
Counseling services for treating abuse and trauma, addictions and co-occurring disorders, anxiety, depression, AHHD, eating disorders, coping with loss and grief and behavioral services for children and adolescents. Offices located in Berrien Springs, St. Joseph, Stevensville, Coloma, and Niles.

HelpNet - Employee Assistance Program

The college’s Employee Assistance Program, available to all full and part-time employees, is administered through HelpNet. Information can be found in the Human Resources offices or on SharePoint under the staff and faculty benefit links.

Personal Protection Orders
  Berrien County Clerk’s Office
  All Personal Protection Order questions can be addressed at the Clerk’s Office at the Courthouse
  811 Port Street, ST. Joseph
  Phone: 269-983-7111, extension 8736
  Fax: 269-982-8642
  Email: PPO

A personal protection action involves seeking an order from the court to protect you from harassment, assault, beating, molesting, wounding, or stalking by another person. The order can also prohibit a person from entering your premises and from removing minor children, unless the removal is part of court-ordered parenting time. The person filing the petition for personal protection is called the petitioner. The person to be restrained by the personal protection order is called the respondent.

Types of Personal Protection Actions
There are two types of personal protection actions: domestic and nondomestic. A domestic personal protection order can be obtained if you have or had an established relationship with the other party or have a child in common. A nondomestic personal protection order can be obtained if you want to prevent threatening or violent behavior by someone with whom you have not had any form of domestic relationship; this type or order is also referred to as an order against stalking.
How Personal Protection Orders are issued
There are two ways personal protection orders can be issued. The court can issue an order after
the other person has been notified that you have filed for a personal protection order and after
the court has held a hearing. The court may also issue a personal protection order without
notifying the other person and without a hearing. This is called an ex parte order. In Michigan,
most personal protection orders are issued ex parte.

Stalking
Although it is a crime in Michigan for someone to assault or threaten another person, Michigan
law provides additional protection to persons who have a domestic relationship, or those who
are being harassed or stalked by another person, by allowing them to seek a personal protection
order. Stalking involves harassment that causes you to feel terrorized, intimidated, frightened,
or molested. This could include following you, making unwanted calls or mailings, or showing
up repeatedly at your home or work.

If you decide to file for a Personal Protection Order with the Berrien County Trial Court, the
forms may be picked up in two locations:

Berrien County Clerk’s Office
    1st Floor, Berrien County Courthouse
    811 Port Street
    Saint Joseph, MI 49085

    OR

Berrien County Clerk’s Office
    South County Building
    1205 N. Front Street
    Niles MI 49120

If you decide to file in Van Buren County, the location is Van Buren County Courthouse, 221E.
Paw Paw Street, Paw Paw, Michigan 49070; phone (269) 657-8218.
CRIME PREVENTION AND SAFETY PROGRAMS

The following programs are the most recent that were open to persons on campus; faculty, staff and students.

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<thead>
<tr>
<th>Program Name</th>
<th>Description</th>
<th>Target Audience</th>
<th>Topic</th>
<th>Annual Frequency</th>
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<td>Safety Awareness</td>
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</tr>
<tr>
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<tr>
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</tr>
<tr>
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<td>Details on how to update info.</td>
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<tr>
<td>Lockdown Drills</td>
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<tr>
<td>Active Shooter Response Training</td>
<td>How to react and protect yourself &amp; others.</td>
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</tr>
<tr>
<td>Campus Security Authority</td>
<td>Film and review responsibilities.</td>
<td>CSA’s</td>
<td>Responsibilities</td>
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</tr>
<tr>
<td>VAWA/Campus SaVE Act</td>
<td>Overview and Question and Answer session</td>
<td>Faculty and Staff</td>
<td>Awareness</td>
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</tr>
<tr>
<td>Dating Abuse: How to Recognize a Healthy Partnership</td>
<td>Raise Awareness</td>
<td>Faculty, Staff and Students</td>
<td>Awareness and warning signs.</td>
<td>1</td>
</tr>
<tr>
<td>Healthy Relationships</td>
<td>Raise awareness</td>
<td>RA’s</td>
<td>Responsibilities</td>
<td>2</td>
</tr>
<tr>
<td>Victim Advocate and Prevention Educator</td>
<td>Awareness and warning signs to abuse</td>
<td>Faculty, Staff and Students</td>
<td>Safety Awareness</td>
<td>1</td>
</tr>
<tr>
<td>Addiction</td>
<td>Alcoholism /Drug Use is the illness</td>
<td>Faculty, Staff and Students</td>
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</tr>
<tr>
<td>Title IX</td>
<td>Know your Title IX rights [right to make a report]</td>
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<tr>
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<tr>
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<td>Narcotics officer explains drugs.</td>
<td>RAs</td>
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</tbody>
</table>

*Not Anymore – online sexual assault prevention program for Community College students, supplemented by guest speakers. Provided all LMC students online access to modules covering Bystander Intervention, Consent and Sexual Assault, Dating/Domestic Violence, Harassment and Stalking, What to do if.........
RISK REDUCTION
The following preventive measures will help minimize your chances of being attacked:

- Accept the fact that you are a potential assault victim. Many people operate under the illusion that “it will never happen to me”. It may.
- Above all else… trust your instincts. If you feel uncomfortable or uneasy, leave immediately.

➤ Going Out
- When you go out, tell someone where you are going and when you will return.
- Always lock your house/apartment door and don’t lend the key. Keys can be duplicated.
- Don’t walk alone at night. Take a friend with you.
- Stay in well-lit areas.
- Photocopy all important papers that you carry in your purse or wallet, including your driver’s license. Keep the photocopies in a safe place. This information will be invaluable if you lose your license or cards.

➤ On The Street
Be alert. Look around you. Be aware of others on the street. Make it difficult for anyone to take you by surprise. Walk with your keys in hand.
- If you think someone is following you, turn around and check so that you are not caught off guard. Cross the street or change direction. Walk or run toward people, traffic, or lights. Consider confronting the aggressor and saying in a loud, firm voice, “Don’t follow me.”
- If a car follows you or stops near you for directions, do not approach the car. Change directions if you feel threatened and walk or run towards stores, a lighted house, or other people.

➤ In Your Car
- Park in well-lit areas. Check the street before leaving the car. Park in full view of the front of stores and houses.
- Walk to your car with keys ready.
- As you approach your car, look all around it, including underneath the car.
- If you have a flat tire, seek help inside the College, or from a nearby business if off campus. Beware of someone instantly appearing to offer help—attackers often disable cars to make their owners vulnerable.
- Check the interior of your car, particularly the back seat before entering; someone could be hiding there.
- Keep the car doors locked at all times, even when driving in daylight, so no one can jump in at a red light.
- Keep enough gas in your tank for emergencies.
- If you are followed by another car, drive to a police station or business that has lights on and people in it. You may not want to go directly home with someone following you. “Driveway” robberies are becoming more common.
- If your car breaks down, lift the hood, put on the flashers, and wait inside with the doors locked for help. Ask people who stop to call the police or AAA for you. Don’t
go with anyone. Don’t stop for stranded motorists. You are of greater help to them by calling the police of sheriff.

**Jogging**
- Try to jog with a partner. Try to avoid running alone, even in daylight. You could become injured from a fall and might need help.
- Stay in well-lit areas. Vary your route. Be suspicious of people you pass many times.
- Stay away from parked cars, especially those occupied by suspicious persons.

➤ **The Friendly Stranger And “Date Rape”**
Many attacks start with casual conversation—the assailant is “sizing the woman up.” If she is polite and friendly (as most people have been taught to be), he will probably attempt to intimidate her. Although most women feel uncomfortable about such an encounter before it escalates, they don’t want to appear to be unfriendly or suspicious. If your gut-level response to a man, whether a stranger or a friend, is uneasiness, try to get out of the situation as quickly as possible, even if it means being rude or making a scene.

Date rape occurs more frequently than reports seem to indicate. The key to prevention lies in:

- AWARENESS
- TRUSTING YOUR INTUITION
- ASSERTIVE BEHAVIOR

Women have deterred assailants in a variety of ways. Talking and thinking about what to do if attacked increases your chances for successfully defending yourself.

It cannot be emphasized enough that sexual assault is a crime of violence. Sexual assaulters are unstable persons who view their victims as objects upon which to vent their rage, aggression, frustration or insecurity. They do not view their victims as fellow human beings at that moment, and sexual gratification is not a motive for their crime. They wish to humiliate and degrade their victims, to make them lesser beings than they are. Too often, the fantasy they are acting out carries with it danger of physical harm in addition to the crime of rape itself.

**Where Can The Sexual Assault Occur?**

Sexual assault can happen virtually anywhere, but the largest single grouping of reported incidents is either in the home of the victim or the home of the offender. It is important to be aware of all potentially hazardous areas:

- Remote parking lots
- Stairwells
- Public parks
- Beaches at night
- Jogging courses
- School playgrounds
- On the street
- Shopping centers
Sexual assaults often occur in conjunction with other crimes such as burglary, so the more effective preventative measures and common-sense precautions you take, the less your chances of becoming a victim. But regardless of how many or how few precautions you take, you are not provoking the attack. A locked door gives you time to call the police (911).

**Bystander Intervention**

The College encourages all students and employees to participate in maintaining a safe environment on campus. The power of bystanders, those that witness inappropriate behavior, is a powerful tool to help reduce all types of misconduct on campus. Bystander intervention techniques are safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene, especially when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystander intervention includes but is not limited to:

- Making a report to Campus Safety and Security or local law enforcement when you observe inappropriate behavior.
- Ask if you can help if you see someone that looks like they are in trouble.
- Be respectful of yourself and others around you; ask others to be respectful when they are not.
- Stop someone from driving if they are impaired.
- If you see a friend or acquaintance doing something inappropriate, say something.
- Speak up if you see or hear offensive, derogatory, or abusive remarks or actions.
- If a friend is impaired, offer to assist them in getting home and don’t let them go off with people they do not know.

**SEX OFFENDER REGISTRATION**

In accordance with the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Lake Michigan College is providing a link to the Michigan State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of Michigan, convicted sex offenders must register with Sex Offender and Crimes against Minors Registry maintained by the State police.

The Sex Offenders Registration Act, MCL 28.721 et seq., directs the Michigan State Police to develop and maintain a public registry and provides guidelines on the type of offender information available to the public. The registration requirements of the Sex Offenders...
Registration Act are intended to provide the people of this state with an appropriate, comprehensive, and effective means to monitor those persons who pose such a potential danger.

In accordance with the Wetterling Act, Megan’s Law and the Campus Sex Crimes Prevention Act of 2000, it is now mandatory that all registered sex offenders report to the law enforcement agency having jurisdiction in which the institution of higher learning is located. The Michigan Public Sex Offenders Registry can be accessed at http://www.mipsor.state.mi.us/

I. Drug Free Workplace – Code of Conduct
Policy Statement:

The welfare and success of Lake Michigan College depends on the physical and psychological health of all its students and employees. The abuse of drugs and alcohol poses a serious threat to the College, its students, and its employees. Commonly abused or improperly used drugs and substances include, among others, alcohol, pain killers, sedatives, stimulants and tranquilizers as well as marijuana, cocaine, heroin, and other illegal drugs.

Lake Michigan College does not encourage or discourage alcohol consumption for those individuals who are of legal age in the State of Michigan. However, Lake Michigan College requires that when alcohol is consumed on the premises, that it be utilized in a socially responsible manner and only in those public situations prior approved by the College.

It is the joint responsibility of the College, its students, and employees to follow the policies and procedures developed to support a safe, drug-free environment.

Lake Michigan College adheres to and complies with the Drug Free Schools and Communities Act Amendments of 1989, which require an Institution of Higher Education to certify with the United States Department of Education that it has adopted and implemented programs to prevent the illicit use of drugs and the abuse of alcohol by students and its employees. In accordance with the Drug Free Schools and Communities Act, Lake Michigan College is distributing an annual notice and attachments to Lake Michigan College students and employees.

Lake Michigan College will make a good faith effort to continue to maintain a drug free workplace through the implementation of the following policies:

A. EMPLOYEES

1. The manufacture, distribution, possession, unauthorized use or sale of any Federally controlled substance and/or alcohol on College premises or while acting as an agent of the College is prohibited and will constitute grounds for termination.
2. Each employee engaged in the performance of a federal contract or grant must have a copy of the "Drug Free Workplace – Code of Conduct" and must agree, as a condition of employment, to abide by its terms and to notify the College of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after the conviction.
3. The College will notify federal contracting or granting agencies of any convictions (as described in paragraph 2) immediately within ten (10) days after receiving notice of the conviction.
4. The College requires employees convicted of violations of criminal drug statutes in the workplace to satisfactorily participate in a drug abuse assistance or rehabilitation program, or face sanctions up to and including termination.

The College will establish such procedures as it finds necessary to effectively enforce this policy.

The College maintains an Employee Assistance Program (EAP). It strongly urges employees to use the program for confidential help with alcohol or drug problems. It is each employee's responsibility to seek assistance from the EAP before the problem effects judgment, performance or behavior. For EAP assistance, contact the Executive Director, Human Resources at (269)927-8146.

B. STUDENTS
The manufacture, distribution, possession, unauthorized use or sale of any Federally controlled substance and/or alcohol on College premises or while engaged in College activities is punishable by law and is prohibited and will be subject to discipline, including expulsion.

The College will establish such procedures as it finds necessary to effectively enforce this policy.

C. MEDICAL MARIJUANA
The Michigan Medical Marijuana Act of 2008 (MMMA) permits qualified patients and their primary caregivers to use, possess and grow limited amounts of marijuana for treatment of certain debilitating medical conditions.

As marijuana remains classified as an illegal narcotic under federal law, institutions of higher education that receive federal funding are required to maintain policies prohibiting the possession and use of marijuana on their campuses. Accordingly, the possession, use, distribution or cultivation of marijuana, even for medical purposes, is prohibited on all Lake Michigan College property or at Lake Michigan College sponsored events or activities.

If a student or employee possesses a valid medical marijuana card, the student or employee cannot use or store marijuana on any Lake Michigan College campus or property. Medical marijuana which is prescribed for healing purposes is prohibited at Lake Michigan College even though there may be State laws which permit its use.

The College will establish such procedures as it finds necessary to effectively enforce this policy.

At minimum, an institution of higher education (IHE) must annually distribute the following in writing to all students and employees:

1. Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
2. A description of the legal sanctions under local, state, or federal law for the unlawful possession and distribution of illicit drugs and alcohol;
3. A description of the health risks associated with the use of illicit drugs and alcohol abuses;
4. A description of any drug or alcohol counseling, treatment, or rehabilitation reentry programs that are available to employees or students; and
5. A clear statement that the institution will impose sanctions on students and employees and description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct.

II. LEGAL SANCTIONS

A. Federal
Federal law provides criminal and civil penalties for unlawful possession or distribution of a controlled substance. Under the Controlled Substance Act as well as other related federal laws, the penalties for controlled substance violations includes, but is not limited to, incarceration, fines, potential for the forfeiture of property used in possession or to facilitate possession of a controlled substance (which may include homes, vehicles, boats, aircrafts and any other personal or real property), ineligibility to possess a firearm, and potential ineligibility to receive federal benefits (such as student loans and grants).

B. State
Under current Michigan state law, “a person shall not knowingly or intentionally possess a controlled substance.” If an individual is found guilty of a violation of the state law, they may be subject to large fines and/or imprisonment.

Michigan voters approved Proposal 1 enacting the Michigan Regulation and Taxation of Marijuana Act. Marijuana is legal for boarder use in Michigan under Michigan law; however, Marijuana is still an illegal narcotic under federal law. Lake Michigan College receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law.

A minor may not “purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content.” Violation of the law may subject a minor to fines, participation in a substance abuse program or treatment center, imprisonment, community service hours, and/or out of pocket expenses related to required substance abuse screenings.

C. Local
Berrien County follows State of Michigan laws.

III. HEALTH RISKS AND DANGERS IN THE WORKPLACE

A. Drug Abuse
The following subcategories are the most frequently used drugs, listed with their associated risks associated category (ies), per the Partnership for Drug-Free Kids (www.drugfree.org).

1. Prescription Drugs- covers both legally and/or illegally obtained.
a. Prescription pain relievers (Codeine, OxyContin, Percocet, Vicodin) – a large single dose can cause severe respiratory depression that can lead to death.
b. Prescription Stimulants (Adderall, Dexedrine, Ritalin) – taking high doses may result in dangerously high body temperatures and an irregular heartbeat. Potential for heart attack or lethal seizures.
c. Prescription Sedatives and/or Tranquilizers (Merbaral, Quaaludes, Xanax, Valium) – slows down the brain’s activity and when a user stops taking them, there can be a rebound effect, possibly leading to seizures and other harmful consequences.

2. Marijuana (Blunt, Dope, Grass, Hash, Herb, Mary Jane, Pot, Reefer, Skunk, Weed) – can cause memory and learning problems, hallucinations, delusions and depersonalization.

3. Ecstasy/MDMA (Adam, Bean, E, Roll, X, XTC) - can cause severe dehydration, liver and heart failure and even death.

4. Heroin (Big H, Black Tar, Dope, Junk, Skunk, Smack) – chronic heroin users risk death by overdose.

5. Inhalants (Whippets, Bagging, Huffing, Poppers, Snappers, Dusting) – chronic exposure can produce significant damage to the heart, lungs, liver, and kidneys.

6. Cocaine/Crack (Big C, Blow, Bump, Coke, Nose Candy, Rick, Snow) – can cause heart attacks, strokes and seizures. In rare cases, sudden death on the first use.

B. Dangers in the Workplace
On a worksite, the use of alcohol and other drugs may result in:
1. mistakes, accidents and injuries
2. damage to workplace equipment, causing subsequent injuries
3. a deterioration in workplace relationships
4. increased sickness-related absenteeism
5. lateness and lost time
6. a decrease in productivity
7. a decrease in staff moral

IV. Drug and Alcohol Programs
A. Employees
The following programs are available for employees at LMC:

1. The college’s Employee Assistance Program, available to all full and part-time employees, is administered through HelpNet. Information can be found in the Human Resources offices or on SharePoint under the staff and faculty benefit links.
2. Substance abuse treatment including counseling, in-patient and out-patient care, is available through the LMC group health plans. For more information employees may contact the Executive Director Human Resources at (269)927-8146.
B. Currently Enrolled Students
The following programs are available to currently enrolled students:

1. Substance Treatment Resources in Berrien County:
   - Comfort in Counseling Robyn’s Nest (269)983-6686
   - Harbortown Treatment Center (269)926-0015
   - Riverwood Center (800)336-0341
   - Southwestern Michigan Clinic Christian Counseling (269)429-7727

2. Students who would like information regarding additional alcohol and drug abuse referral services may contact the Dean of Student Affairs at (269) 927-8752.

3. Educational programs covering drug or alcohol abuse are covered in the Healthful Living, Health and Fitness, and Personal Health classes to acquaint students with the concept of wellness and the relationship between physical activity and optimal Health and fitness.

4. Brochures on underage drinking, drunk driving consequences, and drug use/abuse are available to students in multiple campus locations.

5. Informational booths, bulletin boards and tables on substance and alcohol abuse are available to students.

V. Disciplinary Sanction
A. Employees
“As required by the drug free workplace act, any employee found to be in violation of the above prohibition shall be subject to (1) mandatory participation in drug abuse assistance or rehabilitation programs as condition of continued employment; and/or (2) disciplinary action up to and including discharge or dismissal”

- Information regarding alcohol abuse can be found at:
  [http://www.drugabuse.gov/drugs-abuse/alcohol](http://www.drugabuse.gov/drugs-abuse/alcohol)

Furthermore, as a condition of continued employment, any employee who is convicted for a violation of any state or federal criminal statute involving manufacture, distribution, dispensation or use of any controlled substance in the workplace shall notify the Executive Director Human Resources of the conviction no later than 5 days after such conviction. The Executive Director shall report the conviction as required by the Drug Free Act. Failure to timely report such conviction shall subject an employee to disciplinary action, up to and including discharge. Any employee who is convicted as described above may be subject to (1) participation in a drug abuse assistance or rehabilitation program as condition of continued employment; and/or (2) disciplinary action, up to and including discharge.

B. Currently Enrolled Students
Violations of the student code of conduct are taken very seriously. When a currently enrolled student violates the student code of conduct, the following sanctions will apply.
Any combination of the following sanctions or other sanctions may be imposed through the judicial process. Multiple and/or repeated violations typically result in increased sanctions. The sanctions listed are not inclusive, but merely serve as guidelines.

1. College property restricted: restrictions from certain college facility or property, either physical or virtual, for a definite period of time.
2. Disqualification from receipt of institutional financial aid while the section is imposed or possible thereafter.
3. Educational Sanctions: a student is required to write a paper, plan and present a program, attend a class or seminar, or complete other educational requirements.
4. Expulsion: the most severe sanction of violation of college policy is expulsion which results in immediate dismissal and permanent separation from the college. Any student who is expelled due to misconduct will not be entitled to any refund of tuition or other fees and may incur additional charges and fees after financial aid is adjusted.
5. Fine: a monetary penalty for property damage, theft, or other violations that result in inconvenience cost to others.
6. Formal warning: a written reprimand that expresses disapproval of the student’s actions and warns against any potential violations of college policy in the future.
7. Interim Suspension: temporarily restrict student(s) from campus/college activities pending hearings.
8. Loss of Privileges: denial of specific privileges for a designated period of time.
9. Parental Notification: as permitted by law, the college reserves the right to disclose to parents or legal guardians information about a student’s violation of college regulations, policies and federal, state and/or local laws governing the use of alcohol and other controlled substances. The college may notify parents/legal guardians of alcohol or a controlled substance violation if the student is under 21. The Dean of Student Affairs or designee determines the circumstances under which parental notification takes place.
10. Probation: a period of observation and review. The length of this period of probation will be determined by the Dean of Student Affairs or designee. If found responsible for violating any college policies or failure to comply with other requirements stipulated during this period, the student may be immediately suspended from college and/or events pending disciplinary review.
11. Restitution: compensation for loss, damage or injury. This may take the form of appropriate services and/or monetary replacements.
12. Suspension: immediate dismissal from classes and activities at the college for at least the remainder of the term/semester in progress and/or a specific period of time thereafter. Any additional violations or failure to comply...
with other requirements stipulated during this time of suspension may result in
expulsion. During suspension, the student is not permitted to visit the
college premises or attend any college functions without prior written
permission
from the Dean of Student Affairs or designee. Any student who is
suspended due to misconduct will not be entitled to any refund of tuition or
other fees and may incur additional charges and fees after financial aid is
adjusted.

VI. ANNUAL NOTIFICATION OF THE DRUG
AND ALCOHOL PREVENTION PROGRAM
(DAAPP)
The College will provide currently enrolled students and employees with a copy of the Drug
and Alcohol Abuse Program notice annually. This notice will be emailed to the student via their
Lake Michigan College student email as well as their personal email. All employees will receive
the notice through the College email system.

VII. OVERSIGHT RESPONSIBILITIES
The Director, Culture and Talent Success shall have oversight responsibility of the
DAAPP including but not limited to; updates, coordination of information required in
the DAAPP, and coordination of the annual notification to employees and students.

PERSONAL SAFETY MEASURES
Since Lake Michigan College is a commuter college, students must carry many of their
possessions with them at all times. This presents a potential problem of petty theft of books,
purses, wallets, and hand-held electronics, etc., warranting security awareness of the student body
at all times while on campus.

SAFE AND SOUND ADVICE
- Don’t leave valuables unattended.
- Stay on lighted walks whenever possible.
- Walk with a friend.
- If confronted, yell or scream, create a commotion, get to a safe place.
- Keep your car locked and valuables out of sight while parked.
- Carry a flashlight at night.

CAMPUS SECURITY
Members of the campus security force are conservators of the peace. They seek to protect life
and property, prevent anti-social conduct, and preserve a secure campus environment. They work
with local, state, and federal law enforcement agencies. There is no written memorandum of
understanding between Lake Michigan College and law enforcement agencies.

Lake Michigan College security is staffed by contracted security guards supervised by certified
security officers. The entire security function is supervised by the Executive Director of Facilities
Management, the Director Public Safety or Facilities personnel.
Annually and when needed, the College reviews, revises, or develops rules and regulations on access and security of campus facilities. Furthermore, the Executive Director of Facilities Management periodically inspects the lighting, landscaping, and the College’s physical plant (doors, locks, etc.) to determine what improvements need to be made for maximum security.

Security officers and Facilities Management staff members respond to a variety of requests and regularly patrol the campus parking lots and buildings. Along with Facilities Management and Student Services, the security officers are responsible for the enforcement of College policies and regulations. The College staff also works closely with local law enforcement agencies and fire departments when criminal or safety incidents occur by investigating incidents and identifying precautions for the future.

With Your Safety in Mind…Campus Security and Facilities Personnel

**CAMPUS SECURITY AND FACILITIES PERSONNEL**

- Manage campus parking and regulation.
- Make emergency notifications.
- Investigate all criminal incidents on campus.
- Respond to all smoke, fire, and security alarms on campus.
- Available during operating hours.
- Arrest authority resides with local law enforcement agencies.

**EMERGENCY CALL STATIONS**

Emergency Call Stations are equipped to directly dial 911 and receive an immediate emergency response.

For your safety the following call station locations are identified:

**Benton Harbor Campus**

- Near main entrance
- Between the faculty/staff and student parking lots
- Outside the Todd Center building
- North of the Mendel Center Grand Upton Hall entrance
- Beckwith Hall entrance, pergola and athletic field concession stand
- Welch Center at the north east corner of the building

**Niles Campus**

- Between west parking lot and west building entrance

**South Haven Campus**

- Between main entrance and south(front) parking lot
EMERGENCY NUMBERS OUTSIDE OF LAKE MICHIGAN COLLEGE

Police & Fire

Berrien County Sheriff: 866 630-7679
Van Buren County Sheriff: 269-657-2006
Michigan State Police: 269 683-4411

BENTON HARBOR CAMPUS

Police (Benton Township): 269 925-1135
Fire (Benton Township): 269 925-3958

NILES-BERTRAND CROSSING CAMPUS

Niles City Police: 269-683-1313
Fire (Bertrand Township): 269 695-6191

SOUTH HAVEN CAMPUS

Police and Fire: 269 637-5151

Health and Medical

Spectrum Health Lakeland: 800 968-0115
Spectrum Health Lakeland (Niles): 269-683-5510
Southwestern Medical Clinic (Niles): 269-429-0900
Berrien County Health Department: 269-926-7121
Van Buren County and Cass County District Health Department: 269-621-3143

Mental Health

211/First Call for Help (United Way of Southwest Michigan): 269-925-7707 or 800-310-5454
Riverwood Community Mental Health Center
(Berrien County): 800-336-0341 or 269-925-0585
(Niles): 269-684-4270
Woodlands Behavioral Healthcare Network (Cass County): 800-323-0335 or 269-445-2451
Van Buren Community Mental Health Authority (Van Buren County): 800-922-
1418 or 269-657-5574  
Centered on Wellness  
(Niles): 269-683-7604  
(South Haven): 269-637-6236  
(Benton Harbor): 269-926-6199

**Domestic and Sexual Violence Issues**

Domestic Violence Shelters: 269-925-9500  
Child & Family Services of Southwestern Michigan: 269-925-1726  
Safe Shelter: 888-237-1891  
Domestic Violence Coalition: 888-655-9008  
National Domestic Violence Hot Line: 800-799-SAFE  
MI Coalition Against Domestic and Sexual Violence: 517-347-7000

**Counseling Information**

Andrews Community Counseling Center: 269-471-6238  
Providing free psychological services under the supervision of licensed psychologists. Mental health services to children, adolescents, and adults who reside in the Michigan area, or who are members of the community near the university. Office is located in Berrien Springs.

Centered on Wellness: 269-926-6199  
Offering behavioral counseling, coaching, consulting, education and prevention for children, families, couples, and adults. Offices are located in Benton Harbor and Niles.

Freedom Counseling Center: 269-982-7200  
Freedom Counseling Center provides high-quality counseling and psychological evaluations to individuals, parents, couples, adolescents and children.

Riverwood Center: 800-336-0341 (24-hour hotline)  
Riverwood partners with children, families and adults in their journey toward recovering from behavioral health and substance use challenges, and helps individuals with intellectual disabilities succeed in community living. Offices located in Benton Harbor.

Southwestern Medical Clinic Christian counseling and Psychological Services: 269-429-7727  
Counseling services for treating abuse and trauma, addictions and co-occurring disorders, anxiety, depression, AHHD, eating disorders, coping with loss and grief and

HelpNet Employee Assistance Program
The College’s Employee Assistance Program, available to all full- and part-time employees, is administered through HelpNet. Information can be found in the Human Resources offices or on SharePoint under the staff and faculty benefit links.

DAILY CRIME/FIRE LOG

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act a daily crime/fire log is maintained by Facilities Management.

The log of the most recent 60-day period is open to public inspection during normal business hours or visit https://www.lakemichigancollege.edu/safety and click on “Campus Crime and Fire Reports” under “Reports”.

The log contains the following specific information:
- Date the crime/fire was reported
- Nature of the crime/fire
- Date of the crime/fire (if known)
- Time of the crime/fire (if known)
- General location of the crime/fire (if known)
- Disposition of the complaint (if known)

The College may withhold information if (and as long as) the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to evade detection, or result in the destruction of evidence. The College may withhold only the information that would cause the aforementioned adverse effects. The College will disclose any information withheld one the adverse effect is no longer likely to occur.

For additional information, please contact Director, Public Safety (269) 927-7060 or Facilities Management (269) 927-8135.

PREPARING THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law which Lake Michigan College is committed to compliance.

Lake Michigan College prepares Annual Security Report in cooperation with local law enforcement agencies serving our campuses. Crime and arrest statistics for the report are compiled from police reports from the files of Berrien County Sheriff Department, Benton Charter Township Police Department, Benton Harbor Police Department, South Haven Police Department and the Michigan State Police. LMC does not have any officially recognized student organizations with off-campus locations. Therefore, we do not monitor or record criminal activities off-campus through local police agencies.
In addition, Maxient Student Conduct/Concerning Behavior reports along with incident reports are reviewed for accurate crime statistics reporting in the Annual Security Report.

Lake Michigan College does not remove reports of crimes unless they have been “unfounded” by law enforcement officials. LMC will report to the Department of Education and disclose in the ASR the number of crimes that were “unfounded” and subsequently withheld from the crime statistics. LMC had zero “unfounded” reports during calendar year 2017.

The Director of Public Safety/Evening Administrator prepares the Annual Security Report and then issues a statement to the campus community of the availability of the Annual Security Report.

**Responsibility:** Director, Public Safety/Evening Administrator; Clery Compliance Officer
Executive Director, Facilities Management

**References:** Clery Act
## Recording Criminal Incidents

**CRIME STATISTICS** – Niles Campus at Bertrand Crossing (On Campus)

<table>
<thead>
<tr>
<th>CRIMINAL OFFENSE</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
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<tbody>
<tr>
<td>Murder/non negligent manslaughter</td>
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<tr>
<td>Negligent manslaughter</td>
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<tr>
<td>Sex offenses – rape</td>
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<tr>
<td>Sex offenses – fondling</td>
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<tr>
<td>Sex offenses - incest</td>
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<tr>
<td>Sex offenses – statutory rape</td>
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<tr>
<td>Robbery</td>
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<tr>
<td>Aggravated assault</td>
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<tr>
<td>Burglary</td>
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<tr>
<td>Motor vehicle theft</td>
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<tr>
<td>Arson (only fires investigated by law enforcement and determined to be arson)</td>
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<tr>
<td>Domestic Violence</td>
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<tr>
<td>Dating Violence</td>
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<td>Stalking</td>
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<td>Aggravated assault</td>
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<td>Burglary</td>
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<td>Motor vehicle theft</td>
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<td>Intimidation</td>
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<td>Destruction/damage/vandalism of property</td>
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<tr>
<td>Domestic Violence</td>
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<td>Dating Violence</td>
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<th>HATE CRIME (by category of prejudice)</th>
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## HATE CRIME (by category of prejudice)

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<th></th>
<th>2016</th>
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<tbody>
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<td><strong>ARRESTS:</strong></td>
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<td><strong>WEAPONS:</strong> Carrying, possessing, etc.</td>
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<td><strong>DISCIPLINARY REFERRALS:</strong></td>
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<td><strong>WEAPONS:</strong> Carrying, possessing, etc.</td>
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<td><strong>ARRESTS:</strong></td>
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<tr>
<td>Drug abuse violations</td>
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<tr>
<td><strong>DISCIPLINARY REFERRALS:</strong></td>
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<td>Drug abuse violations</td>
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<td><strong>ARRESTS:</strong></td>
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<td>Liquor Law violations</td>
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<td><strong>DISCIPLINARY REFERRALS:</strong></td>
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<td>Liquor Law violations</td>
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**Total Unfounded Crimes**

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# CRIME STATISTICS

Public Property (Niles Campus at Bertrand Crossing)

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<th>CRIMINAL OFFENSE</th>
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<td>Negligent manslaughter</td>
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<td>Sex offenses – rape</td>
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<tr>
<td>Sex offenses – fondling</td>
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<td>Sex offences – incest</td>
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<td>Sex offences – statutory rape</td>
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<tr>
<td>Robbery</td>
<td>0</td>
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<tr>
<td>Aggravated assault</td>
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<tr>
<td>Burglary</td>
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<tr>
<td>Motor vehicle theft</td>
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<td>Arson (only fires investigated by law enforcement and determined to be arson)</td>
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<tr>
<td>Domestic Violence</td>
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</tr>
<tr>
<td>Dating Violence</td>
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<table>
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<tr>
<th>HATE CRIME</th>
<th>2016</th>
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<tbody>
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<td>Murder and non-negligent manslaughter</td>
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<tr>
<td>Burglary</td>
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<td>Motor vehicle theft</td>
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<td>Simple assault</td>
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<td>Intimidation</td>
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<tr>
<td>Destruction/damage/vandalism of property</td>
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<tr>
<td>Domestic Violence</td>
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<tr>
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<table>
<thead>
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<th>HATE CRIME (by category of prejudice)</th>
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<td>ARRESTS:</td>
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<tr>
<td>WEAPONS: Carrying, possessing, etc.</td>
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<td>WEAPONS: Carrying, possessing, etc.</td>
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<td>ARRESTS:</td>
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<td>ARRESTS:</td>
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<tr>
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<td><strong>Total Unfounded Crimes</strong></td>
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