

# NEW MEXICO TECH



2018 Annual Security and Fire Safety Report

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## A MESSAGE FROM THE CHIEF...

I am pleased to present the 2018 New Mexico Tech Annual Security and Fire Safety Report. This report is prepared by NM Tech and is intended to disseminate important information to the University community.

Crime statistics include those reported to the New Mexico Tech Police Department, the Socorro Police Department, the Socorro Sheriff's Department, the New Mexico State Police, and other designated campus officials.

This publication is intended not only to communicate mandatory reportable information, such as crime statistics and fire safety data, but also to inform current students and employees and assist prospective students and their families in the decision-making process of selecting a college or university.

By educating our campus community, prospective students and their families about types of crime on campus, and providing everyone with information on how to report crime. We can work to form new partnerships with those that we serve and work together to keep our campus community as safe as possible.

At New Mexico Tech, the safety and well-being of our students, faculty, and staff are our top priority.

I take great pride in the fact that New Mexico Tech enjoys a long history of being considered a safe campus with a low crime rate.

I look forward to working along side each and every member of our wonderful little community to keep up this long standing tradition.

\_Chief Scott Scarborough NMTPD

## ABOUT NEW MEXICO TECH

Located in Socorro NM in the colorful and historic Rio Grande valley. New Mexico Tech boasts a championship golf course and over 300 days per year of sunshine! Along with easy access to rock-climbing, mountain biking, hiking, camping, star-gazing, and many more outdoor activities!

New Mexico Tech offers Associate's, bachelor's, masters and doctoral degrees in science and engineering. The student body of 1,333 undergrads and 483 graduate students totals 1,816 students

## Annual Campus Crime Report

The compilation and distribution of this report is mandated under the Student Right to Know and Campus Security Act of 1990. This law requires colleges and universities to disclose information about campus safety and security procedures and to provide statistics concerning the occurrence of a number of criminal offenses.

In addition this report must contain statements describing campus law enforcement policies and procedures, campus security education and prevention programs, drug and alcohol policies, sexual assaults and an overview of the campus judicial process. The charts provided regarding criminal offenses reflect;

- a) All official reports filed for the Uniform Crime Report as reported by those agencies assigned significant responsibility for law enforcement:
- b) Anonymous reports from persons who have directly contacted or have been referred by faculty or staff at the University or in victim assistance programs.

Any difference in the number of official reports as noted through the Uniform Crime Report versus and total number of incidents reported, may be a result of the choice of the victim/complainant to refuse to file an official report or to have the incident handled through the campus internal judicial process.

While all visitors and members of the campus community are encouraged to report crime in a timely manor it is understood that a small number of crimes may not be reported and therefore may not be included in the published statistics.

Voluntary reporting of criminal activity to any official of this institution who has significant responsibility for student and campus activities is encouraged.

The Annual crime report is published every year by October 1 and contains three years of campus crime and fire safety statistics as well as certain campus security policy statements;

A full copy of this annual report is available online at [nmt.edu](http://nmt.edu) and can also be viewed in print at the NM Tech Police Department, Student Affairs Office, Human Resources Office and Registrar's Office.

## CAMPUS RESPONSIBILITY

Safety on campus must involve a cooperative effort between the campus police department and the campus community. Everyone utilizing campus facilities must assume some responsibility for the security of their personal belongings and their own personal safety.

- ⇒ Familiarize yourself with important phone numbers and the locations of the ten Code Blue emergency phones on campus.
- ⇒ Walk with friends or use the campus police safety escort service after dark
- ⇒ Protect their valuables such as TV's, computers, and bicycles by engraving these items or recording the serial numbers of each item and storing that information in a safe place.
- ⇒ Lock all vehicles when not attended and remove all valuables from sight or store them in the trunk.
- ⇒ Report all public safety related incidents and crimes to Campus Police in a timely manner. Prosecutorial decisions, or formal witness status can always be decided at a later time, but reporting should be done immediately.
- ⇒ New Mexico Tech has an established Behavior Intervention Team (BIT) to assist in addressing situations where students, faculty, or staff are displaying disruptive or threatening behavior that may potentially impede their own or other's ability to function successfully or safely on campus and this meeting is designed to help identify persons whose behaviors could potentially endanger their own or others' health and safety.



## THE NEW MEXICO TECH CAMPUS POLICE DEPARTMENT

Primary responsibility for enforcement and security on campus belongs to the NM Tech Campus Police Department, a part of the Administration and Finance division of NM Tech. The university uses a dual force concept, employing both sworn police officers with full arrest authority and non-sworn security officers. The NM Tech police departments sworn personnel currently consists of ten Police Officers including: one Detective, two Sergeants, and the Chief. The police departments non-sworn personnel include one administrative assistant, four dispatchers and ten security personnel including one key officer. And three student officers.

NM Tech Police Department is located in the Student Activities Center (SAC) on the south east corner of campus and is accessible 24 hours a day seven days a week.

As a condition of employment all police officers employed by the NM Tech Campus Police department must attend and successfully complete the NM Department of Public Safety Basic Police Training Academy within one year of employment as required by NM state law.

All personnel must then maintain appropriate levels of training in CPR and basic first aid. In addition, to the state mandated biennium training requirements, firearms qualifications are conducted a minimum of twice per year. The Campus Police maintain a supportive working relationship with city, county and state police agencies.

NM Tech Campus Police file monthly Uniform Crime Reports to the FBI. Information on crimes that may impact or relate to the surrounding community, county and state are shared directly with appropriate law enforcement agencies.

In instances where timely reporting to the campus is warranted, The Campus police department will utilize the RAVE emergency notification system to notify students and staff of incidents by email, text and phone call.

All reports of criminal activity will be investigated and/or forwarded to the appropriate law enforcement agencies as needed based on the jurisdiction in which the crime occurred. All criminal prosecutions for offences taking place on the NM Tech campus will be initiated by Campus Police personnel.

In cases where actions are both violations of campus policy and violations of the law, and the perpetrator is a student of the University, both internal and external judicial action may be taken. The office of Student and university relations will initiate disciplinary action in accordance with the University Judicial Code for violators who are students.

Any Internal judicial action initiated in cases involving violation of state statutes will be in addition to, and not in lieu of, filing of criminal charges before the local courts. Students should be aware that certain information may be shared regarding on-campus violations.

Complete background investigations are made on all applicants considered for employment with the campus police department. Each background investigation consists of a New Mexico and FBI criminal records check and personal contact of references.







## Emergencies on Campus

### MEDICAL EMERGENCIES - Call 835-5555 or 911

For medical emergencies that appear to be life-threatening such as head, neck or back injuries, excessive bleeding, breathing difficulty, convulsions, loss of consciousness, or chest pains:

- ⇒ Call **911** for an ambulance: be sure to give exact locations and nature of emergency.

### NON-EMERGENCY MEDICAL SERVICES

- ⇒ Contact campus health center staff at 835-5094 and a police transport will be arranged, if appropriate.
- ⇒ Members of the campus community should check with the campus health center for hours of operation.

### POLICE EMERGENCIES-Call 835-5555 or 911

For situations that require urgent police assistance such as criminal or suspicious activity, disorderly or threatening behavior in progress, or a vehicle or pedestrian accident:

- ⇒ Call Campus Police; be sure to give exact location and nature of the emergency.

### FIRE EMERGENCIES

- ⇒ Upon discovery of a fire, activate the local alarm and vacate the area.
- ⇒ If a fire is suspected but not observed: Activate the local alarm before contacting University police at 835-5555 or **911**. call from a safe location. If you suspect a fire, **Do Not** remain in the building.
- ⇒ When in doubt regarding a fire emergency (smoke visible but no flames, strong electrical burning odor): Call **911**.
- ⇒ for routine campus police information and assistance dial 835-5434.

## Campus Security Authorities

The Campus Right to Know Act mandates that institutions disclose statistics both for crimes reported to criminal Justice agencies and crimes reported to other members of the campus community. Local contiguous police agencies providing crime data include Socorro Police Department, Socorro County Sheriff's office and the NM State Police Socorro District 11.

While everyone on campus is encouraged to report crime, under the Campus Right to Know Act some individuals are designated as campus security authorities. The name campus security authority is somewhat misleading as it is applied to a group of people who by function are not necessarily engaged in security-related work. According to the law, any person who has the authority and duty to take action or respond to particular issues on behalf of the University, or has significant responsibility for student actions is defined as a campus security authority.

Because job titles and official responsibilities vary from campus to campus, the Campus Right to Know Act does not provide a list of specific titles that should be designated as a campus security authority. At NM Tech the following titles have been recognized as campus security authorities in addition to all sworn and unsworn members of the NM Tech Campus Police Department:

- ◆ Vice President for student Affairs, all subordinate administrators, and all division staff. Excluding clerical staff.
- ◆ Title IX Coordinator and subordinate non-clerical staff.
- ◆ Associate Vice President for Human Resources and subordinate non-clerical staff.
- ◆ Advisors to any student group.

Note: Students may be included in this category if they are employees of the University and have responsibility for student activities (to include residence hall assistants and peer educators).

Pastoral and professional licensed counselors are exempt from disclosing reported offenses if they are acting in their role of pastoral and professional counselors. Counselors are still encouraged to provide confidential reporting information to crime victims. Such confidential reports are still valuable in enhancing the safety of the greater campus community and in assuring the accuracy of campus crime data. CSA's are notified of their responsibility on a yearly basis and have a tutorial available to them online under the title IX website.

## Timely Warnings: Campus Safety Alerts and Crime Alerts

The New Mexico Tech Police Chief or a designee will develop timely warning notices for the University Community to notify members of the community about serious crimes against people that occur on campus, where it is determined that the incident may pose an **ongoing threat** to members of the New Mexico Tech community. These warnings will be distributed if the incident is reported either to Campus Police directly or indirectly through a Campus Security Authority or other Local Law Enforcement agencies.

## Immediate Notifications

New Mexico Tech's Rave [Emergency Alert](#) System will reach students via cell, phone, voice, text and email. Returning and new students are encouraged to "Opted In" to the Rave Emergency Notification System.

[Emergency Notifications](#) are issued for any special situation that concerns campus safety, such as severe weather advisories, suspicious package with confirmation of a device, a tornado, a fire/explosion, suspicious death, and will provide information to students, staff, and faculty on recommended actions to take and where to proceed.. This will allow students to stay safe and keep them out of harms way as a situation is happening, or to stay clear of an incident scene all together.

## DAILY CRIME AND FIRE LOGS

The Campus Police Department maintains a daily crime and fire log. Criminal acts reported to our office will be entered into the crime log within two business days unless its disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Information that could identify either the victim or the alleged perpetrator is excluded. The logs are available for public inspection during business hours.

## EMERGENCY PREPAREDNESS

The Campus Police Department coordinates the University's Emergency Response Team (ERT).

This group is comprised of Public Safety command staff and senior managers from various campus departments, who meet regularly to develop and practice the implementation of emergency plans, including disaster response and evacuation through regularly scheduled drills each year. For more information about emergency preparedness policies, visit [www.nmt.edu/office-of-emergency-planning](http://www.nmt.edu/office-of-emergency-planning)



## REPORTING CRIMINAL INCIDENTS

All students, employees, and guests are encouraged to report suspected criminal incidents, accidents, and other emergencies promptly by calling Campus Police at 575-835-5555, reporting directly to any uniformed campus police officer or by visiting our main office located in the S.A.C. building 606 Navajo loop on the South East corner of campus.

A crime victim who does not wish to pursue action within the University system or through the criminal justice system may still file a report describing the details of the incident and depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality.

The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, the Department may not be able to assure confidentiality and we will inform you in those cases.

The Campus Police Department will vigorously investigate all reports of crimes. This includes confidential (where the reporting parties' names are known but not released) reports. Information from crime reports is then analyzed to identify emerging crime trends and allocate resources more efficiently

## MISSING PERSONS

**Missing Student Notification & Response Policy: Effective January 10, 2015** New Mexico Tech defines a "missing student" as any registered student currently living in University housing who has not been seen by friends, family, staff, faculty or associates for a reasonable length of time, and whose absence has been brought to the attention of Campus Police. This policy is provided to all NMT residential students in compliance with the federal Clery Act as amended by the Higher Education Opportunity Act of 2008.

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Missing student reports on campus often result from a resident changing his or her routine without informing roommates and/or friends and family of the change. The primary objective of New Mexico Tech when responding to a report of a missing student is to establish contact with the individual, to ensure his/her well-being, and to offer appropriate support and assistance. If an absence has occurred under circumstances that are suspicious or cause concern for safety, efforts will be made immediately to contact the student to determine his or her state of health and well-being.



## Missing Persons continued...

### Registering confidential contact information:

Residential Life provides forms to all residential students to register contact information for themselves; contact information to be used in cases of emergency; and confidential contact information to be used specifically in the event they are determined by Campus Police to be missing. This form, known as a "Resident Registration Card" is generally provided to a residential student upon his/her initial check-in to University Housing. Additionally, Residential Life distributes blank resident registration cards to all new and returning residents at least once per academic year in order to have the most current contact information on file for residents. During any period of their residency, students may also update any of their registered contact information on file by visiting Residential Life in the Fidel Center during normal business hours. Resident Registration Cards are only accessible by Residential Life staff and authorized University officials who may share the information with law enforcement or other emergency personnel as appropriate.

If a resident may be missing: Anyone who has reason to believe a student is missing should immediately notify Campus Police at 575-835-5555. When a report of a missing residential student is received by Campus Police, a preliminary investigation will be initiated. In most cases, Campus Police and/or Residential Life will initially attempt to locate a student by sending staff to check the student's University residence and/or trying to reach the student using any contact information they provided for themselves in their Resident Registration Card.

If the student's absence is verified, the University will notify any contact person(s) designated by the student not later than 24 hours after Campus Police determines the student to be missing. If the student is under 18 years of age and not an emancipated individual, the University will notify the custodial parent or guardian of the student and the contact person(s) designated by the student (if different from the student's custodial parent or guardian) not later than 24 hours after the student is determined to be missing.

New Mexico Institute of Mining and Technology Missing Student Notification & Response Policy Page 2 of 2 When Campus Police determines a residential student to be missing, additional response may be taken including, but not limited to:

- 1 Notifying other local law enforcement agencies

- 2 Attempting to reach the student via phone, e-mail, social media or other means of electronic communication

- 3 Contacting roommates, friends, teachers and acquaintances for any additional information that might help locate the missing student

- 4 Conducting a search of the missing student's room or apartment, coordinated by Residential Life and/or Campus Police

- 5 Conducting a general campus search, coordinated by Campus Police

If a missing student is located or returns to campus at any time after the matter has been reported, Campus Police and Residential Life will attempt to ensure other parties involved have been notified of the student's status.

**Option for non-student residents to register contact information:** The University provides some family housing for enrolled students who request to have their partners and/or dependents live with them on campus. During the summer and under special circumstances during other times of the year, the University also provides housing to persons affiliated with the University who are not enrolled in classes. Any person living in University housing, but who is not considered a registered student, will be allowed to submit emergency contact and in-case-of-considered contact missing information to be kept on file with Residential Life, i.e. students in family housing can submit contact information for their children. Residential Life will use or share with Campus Police this information when a non-student resident is reported missing and on a case-by-case basis in other circumstances.

**Procedures for reporting any missing person ON campus:** A New Mexico Tech employee, student or other member of the college community receiving information regarding any alleged missing person should immediately report it to Campus Police by calling 575-835-5555 or by contacting the department in person at the Student Activities Center (SAC). Any person reported as missing to New Mexico Tech Police will be reported to the National Crime Information Center (NCIC) within two hours of a police officer deeming the person to be missing.

**Procedures for reporting any missing student/person OFF campus:** Please Call: ☎ 911 ☎ Socorro City Police: 575-835-4222; ☎ Socorro County Sheriff: 575-835-0941/575-835-0741; or ☎ New Mexico State Police: District 11-Socorro 575-835-0741





## CRIME PREVENTION

- ⇒ Useful tips on crime prevention are available from Campus Police via informal lectures that can be scheduled for any size group and through the dissemination of information packets on personal and residential safety.
- ⇒ Inter-campus police / security escorts are available to students and staff after hours
- ⇒ Personal Property registration and engraving available
- ⇒ Anti theft / anti burglary programs are encouraged (i.e. neighborhood watch programs, operation ID )
- ⇒ Bicycle registration
- ⇒ Classes on identifying behaviors of concern and best practices on surviving dangerous situations from the center for personal protection and safety available to any size group.

## FIRE SAFETY

Every University student residence hall has:

- ⇒ an interior fire alarm system with detection throughout the building, including detectors in every sleeping room;
- ⇒ Quarterly testing of fire detection, suppression, and notification equipment (all test records are maintained within Campus police and residential life);
- ⇒ an interior fire alarm panel that triggers a full alarm response from both the Socorro Fire Department and Campus Police upon activation

Please see Appendix for a list of all on-campus student residence halls, their fire suppression and detection systems, and fire drills conducted.

### Fire Evacuation Plan and Procedures

The following procedures will be used in emergency evacuation of a NMT building due to a fire or smoke, and a notice of these procedures will be kept in a prominent place in each administrative unit and work area.

- ⇒ Familiarize yourself with an escape plan.
- ⇒ Familiarize yourself with emergency equipment: fire extinguisher, alarm, ladders, etc. All faculty, students, and staff should know the location of fire extinguishers, fire exits, and alarm systems in your area and know how to use them.

### Building Evacuation

When an alarm sounds, you **MUST LEAVE** the building. It is a violation of New Mexico State Law to fail to leave a building when the fire alarm is sounding, pursuant to NMSA § 30-7-22.

Always assume it is a real emergency and leave the building.

Evacuate all rooms, closing all doors to confine the fire and reduce oxygen.

Assist the handicapped in exiting the building.

**DO NOT USE THE ELEVATORS.**

Once outside, proceed to the nearest available parking area. Keep streets, fire lanes, hydrant areas and walkways clear for emergency vehicles and personnel.

**DO NOT RETURN TO THE BUILDING UNLESS TOLD TO DO SO.**

See evacuation plans on each residential hall room door or visit the Campus Police web site for evacuation plans for all on campus dorms and on and off campus apartments.

### Residential life Fire Safety Policies and procedures

Fire safety awareness, education and compliance are essential for maintaining a safe and comfortable environment to live and learn. Regardless of the frequency of alarms, participation in evacuation procedures is mandatory.

Failure to comply may result in dismissal from the residence halls. Unannounced fire drills will be conducted in all residences at least five times per year, except in family housing apartments where there will be at least one drill each semester. Evacuation procedures are posted conspicuously in each residential area. Residential Life or Campus Police staff may open rooms during drills to verify evacuation.



The following items are considered fire hazards and are prohibited inside all University residences:

- ☒ Barbecues
- ☒ Candles (including candle warmers)
- ☒ Combustion engines
- ☒ Flammable materials such as paint thinner, gasoline or motor oil
- ☒ Gasoline or electrical powered vehicles
- ☒ Halogen lamps
- ☒ Holiday/string lights (unless low wattage, less than 12 watts)
- ☒ Hookahs
- ☒ Hot plates
- ☒ Hot pots
- ☒ Incense
- ☒ Lava lamps
- ☒ Microwaves over 700 watt usage
- ☒ Neon signs
- ☒ Space heaters (with the exception of those which may be temporarily issued by University staff)
- ☒ Stoves (wood, charcoal or gas)

The number of occupants at any time in a double-occupancy bedroom may not exceed 8.

The number of occupants at any time in a double-occupancy bedroom may not exceed 8.

The number of occupants at any time in any single-occupancy bedroom may not exceed 4.

The number of occupants at any time in any apartment may not exceed the number of residents assigned to that living unit, plus two guests

each. In special circumstances, exceptions may be made as allowed by Residential Life if permitted by fire safety officials.

Residents are encouraged to confront individuals disregarding the Fire Safety Policy and bring violations to Residential Life Staff promptly.



#### Current NMIMT Res-Life Community Standards

All students and guests are prohibited from: intentionally setting fires; falsely reporting a fire; removing or discharging fire extinguishers without cause; tampering with safety or fire-fighting equipment; failing to immediately vacate a building at the sound of a fire alarm; hampering fire evacuation or investigation procedures; fastening stair doors, exit doors, or other safety doors in an open position; failing to keep corridors, stairwells, and public areas free of obstacles; using or possessing candles, incense or other items that produce burning embers or flames; using or possessing space heaters or halogen bulbs/lamps; using or possessing electrical appliances or tools with an open or exposed heating element other than those listed as authorized or provided by the University in apartment residences; installing portable air conditioners; using any electrical devices lacking a UL (Underwriters Laboratories, Inc.) rating; using electrical equipment in a manner other than the designed use; hanging items such as decorations from doors, windows or their frames in a manner that may impede exit; covering greater than 25% of any wall or ceiling within a bedroom or common area; covering fire system equipment, bringing “live cut” trees or shrubs (such as Christmas trees) or combustible decorations into residential facilities.

Curtains must be flame resistant (per NFPA 701). Upholstered furniture must be flame resistant (labeled CAL 133). Extension cords, multi-plug adapters and plugging one power strip into another one (piggy-backing) are prohibited.

Power strips must be UL approved, grounded, 3-prong, 12 or 14-gauge, and equipped with an over current surge protector.

Residents are permitted to have personal refrigerators in their bedrooms, provided the appliance is in good working condition with: a capacity of 6 cubic feet or less and using 3 amperes or below.

Residents are permitted to have personal microwaves in their bedrooms, provided the appliance is in good working condition and uses no more than 700 watts.

Residents may keep coffee makers as well as irons (for garments or hair) in their bedrooms as long as the devices are attended when in use and unplugged when unattended.

Besides the few devices aforementioned in this section, any other small appliance or device that produces heat is not allowed in student bedrooms.

Cooking is prohibited in all student rooms/common areas other than in designated kitchen areas in some halls and in apartments where cooking is only permitted under the following conditions:

All general appliances provided by the University and any smaller appliances brought in by residents are only to be used for their intended purposes. Stove, ovens and microwaves should NEVER be used when unattended.

Residents who don't use appliances in an appropriate manner may lose the use of University-furnished appliances or they may be directed to remove certain appliances. If a Residential Life staff member deems any appliance or other item in a building to present a danger, residents may be asked to remove it immediately.

#### **Access to Campus Facilities**

Most campus buildings and facilities are accessible to members of the campus community during normal business hours, Monday through Friday. Authorization to use facilities when the university is not in normal operation must come from the facility staff or staff responsible for the specific area. Proper identification, such as a university issued identification card, is required when using any campus building or facility.





## UNIVERSITY POLICY ON ALCOHOL AND DRUGS

The Tech Student Alcohol and Drug Policy is intended to comply with the letter and the spirit of the provisions of the 1998 Congressional amendments to the Higher Education Act titled, "Collegiate Initiative to Reduce Binge Drinking and Illegal Alcohol Consumption" on college campuses.

All Tech students should read this policy to become familiar with its provisions and the possible consequences of violating Institute rules and New Mexico State laws.

Tech is concerned with both the welfare of the Institute community as a whole, and with the academic and personal development of each student. The Institute strives to create a healthy environment, one in which alcohol use will not interfere with learning, performance, or development. Alcohol abuse disrupts this environment and places at risk the lives and well being of the members of the Institute community, as well as the potential of students for contributing to society. All members of the Institute community are responsible for preventing the illegal or high-risk use of alcohol or other drugs.

As members of the Institute community, students are expected to comply with and abide by the policies and guidelines as stated, as well as the laws of the State of New Mexico.

No college campus is immune to alcohol abuse and students need to understand the health risks of alcohol consumption.

Tech's Policies and Procedures on the Consumption of Alcohol Students who have attained the legal drinking age (21 years) do have a right to consume alcohol under certain circumstances. Tech acknowledges this right by allowing alcohol consumption when the use is within New Mexico's law, as well as within campus rules. However, the Institute strongly discourages the abuse of alcoholic beverages. Tech has established this policy governing the possession, sale, and consumption of alcoholic beverages on the campus to encourage responsible behavior. This policy is subject to change in order to comply with new local, state, or federal laws, or changes in Institute operating procedures pertaining to the possession and consumption of alcoholic beverages.

The following guidelines and rules shall apply to all student functions held on the Tech campus, or officially sanctioned by the Institute:

- ⇒ No alcoholic beverages will be dispensed or served at Institute-sanctioned student functions. An exception may be made for a function, but only with the recommendation of the Dean of Students and approval of the President of the Institute.
- ⇒ Tech students who are 21 years of age or older may only consume alcohol Tech students who are 21 years of age or older may consume alcohol in some student residences when permitted in accordance with Residential Life Community Standards, or in licensed facilities. New Mexico law specifically prohibits open containers in public, which includes all common areas on campus. Kegs (party kegs, pony kegs, party balls, etc.) are expressly prohibited.
- ⇒ All students attending an activity where alcoholic beverages are served, consumed, or present must maintain on their person a clear means of picture identification as appropriate proof of age. Students and other individuals who alter their ID cards to falsify their age are in violation of Institute regulations and are subject to its disciplinary proceedings and sanctions.

**Alcohol & Drug Policies (NMT Student Handbook Last Revised: August 27, 2018 NMIMT Academic Affairs, Graduate Studies & Student University Relations|| Student Handbook Page 30 of 88):**

### Disability Access

New Mexico Tech is committed to fostering a campus that is accessible to people with disabilities. It regularly reviews access needs and makes every effort to remove physical barriers to make significant accessibility improvements. For questions or concerns regarding access, please send an e-mail to facilities management at [facmgmt@admin.nmt.edu](mailto:facmgmt@admin.nmt.edu)

### HOW TO SIGN UP FOR RAVE ALERT EMERGENCY NOTIFICATIONS

Go to [getrave.com](http://getrave.com)

Type in "New Mexico Institute of Mining and Technology" and hit "Continue"

Click "Register"

Enter your name, your NMT email address, and cell phone number and then create a password

Check the box indicating that you have read the Terms of Use

Click "Proceed to Next Step"

You will be asked to confirm your cell phone service provider and click "Proceed"

You will receive a confirmation email with a link to confirm your cell number

AND you will receive a confirmation text message that will contain a 4-digit code, which you will enter on the website.

Click "Finish"

Once you are registered, you will receive emergency notifications, including class cancellations, weather alerts, utility outages and other critical and timely emergency notifications.

You will not receive spam or non-urgent messages via the RAVE Emergency Alert System

## Residential Life Alcohol Policy NMIMT Residential Life|| Community Standards Page 15 of 29

Persons of legal age (21 or older) are permitted to possess and consume alcoholic beverages inside University apartments and residence halls (except Baca Hall which is a substance-free residence) under the following conditions:

- ⇒ The door and blinds to the bedroom/apartment are closed whenever alcohol is visible.
- ⇒ Residents or guests may not cause any disturbance or concern to others in the community.
- ⇒ All persons present must have on their person a legitimate means of picture and age identification.
- ⇒ The number of people in the bedroom/apartment may never violate Fire Safety or Guest policies.
- ⇒ Everyone present in the bedroom or apartment where alcohol is available must be at least 21 years of age (regardless of who may or may not be consuming).

\*Residents living in family housing with children under their legal guardianship are permitted to keep alcoholic beverages in their apartments and may consume alcohol at their discretion as long as they are abiding by all other State laws and University policies and do not serve or provide access to alcohol for anyone under 21 years of age regardless of relation.

Students and guests must always abide by all New Mexico State laws and all University policies & guidelines regarding the purchase, possession, transportation and consumption of controlled alcohol- containing beverages.

Devices designed for rapid consumption of alcohol are prohibited and subject to confiscation regardless of the age of the owner

Other Prohibited items or behavior include:

Kegs ◇ Binge drinking ◇ energy substance while drinking alcohol ◇ Drinking games ◇ Alcohol paraphernalia ◇ beer signs, lamp shades, etc ◇ open containers ◇ public intoxication

Students and guests who refuse to recognize and obey the authority of Residential Life Staff or Campus Police Officers risk criminal charges and campus judicial action. If off-campus guests are in violation of Residential Life policies, they may be

- ⇒ Students or other individuals who alter government agency documents (driver's license, birth certificate, etc.) may also be in violation of the laws of the state of New Mexico and subject to its proceedings and sanctions.
- ⇒ Non-alcoholic beverages must be available during approved campus functions at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages. Food must also be available in appropriate quantities.
- ⇒ A means of readily identifying students who have attained the legal drinking age must be provided by the sponsoring group(s) involved.
- ⇒ The consumption of alcoholic beverages must not result in a disturbance to a social event or to the educational environment. Intoxication may result in disciplinary action as defined in the Student Discipline Policy.
- ⇒ All Tech-sponsored activities for students are alcohol-free. The Student Activities Board (SAB) is a Student Government Association programming committee that sponsors events and activities such as concerts, ski trips, comedy shows, movies, and dances. Consistent with its educational mission, Tech also assists its members in finding alternatives to alcoholic beverages for promoting social interaction and stress reduction.
- ⇒ Tech has a responsibility to ensure that an environment exists in which students can pursue their academic and personal development. However, in general, the Institute cannot monitor the environment external to the university campus. Student organizations are registered or recognized to function only on the Tech campus unless otherwise contracted or agreed to by standard written Institute procedures. Tech is not responsible for the activities of individual students or student organizations when those off-campus activities occur, unless this activity is formally recognized and approved by the Institute.

### NEW MEXICO TECH DRUG POLICY

New Mexico State law supersedes any policy developed and/or in place by Tech with regards to drug use or possession. This means students are subject to the State Law as well as those of Tech.

Tech does not condone the possession, use, or distribution of marijuana, LSD, or other hallucinogens and illegal narcotics by anyone in any campus facility or on the campus grounds. Any individual known to be possessing, using, or distributing such drugs or drug paraphernalia is subject to criminal and/or disciplinary action and possible arrest, imprisonment, or fine according to state law. The rules strictly prohibit:

- ⇒ Manufacture, distribution, dispensation, possession, sale, purchase, or use of illegal drugs on Tech premises or in Tech vehicles;
- ⇒ Storing any illegal drug anywhere on Tech premises; x Misuse of prescription drugs or over-the-counter substances; and
- ⇒ Being under the influence of an illegal drug on Tech premises or businesses or in Tech vehicles.

Student organizations or individual students who violate Tech's controlled substance policies and state or federal laws may be subject to civil, criminal, and Institute proceedings and sanctions. Violations of this campus drug policy will be referred to appropriate Institute officers, including Campus Police.

Students and student organizations may be subject to sanctions by more than one appropriate agency. Sanctions for the violation of Institute policies are based upon the severity and frequency of the violation. Sanctions may include, but are not limited to:

- ⇒ Notification of the parents of students under the age of 21 years;
- ⇒ Suspension of student organization status;
- ⇒ Appropriate probationary conditions imposed upon student organizations;
- ⇒ A requirement to complete community service projects;
- ⇒ Removal from campus housing;
- ⇒ Suspension of individual students or some other penalty as designated by the Student Discipline Policy, including permanent dismissal from the Institute.





# New Mexico Tech INTERIM

## Sexual Misconduct & Title IX Offenses Policy

The federal gender equity law, Title IX of the Education Amendments Act of 1972, protects people from discrimination based on sex in education programs and activities that receive federal financial assistance, including New Mexico Institute of Mining and Technology. The law states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Examples of the types of discrimination that are prohibited under Title IX include sexual harassment, sexual assault, stalking, the failure to provide equal opportunity in academics, athletics & other programs, and discrimination based on pregnancy. Title IX is enforced by the U.S. Department of Education’s Office for Civil Rights. New Mexico Institute of Mining and Technology is currently reviewing its Title IX procedures and is in the process of developing updated policies and protocols to address sexual misconduct and discrimination all its forms.

During this period of review, the University has established the following temporary Sexual Misconduct & Title IX Offenses Policy

New Mexico Tech is committed to maintaining a healthy and safe learning, living, and working environment which promotes responsibility, dignity, and respect for all persons. Sexual harassment, sexual violence, and all forms of gender- and sex-based discrimination are strictly prohibited and will not be tolerated.

Examples of conduct of a sex or gender-related nature that may constitute a violation of this policy may include, but are not limited to:

- ⇒ a. Rape, sexual assault, sexual battery, sexual coercion, sexual exploitation, stalking, or any form of sexual violence including any act where consent is not affirmed;
- ⇒ b. Unwelcome sexual advances, regardless of whether they involve physical touching (e.g. gestures made toward another for sexual gratification);
- ⇒ c. Sexually explicit or gender-based statements, comments, questions, jokes, innuendoes, anecdotes, or gestures;
- ⇒ d. Use of technology, electronic mail or computer dissemination of gender-based communications or sexually explicit images;
- ⇒ e. The posting of pornography or other sexually explicit materials in University offices, classrooms or any other public area owned or controlled by the University;
- ⇒ f. Requests for sexual favors in exchange for actual or promised job or educational benefits.

As New Mexico Tech augments its policies and procedures to more effectively address sexual misconduct, the University will work toward adopting specific definitions of various aspects of prohibited conduct including: sexual harassment, hostile environment, sexual assault, domestic violence, dating violence, sexual exploitation, stalking, retaliation and intimidation. In the interim, the University will reference the language and definitions found in existing discrimination policies as well as all applicable local, state and federal laws.

For the purposes of this interim policy, the University has adopted the following definition of consent:

**CONSENT:** “The affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter.”

Under this definition, an individual who was asleep, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or who was under duress, threat, coercion, or force, would not be able to consent. Further, one would not be able to infer consent under circumstances in which consent was not clear, including but not limited to the absence of “no” or “stop,” or the existence of a prior or current relationship or sexual activity.



# Sexual Misconduct & Title IX Offenses Policy

## Continued...

Title IX offenses can occur on-campus or off-campus at any academic, educational or other University/University-related program. Offenses can occur between students, faculty/staff to student, student to faculty/staff, or faculty/staff to faculty/staff. Complaints may also involve visitors, consultants, independent contractors and outside vendors whose conduct affects any member of our community on campus or in a University/University related program. Any person, regardless of gender, can be a victim or survivor. Title IX offenses include criminal offenses, such as rape, fondling, domestic violence, dating violence, and stalking, and can also include violations of the University's Guide to Conduct and Citizenship.

New Mexico Tech is dedicated to preventing Title IX Offenses by providing:

- ⇒ Awareness and prevention programming
- ⇒ Assistance and support for students and employees affected by violence and other forms of discrimination or harm, including interim support measures.
- ⇒ Prompt Attention -- Complaints of sexual harassment and any form of discrimination will be taken seriously and dealt with promptly and equitably. Where offenses are found to have occurred, New Mexico Tech will act to stop the reported conduct, prevent its recurrence, remedy its effects and discipline those found responsible.
- ⇒ Processes for reliable and impartial investigation and adjudication that includes appropriate disciplinary sanctions for those who commit Title IX Offenses, including limiting access to campus facilities, suspension and dismissal.

The University in its view and response to Title IX offenses will be blind to the sexual orientation or preferences of individuals engaging in sexual activity or sexually exploitative behavior.

Any retaliatory action or behavior taken toward an alleged victim as a consequence of the decision to report a violation, pursue University judicial review, or criminal charges is prohibited. Retaliation by either alleged victims or persons accused may result in immediate judicial action and/or criminal charges.

All University protocols employed and under review will comply with applicable state and federal laws. Typically, when responding to reports of Title IX Offenses the University will:

- ⇒ Provide guidance and information for students and/or employees who have been victims/survivors of Title IX Offenses.
- ⇒ Provide guidance and information for persons who have been accused of Title IX Offenses.
- ⇒ Outline the University's student and/or employee disciplinary response to alleged conduct violations.
- ⇒ Identify relevant places within the University and community for support and compliance related to Title IX Offenses.

Under Title IX, all parties involved have the right to have any complaints of discrimination or sexual harassment directed to their institution's Title IX Coordinator.

Peter Phaiah, Ph.D.  
Asst. V.P.S.U.R. & Title IX Coord.  
New Mexico Tech  
21A Brown Hall  
801 Leroy Place  
Socorro, NM 87801  
575-835-5187 Off.  
575-322-0001 Cell.  
[peter.phaiah@nmt.edu](mailto:peter.phaiah@nmt.edu)  
[titleixcoordinator@nmt.edu](mailto:titleixcoordinator@nmt.edu)

# Sexual Misconduct & Title IX Offenses Policy

## Continued...

The Title IX Coordinator can help victims (students and/or employees):

- ⇒ Access medical and mental health treatment.
- ⇒ Report offenses to police.
- ⇒ Report offenses to the Dean of Students/Vice President of University Relations for disciplinary action.
- ⇒ Access victim support resources.
- ⇒ Assist persons in obtaining a University no contact order, a court-issued restraining order, or other lawful order of protection.]

New Mexico Tech encourages anyone who has been the victim of a Title IX Offense to report the incident and report the identities of the person or persons they believe to have committed the offense. The University will conduct an investigation and/or file a disciplinary complaint regardless if criminal charges are made. A criminal investigation and a University investigation may be pursued at the same time. A person charged with sexual misconduct, including acquaintance or date rape, can be prosecuted under New Mexico criminal statutes. Even if the law enforcement authorities choose not to prosecute, the University can pursue disciplinary action. Victim/survivor support and resources are available regardless of criminal charges, University investigations or University disciplinary action.

New Mexico Tech encourages victims of sexual violence to seek support and obtain medical attention. The University will make every effort to be responsive and sensitive to victims of crimes. Protection of victims and prevention of continued trauma is a priority. If a victim of and an accused student live in the same University residence, the option of altering living arrangements will be offered to both parties. Upon request, assistance with any academic concerns will be reviewed and options provided by the Vice President of Academic Affairs or his/her designee. During the disciplinary process, all involved individuals have the right to have an advisor of their choice accompany them throughout the hearing process.

**Confidentiality** New Mexico Tech encourages victims of sexual violence to talk to somebody about what happened so victims can get the support they need and so the University can respond appropriately. The University recognizes that confidentiality is important. However, complete confidentiality cannot be guaranteed. According to guidance from the Federal Office of Civil Rights, a “responsible employee” has an obligation to report Title IX violations to the University’s Title IX Coordinator. At New Mexico Tech, a “responsible employee” is anyone working directly for the University who has the authority to take action to address sexual violence or whom a student or employee could reasonably believe has the authority or duty of reporting or responding to incidents of sexual misconduct. Therefore, University faculty, administrators and other professional staff who receive information involving known or perceived sexual misconduct must report it to our designated Title IX Coordinator, even if little information is known. To the extent possible, information reported to a responsible employee will be shared only with the Title IX Coordinator. The responsible employee will not share personally identifiable information with Campus Police or other law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

While the University will make every reasonable effort to protect the privacy of any and all victims, it is important for all New Mexico Tech students and employees to understand that currently the University’s Counseling & Disabilities Office in Fidel is the only location on campus where disclosures of sexual assault may be made confidentially to Interim Director Angela Gautier or her designee. Other individuals who work or volunteer in the Student Health Center/Office of Counseling & Disabilities can generally talk to a victim without revealing any personally identifiable information about an incident to the Title IX Coordinator. A victim can seek assistance and support from the medical personnel and support staff in the Student Health Center/Office of Counseling & Disabilities without triggering a University investigation.

Victims who chose to disclose information related to sexual assault or harassment to Ms. Gautier or her designee may be asked if they would consent to their information to being shared with the Title IX Coordinator and/or Campus Police through normal reporting procedures or anonymously. The purpose for sharing such information is to better protect the community and promote a healthy and respectful culture on campus. Other off-campus resources are available for victims who wish to disclose confidentially, including the Socorro Mental Health clinic. Additional area resources are listed below. A victim who speaks to a professional or non-professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action.

# Sexual Misconduct & Title IX Offenses Policy

## Continued...

Even so, the victim will still be assisted in receiving other necessary protection and support. A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement.

**FERPA** The Family Educational Rights and Privacy Act (FERPA) protects students' educational records, including reports made to the Coordinator and disciplinary complaints. FERPA prohibits the University from releasing these records to persons outside the institution without the student's consent except in response to a lawful subpoena or other special circumstances as required by law. As required by law and in compliance with the Department of Education, New Mexico Tech will notify alleged victims of crimes of violence or non-forcible sex offenses of the outcome of University disciplinary proceedings and any sanctions imposed to either parties.

**Timely Warning Alerts/Emergency Notification** If a report of a Title IX Offense reveals there is an immediate threat to the health or safety of students or employees on campus or that an on-going serious or continuing threat to the campus community exists, an Emergency Notification or a Timely Warning will be issued. The purpose of a Timely Warning is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator. The victim's name and other personally identifying information will NOT be included in any Emergency Notification or Timely Warning.

Reports of sexual assault, domestic violence, dating violence, and stalking will be included in the University's Annual Security and Fire Safety Report/Crime Statistics at <http://www.nmt.edu>

### COMMUNITY RESOURCES (This is not an exhaustive list)

Socorro Fire/Ambulance	911	
New Mexico Tech Campus Police	575-835-5434	
NMT Student Health Center	575-835-5094	
NMT Counseling & Disabilities Office	575-835-6619	
Socorro General Hospital	575-835-1140	Emergency Room: 575-835-8370
Socorro Mental Health Clinic, 1200 US Route 60	575-835-2444	
NMT Title IX Coordinator	575-835-5187/	titleixcoordinator@nmt.edu
Socorro County Sheriff	575-835-0941	
Employee Assistance Program	800-348-3232	
New Mexico State Police: District 11-Socorro	575-835-0741	
The National Domestic Violence Hotline	800-799-7233	
National Sexual Assault Hotline	800-656-4673	
New Mexico Coalition of Sexual Assault Programs, Inc. E-mail: nmcsaas@swcp.com	505-883-8020	
Albuquerque Rape Crisis 1025 Hermosa Dr. SE		
Albuquerque, NM 87108 E-mail:www.rape-crisis.org	505-266-7711	
Sexual Assault Nurse Examiners (SANE)		
625 Silver, SW - 2nd Floor, ABQ, NM 87102	505.883.8720	
Emergency SANE Contact: <a href="http://abqsane.org/">http://abqsane.org/</a>	505.884.7263	

#### Free Services Provided:

- ⇒ Protect sexual assault or domestic violence survivor from further harm
- ⇒ Treatment for sexually transmitted infections • Evaluate pregnancy risk and offer prevention
- ⇒ Assess, document and provide care for injuries • Appropriate referral for immediate and follow-up counseling and medical care
- ⇒ Timely, thorough and professional forensic evidence collection, documentation & preservation
- ⇒ Photo document injuries
- ⇒ Testimony in court of law if needed
- ⇒ Follow-up care, education & resource referral



Updated 8/4/2017

## Sexual Misconduct Reporting Procedures

*If you or someone you know has been sexually assaulted or harassed, please consider telling someone what happened:*

- Notify New Mexico Tech Campus Police at: 575.835.5555; CamPo is located in the Student Activities Center (SAC).
- Notify Tech's Vice President for Student University Relations at: 575.835.5880, office located on the 2<sup>nd</sup> floor of Brown Hall.
- Notify Tech's Dean of Graduate Studies at 575.835.5513; office located on the 2<sup>nd</sup> floor of Fidel, Room 280.
- Notify Tech's Human Resources Director (work-related incidents) at: 575.835.5955; 1<sup>st</sup> floor of Brown Hall.
- Notify Tech's Interim Title IX Coordinator [redacted] Office of Residential Life.
- Notify a Residential Life Coordinator, a Resident Assistant (RA), or talk to a trusted professor or administrator.
- Talk with a Provider or Counselor at the Student Health and Counseling & Disability Services Center, 1<sup>st</sup> floor Fidel: 575.835.5094 (health center) /575.835.6619 (counseling and disability services). *Please note, almost all NMT employees have been designated "responsible employees" as defined by the U.S. Department of Education's Office of Civil Rights. NMT faculty and most staff (including RAs) are therefore obligated to report any known information regarding sexual assault or discrimination to our Title IX Coordinator. Confidential support services are available at the Student Health and Counseling & Disability Services Center.*

## NMT's PROCESS & OPTIONS FOR STUDENTS

### Option 1.

Pursue internal (University) disciplinary action.

- Reporting options and support will be explained by the Title IX Coordinator.
- Legal options can be explained in detail by NMT Campus Police.
- The Vice President for Student University Relations or Dean of Graduate Studies and the Title IX Coordinator will explain NMT's student conduct process, options and support.
- Federally mandated notice may be sent to campus community by Campus Police. \* *Name(s) of complainant(s) won't be disclosed.*
- Physical evidence can be collected by police.
- All relevant witnesses can be interviewed by police and Title IX Coordinator.
- Investigation can take several days to several weeks, based on circumstances.
- Upon completion of the investigation, reports are forwarded to the Vice President for Student University Relations or Dean of Graduate Studies for follow-up and possible adjudication.
- Vice President for Student University Relations or Dean of Graduate Studies receives investigation reports and witness testimony in regards to the charges pending.
- Victims, suspects, and witnesses are notified of any University adjudication.
- Complainants and respondents are equally entitled to have others present during any University disciplinary proceeding.
- Both the complainant and the respondent shall be informed of the outcome of any institutional disciplinary proceeding brought alleging sexual misconduct or gender discrimination.

### Option 2.

Pursue criminal charges

- Investigation is conducted by NMT Campus Police.
- Upon completion of the investigation, report is forwarded to the Socorro County District Attorney for possible prosecution.

### Option 3.

Pursue both internal and criminal charges

- Process outline in Option 1 & 2 occur simultaneously.
- Internal University judicial and criminal adjudication processes occur independently.

### Option 4.

Report assault, but choose not to pursue charges at present time

- Reporting options and support will still be explained by the Title IX Coordinator.
- A "no contact order" may be issued between complainants and suspect (if known).
- Housing, classroom and other accommodations can be provided.
- Federally mandated notice may be sent to campus community by NMT Campus Police. *Name(s) of complainant(s) won't be disclosed.*
- The stated time, date and location of the assault and any additional related crimes will be reported in Tech's crime log and statistic records as mandated by The Clery Act\*. *Complainant's name will remain anonymous.*

### IMPORTANT CONSIDERATIONS:

- ✚ Counseling is strongly encouraged in all cases.
- ✚ Medical treatment is recommended as appropriate.
- ✚ Complainant may elect to continue with the process or stop at any time.
- ✚ Complainant may choose not to participate in the formal process and instead decide to approach a counselor.

\*The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the Clery Act, requires higher education institutions to collect, report and disseminate crime data to the campus community and U.S. Department of Education; to provide warnings of reported crimes that represent a threat to the safety of students or employees "in a manner that is timely and will aid in the prevention of similar crimes"; and to make public their campus security policies and procedures.

Crime Alerts are usually posted for the following crimes: arson, aggravated assault, homicide, robbery, and sex offenses. Crime alerts may also be posted for other classifications as deemed necessary. Crime Alerts are posted through electronic mail and the posting of bulletins at various locations on campus when a crime has occurred and there is a possibility that an outstanding suspect could pose a danger to the campus community.



# Preventing and Responding to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Dating violence, domestic violence, sexual assault, and stalking are serious concerns on college campuses throughout the country. To address these issues, the University provides orientation to incoming students and new employees with information intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other approaches. The information comprises definitions and a clear statement that the University prohibits such acts. Additionally, training and materials are provided defining consent, options for bystander intervention, risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are offered throughout the year. These programs include the New Student Orientation Program, "It's On us" campaign, Make Your Move! End sexual violence Posters distributed throughout the campus, consent descriptions, bystander and CSA training.

In addition, the University also provides services for individuals who have been impacted by dating violence, domestic violence, sexual assault, and stalking and accessible, prompt, and equitable methods of investigation and resolution for those students who report instances of dating violence, domestic violence, sexual assault, and stalking.

## Workplace Violence

New Mexico Tech expects and requires all employees to use common courtesy and engage in safe and appropriate behavior at all times while on the job, on New Mexico Tech property, or representing New Mexico Tech away from the job. Any involvement in physical violence, threats or provocative remarks that are intended to incite violence are unacceptable. Employees engaging in such activities are subject to immediate and severe disciplinary action up to and including termination.

An employee's actions may indicate signs of losing control that could lead to impending violence. Employees who are targets of workplace violence or who observe violent acts should follow these procedures:

- ⇒ Notify your supervisor immediately. All acts of violence, physical and verbal, should be reported. Your supervisor will contact campus police if the situation dictates that such action is necessary.
- ⇒ If your supervisor is not available, call campus police at x5434. Explain the situation to the dispatcher who will determine if further emergency care is required.

## Campus Sex Crimes Prevention Act

The Campus Sex Crimes Prevention Act (section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000, that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

The Act amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

It also mandates that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems.

A listing of all registered sex offenders in the state of New Mexico is maintained by the New Mexico Department of Public Safety

This information is available online at <http://www.dps.state.nm.us/index.php/lerb/>

# Explanation of How Crime Statistics Are Compiled

The statistics contained in this report include crimes on campus and crimes in adjacent public areas, are collected by the New Mexico Tech Campus Police Department and are based on crimes reported directly to Campus Police and other local police agencies.

In preparation for annual reporting, persons with significant responsibility for student and campus affairs, including disciplinary affairs (known as Campus Security Authorities), are surveyed for knowledge of crimes that may not have been reported to law enforcement. These individuals include Deans of Students, Residence Life Coordinators, administrative heads of student groups, and Student Affairs personnel.

Crimes that are reported to law enforcement and included in the statistical report are classified by what is referred to as "Clery Geography." The three distinct classifications are "on campus," "non-campus," and "public property." The following are definitions for each classification

- ⇒ On Campus: (1) Any building or property owned or controlled by an institution within the core campus (same reasonably contiguous geographic area) and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or retail vendor).
- ⇒ Non-campus: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- ⇒ Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crimes that occurred in residence halls are reported both in the "On Campus" category and in the "Residence Hall" category. Thus, "Residence Hall" is a subset of "On Campus."



## Definitions of Clery Reportable Offenses

The Following definitions of reportable crimes are taken from the FBI UCR Handbook and the National Incident Based Reporting System (NIBRS), which may differ from the definition of comparable crimes under the New Mexico State Statute or University discipline policies.

The Clery Act also requires reporting of hate crimes incidents in the defined categories where the evidence suggests the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, gender identity, national origin, or disability.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

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

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

**Clery Geography:** See p. 17.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of the relationship is determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** 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 a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the applicable domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under the applicable domestic or family violence laws.

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

**FBI Uniform Crime Reporting Program:** The FBI's UCR program serves as the basis for the definitions of crimes that are reportable under the Clery Act.

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

**Hate Crimes:** Any crime that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race; religion; gender; sexual orientation; national origin; ethnicity; religion, gender identity, or disability.

This includes murder and non-negligent manslaughter, negligent manslaughter, rape, statutory rape, incest, fondling, robbery, aggravated assault, burglary, motor vehicle theft, arson, and also larceny-theft, simple assault, intimidation, and destruction/damage/vandalism.

**Hierarchy Rule:** The requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense is committed during a single incident, only the most serious offense is to be included in the institution's

**Clery Act statistics.** An exception to the rule would apply only in cases where a sexual assault and a murder occur in the same incident.

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

**Liquor Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person;

## Definitions of Clery Reportable Offenses

using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

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

**Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

### Programs to Prevent Dating Violence, Domestic

**Violence, Sexual Assault, and Stalking:** A comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome which consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. These programs to prevent dating violence, domestic violence, sexual assault, and stalking also include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

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

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

**In addition to any of the crimes above, the following acts are now reportable as Hate Crimes under the Clery Act, when the evidence suggests the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.**

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### Destruction/Damage/Vandalism of Property (Except

**"Arson"):** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.





# Fire Safety Definitions

**Cause of fire:** The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:** Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Drill:** A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related Injury:** Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related Death:** Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or who dies within one year of injuries sustained as a result of the fire.

**Fire Safety System:** Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire, including:

- ⇒ sprinkler or other fire extinguishing systems
- ⇒ fire detection devices
- ⇒ stand-alone smoke alarms
- ⇒ devices that alert one to the presence of a fire, such as horns, bells, or strobe lights
- ⇒ smoke-control and reduction mechanisms
- ⇒ fire doors and walls that reduce the spread of a fire

**Value of Property Damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including:

- ⇒ contents damaged by fire
- ⇒ related damages caused by smoke, water, and overhaul
- ⇒ but not including indirect loss, such as business interruption



Crime	On-Campus			On-Campus Residence**			Non-campus			Public			Unfounded Cases		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Aggravated Assault	1	1	1	0	0	0	0	0	0	0	1	1	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary : Total	2	3	3	0	2	2	0	1	1	0	0	0	0	0	0
⇒ Forcible	2	3	3	1	2	2	0	0	0	0	0	0	0	0	0
⇒ Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Attempted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	1	3	3	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Total	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
⇒ Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
⇒ Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	2	0	0	1	0	0	1	0	0	0	0	0	0
Domestic Violence	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Dating Violence	2	2	1	0	0	1	0	0	0	0	0	0	0	0	0
ARRESTS															
Liquor Law Violations	0	2	4	0	1	4	0	1	0	0	0	0	0	0	0
Drug Violations	3	4	1	1	2	1	0	2	0	0	1	3	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NON-ARREST															
CAMPUS REFERALLS															
Liquor Law Violations	10	26	8	10	24	8	0	0	0	0	0	0	0	0	0
Drug Violations	16	15	11	16	10	11	0	0	0	0	0	0	0	0	0
Weapons Violations	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0

There were no hate crimes reported in 2015,2016, or 2017

\*\*On-Campus Residence crimes are included in the On-Campus numbers.



## Fire Systems in Off-Campus Housing

Building	Fire Alarm	Room	Pull Stations	Connected to Operations Center	Sprinkler	Fire	Fire Rated	Fire Drills
		Detection				Extinguisher	Doors	Conducted
MOUNTAIN	Y	Y	Y	Y	N	Y	Y	5
SPRINGS APTS								

## Statistics and Related information Regarding Fires in Off-Campus Residential Facilities

[illegible]



## Fire Systems in Off-Campus Housing

Building	Fire Alarm	Room	Pull	Connected to Operations Center	Sprinkler	Fire	Fire Rated	Fire Drills
		Detection	Stations			Extinguisher	Doors	Conducted
MOUNTAIN SPRINGS APTS	Y	Y	Y	Y	N	Y	Y	5
MRO	Y	Y	Y	Y	Y	Y	Y	0

## Statistics and Related information Regarding Fires in Off-Campus Residential Facilities

BUILDING		2017			2016			2015	
	FIRES	INJURIES	DEATHS		FIRES	INJURIES	DEATHS	FIRES	INJURIES DEATHS
MOUNTAIN	0	0	0		0	0	0	0	0
SPRINGS APTS									
MRO	0	0	0		0	0	0	0	0
TOTAL	0	0	0		0	0	0	0	0

