

# ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

Updated: October 1, 2019

USM Public Safety  
207-780-5211  
[www.usm.maine.edu/police](http://www.usm.maine.edu/police)



# Table of Contents

- Introduction.....3**
- Safety and Security Information.....3
- How to Report an emergency or Criminal Action on the Portland or Gorham Campus.....4
- Law Enforcement at USM, Jurisdiction, and our relationship with outside agencies.....5
- How to report an Emergency or Criminal Action on the Lewiston Auburn College, at University Of Maine System Satellite locations, and other off-campus locations.....7
- Maintenance and Security on Campus Facilities.....8**
- Emergency Response and Evacuation Procedures (including USM’s Emergency Notification Policy & Timely Warnings).....12**
- Security Awareness & Crime Prevention Resources, Services, and Programs.....15**
- Adam Walsh Child Protection and Safety Act..... 15
- Alcohol and Other Drug Policies.....15**
- Missing Student Policy.....17**
- Dating & Domestic Violence, Sexual Assault, and Stalking.....19**
- What to do if you are Sexually Assaulted or Experience Domestic Violence, Dating Violence or Stalkiing.....30
- Crime Statistics Report.....40**
- Clery Act Statistics – Gorham Campus.....43**
- Clery Act Statistics – Portland Campus.....45**
- Annual Fire Safety Report.....48**
- Fire Statistics Reporting Table for 2016.....53**
- Fire Statistics Reporting Table for 2017.....54**
- Fire Statistics Reporting Table for 2018.....55**
- Fire Safety Report Log.....55**

## **Introduction**

This report is intended to provide you with essential information regarding the University of Southern Maine's (USM) police-related programs, services, & policies, and statistics about the occurrence of crime on campus. It is provided annually by October 1st as part of our commitment to safety and security and to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and its amendments included in the 2013 reauthorization of the Violence Against Women Act. Please review this report carefully and take notice of all the services available to you. Every student and employee can play a role in maintaining a safe campus.

Federal law requires that statistics be compiled by the University for certain crimes when they are reported to Public Safety and/or to a campus official with significant responsibility for student and campus activities. Additionally, we are required to seek these crime statistics from other Police Departments who have jurisdiction in the towns/cities within and around our campuses.

This report has been prepared by USM Public Safety with crime statistics provided to us from the staff in the Office of the Dean of Students and the Police Departments from the towns/cities of Gorham, Lewiston, and Portland.

Each fall, e-mail notification is made to all employees and enrolled students providing the web link for this report. Supervisors of employees without computer access are instructed to print the report for these employees. Notice of this report is included in the University application materials for prospective students and employees. A link to the pdf of this report is also included on the Public Safety, Human Resources, and Admissions websites.

Please direct questions about this report and/or a request to obtain a paper copy to USM Public Safety, 28 Husky Drive, Gorham, ME 04038, or by phone at 207-780-5211. A pdf of this report can be downloaded from USM Public Safety website at [www.usm.maine.edu/police](http://www.usm.maine.edu/police).

## **Separate Campuses**

All policy statements contained in this report apply to all campuses unless otherwise indicated.

## **Safety and Security Information**

USM is a community of over 9,000 current undergraduate & graduate students, and employees located on three campuses in the towns/city of Portland, Gorham, and Lewiston, Maine. The University shares many of the same interests and problems of its local communities, including crime. Although the University has been fortunate and has not experienced significant numbers of violent crimes, crimes do and can occur on our campuses.

## **How to Report an Emergency or Criminal Action on the Portland or**

## Gorham Campus

USM Public Safety is the Department responsible for security and emergency response at USM. To report an emergency and/or criminal activity on the Portland and Gorham campus call USM Public Safety at 207-780-5211 or 9-911 from a campus telephone. This number is staffed by certified Public Safety Dispatchers 24 hours a day, 365 days a year. Callers are encouraged to provide their name, the location and description of the incident being reported, and a description of any suspects or vehicles involved in the incident. Dialing 911 on a cell phone while on-campus will connect callers to the municipal Police Department in the town/city of the campus the call is originating from.

There are well-marked exterior and outdoor emergency direct-ring telephones with blue lights on top located around the Portland and Gorham campuses. There are also free on-campus public telephones located in many of the lobbies and public areas of the campus buildings in Portland and Gorham. Individuals may contact Public Safety on these “Blue-Light phones” by pressing the emergency button (if applicable) or dialing 911. To report a non-emergency using one of these phones please contact Public Safety by dialing 5211. We encourage the prompt and accurate reporting of all crimes to the campus police and appropriate law enforcement agencies, when the victim elects or is unable to make such a report.

Members of the community are helpful when they immediately report crimes or emergencies to the USM Public Safety Department for the purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary.

If you wish to have a crime included in the Annual Security Report and want to remain anonymous, you may do so at:

<https://usm.maine.edu/police/usm-public-safety-anonymous-crime-reporting-form>

State law requires that University officials must report certain crimes including child and elder abuse, among others. Crime that must be included in the Crime Statistics in this annual Report that are disclosed to employees responsible for security and safety and/or those with significant responsibility for student and campus activities are communicated immediately to Public Safety. In addition, there is a duty on the part of employees at USM (who are not exempt due to State Law) to report disclosures of sexual harassment, sexual violence, dating and domestic violence, and stalking that occurred on property owned or controlled by USM and/or that involve a University community member to one of the Title IX Coordinators. USM officials will also help the victims to report, if asked to do so.

In addition to the above resources for reporting a crime, any individual can also report a Title IX related offense to the Deputy/Title IX Coordinator on campus by calling 207-780-5767.

## Response to a Report

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, USM Public Safety Department, the Campus Public Safety Authority, will take the required action, either dispatching an officer or asking the victim to report to USM Public Safety to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. All USM Public Safety incident reports are forwarded to the Dean of Students Office for review and referral to the Office of Student Judicial Services for potential action, as appropriate. [CPSA] investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Office of Student Judicial Services. If assistance is required from the LOCAL Police Department or the LOCAL Fire Department, USM Public Safety will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including USM Public Safety, will offer the victim a wide variety of services.

### **Law Enforcement at USM, Jurisdiction, and our Relationships with outside Agencies**

Public Safety receive their police authority pursuant to Chapter 544, Section 142 or PL - 1971 as amended by Chapter 541, Pat B, Section 72 of PL -1979 and the resolution adopted on September 25, 1979 by the Board of Trustees. The police officers who work for Public Safety are certified, professional police officers, deputized in Cumberland County. The Department investigates all reports of crime on the Portland and Gorham campuses. The primary office and 24/7 headquarters for Public Safety is located on the Gorham Campus at 28 Husky Drive, behind Upperclass Hall. In addition, there is an office on the Portland Campus located on the first floor of the Sullivan Complex and a community relations office on the first floor of Glickman Library.

Public Safety has a relationship with local Police and Fire Departments, and other emergency personnel, that provide additional assistance and support on-campus if needed. Additionally Public Safety maintains telephone, radio, and computerized data links with the surrounding police and fire agencies in the city/town of Portland and Gorham, the Maine State Police, and the Cumberland County Sheriff's Department.

Police Officers of USM Public Safety have full law enforcement authority including arrest powers on all property owned or controlled by the University, including streets running through the University's campuses. Additionally, all USM police officers are deputized in Cumberland County to assist in mutual aid situations with surrounding police departments. Our Police Officers are trained in the same manner as all other public law enforcement officers in the State of Maine. They each receive annual and periodic training as required by the State.

Public Safety maintains close working relationships with the local surrounding Police Departments and with state and federal law enforcement agencies of the criminal justice system. Regular meetings are held, both on a formal and informal basis with these agencies. Written mutual aid agreements have been established in several municipalities. These agreements, between USM Public Safety and the local police department include the

investigation of criminal incidents. Crime related reports and statistics are routinely exchanged. The University cooperates with the local law enforcement agencies in the monitoring and recording of criminal activity by students at non-campus locations of officially-recognized student organizations. Two recognized student organizations maintain living facilities at non-campus locations. Through an interagency agreement between the Gorham Police Departments and Public Safety, information related to crime activity associated with these student organizations non-campus facilities is reported to USM Public Safety. This information is then subsequently shared with the appropriate University administration and departments.

The USM LAC Safety and Security Committee is a dedicated committee of staff, students, and faculty members along with members of the Lewiston Police Department and USM Public Safety that meet as needed to discuss safety matters on campus and do training.

The University encourages the prompt and accurate reporting of all crimes to Public Safety and the appropriate law enforcement agencies, when the victim elects to or is unable to make such a report.

### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a [CPSA] officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety to yourself and others. With such information, the USM [CPSA] can keep an accurate record of the number of incidents involving students, employees and visitor; 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 crime statistics for the institution.

### **Pastoral and Professional Counselors**

USM has a voluntary confidential reporting procedure, but does not have pastoral counselors.

Campus Professional Counselors, when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at University of Southern Maine are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to [CPSA].

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification.

Please note that reports of sexual violence and other violations that may be sex- or gender-based will be reported to the Title IX Coordinator and cannot be held in confidence.

### **How to Report an Emergency or Criminal Action on the Lewiston Campus, at University of Maine System Satellite locations, and other off-campus locations**

All emergency calls and reports of criminal activity at the Lewiston-Auburn Campus and anywhere off-campus should be made to 911 or 9-911 from a USM campus phone which will route to the local Police Department with jurisdiction. Callers are encouraged to provide their name, the location and description of the incident being reported, and a description of any suspects or vehicles involved in the incident. Dialing 911 on a cell phone while on-campus property will connect the caller to the municipal Police Department in the town/city where the call is originating from.

There are well-marked exterior telephones and outdoor emergency direct-ring telephones with blue lights on top located around the Lewiston-Auburn campus. We encourage the prompt and accurate reporting of all crimes to the campus police and/or appropriate law enforcement agencies, when the victim elects or is unable to make such a report.

The University encourages the prompt and accurate reporting of all crimes to Public Safety and the appropriate law enforcement agencies, when the victim elects to or is unable to make such a report.

### **Maintenance and Security of Campus Facilities**

Most campus buildings and facilities are accessible to the campus community and guests during normal business hours. Exterior doors of campus buildings are locked after normal business hours and Public Safety routinely patrol campus. Entry after normal hours is available to faculty, staff and authorized students, as determined by the appropriate academic or administrative offices. Buildings are routinely patrolled by Public Safety to assess security measures and are equipped with fire detection systems directly connected to the University Emergency Dispatch Center. Certain buildings are alarmed for the protection of contents and personnel and the alarms are activated when any illegal entry is made. Immediate response to the alarm location is made by Public Safety.

All residence halls are secured 24/7 and are equipped with an electronic card access system that allows authorized students to gain access to a building by swiping their USMCARD on a card reader located at designated exterior doors. From 7:00 am to 7:00 pm, all students living in on-campus housing have access to all residence halls. Guests may

gain admittance by contacting a student living in the residence hall and being signed in and escorted by that individual. Hall staff perform assigned building checks each evening. Unscheduled patrols of the residence halls may also be conducted by Public Safety. In addition, many of our residence hall exterior doors are monitored by video surveillance cameras, with all activity at these doors being recorded and stored.

USM is committed to maintaining a safe level of exterior lighting. USM Public Safety routinely surveys existing lights and submits requests for maintenance of existing lights and for additional illumination. Individuals are encouraged to report any exterior lighting deficiencies to Public Safety by calling 207-780-5211.

In addition, Public Safety also surveys and routinely reports security problems with exterior building doors on-campus. If the problem represents a security hazard, Facilities Management is immediately notified.

## **Emergency Response and Evacuation Procedures (including USM's Emergency Notification Policy)**

When a significant emergency or dangerous situation involving an immediate threat to the University community is confirmed, the University will activate the appropriate elements of its Emergency Communications Protocol. Several communications tools are considered when the need to disseminate emergency information arises including:

- *USMAAlert*- text message notification. Register at <http://www.usm.maine.edu/usmalert>
- E-mail notification to all USM campus community members
- USM website <http://www.usm.maine.edu> or Public Safety Website [www.usm.maine.edu/police](http://www.usm.maine.edu/police)
- USM Emergency (Storm) telephone lines 207-780-4800 or (LAC 207-753-6595)
- Local television, radio and/or electronic media
- Printed and posted flyer notifications
- Updates in the *Free Press*
- Face to Face communication may also be used if necessary

The University is committed to immediate notification of emergency situations, with decision- making rooted in the primary consideration of the community's safety. The University will, without delay and taking into account the safety of the community, determine the appropriate nature and content of the notification and initiate its emergency communications protocol.

Exceptions may apply if, in the professional judgment of responsible authorities, notification would compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency. USM policies guide emergency response and evacuation procedures including the use of the University's Emergency Notification System, *USMALERT*. These policies and procedures require the Director of Public Safety, or designee, to immediately notify the campus community upon the confirmation of a



significant emergency or dangerous situation involving an immediate threat to the health or safety on the campus, unless issuing a notification will compromise efforts to mitigate the emergency. Emergency messages will include information on what has occurred and instructions on what to do next.

Considerable effort is made to provide timely notice to the University Community of serious incident(s) which may pose an on-going threat. These alerts are called *Timely Warnings* and are generally written by the Director of USM Public Safety or a designee.

In the event a crime is reported or a situation arises, within the USM Clery Geography (On Campus, Public Property and Non-campus), that, in the judgment

The decision to issue a Timely Warning is on a case by case basis in compliance with the Clery Act. The decision is made by the Director of Public Safety, or a designee, in coordination with other Campus administrators, considering all available facts, whether the crime is considered a serious or continuing threat to students or employees, and the possible risk of compromising law enforcement efforts. When issuing a timely warning notice about a crime involving a victim, the victim's name will remain confidential. A copy of the timely warning will be filed in the corresponding case file.

Public Safety considers issuing a timely warning for the following incidents:

- Murder and Manslaughter
- Robbery
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger USM community)
- Burglary
- Motor Vehicle Theft
- Dating and Domestic Violence
- Stalking
- Sex Offenses (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.
- Major Incidents of Arson
- Other crimes as deemed necessary by the Director of Public Safety, or a designee

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically written and distributed by the USM Chief of Police or his designee.

Timely Warning Notices will be issued to the campus community via email blast to all USM assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or email sent through the University's USMALERT or building postings by Building Administrators.

Having knowledge of such crimes assists community members in making informed decisions about their personal safety and in preventing similar crimes from occurring. Public Safety does not issue timely warnings for the above listed crimes if the suspect(s) has been apprehended and the threat of imminent danger to the USM community has been mitigated by the apprehension.

USM Public Safety may also issue "Safety Notice", when necessary, to apprise the USM community of other safety issues and concerns. These "Notices" will include safety tips and recommendations to follow so that the USM community can make informed decisions about personal safety.

The University employs established procedures to confirm emergencies and determine the details of notification. The University will determine the appropriate segment or segments of the campus community to receive a notification and initiate the notification system. If the Director of USM Public Safety, or designee, in conjunction with other University administrators, local first responders and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the USM Community, or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

Several departments collaborate with Public Safety in the process of creating and disseminating emergency communications including the Dean of Students Office, Public Affairs, Health & Counseling Services, and Residential Life. While timely on-campus notifications represent the priority, the University's emergency communications system includes elements that allow information to spread beyond campus to the greater community when needed through communication channels established by Public Affairs with local media agencies and through Public Safety to other local law enforcement agencies.

USM Public Safety also maintains a daily crime log that contains all crimes reported to the department including the crime, date and time, general location, and status of the complaint. Entries or updates are made within two business days. The Log is available at Public Safety upon request and online at <http://www.usm.maine.edu/police/campus-crime-log>.

USM maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and

specific responsibilities of particular units or positions.

University units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as table top exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Regular testing is a critical element of the University's emergency response and evacuation procedures. The entire emergency notification system is tested annually, with advance notice to the University community including USMALERT, and email and social network communication systems. The documentation includes a description of the exercise, the date, time whether it was announced or unannounced, and general observation of the drill.

Evacuation procedures are covered during annual employee safety training and residential move-in and tested through annual drills. The University documents and reviews each test.

### **Emergency Evacuation Procedures**

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The [CPSA] does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, [CPSA] staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

### **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify [CPSA] (207-780-5211) Police Emergency or dial 911.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform [CPSA] or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

### **Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

#### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

#### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, [CPSA], Housing Staff members, other University employees, Local PD, or other authorities utilizing the University’s emergency communications tools.

#### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - -An interior room;
  - -Above ground level; and
  - -Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to [CPSA] so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

For additional information on emergency response and evacuation procedures please visit:

<https://usm.maine.edu/safety>

## **Security Awareness & Crime Prevention Resources, Services, and Programs**

Security awareness and crime prevention programs are a critical part of USM's effort to maintain a safer campus environment.

It is the philosophy of the University that preventing crime is preferable to responding to crime after it has occurred. The University's crime prevention efforts are based upon five concepts:

1. Eliminating and/or reducing crime.
2. Encouraging students and employees to be Upstanders and to take action to assist in their own security and the security of others.
3. Ongoing coordination and review of security and victim response services.
4. Violence response education activities to reduce high risk behaviors and change community attitudinal norms.
5. Victim/survivor response education and training to increase effective and timely community response for victims/survivors.

The following is a list of the crime awareness, prevention programs, resources, and services offered:

- Training: Programs on how to assist victim/survivors that cover education, resources, and first response skills, and reporting requirements are offered to faculty, staff, residence hall staff, student leaders, and the general student body.
- Escort Service: Public Safety provides an escort service for safety purposes for people walking on-campus. Members of the campus community may make use of this service by calling Public Safety at 207-780-5211.
- Floor Meetings: At the beginning of the academic semester residence hall floor meetings address security awareness and crime prevention. Crime prevention, safety, and security programs are presented in each residence hall throughout the year; initiated and arranged by the Resident Assistants.
- Printed Crime Prevention and Complaint Procedures Are Distributed: These

documents include information about Alcohol and other Drugs, Responding and Eliminating Harassment including Sexual Harassment, the Student Conduct Code, our Good Samaritan Policy, and all our policies on Title IX and gender based discrimination (including how to file a complaint of sexual violence, stalking, and dating and domestic violence).

- Campus Wide Crime Prevention Presentations: Safety discussion groups, crime prevention panels, sexual assault awareness workshops, alcohol and other drug prevention programs, self-defense trainings, bystander trainings, and radio programs on the crime prevention topics.
- New Employee Orientation: At the time of hire and periodically thereafter, University employees are provided information concerning USM campus security procedures, practices, and crime prevention awareness.
- Operation Registration: Public Safety offers a program which encourages students and employees to register musical instruments, electronic devices, and bicycles.
- Sexual Assault and Relationship Violence Response, Education, and Risk Reduction: Sexual assault and Relationship Violence response education and risk reduction programs, a variety of educational materials, and educational workshops designed for students, faculty, and staff. Prevention education is made available to incoming undergraduate students and new employees via an online training module as well as many opportunities for in-person training and education. Additional strategies utilized to reach the Community include performances, videos, campus radio, literature tables in high traffic areas, table tents, posters and awareness weeks.
- Campus Safety Project: The USM Campus Safety Project is a university-wide effort to promote healthy relationships at USM by providing prevention education and response training on sexual assault, stalking, and relationship abuse for students, faculty, and staff and coordinating campus and community-based programs and services. In 2010, USM received a 3-year grant from the Office of Violence Against Women to facilitate prevention and education work on all campuses. USM has since received a second three year grant to continue the work of the CSP. With the grant coming to a close, USM has requested an extension until the end of the year which was granted. More about the program can be found here:  
<http://usm.maine.edu/campussafetyproject>

### **Adam Walsh Child Protection and Safety Act**

Information regarding registered sex offenders in the State of Maine under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), may be obtained by contacting Public Safety or at the State of Maine Sex Offender Registry at <http://sor.informe.org/sor/>.

### **Notification to Victims of Crimes of Violence**

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime of offense. If the alleged victim is deceased as the result of such

crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **Alcohol and Other Drug Policies**

USM views alcohol and other drug abuse as a serious problem. In compliance with the Drug Free Workplace Act, the University publishes and distributes annually a booklet which informs all students and employees of USM's substance abuse policy, sanctions for violation of the policy, and state and federal alcohol and drug laws, offenses and sanctions. For a printed copy of the booklet, Information about Alcohol and Drugs for Students and Employees of the University of Maine System, please contact the Office of the Dean of Students at 207-780-4035. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at:

The unlawful possession, sale and use of illegal substances and alcoholic beverages at USM is prohibited. The violation of State drinking laws and the use, sale or possession of illegal drugs are strictly enforced by USM Public Safety in accordance with Federal and State Law.

The primary goal of the alcohol and other drugs policy at USM is the health and safety of all members of the University of Southern Maine community. We value and promote an environment of legal and lower risk alcohol use and support alcohol-free environments. We recognize alcoholic beverages may be available at some campus activities however such activities must be consistent with the University's values and being under the influence of alcohol in no way lessens accountability to the University community. The University complies fully with local, state, and federal laws regarding the sale, possession and consumption of alcoholic beverages. The unlawful manufacture, possession, use or distribution of drugs or controlled substances is strictly prohibited. All students and guests are held responsible for behavior in violation of this policy. The University provides education on alcohol and other drug use through programs, support, and resources.

### **Good Samaritan Policy**

Abuse of alcohol and other drugs can create life-threatening situations that require an immediate response from emergency services personnel. In all instances, the University's main concern is that those in need receive prompt medical attention. The University cannot guarantee absolute immunity from sanctions associated with violations of the Student Conduct Code. However, efforts may be made to mitigate sanctions under the Student Conduct Code associated with alcohol and other drug offenses for "Good Samaritans." Sanction mitigation may be considered for any "Good Samaritan" who actively sought medical attention at the time of the incident for themselves or others. For complete policy visit <http://www.usm.maine.edu/deanofstudents/good-samaritan-policy>.

### **Medical Marijuana**

Federal law and the *Drug Free Schools and Workplace Acts* make possession and use of marijuana on-campus illegal, even in states with medical marijuana laws. Thus, the University of Maine System does **not** permit medical use of marijuana anywhere on campus.

Furthermore, students who are under the influence of medical marijuana or in possession of marijuana for medical reasons are not exempt from normal conduct and job performance standards. Although the use of medical marijuana is not permitted on-campus, students on the medical marijuana registry may make a request for other reasonable accommodations through the Office of Support for Student with Disabilities.

### **Tobacco Policy**

The University of Southern Maine is a tobacco-free campus. This policy applies to faculty, staff, students, contractors, vendors and visitors. The use of tobacco and all smoking products is not permitted on any university-owned property, which includes but is not limited to, buildings, university grounds, parking areas, campus walkways, recreational and sporting facilities, and university or personally-owned, rented or leased vehicles.

*The Drug-Free Schools and Communities Act and the Drug-Free Workplace Act* require the University to provide students, faculty, and staff with information on an annual basis regarding the unlawful use of drugs and alcohol, potential sanctions, health risks, and available assistance and treatment. For more information about these Acts and to view the University of Maine System's annual notice, please visit <https://usm.maine.edu/sites/default/files/deanofstudents/USMAODpolicy.pdf>. Students convicted of a federal or state drug conviction can be disqualified from receiving financial aid funds.

Our Wellness Resource Center, "The Well", provides many resources to the campus Community. The goals/objectives of The Well are consistent with those recommended and/or required by NIAAA, SAMHSA, the Safe and Drug-Free Schools Act, and the Higher Education Act. The Well provides individual and group campus-wide education and prevention programs for students, staff and faculty. Individual screenings and brief interventions are done for students. Programs are also provided in the residence halls, for the fraternities and sororities, the athletic teams, first-year student seminar classes, and other academic classes. In addition, training and education is presented to Campus Life including resident directors, resident assistants, & Health and Counseling Center staff, and orientation leaders and other departments as requested.

For the complete copy of USM's Alcohol and other Drugs Policy visit <https://usm.maine.edu/sites/default/files/deanofstudents/USMAODpolicy.pdf>. For our Residential Life Alcohol Policy please visit <https://usm.maine.edu/residential-life/residence-hall-policies>

## **Missing Student Policy**

### **I. Purpose**

The purpose of this policy is to promote the safety and welfare of members of the University of Southern Maine (USM) community through compliance with the requirements of the Higher Education Opportunity Act of 2008 (the HEOA). This protocol includes the official notification procedures of USM for missing students who reside in on-



campus housing, in accordance with the requirements of HEOA.

## **II. Policy**

It is the policy of USM to provide students who are residing in on-campus housing the option of identifying an individual (confidential contact person) on their Residence Hall Application and Housing Contract to be contacted (in addition to their emergency contact) by USM in the event that the student is determined to be missing for a period of more than 24 hours.

Should USM Public Safety investigate and determines that a residential student is missing, contact will then be made to the missing persons contact, if contact information has been provided, within twenty-four (24) hours of the determination that the student is missing by USM Public Safety. If the student is under the age of 18 and is not an emancipated individual, USM Public Safety will notify the student's parent or guardian and any other designated contact person within 24 hours.

## **III. Definitions**

- **Missing Student:** For purposes of this policy, a student is determined to be missing when USM Public Safety (USM-PS) or other law enforcement agency determines that the student has been missing for more than 24 hours, without any known reason, that the reported information is credible, and that circumstances warrant declaring the person missing.
- **On-Campus Housing:** A residence hall or other residential facility for students that is located on USM's campus. (34 CFR §668.41(a))
- **Campus:** For purposes of this policy, "campus" is defined as:
  - Any building or property owned or controlled by USM within the same reasonably contiguous geographic area and used by USM in direct support of, or in a manner related to, the USM's educational purposes including residence halls; and
  - Any building or property that is within or reasonably contiguous to the area identified in paragraph 1 of this definition, that is owned by the University but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). (34 CFR §668.46(a))

## **IV. Protocol: Missing Residential Students**

- If a member of the USM community has reason to believe that a student who resides in on-campus housing is missing, or receives a report of a missing student, he/she shall immediately contact their supervisor and University of Southern Maine Public Safety (USM-PS) at: 207-780-5211.
- If members of the USM community believe that a student has been missing for 24 hours, it is critical that they report that information to USM Public Safety by calling 207-780-5211.
- USM-PS will then initiate its Missing Student Policy.
- Nothing in this policy/protocol is intended to preclude USM from determining

that a student is missing before the student has been missing for a full 24 hours or initiating notification procedures as soon as it determines that the student is missing.

- A student who wishes to identify a confidential contact may do so on their Residence Hall Application, Housing Contract, or any time at the Campus Life Office in 100 Upton Hall. A student's confidential contact information shall be accessible only by authorized campus officials, and will not be disclosed except to law enforcement in connection with a missing person investigation.
- A missing student report must be referred immediately to USM-PS. If the student who is missing is under 18 years of age and not emancipated, USM must notify a custodial parent or guardian within 24 hours of determining that the student is missing, in addition to notifying the confidential contact person designated by the student. USM will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

#### **V. Contact Information**

- USM Public Safety Department  
207-780-5211 (non-emergency number)  
[www.usm.maine.edu/police](http://www.usm.maine.edu/police)
- Office of Residential Life 207  
780 5240  
<https://usm.maine.edu/residential-life>

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

The University of Southern Maine prohibits dating and domestic violence, sexual assault, and stalking in all forms. University policy prohibits any unlawful sexual act and/or forced sexual contact, relationship violence and stalking.

Toward that end, USM issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Violators may be subject to criminal prosecution and disciplinary measures up to and including dismissal. The complete sexual assault policy, and relationship violence and stalking policy are located in policies at :

[www.usm.maine.edu/community-standards-mediation](http://www.usm.maine.edu/community-standards-mediation)

Printed copies are also available in the Dean of Students Office.

Campus education programs are conducted to increase awareness, understanding, and prevention of sexual harassment and violence, relationship abuse, and stalking. These programs include primary prevention and awareness campaigns for students, faculty, and staff. All students and employees must participate in all required educational programs. In addition, our Campus Safety Project staff conduct on-going educational programs designed to both raise awareness of these crimes and incidents and to encourage bystander/upstander intervention.

Primary educational programs include: Speak About It, Un-Spoken Maine, our online Title IX primary prevention program called “Not Any More” by Student Success; and many others.

Ongoing awareness campaigns include: Community Advocate Resource Tabling, Floor and Hall Meetings, Campus Safety Project Facebook postings, educational bulletin boards, Consent Days, and Take Back the Night Rallies; among others.

The University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by federal Clery Act regulations as follows:

### **Dating Violence**

Dating violence is violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim

- The existence of such a relationship shall be based on the reporting party’s statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purpose of this definition –
  - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating Violence does not include acts covered under the definition of domestic violence.

Dating violence is violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with the victim.

### **Domestic Violence**

A felony or misdemeanor crime of violence committed—

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim

- as a spouse or intimate partner;
- D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- E. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### **Sexual Assault**

Sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape.

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

Fondling is 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.

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

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

### **Stalking**

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- A. Fear for the person's safety or the safety of others; or
- B. Suffer substantial emotional distress.

*For the purposes of this definition –*

- B) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.*
- C) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.*
- D) Substantial emotional distress means significant mental suffering or anguish that any, but does not necessarily, require medical or other professional treatment or counseling.*

**Maine law defines the crimes of dating violence, domestic violence, sexual assault and**

**stalking differently than the federal Clery regulations. The State of Maine definitions of these crimes and of consent are as follows:**

**Dating Violence**

Intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person.

**Domestic Violence**

Intentionally, knowingly or recklessly causing bodily injury or offensive physical contact to another person and the victim is a spouse or domestic partner or former spouse or former domestic partner, an individual presently or formerly living together as a spouse, a natural parent of the same child, adult household member related by consanguinity or affinity or minor children of a household member when the defendant is an adult household member and, individuals presently or formerly living together and individuals who are or were sexual partners. Holding oneself out to be a spouse is not necessary to constitute "living as spouses." For purposes of this definition, "domestic partners" means 2 unmarried adults who are domiciled together under long-term arrangements that evidence a commitment to remain responsible indefinitely for each other's welfare.

**Sexual Assault**

- 1) A person is guilty of gross sexual assault if that person engages in a sexual act with another person and:
  - a. The other person submits as a result of compulsion.
  - b. The other person, not the actor's spouse, has not in fact attained the age of 14 years.
  - c. The other person, not the actor's spouse, has not in fact attained 12 years of age.
- 2) A person is guilty of gross sexual assault if that person engages in a sexual act with another person and:
  - a. The actor has substantially impaired the other person's power to appraise or control the other person's sexual acts by furnishing, administering or employing drugs, intoxicants or other similar means.
  - b. The actor compels or induces the other person to engage in the sexual act by any threat.
  - c. The other person suffers from mental disability that is reasonably apparent or known to the actor, and which in fact renders the other person substantially incapable of appraising the nature of the contact involved or of understanding that the person has the right to deny or withdraw consent.
  - d. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual act.
  - e. The other person, not the actor's spouse, is under official supervision as a

probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution, and the actor has supervisory or disciplinary authority over the other person.

- f. The other person, not the actor's spouse, has not in fact attained the age of 18 years and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student.
- g. The other person, not the actor's spouse, has not attained the age of 18 years and is a resident in or attending a children's home, child care facility, facility operated by a family child care provider, children's residential care facility, drug treatment center, youth camp licensed under Title 22, section 2495 or similar school, facility or institution regularly providing care or services for children, and the actor is a teacher, employee or other person having instructional, supervisory or disciplinary authority over the other person.
- h. The other person has not in fact attained the age of 18 years and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term care and welfare of that other person.
- i. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor.
- j. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes the other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002.
- k. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor.
  - l. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

**Unlawful sexual touching.**

A person is guilty of unlawful sexual touching if the actor intentionally subjects another person to any sexual touching and:

- A. The other person has not expressly or impliedly acquiesced in the sexual touching.
- B. The other person is unconscious or otherwise physically incapable of resisting and has not consented to the sexual touching.
- C. The other person, not the actor's spouse, is in fact less than 14 years of age and the actor is at least 5 years older.
- D. The other person suffers from a mental disability that is reasonably apparent or known to the actor that in fact renders the other person substantially incapable of appraising the nature of the touching involved or of understanding that the other person has the right to deny or withdraw consent.
- E. The other person, not the actor's spouse, is under official supervision as a probationer, a parolee, a sex offender on supervised release, a prisoner on supervised community confinement status or a juvenile on community reintegration status or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over the other person.
- F. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official having instructional, supervisory or disciplinary authority over the student.
- G. The other person is in fact less than 18 years of age and the actor is a parent, stepparent, foster parent, guardian or other similar person responsible for the long-term general care and welfare of that other person.
- H. The other person submits as a result of compulsion.
- I. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and the organization, program or residence recognizes that other person as a person with an intellectual disability or autism. It is an affirmative defense to prosecution under this paragraph that the actor receives services for an intellectual disability or autism or is a person with an intellectual disability, as defined in Title 34-B, section 5001, subsection 3, or autism, as defined in Title 34-B, section 6002.
- J. The other person, not the actor's spouse, is in fact less than 18 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor, who is at least 21 years of age, is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.
- K. The actor is a psychiatrist, a psychologist or licensed as a social worker or purports to be a psychiatrist, a psychologist or licensed as a social worker to the other person and the other person, not the actor's spouse, is a current patient or client of the actor.
- L. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from

the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor.

- M. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

**A person is guilty of sexual abuse of a minor if:**

- A. The person engages in a sexual act with another person, not the actor's spouse, who is either 14 or 15 years of age and the actor is at least 5 years older than the other person.
- a. The person violates paragraph A and the actor knows that the other person is related to the actor within the 2nd degree of consanguinity.
  - b. The person violates paragraph A and the actor is at least 10 years older than the other person.
- B. The person is at least 21 years of age and engages in a sexual act with another person, not the actor's spouse, who is either 16 or 17 years of age and is a student enrolled in a private or public elementary, secondary or special education school, facility or institution and the actor is a teacher, employee or other official in the school district, school union, educational unit, school, facility or institution in which the student is enrolled.
- C. The person violates paragraph C and the actor knows that the student is related to the actor within the 2nd degree of consanguinity.
- D. The person violates paragraph C and the actor is at least 10 years older than the student.

A person is guilty of incest if the person is at least 18 years of age and:

Engages in sexual intercourse with another person who the actor knows is related to the actor within the 2nd degree of consanguinity.

It is a defense to a prosecution under this section that, at the time the actor engaged in sexual intercourse with the other person, the actor was legally married to the other person.

**Stalking**

A person is guilty of stalking if:

- A. The actor intentionally or knowingly engages in a course of conduct directed at or concerning a specific person that would cause a reasonable person:
- 1) To suffer serious inconvenience or emotional distress;
  - 2) To fear bodily injury or to fear bodily injury to a close relation;
  - 3) To fear death or to fear the death of a close relation;
  - 4) To fear damage or destruction to or tampering with property; or
  - 5) To fear injury to or the death of an animal owned by or in the possession and control of that specific person.



## **Consent**

It is not consent to sexual activity if:

- A. The injury inflicted or the injury threatened was such as to endanger life or to cause serious bodily injury;
- B. The conduct and the injury are not reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
- C. The conduct and the injury are reasonably not foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected to such conduct or injury have not been made aware of the risks involved prior to giving consent.
- D. It is given by a person who is declared by a statute or by a judicial decision to be legally incompetent to authorize the conduct charged to constitute the crime, and such incompetence is manifest or known to the actor;
- E. It is given by a person who, by reason of intoxication, physical illness, mental illness or mental defect, including, but not limited to, dementia and other cognitive impairments, or youth, is manifestly unable, or known by the defendant to be unable, to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the crime; or
- F. It is induced by force, duress or deception or undue influence.

## **USM Consent Definition**

Consent: An individual's agreement to engage in sexual activity.

1. Consent must be:
  - a. Informed, freely, and actively given, and consist of a mutually agreeable and understandable exchange of words or actions.
  - b. Clear, knowing and voluntary.
  - c. Active, not passive.
2. Consent may be withdrawn at any time.
3. Silence, in and of itself, cannot be interpreted as consent.
4. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and conditions of) sexual activity.
5. Past consent does not imply future consent.
6. Consent to engage in one form of sexual activity does not imply consent to engage in any other sexual activity.
7. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with any other person.
8. There is no consent when the exchange involves unwanted physical force, coercion, intimidation and/or threats.

9. If an individual is mentally or physically incapacitated or impaired such that one cannot understand the fact, nature, or extent of the sexual situation, and the Incapacitation or impairment is known or should be known to a Reasonable Person, there is no consent. This includes conditions resulting from alcohol or drug consumption, or being asleep, or unconscious.

10. Consent is not valid if the person is too young to consent to sexual activity under Maine law, even if the minor wanted to engage in the activity.

### **Bystander/up-stander Intervention**

*Bystander intervention* means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene 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.

### **Information on Risk Reduction**

*Risk reduction* means options designed to decrease perpetration and bystander in-action, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network: [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

The university engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and

stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and annual primary prevention education for employees, and ongoing awareness and prevention campaigns for students that:

- A. The University of Maine System (“the University”) is committed to providing a safe environment which promotes the dignity and worth of each member of the community. In complying with the letter and spirit of applicable laws and in pursuing its own goals of diversity, the University does not discriminate on the basis of sex in employment, education, and all other programs and activities. For this reason, the University will not tolerate sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation in any form. All conduct of this nature is considered a violation of this policy.

B. Definitions

1. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape, as follows:
  - a. Rape is 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.
  - b. Fondling is 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.
  - c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - d. Statutory rape is sexual intercourse with a person who is under the statutory age of Consent under applicable law.

All forms of sexual assault and sexual contact prohibited by Maine law are also included.

2. Dating Violence: Violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with that person. Whether a dating relationship exists is determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. All forms of dating violence prohibited by Maine law are also included.
3. Domestic Violence: A felony or misdemeanor crime of violence committed by:

- a.
  - b. A current or former spouse or intimate partner of the victim;
  - c. A person with whom the victim shares a child in common;
  - d. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - e. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - f. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
4. Stalking: Engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to:
    - a. Fear for the person's safety or the safety of others; or
    - b. Suffer substantial emotional distress.
- C. (also section D) Consent is an individual's agreement to engage in sexual activity.
1. Consent must be:
    - a. Informed, freely, and actively given, and consist of a mutually agreeable and understandable exchange of words or actions.
    - b. Clear, knowing and voluntary.
    - c. Active, not passive.
  2. Consent may be withdrawn at any time.
  3. Silence, in and of itself, cannot be interpreted as consent.
  4. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and conditions of) sexual activity.
  5. Past consent does not imply future consent.
  6. Consent to engage in one form of sexual activity does not imply consent to engage in any other sexual activity.
  7. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with any other person.
  8. There is no consent when the exchange involves unwanted physical force, coercion, intimidation and/or threats.

### **What to do if you are Sexually Assaulted or Experience Domestic Violence, Dating Violence or Stalking**

- Get to a safe location. If you are a student and are unsure where to go or can think of nowhere that is safe at this time, please consider calling Public Safety at 207-780-5211 or local law enforcement at 911. Campus Life Staff are also available to assist with housing arrangements as well.
- Consider asking a trusted friend or relative to be with you for support.
- Seek medical care as soon as possible. You may need basic medical treatment for injuries, and you may have injuries of which you are unaware. You also may be at risk of acquiring a sexually transmitted infection, and women may be at risk for

pregnancy. Trained staff at Health Services or Maine Medical Center can speak with you about all of the medical options available and provide information about a sexual assault forensic examination.

- You may choose to file a report with the local law enforcement agency. Your report puts in place support systems that you may choose to use. The University will provide someone to assist you in filing a report with Law Enforcement if you wish.
- Preserve all evidence of the incident. If you choose to file a report with the police, it is important that you:
  - Do not bathe, wash your hands, brush your teeth, drink, eat, or even use the restroom—all these things can destroy evidence that may be helpful in a criminal investigation; however, if you have done any of these things since the incident, evidence can still be collected;
  - Do not clean or remove anything from the location where the incident occurred;
  - Write down as much as you can recall about the incident and the people involved.
- Seek some form of emotional support. While taking care of your physical needs may be the first step in taking care of yourself, it is important not to neglect the emotions you may be experiencing as a result of the assault, violence or stalking. University Counseling Services have employees who are specially trained to assist students with recovery and healing. CIGNA EAP services are available for employees at 1-877-622- 4327.
- It is your choice to determine when and in what manner you recover from your trauma. Give yourself the time you need and know that it is never too late to get help.
- KNOW THAT WHAT HAPPENED WAS NOT YOUR FAULT AND YOU ARE NOT ALONE.

### **How to File a Complaint and How the University Will Respond**

The University strongly encourages anyone who has experienced sex discrimination, sexual harassment, retaliation, sexual assault, domestic violence, dating violence, or stalking to report the incident to the University. A report can be made under this policy at any time, regardless of when the incident happened. Reporting the incident to the University does not mean that you have to file a formal complaint or bring criminal charges. Reporting the incident, however, will allow the University to provide individuals involved with information about available support and services, both on campus and off campus.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Incident Being Reported	Procedure Institution Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. Institution will enforce the anti-retaliation policy 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</li> </ol>

<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
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<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>

Any individual may make a third-party complaint about a violation of this policy. Individuals are encouraged to contact the appropriate office identified below as soon as possible. After receiving a complaint, the University will determine what further action, including contacting the alleged victim, is warranted. If a concern is reported by someone other than the alleged victim and the alleged victim is unwilling or unable to cooperate with an investigation, the University’s ability to respond may be significantly limited.

The Deputy/Title IX Coordinators are the employees at USM responsible for the University’s overall compliance and response to incidents of sexual assault, sexual harassment, and gender discrimination in general.

### **How and Where to File a Complaint**

#### **1. Complaints or Reports of Employees’ Conduct**



All complaints or reports relating to dating violence, domestic violence, sexual assault and stalking by a University employee should be made to the Title IX Coordinator at 207-780-5767.

Upon receiving a complaint or report of dating violence, domestic violence, sexual assault and stalking by a University employee, the Title IX Coordinator will assess the complaint or report and will follow the procedures described in the University of Maine System Equal Opportunity Complaint Procedure. The Title IX Coordinator will provide the complainant with information about options for informally resolving a complaint and formal investigation of a complaint.

Mediation is never appropriate in sexual assault cases. The Title IX Coordinator will provide the complainant with a written explanation of the complainant's rights and options. When a complaint is investigated, the University will use a preponderance of the evidence standard – whether it is more likely than not that the alleged violation occurred.

Under the University of Maine System Equal Opportunity Complaint Procedure, a complaint or report of dating violence, domestic violence, sexual assault or stalking made about a University employee, will be investigated by the System Investigations Coordinator. The Investigations Coordinator will conduct the investigation and make a recommendation to the responsible administrator, who will make a decision and impose discipline, if any, in accordance with University policies and any applicable collective bargaining agreement. The Investigations Coordinator will submit findings in writing to the responsible administrator, the complainant, the respondent, the University Equal Opportunity Officer, and the University Human Resources Director normally within sixty (60) days of receiving the formal complaint. University staff responsible for this process will respond to complaints as expeditiously as possible and will attempt to meet all deadlines, but failure to do so will not prevent the complaint process from continuing.

## **2. Complaints or Reports of Students' Conduct**

All complaints or reports relating to dating violence, domestic violence, sexual assault and stalking by a University student should be made to Deputy Title IX Coordinator by calling 207- 780-5767, who will notify the Title IX Coordinator of the complaint or report. Upon receiving a complaint or report of dating violence, domestic violence, sexual assault and stalking by a University student, the Deputy Title IX Coordinator will assess the complaint or report and follow the procedures described in the University of Maine System Student Conduct Code. The Deputy Title IX Coordinator will provide the complainant with information about options for informally resolving a complaint and formal investigation of a complaint. Mediation is never appropriate in sexual assault cases. The Deputy Title IX Coordinator will provide the complainant with a written explanation of the complainant's rights and options. When a complaint is investigated, the University will use a preponderance of the evidence standard – whether it is more likely than not that the alleged violation occurred.

Under the University of Maine System Student Conduct Code, the Student Conduct Officer may initiate and supervise investigations of dating violence, domestic violence, sexual

assault and stalking which are brought to his/her attention by employees, students, or members of the general public. Upon concluding the investigation, the Officer shall notify the Respondent and the Complainant in writing of the Officer's decision on whether charges will be filed. The Officer shall conduct a hearing or may forward the matter to a Student Conduct Committee for a hearing. The Student Conduct process normally will be concluded within sixty (60) days of receiving the complaint. University staff responsible for this process will respond to complaints as expeditiously as possible and will attempt to meet all deadlines, but failure to do so will not prevent the complaint process from continuing.

### **3. Complaints or Reports of Third Parties' Conduct (Campus Guests, Vendors, Contractors, etc.)**

All concerns regarding dating violence, domestic violence, sexual assault and stalking by third parties such as vendors, contractors and campus guests should be made to Deputy Title IX Coordinator at 207-780-5767. Upon receipt of a report or complaint, the University will respond appropriately depending on the nature of its relationship to the third party. Mediation is never appropriate in sexual assault cases.

Under both the University of Maine System Equal Opportunity Complaint Procedure and the University of Maine System Student Conduct Code, the University's investigation and decision-making process is completely independent of any criminal or civil investigation and adjudication regarding the same incident.

The University will provide a prompt, fair, and impartial process from the initial investigation to the final resolution of the complaint. The investigation and decision-making shall be conducted by officials who receive annual training on domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of all individuals and promotes accountability.

The complainant and the respondent are entitled to the same opportunities to have others present during any investigative interview or disciplinary meeting or proceeding, including the opportunity to be accompanied by an advisor of their choice.

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused.

In the investigation and decision-making processes for all complaints of sexual assault, domestic violence, dating violence or stalking made under this policy, both the complainant and the respondent shall be simultaneously informed, in writing, of:

- 1) The result of any institutional disciplinary proceeding that arises from the

- alleged violation including all sanctions and the rationale for the result and sanctions;
- 2) the procedure for the respondent and the complainant to appeal the results of the institutional disciplinary proceeding;
  - 3) any change to the results that occurs prior to the time that they become final; and
  - 4) when the results are final. The University shall not require a party to abide by a non-disclosure agreement in writing or otherwise regarding the final results of the institutional disciplinary proceeding.

All of the possible sanctions that the University may impose upon a student following the results of any University disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault or stalking are:

- A. **Assigned Educational Projects:** This may include research projects, reflective essays, counseling assessments, sanction seminars or other related assignments intended to promote learning.
- B. **Community Service:** The type of service may be related to the nature of the violation.
- C. **Deferred Sanction:** A specific period of time during which a Respondent's continued enrollment or housing contract at the University is clearly in jeopardy. Any further violation of the Code during that time will minimally result in the imposition of the deferred sanction and any additional sanctions deemed necessary.
- D. **Disciplinary Dismissal:** Permanent separation (subject to the right of review after five years) from the University.
- E. **Disciplinary Probation:** A period of time when a Respondent is under closer scrutiny of the University. It may include the loss of one or more privileges.
- F. **Disciplinary Suspension:** Separation from the University for a stated period of time and/or until a stated condition(s) is met.
- G. **Fine:** Payment of money. Respondents who are unable to pay may discuss alternate payment arrangements.
- H. **Loss of Contact with a Specific Person(s):** With this sanction, the person may not initiate direct or indirect contact with a specified person(s).
- I. **Loss of Visitation Privileges:** This loss of visitation may be to any designated area(s) of campus.
- J. **Official Warning:** Official acknowledgment of a violation and the expectation that it will not be repeated.
- K. **Removal from University Housing:** Removal from a particular hall or all housing.
- L. **Restitution:** Restitution, up to the replacement value of the items damaged, stolen, removed or used without authority and damages incurred.
- M. **Such other action as the Committee or Officer may reasonably deem appropriate (e.g., suspension of an organization's official campus recognition or suspension of a student from an extracurricular activity).**

More info: <https://usm.maine.edu/community-standards-mediation>

All of the possible sanctions that the University may impose upon an employee following the results of any University disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault or stalking are:

- A. Oral Warning
- B. Written Warning
- C. Suspension
- D. Termination
- E. Such other action as the University may reasonably deem appropriate.

### **Options Regarding Law Enforcement**

An individual who has experienced sexual assault, domestic violence, dating violence or stalking, or any other conduct which may violate criminal laws, has a right, at his or her own discretion, to:

- 1) Notify law enforcement authorities, including Public Safety and local police;
- 2) Be assisted by campus authorities in notifying law enforcement; or
- 3) Decline to notify law enforcement.

University officials may, however, provide law enforcement with details about an incident under some circumstances if a determination has been made that such disclosure is required by law and/or is necessary to secure campus safety. Complainants have a right to proceed simultaneously with a criminal investigation and a University internal investigation. If necessary to the criminal investigation, the University may defer its investigation for a limited time for fact gathering by law enforcement, and then will promptly resume its investigation.

The University will provide assistance or referrals for a student or employee who wishes to obtain a protection-from-abuse or protection-from-harassment order. If a protection-from-abuse or protection-from-harassment order has been issued by a court in a civil or criminal proceeding, a copy of the order should be provided to University police or security and the deputy/Title IX Coordinator as soon as possible to enable enforcement by the appropriate authorities.

The University of Southern Maine complies with Maine state law in recognizing orders of protection by locating, serving and enforcing the orders and restrictions of the Court on defendants including the investigation of violations of such court orders for criminal prosecution, up to and including arrest. In addition, The University works with victims to form a plan for their safety, makes referrals to victim advocacy and assistance services, makes referrals to alternate safe housing assistance, and assists victims with academic or other University services arrangements for safety and wellbeing. Any person who obtains an order of protection from Maine or any other state should provide a copy to the University's Department of Public Safety (police) and the Title IX Coordinator. A complainant may then meet with campus police and other University officials to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: campus safety escorts, special parking arrangements, changing classroom location, or working with academic departments to allow remote attendance.

While the University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the court, transportation assistance is available. A victim or complainant is required to apply directly for these services. Protection orders may be available at the following locations:

<u>Type of Order</u>	<u>Who Can File For One</u>	<u>Court</u>	<u>Based Upon</u>
<u>Protection From Abuse (PFA) Order</u>	<u>Family or household members including:</u> <ul style="list-style-type: none"> <li>• <u>Spouses, former spouses</u></li> <li>• <u>Parent, child, foster parent</u></li> <li>• <u>People who have kids together</u></li> <li>• <u>Intimate partners</u></li> <li>• <u>Same sex couples are eligible</u></li> </ul>	<u>Maine District Court in the division in which either the plaintiff or defendant resides. If the plaintiff has left the plaintiff's residence to avoid abuse, the plaintiff may bring an action in the division of the plaintiff's previous residence or new residence.</u>	<u>Attempt or causing bodily injury or assault, including sexual assaults;</u> <u>Fear of bodily injury; Force, threat of force or intimidation to engage in conduct from which the person has a right or privilege to abstain;</u> <u>Restricting the movements of another person;</u> <u>Threats to commit, a crime of violence dangerous to human life;</u> <u>Repeatedly and without reasonable cause:</u> <u>(1) Following the plaintiff; or</u> <u>(2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment;</u> <u>Engaging in the unauthorized dissemination of certain private images as prohibited;</u> <u>Engaging in aggravated sex trafficking or sex trafficking.</u>
<u>Protection From Harassment (PFH) Order</u>	<u>Any person</u>	<u>Maine District Court</u>	<u>A course of conduct of intimidation, confrontation, physical force or the threat of physical force directed against any person with the intention of causing fear, intimidation or damage to personal property; A single act or course of conduct constituting a violation of Maine Criminal Code for crimes against the person including, but not limited to: stalking, assault, terrorizing, threatening, and domestic violence.</u>

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

### **Confidentiality**

Except as required by law, the University shall not include personally identifiable information about a complainant in its campus crime statistics or report, its campus

crime log, publicly available police reports or timely warning notices.

The University shall maintain as confidential any accommodations or protective measures provided to the complainant or another party, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures or to the extent otherwise required by law.

Victims may request that directory information on file with the University be withheld by request to the Office of the Registration and Scheduling Services at 107 Bailey Hall, Gorham or 140 Luther Bonney Hall, Portland or call 207-780-5230.

Regardless of whether a victim has opted-out of allowing the University to share “directory information”, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

### Support Services and Interim Measures

Whether or not an individual who has experienced dating violence, domestic violence, sexual assault or stalking files a formal complaint, reporting the incident will allow the University to provide all individuals involved with available support and services, both on-campus and off-campus. The University can also take interim measures to promote the safety and well-being of both the complainant and respondent, including, but not limited to, moving the complainant or respondent to a new living, dining or working situation; issuing a no contact order; changing class or work schedules; changing transportation; financial aid accommodations; and other academic and/or employment accommodations and support.

<b>ON CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Counseling	Psychological and substance abuse assessment & counseling, psychoeducation and stress management	Licensed Mental Health Counselors, & Psychologists, Student doctoral level interns and masters level clinicians	207-780-4050
Health <a href="#">[DSA1]</a>	Physical exam, STI Screening	Health & Counseling Services - NPs	207-780-5411
Mental Health	Depression and anxiety, substance use and suicide screening CCAPS	University Health and Counseling Services	207 780-5211
Victim Advocacy			
Legal Assistance			

Visa and Immigration Assistance			
Student Financial Aid			
Other			

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling			
Health <a href="#">[DSA2]</a>	SANE exam	Maine Medical Center	207-662-0520
Mental Health			
Victim Advocacy			
Legal Assistance			
Visa and Immigration Assistance			
Student Financial Aid			
Other			

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

- <http://www.rainn.org> - **Rape, Abuse and Incest National Network**

<http://www2.ed.gov/about/offices/list/ocr/index.html> **Department of Education, Office of Civil Rights**

The University can assist all individuals involved in obtaining counseling on or off campus and provide information regarding medical care and other resources, such as victim advocacy, legal assistance and visa and immigration assistance. The University will provide written notification to students and employees about existing resources, both within the University and the community. The University will provide written notification to complainants and respondents about how to request the above services and accommodations. The University must make such accommodations or provide such protective measures if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

## Crime Statistics Report

The following statistics, provided in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998*, as amended, are for your

information. If you have any questions about these numbers please contact Public Safety at 207-780-5211.

In compliance with the Clery Act, statistics are disclosed in four geographic categories:

1. On Campus (All educational buildings, and other property on campus)
2. Of the crimes in (1), the number of crimes that took place in dormitories or other residential facilities for students on campus
3. Non-Campus (Remote facilities and other properties that are student used, including sororities and fraternities)
4. Public Property within, or immediately adjacent to and accessible from the campus

Statistics for the three most recent calendar years (that occurred on or within the University's Clery geography (described above) and that are reported to local police agencies or to a campus security authority) for the following crimes are listed below:

- A. Criminal homicide
  1. Murder and non-negligent manslaughter
  2. Manslaughter by Negligence
- B. Sex offenses
  1. Rape
  2. Fondling
  3. Incest
  4. Statutory Rape
- C. Robbery
- D. Aggravated assault
- E. Burglary
- F. Motor vehicle theft
- G. Arson
- H. Liquor, weapon and drug law violations
  1. Arrests for liquor law violations
  2. Arrests for drug law violations
  3. Arrests for illegal weapons possession

Persons not included in (H)(1) who were referred for campus disciplinary action for liquor law violations

Persons not included in (H)(2) who were referred for campus disciplinary action for drug law violations

Persons not included in (H)(3) who were referred for campus disciplinary action for illegal weapons possession.

- I. Hate crimes
  1. Any crime reported above, that manifests evidence the victim was intentionally selected because of the perpetrator's bias against the victim based on the victims



- actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability. Must be reported by category of bias.
2. Larceny-theft, simple assault, intimidation, and destruction, damage or vandalism to property that manifests evidence the victim was intentionally selected because of the perpetrator's bias against the victim based on the victims actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability. Must be reported by category of bias.
- J. Dating violence, domestic violence and stalking.
- K. The total number of crime reports that were unfounded

## Clery Act Statistics – GORHAM CAMPUS

Offense	Year	On-campus including residence halls	Residence Halls	Non-Campus Property	Public Property
Murder, Non-negligent Manslaughter	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Negligent Manslaughter	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Dating Violence	2016	4	4	0	0
	2017	3	3	0	0
	2018	0	0	0	0
Domestic Violence	2016	0	0	0	0
	2017	2	0	0	0
	2018	2	2	0	0
Stalking	2016	0	0	0	0
	2017	2	0	0	0
	2018	0	0	0	0
Sex Offenses Forcible	2016	5	5	0	0
	2017	7	6	0	0
	2018	4	4	0	0
Sex Offenses Non-Forcible	2016	0	0	0	0

	2017	3	2	0	0
	2018	3	3	0	0
<b>Robbery</b>					
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Aggravated Assault</b>					
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Burglary</b>					
	2016	4	4	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Motor Vehicle Theft</b>					
	2016	1	0	0	1
	2017	1	0	0	1
	2018	0	0	0	0
<b>Arson</b>					
	2016	1	1	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Liquor Law Arrests</b>					
	2015	16	14	3	0
	2016	21	21	0	0
	2017	8	5	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>					
	2016	167	155	12	0
	2017	95	95	3	0
	2018	126	125	0	0
<b>Drug Law Arrests</b>					

	2016	2	2	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Drug Law Violations Referred for Disciplinary Action</b>					
	2016	36	36	0	0
	2017	314	12	0	0
	2018	53	51	0	0
<b>Illegal Weapons Arrests</b>					
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Illegal Weapons Possession Violations Referred for Disciplinary Action</b>					
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

**Reported Hate Crimes:**

2016: None.

2017: None.

2018: None.

Zero unfounded reports of Clery reportable crimes from 2016-2018.

## Clery Act Statistics – PORTLAND CAMPUS

Offense	Year	On-campus	Non-Campus Property	Public Property
Murder, Non-negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Negligent Manslaughter	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Dating Violence	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Domestic Violence	2016	0	3	0
	2017	0	0	0
	2018	0	0	0
Stalking	2016	0	0	0
	2017	0	0	0
	2018	2	0	0
Sex Offenses Forcible	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Sex Offenses Non- Forcible	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
Robbery	2016	0	0	1

	2017	0	0	0
	2018	0	0	0
<b>Aggravated Assault</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Burglary</b>				
	2016	5	3	2
	2017	0	1	1
	2017	1	0	0
<b>Motor Vehicle Theft</b>				
	2016	0	0	0
	2017	0	1	1
	2018	0	0	0
<b>Arson</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Liquor Law Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Drug Law Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Drug Law Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0

	2018	0	0	0
<b>Illegal Weapons Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Illegal Weapons Possession Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

**Reported Hate Crimes:**

2016: None.

2017: 3 Ethnicity/Vandalism

2018: None

Zero unfounded reports of Clery reportable crimes from 2016-2018.

## Clery Act Statistics LEWISTON AUBURN COLLEGE

Offense	Year	On-campus	Non-Campus Property	Public Property
<b>Murder, Non-negligent Manslaughter</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Negligent Manslaughter</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Dating Violence</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

<b>Domestic Violence</b>				
	2016	0	0	0
	2017	0	3	0
<b>Stalking</b>	2018	0	0	0
	2016	0	0	0
<b>Sex Offenses Forcible</b>	2017	0	0	0
	2018	0	0	0
<b>Sex Offenses Non-Forcible</b>	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Robbery</b>				
	2016	0	0	0



	2017	0	0	0
	2018	0	0	0
<b>Aggravated Assault</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Burglary</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Motor Vehicle Theft</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Arson</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Liquor Law Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Liquor Law Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Drug Law Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Drug Law Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0

	2018	0	0	0
<b>Illegal Weapons Arrests</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
<b>Illegal Weapons Possession Violations Referred for Disciplinary Action</b>				
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0

**Reported Hate Crimes:**

2016: None.

2017: None

2018: None

Zero unfounded reports of Clery reportable crimes from 2016-2018.

## **Annual Fire Safety Report**

### **Introduction**

Higher Education institutions that have residence halls are required by the Higher Education Opportunity Act of 2008 to publish an annual fire safety report specific to the residence halls along with statistics about fires that have occurred in the residence halls. To comply with the HEOA, USM offers the following important information on fire safety and statistics for the residence halls.

The Gorham Fire Department is a full-time, professional, full- service fire department, on duty 24 hours per day, 365 days per year. The department responds to all types of fire, medical and hazardous material emergencies both in the Town of Gorham and on the USM Gorham campus.

The department provides EMS first response from EMT-Intermediate level up to the EMT-Paramedic level. The fire station is situated near campus on Main Street in Gorham.

### **Fire Safety Equipment & System**

At USM each of our residence halls has an addressable evacuation system in addition to fully functional fire suppression systems.

The fire alarm system is tested annually. In addition to the fire safety systems, every residence hall has fire extinguishers on every floor and wing. The fire extinguishers are checked nightly by resident assistants on building checks. When a fire alarm system is activated it registers in Public Safety and the dispatcher notifies the Town of Gorham Fire Department and sends a patrol officer to the scene.

### **Fire Safety Training**

Basic fire safety instruction is provided to all students by multiple means. Each residence hall room is provided with an instructional sign located on the back side of the room door that contains information on what to do during an emergency. Students also receive annual fire drills to ensure they understand the proper building evacuation procedures during an emergency. Additionally, RA's receive specific training on their responsibilities during both fire and medical emergencies. Additional hands-on practical training of fire extinguisher that utilizes live fire exercises is available upon request.

### **Evacuation Procedures & Annual Fire Drill**

The evacuation procedures for each of the residence halls are posted on the back of the main door to every student room, suite, or apartment. Evacuation procedures along with other emergency procedures are also in the policies section of the Residence Life website at [www.usm.maine.edu/reslife](http://www.usm.maine.edu/reslife). Every fall and spring semester the residential life staff conducts an unannounced fire drill for each residence hall.

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Department of Public Safety at 207-780-5211. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm.

### **Student Housing Evacuation Procedures In Case of a Fire**

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. Resident life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

### **Policies Related to Fire Safety**

For the benefit of the University community, particularly residential students, the fire safety policies of Residential Life are copied below.

For your safety and protection, fire drills and inspections will be conducted periodically throughout the academic year; at least once per semester. The sole purpose of fire drills is to ensure the operation of the fire safety system and to practice evacuation procedures. All residents must vacate the building by following emergency procedures and go to designated areas when the alarm sounds. Everyone must stand clear of entrances and walkways to permit passage of the Fire Department personnel and equipment. After the building has been vacated, the Fire Department will communicate with residents of the building through staff members regarding the status of the fire call. Students will be permitted back into the building only when the Fire Department issues an approval for reoccupation. Should there be a lengthy period of

time when remaining outside is probable, students will be temporarily relocated.

The firefighting equipment, the fire alarm system, and appropriate procedures are provided for the protection of life and property of residents. Tampering with or the misuse of fire alarms, smoke detectors, fire extinguishers, and/or failure to comply with related procedures is a serious infraction of University policy and is a crime, and will be dealt with appropriately.

Because of the sensitive nature of fire protection equipment, items may not be hung from, nor cover, sprinklers, pipes, or smoke/heat detectors in residence hall rooms. For timely and safe evacuation, all hallways should be free from obstructions (sports equipment, shoes, trash bags, etc.)

All residence halls have heat/smoke detectors in the hallways and heat/smoke detectors mounted on the ceilings of individual student rooms. Each hall and all buildings on campus are equipped with fire extinguishers and pull boxes. Fire equipment is not to be used for any reason other than putting out fires. Tampering with fire equipment may be grounds for dismissal from the University.

To avoid fire hazards, smoking cigarettes, burning candles or incense or other similar open flame devices, and using space heaters, electric heaters and halogen lamps is not permitted in the residence halls. Ceiling hangings of any kind, including flags, drapes, tapestries, sheets, etc. are also prohibited. The storage of BBQ grills, charcoal, lighter fluid and propane is prohibited in facilities. Use of BBQ grills is allowed outside ONLY with permission from Public Safety.

## Electrical Appliances

The following electrical appliances are permitted, as long as they draw less than 800 watts:

- Computers
- Low Power Stereos and radios
- Televisions, VCRs, DVD players, Video-gaming systems

One University owned Micro fridge unit will be provided for each designed double or single. A second University owned Micro fridge unit will be provided for designed triples or four person suites without kitchens. Only one University owned Micro fridge will be provided for over - assigned rooms, but an additional Micro fridge may be requested from the Resident Director. No other refrigerator or microwave units will be allowed. Micro fridge units must be left clean, unplugged and with the refrigerator and freezer doors open when all occupants check out of the room at the end of the fall and spring semesters.

The use or possession of high wattage and/or dangerous electrical appliances such as high powered stereo systems, subwoofers, air conditioners, coffee makers, hot pots, electric skillets, grills (including George Foreman grills, quesadilla makers, and sandwich makers) hot plates, heaters, popcorn poppers, toasters, waffle makers, is strictly prohibited. The discovery of any of these items may lead to disciplinary action and you will be requested to remove the item from the residence hall.

## Electric Extension Cords

A UL-rated power strip (available at the Bookstores) that has a switch, 15 amp circuit breaker, ground fault protection and surge protection must be used, and may not be plugged in to another power strip. For fire and safety reasons, extension cords are not allowed in residence hall rooms as a substitute for permanent wiring.

## Holiday Decorations

Due to potential fire hazards the use of holiday decorations MUST adhere to the University guidelines. No live trees, treated or untreated, are permitted. It is against policy to leave electrical lights on when no one is present in the room to attend them. Holiday lights may not be hung from ceilings, nor may they obstruct doors or windows.

## Kitchen Facilities

There is absolutely no cooking (as opposed to warming pre-cooked foods in a microwave) in any residence hall rooms due to fire regulations, with the exception of apartments and suites with full kitchens. You are welcome to cook in the common kitchens in the halls (Woodward does not have a common kitchen, but students may use the Anderson Hall kitchen).

## Not Allowed

HIGH - WATTAGE (OVER 800 WATTS) ELECTRICAL APPLIANCES - air conditioners, skillets,

heaters, etc.

**FIRE HAZARDS** -Candles and incense, including decorative candles and oil burning lamps, hot pots, toasters, popcorn poppers, BBQ's, coffee makers, sunlamps, halogen lamps, George Foreman grills, extension cords, water pipes, bong, hookahs, etc.

**DANGEROUS DECORATIONS** - live Christmas trees, non UL rated holiday lights

**CEILING HANGINGS** of any kind

Please note wall hangings may only cover 25%.

### **Safety Inspections**

The Residential Life staff of Student and University Life in Gorham performs Residence Hall Health and Safety (H&S) Inspections at least twice a year, once in the fall and once in the spring. Inspections will be announced at least 24 hours before they are to begin. The H&S inspections are primarily designed to find and eliminate safety violations. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers and other life safety systems. In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room.

### **Smoking**

Smoking is not permitted on campus.

### Fire Statistics Reporting Table for 2016

Residence Hall	Total # of Fires	Incident #	Cause of Fire	Number of Injuries Requiring Treatment/ Deaths	Value of Damage
Anderson	0	0	N/A	0	N/A
Dickey-Wood	0	0	N/A	0	N/A
Robie-Andrews	0	0	N/A	0	N/A
Philippi	1	0	Burn Marks	0	\$20.
Upperclass	0	0	N/A	0	N/A
Upton-Hastings	1	1	Burn Marks	0	N/A
Woodward	0	0	N/A	0	N/A

### Fire Statistics Reporting Table for 2017

Residence Hall	Total # of Fires	Incident #	Cause of Fire	Number of Injuries Requiring Treatment/ Deaths	Value of Damage
Anderson	0	0	N/A	0	N/A
Dickey-Wood	0	0	N/A	0	N/A
Robie-Andrews	0	0	N/A	0	N/A
Philippi	0	0	N/A	0	N/A
Upperclass	0	0	N/A	0	N/A
Upton-Hastings	0	0	N/A	0	N/A
Woodward	0	0	N/A	0	N/A



## Fire Statistics Reporting Table for 2018

Residence Hall	Total # of Fires	Incident #	Cause of Fire	Number of Injuries Requiring Treatment/Deaths	Value of Damage
Anderson	0	N/A	N/A	N/A	N/A
Dickey-Wood	0	N/A	N/A	N/A	N/A
Robie-Andrews	0	N/A	N/A	N/A	N/A
Philippi	0	N/A	N/A	N/A	N/A
Upperclass	0	N/A	N/A	N/A	N/A
Upton-Hastings	0	N/A	N/A	N/A	N/A
Woodward	0	N/A	N/A	N/A	N/A

## Fire Safety Report Log

Institutions that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time and general location of each fire. The Institution must make an entry or an addition to an entry to the log within two business days of receipt of the information. The fire log for the most recent 60-day period is open to the public inspection at Public Safety. Any portion of the log older than 60 days is available within two business days of a request for public inspection. The log also includes document plans for future improvements in fire safety, if determined necessary by the Institution.

Please report fires that have already been extinguished in on-campus student housing for which you are unsure whether Public Safety may already be aware by calling USM Public Safety at 207-780-5211. When calling, please provide as much information as possible about the location, date, time and cause of the fire. For fires in progress please also call 207-780-5211 for emergency response