ANNUAL SECURITY & FIRE SAFETY REPORT
2019

SOUTHERN UTAH UNIVERSITY
POLICE DEPARTMENT

IN COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE
OF CAMPUS SECURITY POLICY & CAMPUS CRIME
STATISTICS ACT
# Table of Contents

- TELEPHONE DIRECTORY ...................................................................................................................... 2
- NOTIFICATIONS ................................................................................................................................... 3
- A MESSAGE FROM THE CHIEF ............................................................................................................. 4
- DEPARTMENT OVERVIEW ..................................................................................................................... 5
  - Jurisdictional Enforcement and Arrest Authority of University Police ........................................... 5
- INCIDENT REPORTING AND RESPONSE .............................................................................................. 7
- ACCESS AND MAINTENANCE OF CAMPUS FACILITIES ................................................................... 11
- ALCOHOLIC BEVERAGES, ILLEGAL DRUGS, AND WEAPONS ............................................................. 12
- SEXUAL ASSAULT AND DOMESTIC VIOLENCE ................................................................................ 22
  - Title IX ........................................................................................................................................ 26
- MISSING PERSONS ............................................................................................................................. 34
- CRIME STATISTICS ............................................................................................................................. 35
  - Definitions ........................................................................................................................................ 38
  - Crime Statistics Table .................................................................................................................... 40
- THEFT PREVENTION .......................................................................................................................... 41
- CRIME PREVENTION PROGRAMS ..................................................................................................... 42
- FIRE SAFETY REPORT .......................................................................................................................... 44
  - Fire Statistics 2018 ......................................................................................................................... 47
  - Fire Statistics 2017 .......................................................................................................................... 48
  - Fire Statistics 2016 .......................................................................................................................... 49
- ADDITIONAL RESOURCES ................................................................................................................... 50
EMERGENCY TELEPHONE NUMBERS
Web Site: www.suu.edu/police

• Emergencies-Police/Fire/Medical .................................................. 911
• Non-Emergencies ........................................................................ 435-586-1911
• University Police Office ............................................................... 435-586-7793
• Building Emergency .................................................................... 435-865-8888
• University Police Text a Tip Line: Text “PD” and your message to 32483

OTHER IMPORTANT TELEPHONE NUMBERS

• Off Campus Emergencies-Police/Fire/Medical .............................. 911
• Cedar City Police ......................................................................... 435-586-2956
• Iron County Sherriff’s Office ...................................................... 435-867-7500
• Highway Patrol ........................................................................... 435-865-1970
• Fire Department .......................................................................... 435-586-2964
• Counseling and Psychological Services (CAPS) ......................... 435-865-8621
• Cedar City Hospital ................................................................. 435-868-5000
DISTRIBUTING THE ANNUAL SECURITY AND FIRE SAFETY REPORT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States who receive federal student financial aid to disclose information about campus security and fire safety on and around their campuses. This requirement is enforced by the U.S. Department of Education.

Each year SUU’s Police Department publishes an Annual Security & Fire Safety Report with updated crime statistics and information intended to inform the SUU community about the institution’s safety- and security-related policies, procedures, and programs. SUU is required by law to share this important information with all prospective students and employees as well as current students and employees. SUU complies with this requirement in the following ways:

- Current students and employees are sent this email every year on September 28. Students can find the most recent Annual Security & Fire Safety Report at https://www.suu.edu/clery/.
- Prospective students will find language about this requirement and the link (https://www.suu.edu/clery/) in the automated email response they receive from the Admissions Office upon application to SUU. The notice is sent to the email address provided on the prospective students’ application.
- Prospective employees will find language about this requirement and the link (https://www.suu.edu/clery/) in the automated email response they receive from the Human Resources Office upon application to a job at SUU. The notice is sent to the email address provided on the prospective employee’s application.

All groups of people may request a paper copy of the Annual Security & Fire Safety Report from the SUU Police Department by visiting their office at 36 N. 300 W., Cedar City, UT 84720 or by calling (435) 586-7793. The option to obtain paper copy will be disclosed in all notifications about the ASR/AFSR.
Welcome to Southern Utah University.

On behalf of all the Southern Utah University Police employees, we welcome you and extend our hand to assist you during your stay, whether it is to attend an evening event, to work as an SUU employee, or enroll as a student.

The department’s motto is, “Working with you to make our university a safer place to learn.” With the assistance of every member of our campus community, this is a realistic and obtainable goal. Our vision for the department is to be a national model for public universities regarding police services.

Our department uses the community oriented policing model. We work closely with the President’s Council, SUU Student Association, Faculty Senate and the Staff Association to ensure we are addressing the concerns of our campus community. We also work closely with various external agencies like the Cedar City Police Department, Iron County Attorney’s Office, Women’s Crisis Center and many other local, state, and federal agencies.

This guide is published to provide information about department services, programs and statistical information as required by law. We solicit comments and feedback from all those we serve. Please stop by our office with your comments or suggestions concerning this publication or any service we provide. Our office is located at 36 North 300 West, Cedar City, Utah, 84720. You may also contact us at 435-586-7793 or police@suu.edu.

Sincerely,

Rick Brown
SUU Chief of Police
The Southern Utah University Police Department provides law enforcement and security services to all components of Southern Utah University to include the academic campus, the Utah Shakespeare Festival, the Utah Summer Games and all satellite buildings.

The department has six full-time state certified Police Officers, five state-certified Reserve Officers, eight Student Guards, one Administrative Assistant and two Student Assistants.

University police officers are fully trained and certified Utah Peace Officers, and have the same arrest, detention and police authority as any other police officer in Utah. See Utah Code Ann. §53-13-101, et.seq. Additionally, University police officers have the authority to enforce Southern Utah University regulations. See Utah Code Ann. § 53B-3-105.

To provide a safe campus community, the department has uniformed officers on patrol 24 hours a day, 7 days a week. Unarmed student guards work closely with our full-time officers patrolling University property and responding to security needs.

Patrol is the core function of the Southern Utah University Police Department. Officers answer calls for service, respond to alarms, and enforce state, criminal and traffic laws. Specialized assignments including Crime Prevention, Special Weapons and Tactics (SWAT) and Bicycle Patrol are assumed by officers depending on their individual interest and credentials.

**JURISDICTIONAL ENFORCEMENT AND ARREST AUTHORITY OF UNIVERSITY POLICE**

The Southern Utah University Police Department is the primary police authority for Southern Utah University. Our police officers are certified Utah Peace Officers as defined in the Utah Code of Criminal Procedure. Pursuant to Section 53B-3-105 of the Utah Education Code, the primary jurisdiction of Southern Utah University police officers includes all property which is owned, leased, rented or otherwise under the control of Southern Utah University.

The Southern Utah University Police Department is computer linked to city, state and federal criminal justice agencies, which provide access to criminal records, wanted persons, stolen property and vehicle information. All crimes reported to the University Police Department are thoroughly investigated and are referred for prosecution through the Iron County Attorney’s office when appropriate. Local police reports are reviewed for students attending the university, including student organizations with off-campus housing facilities for involvements in any activity that is addressed in the student conduct code.

The Southern Utah University Police Department maintains excellent working relationships with all local law enforcement agencies including the Cedar City Police Department, Iron County Sherriff’s Department, Brian Head Police Department, Utah Highway Patrol, Enoch Police Department and the local field office of the Federal Bureau of Investigation and Homeland Security. These working relationships are maintained through periodic communications among agency administrators and by frequent contacts between line officers and investigators cooperating on specific cases. This
network of local law enforcement agencies enhances SUU Police reach and effectiveness on campus and into the surrounding community. All law enforcement agencies are encouraged to report all concerns regarding members of the campus community to the University Police Department. Local agencies assist SUUPD with the monitoring and recording of criminal activity by students at non-campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

As specified in the Utah Criminal and Traffic Code Section 76-8-707, if the chief officer of any institution of higher education, or in the judgment of any officer or employee designated by him to maintain order on a campus or related facility, determines that the law enforcement agency of that institution lacks sufficient personnel to deal effectively with any condition of unrest existing or developing on a campus or related facility of the institution, she/he may call for assistance from any surrounding law enforcement agency.

**PROFESSIONAL STANDARDS**

Developing positive relationships with the community and providing excellent service are vital to achieving the department’s overall mission of ensuring a safe and secure campus. The quality of our service depends in part on feedback received from the community served. Please help to improve the department by bringing your concerns and compliments to the attention of the department through one of the following options:

- In person by scheduling an appointment with the Chief of Police (435-586-7793)
- In writing to Southern Utah University Police Department, 36 N. 300 W. Cedar City, UT 84720
- Via email: police@suu.edu

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**Mission Statement**

**WORKING WITH YOU TO MAKE OUR UNIVERSITY A SAFER PLACE TO LEARN.**
Any criminal offense or suspected criminal activity should be reported directly to University Police by telephone, in person, by e-mail (police@suu.edu) or by using one of the fourteen emergency blue light telephones located throughout campus. Campus elevators are also equipped with emergency phones. How contact is made should be determined, in part, by the nature of the incident.

To contact the University Police by telephone, please call 435-586-1911. When a call is received, on-duty officers are contacted directly and dispatched as necessary.

University Police will respond as quickly as possible to any request for assistance. Response time is based on current activity and severity of the call. Crimes in progress, alarms, traffic accidents with injuries and medical assists may have higher priority than other types of calls.

We cannot overemphasize the importance of prompt and accurate crime reports, no matter when it occurs. If a crime is not promptly reported, evidence can be destroyed or the potential to apprehend the suspect minimized by the delay. Without timely and accurate reports, leads could be overlooked and investigations misguided. If you witness a crime or emergency, promptly report it to University Police and be prepared to answer questions as accurately as you can. The subsequent investigation can only be as thorough as the information received. If you are the victim of a crime, have seen or received information of criminal activity or witnessed an emergency situation, please contact University Police immediately.

The university and SUUPD will assist and respond appropriately to all reports, however, it is important to remember that all members of the university community must assume responsibility for their own personal safety and the security of their personal property. Tips on personal safety tactics are provided in the crime prevention section of this security report.

**REPORTING CRIMINAL OFFENSES TO UNIVERSITY OFFICIALS**

Faculty, staff and students are encouraged to report any criminal offenses on campus directly to University Police. In an emergency (police, fire or medical), call 911 or activate one of the blue light phones located throughout campus. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the University’s residential facilities should be reported to the police department.

In addition, you may report crimes to the following individuals/offices:

- Vice President for Student Affairs or Dean of Students .......... 435-586-7710
- Department of Human Resources ........................................ 435-865-8572
- Campus Security Authorities (CSA) *
- Title IX Office ................................................................. 435-586-5419
- Director/University Housing ............................................. 435-586-7966
- Counseling and Psychological Services .............................. 435-865-8621

If you wish to speak to a police officer or report a non-emergency call (435)586-1911.

* The definition of Campus Security Authority (CSA) is on page 35

All university responsible employees and CSAs, with the exception of licensed mental health counselors or members of the clergy who are working within the scope of their license or religious assignment, are
required to report all incidents of sexual misconduct to the Title IX Coordinator.

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, the Chief or a designee can file a report on the details of the incident without revealing your identity. Crimes can also be reported anonymously through the department web page at: https://www.suu.edu/police/reporting-crime.html.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Federal legislation requires the inclusion of certain crimes, to include allegations of crimes made “in good faith” in the University’s annual statistical report.

For off-campus offenses, we encourage prompt reporting to the Cedar City Police Department or the Iron County Sheriff’s Office.

UNFOUNDED CRIMES

For Clery Act purposes, the standard for unfounding a reported crime is very high. A crime may only be classified as unfounded after a full investigation by sworn or commissioned law enforcement personnel. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. As such, for Clery Act purposes, the determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

To count a crime as “unfounded” for Clery Act purposes, the reported crime must:

- Have been a Clery Act crime;
- Reported to have occurred on Clery Act geography;
- Thoroughly investigated by sworn or commissioned law enforcement personnel; and found through investigation to be false or baseless, meaning that the crime did not occur and was never attempted.

COLLABORATION AND ASSISTANCE FROM OTHER AGENCIES

SUUPD maintains verbal mutual aid agreements with other local, state, and federal law enforcement
agencies as per Utah Code Annotated 76-8-707. This relationship allows SUUPD to coordinate investigative efforts, share information, and call upon these other agencies in the event an incident arises in which outside resources are required. SUUPD works in collaboration with local law enforcement for crimes reported during SUU programs, services, and activities that occur on non-campus locations. SUUPD also maintains access to multiple databases containing local and nation-wide criminal history data, police reports, vehicle and driver information, and other state and federal law enforcement information.

PASTORAL/COUNSELOR EXEMPTION

Although exempt from the reporting requirements of the Clery Act, pastoral and professional mental health counselors are encouraged to refer persons they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual statistics, especially if the incident is part of a continuous threat to the campus community. The University Police Department, as well as campus officials, will assist students with notification to the proper law enforcement authorities, if appropriate. It is the Department’s goal to provide assistance wherever the report is made.

EMERGENCY RESPONSE/TIMELY WARNING

It is the responsibility of the University’s Chief of Police to determine the University’s response to an incident when it affects or has the potential to affect the larger campus community (beyond those in the immediate vicinity of the event) and to activate, if appropriate, notification protocols. In compliance with the Higher Education Act of 1965 as amended, the University has implemented a comprehensive emergency notification system. This system consists of several notification technologies to include, text messaging, outdoor sirens, voice over internet telephones (VOIP), email, pop up messages on computer screens and fire alarms. These varied systems allow the prompt disclosure of information about crimes on and/or near the campus that may pose an immediate and/or ongoing threat to the University community. All students, faculty and staff are encouraged to sign up to receive emergency notification text messages by following these steps: 1) sign in to your SUU Portal, 2) click on the drop down option next to your name in the upper right corner, 3) click on mobile setup, 4) enter your phone number to receive text notifications.

Evacuation procedures will vary depending on the type of incident. Floor marshals in each building will assist first responders in moving occupants to a safe location. Occupants should move to the closest safe exit when they are not directed to a particular location. On campus residence halls will be secured in the event of an emergency or dangerous situation. Students and employees in the residence buildings will be directed to a secure location. It is encouraged that residents review the emergency evacuation/procedures posted in each building.

On at least an annual basis, the University will test the emergency response and evacuation procedures. The tests may be announced or unannounced. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. The University will publicize its emergency response and evacuation procedures in conjunction with this test, and will document, for each test, a description of the exercise, the date and time of the exercise, and whether the exercise was announced or unannounced.
Facebook and Twitter have been added as resources in communicating to the community in emergencies and daily reports. Safety tips are sent out on those platforms as well.

In the event a situation arises, either on or off campus, that in the judgment of University Police constitutes a serious or continuing threat, a campus-wide “timely warning” will be issued. This “Campus Crime Alert” will be issued using the emergency notification systems outlined above. Evacuation of campus or affected buildings would be determined on a case by case situation. In addition, flyers may also be posted on the building doors of the affected community (ies).

While the Clery Act mandates timely warnings for Clery crimes only, timely warnings will be issued for any crime that is determined to pose a serious or continuing threat to the campus community. The amount of information provided will be determined, in part, by the possible risk of compromising law enforcement; however, the risk to law enforcement will not preclude the larger responsibility the University Police department has to ensure the safety of its constituents.

In addition to the University’s Emergency Notification System, instructions on how to respond to various emergency situations are posted in every classroom and meeting room on campus. They include basic and preventative action that should be taken, if and when possible. This information is also available online at www.suu.edu/adj/em. The website provides information on various topics including, but not limited to, emergency management, emergency preparedness, natural disasters, hazardous incidents, medical injuries, hostile intruders, bomb threats, utility outages, fire safety, and evacuation.

When an event is planned or localized, the Chief will alert the President and/or the appropriate member of the president’s council in the absence of the President. The Vice President for Student Affairs will notify the University’s President of the current or potential emergency conditions and if necessary, set up an Emergency Coordination Center (ECC) and convene the Crisis Policy Group. The President will be advised on areas of concern and vulnerability and provided with a recommended plan of action to address these concerns.

In the absence of the University President, the chain of command is as follows:

1. Vice President for Finance and Administration
2. Vice President for Student Affairs
3. University Provost
Access & Maintenance of Facilities

ACCESS

During business hours, the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees.

Outside of normal business hours access to campus facilities varies. The corresponding Dean, Director, or Department Head is responsible for determining access to the facilities under their control. It is unlawful for any person to trespass on the grounds of any state of Utah institution of higher education or to damage or deface any of the buildings, statues, monuments, memorials, trees, shrubs, grasses or flowers on the grounds of such institutions.

The University Police Department conducts patrols throughout campus on a regular basis. These patrols include the campus residential facilities which are staffed with live-in Resident Assistants and Community Coordinators who maintain rotating on-call schedules whenever students are living in the residence halls.

Southern Utah University’s Board of Trustees and/or its authorized representatives may refuse to allow persons having no legitimate business to set foot on or enter property under the board’s control.

Persons who, upon request, refuse to leave peaceably may be removed from the property. Identification may be required of any person on property owned or operated by Southern Utah University.

MAINTENANCE

The Facilities Management department maintains all University buildings across campus except for the University’s residential facilities which are the responsibility of University Housing. Maintenance includes custodial services, grounds and utility systems.

Non-residential Maintenance Concerns

Members of the University community are encouraged to report maintenance problems in person to the nearest departmental office, by submitting a work order online at https://wrsuu.upturnhost.com, or by calling Facilities Management at 435-865-8735. If the deficiency is discovered after hours, contact should be made with the University Call Center at 435-865-8888. If the condition is an emergency or safety concern, a Call Center representative will contact the University’s on-call maintenance representative. If the concern does not need to be addressed immediately, a work order will be submitted to be completed during normal business hours.

Southern Utah University’s Facilities Management department takes security service needs as its highest priority. Facilities Management personnel immediately respond to reports of inoperable doors, burned-out lights, malfunctioning smoke-fire alarms, broken windows and screens, and requests from the University Police Department.

Police and security personnel closely monitor any security-related maintenance problems after hours and report their findings to the appropriate University official. If necessary, they will stand-by until the problem is corrected.

Residential Maintenance Concerns

All residence hall maintenance needs should be reported through University Housing. They can be reached at 435-586-7966 or, a work order can be submitted online at https://wrsuu.upturnhost.com.
As an institution interested in the intellectual, physical and psychological well-being of the campus community, Southern Utah University deems it important to curtail the abusive or illegal use of alcoholic beverages. All members of the university community and guests are required to comply with federal, state and local laws regarding the distribution, possession and consumption of alcoholic beverages. The University enforces state laws and related University policies, including those prohibiting the following activities on campus:

**Student Alcohol and Drug Policy:**

The Drug-Free School and Community Act prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol on school property or as part of any school activities. As part of this act, SUU prohibits:

- Unlawful use, possession, distribution, sale, manufacture, or possession for purposes of distribution or sale of any controlled substance or illegal drug;
- Sale, possession, manufacture, distribution, or consumption of alcoholic beverages on University premises;
- Unauthorized sale, possession, manufacture, distribution, or consumption of alcoholic beverages at any official off-campus University-sponsored function or event;
- Smoking in unauthorized locations on University premises in violation of state law, University, or public health regulations;

The entire text of the Student Alcohol and Drug Policies (5.40, 5.9, and 11.2) are contained online at:


**Alcoholic Beverage Policy (All Employees):**

A. The University strictly prohibits the unlawful manufacture, distribution, dispensation, possession or use of controlled substances or being under the influence thereof on the Southern Utah University Campus or at any SUU University worksite.
B. All employees of the University are subject to the terms of this policy.
C. As a condition of employment, all employees of the University must notify the Director of Human Resources no later than five (5) days after a criminal drug statute conviction for a violation occurring at a SUU worksite.
D. Any employee who is convicted of a worksite drug abuse violation may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program and/or will have disciplinary sanctions imposed up to and/or including termination of employment.

The entire text of the Alcoholic Beverage Policies (5.40 and 5.9) which pertain to all employees of Southern Utah University may be found online at:

UNIVERSITY SANCTIONS

Southern Utah University reserves the right to take appropriate action against any individual or group which is found to pose an unreasonable risk of harm to the health, safety, or welfare of the University community. These individuals or groups will answer to the University Police Department as well as the Dean of Students. In addition to any federal, state, and local sanctions, SUU may use one or more of the following sanctions:

- Warning
- Educational Experiences
- Monetary Fine
- Community Service
- Restitution
- Formal and/or Public Apology
- Parental Notification
- Disciplinary Probation
- Social Suspension
- Disciplinary Dismissal
- Removal from Housing
- Loss of Privilege to Represent the University.

The Student Conduct Administrator, Student Conduct Officer, and the University Appeals Board (UAB) may impose any one, or a combination of, the following sanctions commensurate with the gravity of the Non-Academic Misconduct and the conduct history of the accused student or organization. (Policy #11.2, section VII.B.2.H). The matrix below represents examples of actions that could be or are typically taken with students who violate the Student Code regarding alcohol and drug use on campus. Local, state, and federal laws may also apply to alcohol and drug violations.

<table>
<thead>
<tr>
<th>1st Violation</th>
<th>2nd Violation</th>
<th>3rd Violation and beyond</th>
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</table>
| · University unit or organization specific disciplinary action (e.g., Athletics, Greek System, Housing and Residence Life)  
· Meeting with University Conduct Officials  
· Warning  
· Monetary Fine  
· Educational Experience (E-Chug or E-Toke, no fee)  
· Disciplinary Probation  
· Parental Notification  
· Legal Consequences | · Meeting with University Conduct Officials  
· Monetary Fine  
· Community Service  
· Restitution  
· Formal and/or Public Apology  
· Parental Notification  
· Disciplinary Probation  
· Educational Experience (Clinical Assessment at their cost)  
· Removal from University Housing  
· Legal Consequences | · Meeting with University Conduct Officials  
· Educational Experience (Clinical Assessment at their cost)  
· Parental Notification  
· Community Service  
· Disciplinary Probation  
· Social Suspension  
· Disciplinary Dismissal  
· Legal Consequences |

UTAH LEGAL SANCTIONS

Intoxication Statute of Utah:
A person is guilty of intoxication if the person is under the influence of alcohol, a controlled substance, or any substance having the property of releasing toxic vapors, to a degree that the person may endanger the person or another, in a public place or in a private place where the person unreasonably disturbs other persons. An offense under this section is a class C misdemeanor.
Possession of Alcoholic Beverage in Motor Vehicle:
It is a Class C misdemeanor to knowingly possess an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked.
A person may not keep, carry, possess, transport, or allow another to keep, carry, possess, or transport in the passenger compartment of a motor vehicle, when the vehicle is on any highway or waters of the state, any container which contains any alcoholic beverage if the container has been opened, its seal broken, or the contents of the container partially consumed.

Utah Legal Sanctions: Driving, Flying or Boating While Intoxicated (DUI)
It is a Class B misdemeanor to operate a motor vehicle, aircraft, or watercraft in a public place while intoxicated.

1) A person may not operate or be in actual physical control of a vehicle within this state if the person:
   a. has sufficient alcohol in the person’s body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;
   b. is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle; or
   c. has a blood or breath alcohol concentration of .08 grams or greater at the time of operation or actual physical control.

If a person convicted of “DUI” was under the age of 21 when the violation occurred, the court shall order the installation of the ignition interlock system as a condition of probation.

Automobile homicide:
It is a Second degree felony to cause death to another by accident or mistake while operating any vehicle (motor, aircraft, watercraft) in a public place while intoxicated.

Administrative License Revocation; Implied Consent:
After being arrested for Driving While Intoxicated, failing or refusing the Blood Alcohol Concentration (BAC) test can result in license revocation. Revocation may NOT be probated and there is a $170 reinstatement fee. An appeal process is available. The following penalties apply:

Terms of Offense:
Adults
- If this is your first DUI and you are 21 or older on the date of arrest, the suspension period changed from 90 days to 120 days
- If this is your second or subsequent DUI and you are 21 or older on the date of arrest, the revocation period changed from one (1) year to two (2) years
- If you are 21 or older and refused to submit to a chemical test and have had a previous sanction for certain alcohol related offenses, the revocation period changed from 24 months to 36 months
- If you are 21 or older on the date of arrest and are convicted of a DUI violation you will be interlock restricted for a period of 18 months.
Minors

- If you are under 21 on the date of arrest and this is your first DUI, the suspension period is changed from 90 days to 120 days or until you are 21, whichever is longer.
- If you are under 21 on the date of arrest and this is your second or subsequent DUI, the revocation period is changed from one (1) year to two (2) years or until you are 21, whichever is longer.
- If you are under 21 and refused to submit to a chemical test, the revocation period is for 18 months or until you are 21, whichever is longer.
- If you are under 21 and refused to submit to a chemical test and have had a previous sanction for certain alcohol related offenses, the revocation period is 36 months or until you are 21, whichever is longer.
- If you are under 21 on the date of arrest and are convicted of a DUI violation you will be interlock restricted for a period of 3 years.

Utah Legal Sanctions Pertaining to Minors

Sale or furnishing alcohol to Minors:
It is a Class B misdemeanor to sell or furnish an alcoholic beverage to an individual under 21 years of age through an act of criminal negligence. If it is known that the minor is under 21 year of age the penalty is increased to a Class A misdemeanor.

Purchase of Alcohol for a Minor; Furnishing Alcohol to a Minor:
It is a Class B misdemeanor to purchase or make available an alcoholic beverage to an individual under 21 years of age through an act of criminal negligence. If it is known that the minor is under 21 year of age the penalty is increased to a Class A misdemeanor. This offense is punishable by a fine of $2,500 and/or confinement in jail for up to one year.

Civil Liability for Provision of Alcohol to a Minor:
An adult 21 years of age or older is liable for damages proximately caused by the intoxication of a minor under the age of 21, if the adult is not the minor’s parent, guardian, or spouse; or an adult in whose custody the minor has been committed by a court; and the adult knowingly served or provided the minor any of the alcoholic beverages that contributed to the minor’s intoxication; or allowed the minor to be served or provided any of the alcoholic beverages that contributed to the minor’s intoxication on the premises owned or leased by the adult.

Alcohol and a Minor:
Consumption of Alcohol by a Minor; Possession of Alcohol by a Minor: It is a misdemeanor for minors to consume or possess alcoholic beverages except in the visible presence of the minor’s adult parent, guardian, or spouse.

Purchase of Alcohol by a Minor; Attempt to Purchase Alcohol:
It is a misdemeanor for individuals under 21 years of age to attempt purchasing alcoholic beverages. “Attempt” implies acting beyond mere preparation.

Misrepresentation of Age by a Minor:
It is a misdemeanor to falsely state or to present false documents indicating an individual is 21 years of age or older to a person selling or serving alcoholic beverages.
Punishment for the above Alcohol-related offense by a Minor:
The courts can require that a minor’s driver license be suspended for one (1) year if a minor has violated certain alcohol related offenses for the first time and the violation was on or after July 1, 2009, and a period for two (2) years for a second or subsequent violation. It also allows the court to reduce a minor’s driver license suspension for a first offense if the minor completes an educational series obtained at a substance abuse program that is approved by the Division of Substance Abuse and Mental Health.
If a minor has at least two prior alcohol-related convictions, the offense is punishable by a fine of $250 to $2,000; and/or confinement in jail for up to 180 days. Punishment includes 20 to 40 hours of community service. The minor’s driver’s license or permit will be denied or suspended: 60 days for a 2nd alcohol-related conviction: 180 days for subsequent convictions.

Attendance at Alcohol Awareness Course; License suspension: On first conviction of an alcohol related offense, the court shall require the minor to attend an alcohol awareness course approved by the Justice Court. If under 18 years of age, a parent or guardian may be required to attend the course with the defendant. The defendant must present evidence of completion of the course and community service within 1 year of the date of final conviction. If the course is completed early the court may reduce the driver’s license suspension from 1 year to 9 months.

Driving under the Influence of Alcohol by a Minor: A minor commits an offense if the minor operates a motor vehicle in a public place while having any detectable amount of alcohol in the minor’s system. For a minor without previous alcohol-related offenses, these are Class B misdemeanors. Punishment includes a jail term up to 180 days or an equivalent time of community service, a fine up to $2,500, and the suspension of the driver’s license for a period of 120 days or until you are 21, whichever is longer. A second time Utah DUI offense is considered to be a Class B misdemeanor, and the offender is ordered the following penalties and punishments: a jail term of up to 180 days or 240 hours of community service, a fine of at least $800 and up to $2,500, and the suspension of their driver’s license for one (1) year to two (2) years or until you are 21, whichever is longer. If the driver is proved to have been driving when his/her BAC levels were higher than .16%, the court may also decide to place the convicted driver under house arrest and have his movements electronically monitored.

Charges- Fine- Imprisonment

Felony
  First Degree- Up to $10,000- 5 years to life in prison
  Second degree-up to $10,000- 1 to 15 years
  Third degree-up to $5,000- Zero to 5 years

Misdemeanor
  Class A-up to $2,500- up to 1 year
  Class B-up to $1,000- up to 180 days
  Class C-up to $750- up to 90 days
Federal Drug Laws
The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Denial of Federal Aid (20 USC 1091)
Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate (21 USC 853)
Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC 841)
Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces mandatory life sentence and fines ranging up to $8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

Federal Drug Possession Penalties (21 USC 844)
Persons convicted on Federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than $1,000 up to a maximum of $100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of $2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of $5,000. Possession of drug paraphernalia is punishable by a minimum fine of $750.

Civil penalties of up to $10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.
Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to $250,000, or both if:

A. It is a first conviction and the amount of crack possessed exceeds 5 grams;
B. It is a second conviction and the amount of crack possessed exceeds 3 grams;
C. It is a third or subsequent crack conviction and the amount exceeds 1 gram.

COUNSELING AND TREATMENT

Help is available both on campus and within the community for students and staff members who are dependent on, or who abuse the use of alcohol or other drugs. Students, faculty, and staff may contact Southern Utah University Counseling and Psychological Services Center (CAPS) at 435-865-8621. CAPS may also provide information for outside community resources that may be able to assist.

Southern Utah University also offers an assistance program called The Life Connection (TLC). The TLC Program is designed to help employees and their family members balance the demands of home and work. It is made up of three parts: Employee Assistance Program, telephonic consultation and referrals, and online work-life resources. The TLC Program is provided by SUU, and all services are free of charge to employees and any household members. The Employee Assistance Program (EAP) is a program that assists employees and their household members with personal concerns and behavioral problems which may adversely affect employee job performance and productivity. Through the EAP, employees and their family are available to have counseling sessions with qualified counselors about various concerns, including alcohol and drug use. An EAP counselor may be consulted about any personal or professional issue/problem that is of concern. EAP services do not count against your mental health benefits. To open an EAP case or to schedule telephonic counseling call Behavior Healthcare Options (BHO) at 800-280-3782. BHO is available 24 hours per day for after-hours urgent and emergent concerns. For further information on the TLC program a PowerPoint presentation is available for viewing at https://www.suu.edu/ad/hr/training/pdf/2016-10-eap-slides.pdf.

SUU Counseling and Psychological Services and other professional agencies will maintain the confidentiality of persons seeking help for personal dependency and will not report them to institutional or state authorities.

The SUU Human Resources office and Health and Wellness office are available to provide more information and answer any questions.

PREVENTION AND EDUCATION

Southern Utah University’s Health and Wellness Center is responsible for the drug, alcohol, and substance abuse prevention efforts on campus and does so through strategic programming and collaborative partnerships with campus departments to create a healthy, safe and resilient campus community. The efforts of the Health and Wellness Center actively focus on protective factors and reducing risk factors for alcohol and other drugs (AOD) usage.
The SUU Health & Wellness Program strives to promote the physical and emotional well-being of students through comprehensive programming, campus wide events, peer education, the sharing of up-to-date accurate health information and resources, and providing information and support regarding their own or someone else’s health and well-being. The Center seeks to engage students by informing and connecting them to resources available on campus and in their community. Through prevention efforts that inform, increase awareness, and educate the student body, the Health & Wellness Center seeks to positively impact the university environment through evidence-based social norm approaches and environmental strategies.

The University’s efforts are carried out by a Health and Wellness Coordinator, Graduate Assistant with a related degree, six student Health Educators, and interested student volunteers. The Center is supported by the Director of Recreation and Wellness, Dean of Students, Director of Housing, Director of the Center for Diversity and Inclusion (CDI), Director of Human Resources, Chief of SUU Police, Counseling and Psychological Services (CAPS), LEAD Student Peers, and Athletics. We share a common goal of student success, overall well-being and work to ensure compliance of AOD campus wide.

The Health and Wellness Center prevention and programmatic efforts include:

- Engaging with students (one on one) to explore harm reduction strategies, communication skills and/or intervention skills
- Providing wellness education training for campus partners, student groups, student leaders, and university classes on harm-reduction, low-risk drinking or substance use behaviors, recognizing and responding to alcohol poisoning, intervening in problematic situations, demonstrating healthy behaviors and more
- Supporting and collaborating with campus partners to unify messaging and increase outreach regarding tobacco-free policies, dry campus regulations and AOD resources
- Supporting and implementing prevention and intervention programs that increases protective factors and reduces risk factors for AOD use/abuse

The Health and Wellness Center is an open resource to the campus population that partners and supports the community. The Center’s goal aligns with the core theme of the university which is to engage students in proactive learning that will transform their mentality and choices in a lifelong pursuit of a holistic view of health and well-being. One of the main priorities of the Center is to educate and provide support for diverse populations through strategic programming, and offering trainings to faculty/staff as well as personalized one on one student support. Topics include understanding the risk of AOD abuse, cultivating healthy mental/physical habits and behaviors, navigating Title IX, and supporting victims of sexual violence.

**Presentation and Workshops**
The Health and Wellness Center has partnered with the Care and Support Team (CAST) to offer a wide variety of educational trainings and discussions for students and employees; each are customized to the needs of the request.
**Weekly Health and Wellness Meetings**
The Health and Wellness Center offers a weekly educational meeting for all the Center’s Lead Peer Educators/Mentors. The weekly meetings provide a safe place on campus for open discussion and is open to any individual that is seeking more knowledge and education in specific weekly topics.

**University Housing**
Each year, University Housing holds its annual Safety Program. It is typical to have between 100 and 200 students participate in the event. University Housing usually provides a climbing wall and DJ, invites the Cedar City Fire Department to provide a fire extinguisher demonstration and discuss fire safety, and has SUU Police set up a driving obstacle course with "beer goggles" to simulate driving under impairment while providing safety tips and BAC level information.

**Dean of Student Affairs**
The Dean of Students Office (DOS) works with various campus entities and organizations to provide an array of educational topics for student, staff, and faculty development. The office in the past two years, has provided the following programs that included some element of Alcohol and Other Drug Abuse (or closely related topic) training and education:

- New Student and Transfer Student Orientation on Student Code of Conduct
- International Student Orientation on Student Code of Conduct
- Greek Life Presentations on Title IX, Student Code of Conduct, and Bystander Intervention
- Athlete Orientation on Student Code of Conduct and Title IX (all sports)
- Clubs and Organizations President's Training
- Southern Utah University Student Association Training
- Assistant Coaches for Excellence Student Leader Training
- Center for Diversity and Inclusion Student Leader Training
- Bias and Intervention Response Training for University Colleges and Academic Departments

**Human Resources**
The Human Resource office provides all full time, benefited employees with a medical insurance plan that offers coverage for counseling benefits for individuals struggling with alcohol or drug abuse. This assisted program also provides counseling for individuals struggling with alcohol or drug abuse. The Human Resource office continuing forward will be the campus entity to distribute University DAAPP policy and discipline to all Faculty and Staff, twice a year.

For more information on current programs, interventions, policies, and ATOD prevention programs go to the health and wellness webpage at [https://www.suu.edu/health/](https://www.suu.edu/health/).
Distribution of policy and review

On an annual basis, the federal Drug-Free Schools and Campuses Act (DFSCA) requires institutions of higher education to disseminate information related to their Drug and Alcohol Abuse Prevention Program (DAAPP). The DAAPP will provide the following information:

1. A written statement about its standards of conduct that prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees;
2. A written description of legal sanctions imposed under Federal, state, and local laws and ordinances for unlawful possession or distribution of illicit drugs and alcohol;
3. A description of the health risks associated with the use of illicit drugs and alcohol abuse;
4. A description of any drug or alcohol counseling, treatment and rehabilitation/reentry programs that are available to students and employees; and
5. SUU’s statement on disciplinary sanctions that may be imposed on students and employees for violations of the University’s policies on Alcohol and Other Drug Abuse.

In addition to this information, SUU will conduct and publish a biennial review of our DAAPP to ensure the growth of our program and its effectiveness.

We encourage you to review the on-line information (https://www.suu.edu/health/), and to consult it as a valuable resource throughout the year. You may find more information by visiting the Health and Wellness Center located in the Sharwan Student Smith Center, suite 175 or by calling 435-865-8435.

WEAPONS

In accordance with Utah Criminal Code section 76-10-5, a person may not possess any dangerous weapon, firearm, or sawed-off shotgun, as those terms are defined in section 76-10-501, at a place that the person knows, or has reasonable cause to believe, is on or about school premises. Use of a dangerous weapon in offenses committed on or about school premises enhances the penalties.

Threatening with or using a dangerous weapon in a fight or quarrel is also unlawful. (See UCA 76-10-505.5 and 76-3-203.2)

Concealed weapons are authorized on campus if the carrier has a valid and current concealed weapons permit (Southern Utah University’s Policies and Procedures, 11.2, III.I). It is recommended to contact the University Police office regarding these and other codes regarding weapons to clarify compliance.
Southern Utah University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking.

**Sexual Assault** – an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

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

- **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental incapacity.
- **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

**Consent** – a clear and unambiguous agreement, expressed in mutually understandable words to engage in a particular activity. Consent can be withdrawn by either party at any point.

**Domestic Violence** – A felony or misdemeanor crime of violence committed.

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitation with, or has cohabited with, the victim as a spouse or intimate partner;
- 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;
- 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.

**Dating Violence** – Violence committed by a person who is or has been in a social, romantic, or intimate relationship with the victim.

- The existence of such a relationship shall be 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.
- For the purposes 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.
- Any incident meeting this definition is considered a crime for the purpose of the Clery Act reporting.

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition:
  - Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follow, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Victims of sexual assault or persons who have information regarding a sexual assault are strongly encouraged to report the incident to the University Police Department immediately. The term “sexual assault” refers to an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Any student or employee who reports being a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the students or employee’s rights and options. It is the policy of the Title IX Department to conduct investigations of all sexual assault complaints with sensitivity, compassion, patience, and respect for the victim. Investigations are conducted in accordance with guidelines established by the Utah Criminal code and the Iron County Attorney’s Office.

All information and reports of sexual assault are kept strictly confidential. In accordance with the Utah Code of Criminal Procedures, victims may use a pseudonym to protect their identity. A pseudonym is a set of initials or a fictitious name chosen by the victim to be used in all public files and records concerning the sexual assault. The victims of sexual assault are not required to file criminal charges or seek judicial actions through the university disciplinary process. However, victims are encouraged to report the assault in order to provide the victim with physical and emotional assistance. For the offenses of sexual assault, domestic violence, dating violence, and stalking, such statistics shall not identify victims of crimes or persons accused of crimes.

Upon written request the University will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceedings conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a 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.

Victims’ academic and living situations after an alleged sex offense can be changed upon request by the victim and are reasonably available. Institutional disciplinary action proceedings in cases of alleged domestic violence, dating violence, sexual assault, or stalking shall provide for a prompt, fair, and impartial investigation and resolution. They shall be conducted by officials who receive annual training on how to promote accountability and protect the safety of victims while directing such investigations and hearing process, as well as issues related to such violence and sexual assault.

The accuser and the accused are both entitled to the same opportunities to have others present during a University disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. The range of sanctions is described in the Student Conduct Handbook. Both the accuser and the accused must be simultaneously informed in writing of the recommendation as well as, the outcome of any University disciplinary proceeding that is brought alleging any sex offense. They shall also be informed of the University’s procedures for the accused and the victim.
to appeal the results of the University disciplinary proceeding, when such results will become final, as well as any change made to the results occurring prior to the time that they do become final.

Information and assistance is also available through Counseling and Psychological Services (435-865-8621), the Canyon Creek Women’s Crisis Center: Rape and Sexual Assault (435-867-6149), Domestic Violence Crisis (435-865-7443) and the Iron County Victim’s Advocate (435-865-5318).

The University Police Department is available to all victims to provide information about personal safety. Utah Crime Victim’s Rights and Utah Crime Victim’s Compensation Fund, and other information are also available upon request. The Vice President of Student Affairs can assist the victim with issues including, but not limited to, class schedule changes, withdrawal procedures, or campus housing relocation.

When incidents of domestic violence, dating violence, sexual assault, or stalking have been reported, the University Police Department is available to receive and investigate such reports, assist a victim in securing medical attention, provide a crisis advocate if requested by the victim, participate in evidence preservation and collection, conduct investigations, and inform the victim of legal and administrative options both on and off campus.

RECOGNIZING SEXUAL ASSAULT AND DOMESTIC VIOLENCE

Knowing how to recognize warning signs of abusive behavior will help to avoid potential attacks. Some warning signs found in a partner’s personality include: jealousy, controlling behavior, verbal abuse, cruelty to animals or children, substance abuse, threatening of violence, negative attitude toward women, anger management issues, and so forth.

Bystander intervention: 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.

If you are a bystander and see the risk of or witness domestic violence, dating violence, sexual assault, or stalking against another individual, call 911 immediately. Only intervene if doing so will not cause more danger to yourself or the individual at risk.

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 actions to intervene.

GUIDELINES OR SUGGESTIONS TO FOLLOW AFTER A SEXUAL ASSAULT

- Get to a safe place as soon as you can.
- Call 911.
- Get medical attention as soon as possible to make sure you are physically well and to collect important evidence in the event you may later wish to take legal action.
- Try to preserve all physical evidence. Do not wash, brush your teeth, use the toilet, or change clothing if you can avoid it. If you do change clothes, put all clothing you were wearing at the time of the attack in a paper, not plastic, bag.
• If the incident took place in the victim’s home, he or she should not rearrange and/or clean up anything.
• Receive assistance from campus authorities to notify law enforcement authorities if you so choose (keeping in mind that delay may result in lost evidence.)
• Talk with a counselor who will maintain confidentiality, help explain your options, give you information, and provide emotional support. You can reach a counselor by calling Counseling and Psychological Services at (435-865-8621).
• Contact someone you trust to be with you and support you.
• Contact the University’s office of Ethics and Compliance (Title IX) at (435-586-5419) or title9@suu.edu.

SEXUAL ASSAULT PREVENTION

SUU offers online training via Safe Colleges to all students, faculty, and staff. SUU also offers live training sessions periodically throughout the year. There are also programs available to promote awareness and help prevent rape, domestic violence, dating violence, sexual assault, and stalking. These include, but are not limited to: Counseling and Psychological Services (CAPS) (435-865-8621) and wellness programs that provide advocacy, education, reduction and support services. The University’s Police Department (435-586-1911) and the Canyon Creek Women’s Crisis Center (435-865-3955) also provide ongoing reduction and awareness campaigns, advocacy, education, and personal safety programs.

SEX OFFENDERS REGISTRY

The “Campus Sex Crimes Prevention Act” is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

This act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

The Utah Department of Public Safety (DPS) is the official Utah internet source for Sex Offender Registration information. The Sex Offender Registration open record information is extracted from the DPS Sex Offender Registration Database. The DPS maintains files based on registration information submitted by criminal justice agencies and represents, a statewide source of information on sex offenders required by law to register. A link to The DPS public web page can be found on the University Police website: https://www.suu.edu/police/links.html.

Information may also be obtained from:

• Iron County Attorney’s Office ................................................435-865-5310
• Utah Department of Corrections .............................................801-545-5500
TITLE IX

Title IX of the Education Act of 1972 prohibits sexual discrimination and requires gender equity in educational programs, services, and activities that receive federal funding. Sexual discrimination includes sexual violence, domestic violence, dating violence, stalking, or harassment.

Title IX requires the school to take immediate action to:

1. Eliminate the harassment.
2. Prevent its recurrence.
3. Address its effects.

As required by Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and related applicable laws, the University prohibits all forms of sexual misconduct. (See University’s Sexual Misconduct Policy No. 5.60). The University will respond promptly and effectively to reports of sexual misconduct and will take appropriate action to stop, prevent recurrence of, and remediate the effects of sexual misconduct on the complainant and/or the University community. The University may discipline any person who violates this policy, up to and including termination of employment or expulsion from the University.

A person who believes they have been subjected to discrimination, harassment on the basis of sex, or sexual misconduct should discuss their concerns or file a complaint with the University’s Title IX Coordinator.

The University has designated every employee as a responsible employee with a duty to report sexual misconduct. Faculty, staff, or student employees who become aware of sexual misconduct involving others within the university community must report such issues to the Title IX Coordinator, who is charged with investigating reports of concern or violations of policy.

STEPS TO FOLLOW

If a student or employee discloses they have experienced sexual violence or assault, dating or domestic violence, or stalking.

1. Advise the individual that you are a mandatory reporter. Do your best to ensure the individual knows you are a mandated reporter before they disclose an incident since you are obligated to report what they disclose.
   A. If a student requests anonymity, they should be connected to CAPS for strictly confidential reporting or to a licensed healthcare professional. CAPS is able to see students quickly on an emergency basis, their crisis and after-hours hotline: (435-865-8621).
   B. If the student is under 18, the law requires reporting the incident directly to SUU Police. (435-586-1911).
2. Provide the individual with the Title IX Resource Information.
   A. Direct them to the SUU Title IX webpage (https://www.suu.edu/titleix/), and direct them to the SUU Policy 5.60. (https://help.suu.edu/uploads/attachments/PP560Sexual.pdf).
3. Report the incident to the Title IX Coordinator at (435-586-5419). You should report the incident within 24 hours. For after-hours reporting, email: title9@suu.edu. It may be helpful to call Title IX while the student or employee is still with you.

4. If you become aware of an employee or student who may have committed acts of sexual violence or assault, dating or domestic violence, stalking, or other sexual misconduct, you must report the incident to the Title IX Office so that appropriate safety measures can be implemented.

IMMEDIATE EMERGENCY SERVICES
A special exam should be conducted as soon as possible following an assault to ensure your physical well-being and to collect evidence that may be useful in criminal proceedings. The exam can be conducted without the involvement of law enforcement personnel. Even if you have not been physically hurt, this forensic exam is strongly recommended to maintain all your legal options. After the evidence is collected, it can be stored in case you wish to press criminal charges. The exam is performed by an emergency department physician or gynecologist. A nurse is present throughout the procedure, and a support person of your choice can also be present.

Victims can receive the exam by going to the Cedar City Hospital 1303 N. Main St., Cedar City, Utah, 84721, 435-868-5000. This location follows the national standards for victim care, rape exams, and evidence collection procedures.

NOTE: Ordinarily the police will be contacted by hospital personnel whenever they provide treatment for injuries resulting from a crime. If you seek treatment at a local hospital and the police are contacted, this does not mean that you have to proceed with criminal charges. In addition, it is recommended that a survivor use a hospital in the County/State where the incident occurred.

NON-EMERGENCY MEDICAL PROCEDURES
Even if you do not have evidence collected at the hospital, it is still important to get medical attention. An exam should include treatment of any physical problems and various lab tests for sexually transmitted diseases and pregnancy. This non-emergency treatment can be arranged with your family doctor.

PRESERVATION OF EVIDENCE
It is important to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with University Police or other law enforcement to preserve evidence in the event the victim changes her/his mind at a later date.

FALSE ACCUSATIONS
Individuals, who intentionally and knowingly make false accusations of criminal activity or provide false information to University Officials in connection with an accusation and/or investigation of criminal activity, are subject to discipline under University policy as well as criminal and/or civil penalties under applicable law.
RETALIATION
The University or its officers, employees, or agents may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights under Policy 5.60, 5.27 or any other applicable policy.

REPORTING TO UNIVERSITY POLICE DEPARTMENT
The University Police Department Officers offer information and guidance to victims when they file a report. If you choose to report the incident, a University Police Department Officer will take a statement from you regarding what happened. The officer will ask you to describe the assailant(s) and may ask questions about the scene of the crime, any witnesses, and what happened before and after the incident. You may have a support person with you during the interview.

NOTE: Reporting an incident is a separate step from choosing to prosecute. When you file a report, you are NOT obligated to continue with legal proceedings or University disciplinary action. If the assault occurred off-campus, report the incident to the appropriate law enforcement jurisdiction. The University Police Department will assist individuals who are unsure how and where to report the crime. The reasons for reporting to the University Police Department are: to take action which may prevent further victimization, including issuing a Safety and Security Alert to warn the University community of an impending threat to their safety, to apprehend the assailant; to seek justice for the wrong that has been done to you, and to have the incident recorded for purposes of reporting statistics about incidents that occurred on campus.

TITLE IX REPORTING
Individuals may also consider reporting a sexual violence, domestic violence, dating violence, stalking, or harassment incident to the Director of Ethics & Compliance/Title IX Coordinator, who can provide assistance in addressing the incident through consultation, administrative review, and/or Investigation. The Title IX Coordinator is Heather Ogden and her office is located in the Bennion Building, Room 111 (435-586-5419). Both formal and informal grievance procedures are available under University Policy 5.60. This policy can be found at: https://help.suu.edu/uploads/attachments/PP560Sexual.pdf.
WHO TO CONTACT

SUU Police: (435)586-1911 (police@suu.edu)
Title IX Coordinator: (435)586-5419 (title9@suu.edu)
Dean of Students: (435)586-7710 (jasonramirez@suu.edu)
Human Resources: (435) 865-8572
Counseling and Psychological Services (CAPS): (435) 865-8621

The following individuals are Title IX Deputy Coordinators:

- **Heather Ogden**
  Title IX Coordinator
  title9@suu.edu
  (435)586-5419

- **Debbie Corum**
  Athletic Director
  debbiecorum@suu.edu
  (435)865-8339

- **Patrick Clarke**
  Dean of School of Integrative & Engaged Learning
  clarke@suu.edu
  (435)586-5479

- **Jason Ramirez**
  Dean of Students
  jasonramirez@suu.edu
  (435)596-7710

Website:
https://www.suu.edu/titleix/contact.html

COUNSELING AND EMOTIONAL SUPPORT

**On Campus**
The University Counseling Center (CAPS) (435-865-8621) is located at 136 W University Blvd. Cedar City, Utah 84720. Counselors can provide confidential support for you during this difficult period. They can inform you of common emotional reactions to this crisis and discuss coping methods that may assist you immediately following the assault and later. Talking about your concerns with a counselor in a safe and supportive
environment may help you sort through your feelings and decide what to do. You do not need to disclose your name if you call the Counseling Center for information.

Counselors will not, except in situations where there is an immediate threat of danger, reveal your identity to anyone without your permission. Students may be seen on an emergency walk-in basis or by appointment.

Assistance and support for dealing with personal and academic issues is also available from the Dean of Students Office (Student Service Center 435-586-7710). Written notification is provided to victims about options for available assistance in and how to request changes in academic situations, living situations, etc.

Additionally, there are Violence Prevention and Advocacy services located in the Health & Wellness Center. These services provide free, non-confidential advocacy services to all Southern Utah University survivors of sexual assault, sexual harassment, domestic violence, dating violence, and stalking. The advocate can support the survivor in an on-campus investigation by attending meetings/interviews, provide on and off-campus resources, safety planning, and additional survivor-centered advocacy for protective measures and accommodations.

The advocate is not confidential, and must report all disclosure of sexual assault, sexual harassment, domestic violence, dating violence, and stalking to the campus Title IX coordinator, as well as crime disclosures to University Police Department under the Clery Act. The advocate must also report all disclosures of child abuse, abuse against people with disabilities or elders, and immediate threats to self or others.

**Off Campus**
Confidential Advocacy services are available through Canyon Creek Crisis Center.
- Call: 435-233-5732 (all genders).
  - 24-Hour Emergency Safe House.
  - 24-Hour Mobile Crisis Team.
- 24-hour on-scene or hospital response.
- 24-hour support and information hotline.
- Assistance with filling out protective orders and stalking injunctions.
- Court support & advocacy.
- Ongoing case management & aftercare support.
- Weekly support groups.

**INTERIM MEASURES**
Upon receipt of a report involving a student or employee complainant, the University will take and/or make available reasonable and appropriate confidential interim measures to protect the complainant and address the short-term effects of sexual misconduct, regardless of whether the complainant requests an investigation, initiates a code of conduct proceeding, or makes a criminal report.

These interim measures may include referral to counseling and/or health services or referral to the employee assistance program, support for modification to housing or transportation arrangements, altering
work arrangements for employees, a safety plan such as providing campus security escorts, implementing contact limitations between the parties, offering adjustments to academic deadlines, course schedules, etc.

The University will only notify those who need to know for implementation purposes. Students who may also be eligible for student loan deferment. To determine whether they are eligible for loan deferment, the Title IX Coordinator and Registrar may provide necessary information for a student who elects to contact the US Department of Education. For additional information regarding eligibility, see [www.studentaid.ed.gov/sa/repay-loans/deferment-forbearance#deferment-eligibility](http://www.studentaid.ed.gov/sa/repay-loans/deferment-forbearance#deferment-eligibility).

The Violence Against Women Act has provisions for immigrants who are victims of crime. The Title IX Coordinator, Registrar, and International Student Services can assist with visa questions. There are two types of visas available, a T visa and a U visa. There is no requirement to be in immigration status to apply. More information can be found on the US Citizenship and Immigration Services website and in their brochure, Immigration Options for Victims of Crime.

At the recommendation of the Title IX Coordinator or designated Deputy Coordinator, the responsible university administrator (as defined in SUU Policy 5.60) may impose an interim suspension of a student, employee, visitor, or organization, or invoke other safety measures temporarily pending the outcome of the investigation and subsequent proceedings.

**PRELIMINARY REVIEW OF REPORTS OF SEXUAL MISCONDUCT**

After receiving a report of Sexual Misconduct, the Title IX Coordinator or designated Deputy Coordinator shall promptly conduct a preliminary review that includes the following:

1. Assess and determine the appropriate University response, including whether there is reasonable cause to believe that this policy has been violated and that an investigation is necessary.
2. Address the immediate physical safety and emotional needs of the complainant.
3. Provide the complainant with information about options for police and/or University action (including the option of pursuing both or neither), and information about University policy and procedures.
4. Provide referral to relevant resources and encourage complainants to use University and community services for victims of sexual misconduct.
5. Initiate or coordinate any necessary interim measures intended to address the immediate effects of sexual misconduct, which may include referral to counseling and/or health services or referral to employee assistance options, support for modification to housing arrangements, altering work arrangements for employees, a safety plan (such as providing campus escorts), implementing contact limitations between the parties, facilitating adjustments to academic deadlines, course schedules, etc. At the recommendation of the Title IX Coordinator or designated Deputy Coordinator, the responsible University administrator (as defined in Policy11.2) may also impose an interim suspension or invoke other safety measures temporarily, pending the outcome of the investigation and subsequent proceedings.
6. Consider the complainant’s request for confidentiality and anonymity and grant requests where appropriate. In cases where a complainant does not want to pursue an investigation, the Title IX Coordinator, or designee, shall inform the complainant that the ability to investigate and/or remediate may be limited.
7. Assess the reported conduct for any Clery Act obligations, including entry in the crime log or issuance of a timely warning, and report to University Police Department, when necessary.

APPLICABLE STANDARDS IN UNIVERSITY PROCEEDINGS

To provide a prompt, thorough, fair, and impartial investigation and resolution that protects the safety of victims and promotes accountability.

Investigations of reports of sexual misconduct should incorporate the following standards throughout the investigation process, disciplinary process, and other proceedings:

1. The complainant and respondent will have equal opportunity to select an advisor of their choosing and at their own cost.
2. The complainant and respondent will receive simultaneous notification, in writing, of the result of any proceedings.
3. The complainant and respondent will be given timely notice of meetings where their presence is necessary.

DUE PROCESS STANDARDS

To ensure due process investigations will incorporate the following standards:

1. The respondent will be provided the name of the complainant (unless the complainant has requested anonymity), a notice of request for investigation, a written statement of the allegations, and a copy of this policy. The respondent will be afforded a full opportunity to respond to the allegations.
2. The investigator(s) conducting the investigation will be familiar with this policy, have training or experience in conducting investigations, and will be familiar with applicable university policies and procedures. For cases involving allegations of sexual violence, the individual(s) conducting the investigation must receive annual training on issues related to sexual violence. Such training includes how to conduct an investigation that protects the safety of complainants and promotes accountability.
3. Disclosure of facts to parties and witnesses will be limited to what is reasonably necessary to conduct a fair and thorough investigation. Participants in an investigation will be advised that maintaining confidentiality is essential to protect the integrity of the investigation. Participants will also be reminded during the process not to retaliate against other parties, witnesses, or other participants in the process.
4. The investigator(s) or others will not question the complainant or seek evidence regarding the complainant’s prior sexual conduct with anyone other than the respondent(s). The investigator(s) will also apply the principles of consent set forth in this policy, including the principle that evidence or prior consensual dating or a sexual relationship between the parties, in itself, does not imply consent or preclude a finding of sexual misconduct.
5. The investigator will apply a preponderance of evidence standard to determine whether the sexual misconduct occurred as alleged and whether there has been a violation of this policy. Preponderance of the evidence means it is more likely than not, or more than 50 percent in favor, that the misconduct occurred as alleged.
6. If the complainant chooses to have a support person, the respondent may have a support person present when he or she is interviewed and at any subsequent proceeding or related meeting. The complainant may choose a support person, provided the support person does not
pose a conflict of interest to the process. The support person is limited to quietly conferring with the party through written correspondence or whisper, or in the case of a proceeding, may not make objections or address any other participants or decision-makers.

7. At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties or witnesses be provided by appropriate university administrators. Failure by a party to comply with the terms of interim protections may be considered a separate violation of this policy.

8. The investigation will be completed and the investigation summary provided to the responsible university administrator as promptly as possible, and no later than 50 calendar days, from the determination by the Title IX Coordinator or designated deputy coordinator that an investigation is warranted. Investigators will provide regular status updates to both parties and administrators with a need to know. When circumstances require an extension to complete a thorough investigation, the investigator will inform both parties in writing of the expected completion date.

9. Parties and witnesses are expected to cooperate with and participate in the University’s investigation. 10. The complainant and respondent will be informed if there were findings made that the policy was or was not violated and of actions taken to resolve the complaint, if any, that are directly related to the complainant, such as an order that the accused not contact the complainant. In accordance with university policies protecting individuals’ privacy and applicable law, the complainant may generally be notified that the matter has been referred for disciplinary action, but will not be informed of the details of the recommended disciplinary action without the consent of the respondent. The investigator will also advise the complainant and respondent of the existence of options outside the University that may be pursued.

**DISCIPLINARY PROCEEDINGS**

Once the investigation is concluded, the investigation summary will be submitted to the responsible university administrator designated below with the authority to implement actions and/or discipline necessary to resolve the complaint. The summary may be used as evidence in other related procedures, such as subsequent complaints, disciplinary actions, and/or reviews or appeals.

1. Director of Student Conduct or, if the Director of Student Conduct was the investigator, the Dean of Students;
2. Senior Vice President of Academic Affairs or designee (Faculty);
3. Vice president of the department responsible for the department employing the respondent or the vice president’s designee (staff).
4. Vice President of Finance and Administration or designee (contractors, vendors, and visitors).
REPORTING A MISSING STUDENT

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the SUU Police Department at (435)586-1911. SUUPD will generate a missing person report and initiate an investigation. Throughout the course of the investigation SUUPD may request assistance from nearby law enforcement agencies that have jurisdiction outside of campus. After investigating a missing person report, should SUUPD determine that the student has been missing for 24 hours, SUUPD will notify Cedar City Police and the student’s confidential missing person contact no later than 24 hours after the student is determined to be missing.

Members of the university community that have reason to believe that a student who resides in on-campus housing is missing may also notify University Housing officials at 435-586-7966. Students may also contact any housing official, such as a resident assistant or community coordinator. Additional phone numbers, including on-call resident assistants per building, are listed on the University Housing webpage and are posted in each residence building.

These persons or offices are required to immediately refer any missing student report to SUU Police.

EMERGENCY CONTACT FOR ON-CAMPUS STUDENT HOUSING

The Clery Act requires Southern Utah University to present every residential student with the option and a method to provide the name and phone number of a confidential contact person to be notified in the event the student is reported missing. The confidential contact person may or may not be the same as the student’s emergency contact person. The confidential contact person’s information will only be accessible to authorized campus officials and law enforcement if the student is deemed missing. Regardless of whether the student names a contact person, unless the local law enforcement agency was the entity that made the determination that the student is missing, the University will notify local law enforcement that the student is missing within 24 hours of the time of the initial report. Residential students are provided an opportunity to complete the Confidential Contact form during housing registration at the start of each semester. At any time, a student or employee may list a confidential contact person by following these steps: 1) login to your mySUuportal, 2) click on Emergency Contacts under the Banner options, 3) click new contact, 4) fill out the person’s information, and 4) choose “Missing Person Contact” as the relationship.

STUDENTS UNDER 18

If the student is under 18 and not emancipated, the University must notify the custodial parent or guardian in addition to the confidential contact person within 24 hours of the determination that the student is missing.
POLICY FOR PREPARING AND REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The University Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This Annual Security and Fire Safety Report will include the disclosure of crime statistics, disciplinary referrals, and other information required by the Clery Act. The included statistics will be from the three most recent calendar years. This report is prepared in cooperation with local law enforcement agencies and university officials.

Campus crime, arrests, and referral statistics include those reported to the University Police, designated campus officials (including but not limited to directors, deans, department heads, advisors to students/student organizations, athletic coaches), and local law enforcement agencies.

As required by law, all campus security authorities are asked if they are aware of any crimes that occurred on campus in the previous year that were not reported to the University Police Department. If they know of unreported campus crimes that are reportable under the Clery Act, they are required to provide the necessary information to the Chief of Police for data reporting purposes and, if appropriate, for further investigation.

“Campus security authority” is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution. If your institution has a campus police or security department, all individuals who work for that department are campus security authorities. A security department can be as small as one person.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Include individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security, such as for sporting events or large, registered parties, or escort students around campus after dark (including other students).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. As mentioned in Chapter 1, your institution must publish a number of safety- and security-related policy statements. If you direct the campus community to report criminal incidents to anyone or any organization in addition to police or security-related personnel, that individual or organization is a campus security authority.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. Examples include a dean of students who oversees student housing, a student center or student extra-curricular activities; or a director of athletics, team coach and faculty advisor to a student group. All have significant responsibility for student and campus activities.
GEOGRAPHY

Disclosed crimes in this report are reported according to geography. The following geographical categories are defined below:

- The “on-campus” category includes any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or other retail vendors).

- The “residence halls” category includes any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

- The “noncampus” category includes any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

- The “public property” category includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

CRIME LOG

The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to the SUU Police Department. Crime log entries include all crimes reported to SUUPD for the required geographic locations, not just Clery Act crimes. The required elements are the date the crime was reported, the date and the time that the crime occurred, the nature of the crime, the general location of the crime, and the disposition of the complaint, if known. The fire log is combined with the crime log and is included in the same document. The fire log includes information on all reported fires (including already extinguished and those still burning) that occur in on-campus student housing.

The crime log for the most recent 60-day period is open to public inspection, free of charge, upon request, during normal business hours. Any portion of the log that is older than 60 days is available within two business days of a request for public inspection. To make a request to view the crime log contact the SUU Police Department at 435-586-7793 or in person at 36 N 300 W, Cedar City, UT 84720.
NOTIFICATIONS

Each year SUU’s Police Department publishes an Annual Security & Fire Safety Report (AFSR) with updated crime statistics and information intended to inform the SUU community about the institution’s safety- and security-related policies, procedures, and programs. SUU is required by law to share this important information with all prospective students and employees as well as current students and employees. SUU complies with this requirement in the following ways:

- Current students and employees are sent an email every year on September 28. Students can find the most recent Annual Security & Fire Safety Report at https://www.suu.edu/clery/.

- Prospective students will find language about this requirement and the link (https://www.suu.edu/clery/) in the automated email response they receive from the Admissions Office upon application to SUU. The notice is sent to the email address provided on the prospective students' application.

- Prospective employees will find language about this requirement and the link (https://www.suu.edu/clery/) in the automated email response they receive from the Human Resources Office upon application to a job at SUU. The notice is sent to the email address provided on the prospective employee’s application.
DEFINITIONS

Murder and Non-Negligent Manslaughter – the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

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

Aggravated Assault – the unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

Burglary – (Breaking or Entering) the unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

Motor Vehicle Theft – the theft or attempted theft of a motor vehicle. A motor vehicle is self–propelled and runs on the surface and not on rails. Specifically excluded from this category are motorboats, construction equipment, airplanes, and farming equipment.

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

Liquor Law Violations – the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

Drug/Narcotic Violations – the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotics substance.

Weapons Possession – refers to a class of crime regarding the lawful or unlawful possession of a weapon by a citizen within an established society.

Larceny-theft – (Except Motor Vehicle Theft) the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another; the stealing of any property or article which is not taken by force, violence, or fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

Intimidation – unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
Destruction/Damage/Vandalism of Property – to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

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

- **Rape** – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental incapacity.
- **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.
"Total" category equals the on-campus, noncampus, and public property added together. Residence halls have already been added into the on-campus category.

*A reported Motor Vehicle Theft in 2018 was moved from the "Residence Halls" category to the "On-Campus" category. This motor vehicle theft occurred in a residence hall parking lot on-campus, but did not occur "inside" the Residence Halls. This change was made on October 15, 2019.

**HATE CRIMES**
There were no hate crimes reported for 2016, 2017, or 2018.

**UNFOUNDED CRIMES**
There were no unfounded crimes reported for 2016, 2017, or 2018.
Although the statistical reporting of theft offenses is not required by the Clery Act, our department believes the University community should be aware of and guard against the theft of their property.

It is important for everyone to understand their role in the reduction of crime. A lesson taught to all crime prevention practitioners is often referred to as the “Crime Triangle.” For any crime to occur three elements must be present: desire, ability and opportunity. Members of the University community easily recognize there is little that can be done to control the criminal’s desire and ability. The University community’s greatest strength in the prevention of crime is our initiative to reduce or eliminate the opportunity for a crime to occur.

PROTECT YOUR PROPERTY

Being more aware and observant during daily activities is critical. If you feel the actions of a person appear suspicious, take the time to notify the police. We would much rather receive the call and determine later there was no problem, than to learn a preventable crime has been committed.

We invite you to participate in the “Identification Program.” You may bring your personal items to our department where we will engrave them with personal information upon request, helping to ensure easy identification if items turn up missing. If you are victimized, this information can be entered in the state and national database of stolen property. Southern Utah University Police personnel can assist you in the engraving of your property. Additionally, we recommend that you record the make, model and serial number of all items of value and keep the record in a safe place. This will aid in any investigation and help you file a claim with your insurance company if you are covered.

TIPS TO PREVENT OPPORTUNISTIC THEFT

- When you leave your residence hall room or office, close and lock the door.
- Secure your valuables in a locked desk or cabinet while out of the office.
- Promptly report the presence of strangers in buildings and residence halls. University rule prohibits disabling or propping open doors. Do not allow strangers to follow you into buildings and residence halls.
- Do not leave your property unattended and unsecured while you are away.
- Do not leave your property unattended beside the court or along the sidelines during your participation in activities in a recreational facility or on a sports field.
- Record the number and contact information of all personal credit and/or debit cards. If lost or stolen, promptly report and cancel your credit cards and debit cards to prevent unauthorized use.
- Do not leave your laptops or other mobile devices unattended or unsecured.
- Do not leave your property in plain view in your parked vehicle. Remove and store the items securely in the trunk or remove them for safekeeping.
- Bicycles are a prime target of the opportunistic thief. Our crime prevention personnel encourage everyone to record the color, make, model, serial number and speed of the bicycle. Keep all records in a safe place.
- Always lock the whole bicycle to the bicycle rack; making sure it is secured in a manner to prevent the removal of the frame or tires.
- Always report suspicious activity you may see near bicycle racks.
A primary goal of the University Police Department is the prevention of crime before it occurs. University Police Officers cannot be everywhere all the time so they need the help of all members of the University community to take an active role in their personal safety and property protection. Crime prevention is important to the campus community and you can help by reporting any crime or suspected crime immediately to the University Police. By doing so, you may be preventing someone else from becoming a victim of a more serious crime.

There are several departments that participate in crime prevention programs at SUU. These programs address public safety tips and procedures at the University. The departments that participate consist of the following: The SUU Police Department (SUUPD), the Office of Student Affairs, Housing Department officials, and the Director of Title IX. Members of SUUPD conduct crime prevention and general security and safety awareness presentations when requested by various community groups, including students and employees of the University. During these presentations, the following information is typically provided: crime prevention tips; statistics on crime at SUU; fire safety information; information regarding campus security procedures; and practices including encouraging participants to be responsible for their own security/safety and for the security/safety of others on campus.

Southern Utah University and SUUPD offer a variety of crime prevention programs to include:

- **Personal Safety Awareness** – Students and employees are encouraged to provide for their own safety by engaging in various safe practices including, but not limited to, being aware of one’s surroundings, avoiding walking around at night, avoiding the use of headphones when walking, having keys in hand upon approach to a vehicle, and educating oneself in prevention tactics. Members of the community are also encouraged to look out for themselves and one another. Students and employees are informed on these topics at various events throughout the academic school year.

- **Personal Property Engraving “Identification Program”** – Service provided to the public in which valuable property can be engraved for identification purposes (with owner’s recognized names or numbers such as a driver license number). Property items can also be registered with SUUPD, which increases the chances of identifying and recovering those items in the event they were stolen.

- **Donuts with a cop** – Officers provide free donuts at an event during finals week of each semester to interact with students and employees. Topics discussed include school progress, safety tips, and the activities that the police engage in on campus.

- **Sexual Assault Awareness Training, Domestic Violence Awareness, Dating Violence Awareness and Stalking Awareness Training** – Provided to all members of the SUU community. These programs assist individuals in gaining confidence in their own abilities, as well as making them more aware of their surroundings.

- **Safe Passage Escort Service** – A safety-escort service by a police officer which is available after regular business hours or upon request, seven days a week to students, staff, faculty, and visitors by calling (435)586-1911.

- **Defensive Tactics training** – Defensive tactics training is designed to increase an individual’s own abilities to provide for their safety. It is provided each semester and taught by a police officer that has been certified as an instructor on the topic. The training teaches awareness, prevention, risk reduction and risk avoidance, and progresses to hands-on physical defense techniques.

- **QPR (Question, Persuade, Refer) Training** – Officers from SUUPD provide free QPR suicide prevention training to students, employees, and the community at various times throughout the academic year. Attendees are taught on suicide prevention tips, suicide signs to look for, and who to contact. Pamphlets and cards with contact information are provided as additional resources for attendees to take home.
Drug and Alcohol Awareness Presentations — an opportunity for a University Police officer to share with our community the legal and physical implications of underage consumption of alcohol and the use of illegal and non-prescribed drugs. Provided at various events throughout the academic year.

Red Riot Education Lectures – Officers provide incoming students at orientation with information about campus safety/security and university police response/procedures.

Residential Facilities Programming – Educational presentations in cooperation with the housing staff (resident assistants) provided throughout the academic year to residents. Each semester resident assistants are also trained on how to identify drug usage and the procedures that are to be followed in the case that drug usage or possession is suspected.

Resident Assistant training – University Housing trains all Resident Assistants on emergency response procedures and crisis situations including use of fire extinguishers, their locations and the PASS method each year. Resident Assistants also receive annual training on Sexual Violence reporting and QPR training.

Lectures and Seminars – Provided on various topics throughout each semester. Pamphlets and handouts are provided on topics including traffic safety, active shooter response, emergency or natural disaster response, evacuation procedures, bicycle safety, and procedures on what to do and who to contact for criminal activity.

Training for SUU employees – Officers from the police department provide safety trainings to employees when requested and before various events. For example, safety training is given to ushers prior to working an event that SUU is hosting. SUU employees are encouraged to remain vigilant to protect their own safety and the safety of others.

Sexual harassment training – Each year all university employees are required to complete Title IX, Sexual Misconduct, and Sexual Harassment: Staff-to-Staff online training through SafeColleges.

Sexual Violence Awareness (Campus SaVE Act) – Each year students are required to complete an online training course about sexual violence awareness through SafeColleges.

Drunk Driving Course – A course offered twice per year in which students may attempt to drive a side-by-side through a set of cones while wearing goggles that give the driver a sense of impaired vision. This course attempts to prevent driving under the influence by showing participants the dangers of doing so.

Brown Bag Luncheons/"Crunch and Munch" – During the lunch hour, officers and/or other public safety officials give a presentation to students and employees on various topics about safety. These take place at various times each academic year.

Safety tips posted on SUUPD’s social media sites throughout the semester.

The department’s community oriented policing model focuses on the establishment of relationships across campus with all constituents served by the department. Open lines of communication and heightened, regular and consistent visibility (in particular, in our residential facilities) helps to create a sense of shared responsibility relative to campus safety.

For further information or questions, contact the University Police office at 435-586-7793, police@suu.edu, or in person at our office on 36 North 300 West, Cedar City.
**FACILITY FIRE SAFETY SYSTEM**

The following tables below contain a detailed list of fire safety systems that are located in the SUU Residential facilities over the past three years.

### Fire Safety Systems in SUU Residential Facilities

<table>
<thead>
<tr>
<th>Facility</th>
<th>Locations</th>
<th>Fire Alarm Monitoring Done on Site (by Call Center)</th>
<th>Partial *1 Sprinkler System</th>
<th>Full *2 Sprinkler System</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans &amp; Placards</th>
<th>Number of Evacuation (Fire) Drills Each Calendar Year</th>
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<tbody>
<tr>
<td>Cedar Hall North</td>
<td>645 W. 200 S. Bld. A</td>
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<tr>
<td>Eccles B</td>
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*1 – Partial Sprinkler System is defined as having sprinklers in the common areas only.

*2 – Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.

### FIRE DRILLS

The number of fire drills held during the previous calendar year is listed on the above chart.

Each year the university conducts two evacuation (fire) drills of all on-campus housing facilities in which residents, students, and staff are required to follow the evacuation procedures listed in this document and posted in each building.

### FIRE LOG

The fire log is included in the daily crime log. To make a request to view the crime log contact the SUU Police Department at 435-586-7793 or in person at 36 N 300 W, Cedar City, UT 84720.
POLICIES ON PORTABLE ELECTRONIC DEVICES

The following list of items is not permitted in the resident halls under any circumstance and is not intended to be an all-inclusive list. Any item deemed to be a safety or security concern may be confiscated or required to be removed immediately. This list includes:

- **Candles**: Since candles, incense, and the like constitute an extreme fire hazard they are not permitted within the Residence Halls. This includes, but is not limited to, candles or similar devices (e.g. Scentsy candles, candle warmers, etc.) that have not been lit previously, have had the wick removed or trimmed, or have been given as gifts, and are being used for decorative purposes only.

- **Electric Heaters and Personal Air Conditioners**: Based on fire safety, electric heaters and personal air conditioners (e.g. window fans) are not permitted in the residence halls. Each residence hall has a fully operational heating and cooling system. If you find that the system is not operating as you expect, please submit an online maintenance request and consult your RA if the problem continues.

- **Explosives, Firearms, and Other Weapons**: Except as expressly permitted by law, UH strictly prohibits the use, possession and storage of explosives (including fireworks, firecrackers, and other incendiaries), firearms, and other weapons on campus.

- **Fuels and Hazardous Chemicals**: Any combustible fuel or material (e.g. propane or kerosene) or hazardous chemical is strictly prohibited and subject to confiscation.

- **Open Heating Elements**: Any appliance or device typically used at home or in an office environment that has an open heating element and does not have an automatic shutoff feature is prohibited. Common items in this category are: hot plates; toaster ovens and electric woks. You may bring small countertop appliances (i.e. coffeemakers, toasters, crock pots, rice cookers, tea boilers, etc.) that do not disrupt the academic environment, have an automatic shut-off feature engaged at all times, and meet approval of your RA and/or CC. These kitchen-type appliances may only be used in units with kitchens, and are prohibited from use in bedrooms.

Smoking and any form of open flame is prohibited at all times within university housing.

PROCEDURES FOR EVACUATION

University Housing’s primary responsibility is to protect the lives of the residents, guest, and staff in their facilities. As such, University Housing will work to educate residents to ensure prevention of fire safety emergencies and orderly evacuation, response, and follow-up in the event of a fire.

**In case of a fire, report the occurrence to SUU Police at 435-586-1911 or University Housing at (435) 586-7966.** On-call Resident Assistants are another group that fires can be reported to. Their phone numbers are posted in each residence building. They will notify SUU Police of the fire.
When a building alarm is activated (automatically or manually), University Housing staff must:

1. Evacuate the building immediately.
   a. Staff should make every effort to inform others of the alarm and ensure that others evacuate, but should primarily be concerned with his/her safety.
   b. If possible, emergency materials and information should be collected and taken outside.
   c. All resident’s guests and staff are required to evacuate the building.

2. Call 911.
   a. Give specific information about the building (i.e. physical address), your name, contact phone number, your location, and your role (i.e. job title).

Students should meet in the designated meeting points listed on the fire evacuation chart, according to which housing location they are in. Emergency response and evacuation procedures are posted in each campus building, campus meeting room, and residence hall. Students and employees are encouraged to review the procedures to better prepare themselves in case of an emergency.

**FIRE SAFETY EDUCATION AND TRAINING PROGRAMS**

Resident Assistants provide programming events around fire safety for all residents each school year.

University Housing trains all Resident Assistants on emergency response procedures and crisis situations including use of fire extinguishers, their locations, and the PASS method. University Police, University housing officials, and Cedar City Fire Department participate in a training event once each semester in which various safety topics are taught. Topics include drunk driving, fire safety tactics and procedures, and how to use a fire extinguisher.

The resident handbook provides the residents with the following statement:

“Tampering with or removing any fire safety device such as a smoke detector, sprinkler head, or relevant signage is strictly prohibited. Nothing may be attached to or hung from any fire safety device. All permitted electrical appliances must meet UL (Underwriters Laboratory) safety standards. Substandard equipment will be required to be removed.”

**FUTURE IMPROVEMENTS IN FIRE SAFETY**

The University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. Future improvements will be made as needed as part of the ongoing assessment process.


**FIRE STATISTICS**

University housing staff and residents will report all fires, which is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Reports will be made to the University Fire Marshal and the University Police Department. This includes any fire that is extinguished by residents or staff. Examples include: trash can fire, oven or microwave fire, burning oven mitt on a stove, grease fire on a stovetop, flame coming from electric extension cord, burning wall hanging or poster, and fire in an overheated bathroom vent fan.

The following tables contain a detailed list of statistics regarding fires that occurred in the SUU Residential facilities over the past three years.

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<tr>
<th>Facility</th>
<th>Total Fires in Each Building</th>
<th>Fire Number</th>
<th>Cause of Fire</th>
<th>Number of Injuries That Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by Fire</th>
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CAMPUS AND COMMUNITY RESOURCES:

Health and Wellness Center, Sharwan Smith Center Off.175, (435) 865-8435
The Health and Wellness Center striving to promote the physical and emotional well-being of students through comprehensive programming, peer education, the sharing of up-to-date accurate health information and resources, and providing information and support regarding student health and well-being.

Counseling and Psychological Services, 136 W. University Blvd., Cedar City, UT, (435) 865-8621
CAPS is staffed with experienced licensed mental health professionals including psychologists, social workers, and mental health counselors who work with students to reduce the interference of everyday stress and also treat more serious conditions.

SUU Police, 36 North 300 West, Cedar City, UT, (435) 586-1911
The Department of SUU Police has the motto, “Working with you to make our university a safer place to learn.” This is the everyday goal to make sure the learning experience is a safe and enjoyable one. With the assistance of every member of the SUU campus community, this is a realistic and attainable goal. Our vision for the department is to be a national model for public universities regarding SUU police services.

Southwest Behavioral Health Center, (435) 867-7654, 24-hour Emergency Service (800) 574-6763
Southwest Behavioral Health Center is to assist clients, families, and communities in preventing and recovering from severe and persistent mental illness and addiction.

Horizon House, 54 N. 200 E., Cedar City, UT 84720, (435) 586-2515
Horizon House offers gender specific residential treatment, available at two separate locations. Both locations are licensed 45+ day substance abuse treatment facilities. The treatment offered combines group and individual therapy, education classes, anger management, communication skill building and relapse prevention. The residential portion of treatment (Phase I) is followed up by Phases II and III which are outpatient services and are provided in each of the five Southwest Counties.

Cedar City Hospital, 1303 N Main St, Cedar City, UT, (435) 868-5000
Offers a comprehensive range of medical services to meet our community's needs. All Services, Treatments, and Detection Methods.

Four Points Community Health Center, 440 North Paiute Drive, Cedar City, UT, (435) 867-1520
Four Points Health provide high quality preventive and primary health care to patients regardless of their ability to pay.