

S A I N T X A V I E R U N I V E R S I T Y

# ANNUAL SECURITY & FIRE SAFETY REPORT 2018



RUBLOFF HALL



**CHICAGO CAMPUS**

3700 W. 103rd Street | Chicago, IL 60655 | (773) 298-3000

[www.sxu.edu](http://www.sxu.edu)

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## **MESSAGE FROM THE SAINT XAVIER UNIVERSITY POLICE CHIEF/EXECUTIVE DIRECTOR FOR PUBLIC SAFETY**

On behalf of members of Saint Xavier University's Public Safety, I want to welcome you to our Chicago and Orland Park campuses.

The men and women of Public Safety are committed to the highest standards of professionalism in providing a safe and secure campus environment for the students, faculty, professional staff and visitors of Saint Xavier University.

We accomplish our mission by employing modern law enforcement and security strategies blended with fire prevention services, emergency preparedness and technology. We strive to focus our programs, practices and interaction on the needs of our diverse community and work to be continually responsive to them. Vital and important components of our public safety program are the relationships and partnerships we value with our federal, state, city and village colleagues and various organizations that make up the University community.

We encourage all members of the Saint Xavier University community to take an active role in assisting Public Safety by embracing and practicing the philosophy that safety and security is a shared responsibility. By working together, we can provide a safer environment in which to excel academically and professionally while improving the quality of life at Saint Xavier University.

***"If you see something, say something.™"***

Sincerely,

Jack Touhy

Chief of Police

Executive Director

Public Safety

## IMPORTANT TELEPHONE NUMBERS

*"If you see something, say something.™"*

911 - For emergencies requiring Chicago or Orland Park police/fire departments:

### **24/7 Public Safety Dispatch**

- Emergency SXU extension 3911; 773-298-3911
- Non-Emergency SXU extension 4400; 773-298-4400

### **Confidential Hotline**

SXU extension 3838; 773-298-3838

### **Public Safety Administration**

- Campus Service Center SXU extension 3950; 773-298-3950  
Office CSC 100
- Email Address [publicsafety@sxu.edu](mailto:publicsafety@sxu.edu)

### **Student Affairs/Dean of Students**

- Warde Building, L-103 SXU extension 3121; 773-298-3121

### **Counseling Services**

- Driehaus Center SXU extension 4045; 773-298-4045

## **SAINT XAVIER UNIVERSITY OFFICE OF PUBLIC SAFETY**

For a non-emergency, please call 773-298-4400, or contact the appropriate Public Safety administrative staff member from the list below. Please note the Public Safety administrative staff is not available 24/7.

**For emergencies and service calls, please call 773-298-3911 or 911.**

To contact a Public Safety administrative staff member not listed below, please contact the SXU Public Safety's law enforcement administrator.

### **Patricia Maloney**

Law Enforcement Administrator  
Office: CSC 104  
Phone: 773-298-3950  
Fax: 773-298-3254  
Email: maloney@sxu.edu

### **Jack Touhy**

Chief of Police  
Executive Director of Public Safety  
Office: CSC 102  
Phone: 773-298-3540  
Fax: 773-298-3254  
Email: jtouhy@sxu.edu

### **Charles Frazzini**

Police Commander  
Assistant Director of Public Safety  
Office: CSC 105  
Phone: 773-298-3959  
Fax: 773-298-3254  
Email: frazzini@sxu.edu

### **Jon Greco**

Police Commander  
Assistant Director of Public Safety  
Office: CSC 105  
Phone: 773-298-3959  
Fax: 773-298-3254  
Email: greco@sxu.edu

### **Darrell Parks**

Police Commander  
Assistant Director of Public Safety  
Office: CSC 103  
Phone: 773-298-3964  
Fax: 773-298-3254  
Email: parks@sxu.edu

### **William Sheehy**

Emergency Management Director  
Fire Safety Officer  
Office: CSC 101  
Phone: 773-298-3864  
Fax: 773-298-3254  
Email: sheehy@sxu.edu

### **Matt Eckert**

Orland Park Campus  
Security Officer Supervisor  
Office: OPC 110  
Phone: 708-802-6209  
Fax: 708-802-6202  
Email: m.eckert@sxu.edu

## PUBLIC SAFETY OVERVIEW

Saint Xavier University's Public Safety serves the students, faculty, staff and visitors of the University. Public Safety is committed to the highest quality of protective services in order to maintain and improve our unique educational environment and quality of life.

Public Safety officers are responsible for observing, reporting and taking appropriate actions in all instances of suspicious or criminal activity. They are also responsible for detecting and reporting fire and safety hazards as well as implementing evacuation procedures. Public Safety maintains excellent working relationships with the local, county, state and federal law enforcement agencies. Information is disseminated between these agencies and Public Safety in an ongoing effort to maintain safe campus environments.

All reported incidents are reviewed by Public Safety, and where applicable, they will coordinate criminal investigations with local agencies. Sworn members of the University Police Division possess the same authority as municipal police officers and county sheriffs.

Additionally, Public Safety assists victims upon request in contacting local police agencies.

Saint Xavier's Chicago campus is patrolled 24 hours a day by Public Safety officers using vehicles equipped with mobile computers and emergency response equipment. Public Safety personnel are also assigned to the front desks of the residence halls. Officers assigned to residence halls are responsible for maintaining order and accessing control with the assistance of residence hall directors and student desk officers. Security enhancements in the residence halls include a swipe-card access control system and the use of restricted keys.

The **Orland Park campus** has Public Safety officers on duty when the campus is open.

Public Safety covers a variety of services. Some of the most requested are listed below:

1. **Vehicle Assistance:** This can range from starting a dead battery to contacting a local service station for additional assistance. This program also includes opening locked vehicle doors (Please note this request requires a standard waiver form to be completed and signed by the owner of the locked vehicle).
2. **Room Lockout Assistance:** This program is designed to assist any student in entering their authorized room. A fee will be submitted to a student's bill and a copy of this bill will be distributed to Residence Life.
3. **Protective Escort Service:** Public Safety provides protective escorts to any location on campus. Contact the Public Safety dispatcher at 3911 to request assistance.
4. **University Shuttle:** During the academic year, Public Safety provides shuttle bus service for students, staff and faculty. Shuttle service runs from 7:30 a.m. through 10:15 p.m., Monday through Friday. View the schedule routes by visiting [www.sxu.edu](http://www.sxu.edu), keyword: Shuttle. Please note, shuttle service may be delayed during inclement weather.
5. **Emergency Telephones:** Emergency telephones that will automatically ring to the Public Safety Dispatch Center 24 hours a day are located at various locations throughout our campuses. Simply push and release the emergency button to activate a two-way emergency response call to a Public Safety dispatcher. Please speak clearly into the microphone. This phone may be used for any emergency situation or to report an injury or any unsafe condition. It may also be used for requesting vehicle lockout assistance, a battery jump, protective escort and reporting vehicle damage or an accident.

## REPORTING OF CRIME STATISTICS

Public Safety prepares its annual Crime Statistics Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our website.

This report is prepared in cooperation with the local law enforcement agencies having primary jurisdiction of our Chicago and Orland Park campuses and those agencies having jurisdiction over the locations where the University conducts field-based programs and contracts off-campus resident student housing.

Campus crime, arrest and referral statistics include those reported to Public Safety and designated campus officials from Student Affairs, Human Resources, Deans of Students, Residential Life and Student Life, Athletics, Counseling Center and Career Services, the Health Center and Campus Ministry. Except for mandatory reporting requirements of state law, a procedure is in place to anonymously capture crime statistics disclosed confidentially to University professional counselors, medical personnel, and pastoral-ministry staff.

Each year, an email notification is made to all enrolled students, staff and faculty that provides the website to access this report. Copies of the report may also be obtained at the Public Safety Office located in the Campus Service Center. All prospective employees may obtain a copy from Public Safety or Human Resources.

## **CAMPUS POLICE AUTHORITY AND JURISDICTION**

Pursuant to the authority of the Illinois Private College Campus Police Act, contained in Chapter 110, Section 1020 of the Illinois Compiled Statutes, amended January, 1 2010, members of the campus police department shall have the powers of municipal peace officers and county sheriffs, including the power to make arrests under the circumstances prescribed in Section 107/2 of the Code of Criminal Procedure of 1963, as amended, for violations of state statutes, municipal or county ordinances, officers have county-wide jurisdiction and the authority to regulate and control traffic on the public way adjacent to all University owned or controlled property.

Any police officer employed by a law enforcement agency of this State may conduct temporary questioning and may make arrests in any jurisdiction within Illinois if:

1. The officer is engaged in the investigation of an offense that has occurred in the jurisdiction in which the officer is employed and the temporary questioning is conducted or the arrest is made pursuant to that investigation.
2. The officer, while on duty as a police officer, becomes personally aware of the immediate commission of a felony or misdemeanor violation of the laws of this state.

In cases of minor violations of state statute, city and county ordinances, or University rules, regulations or policies, campus police or security officers may, in addition to, or in lieu of criminal charges, refer violators to the Dean of Students Office for disciplinary action under the Code of Student Conduct.

Any failure to appear as requested for a student conduct proceeding or failure to comply with any imposed sanctions or restrictions, may result in the direct filing of criminal charges with the Circuit Court of Cook County.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations is monitored and recorded. This information is provided to the Dean of Students Office for any action or follow-up that may be required.

Criminal charges filed by Saint Xavier University police officers are heard in the First Municipal District (City of Chicago) or the Fifth Municipal District of the Circuit Court of Cook County. Failure to appear in court could result in the judge issuing a bond forfeiture arrest warrant.

Officers are responsible for observing, reporting and taking appropriate actions in all instances of criminal and suspicious activities. They are also responsible for detecting and reporting fire and safety hazards as well as implementing evacuation procedures.

The office is responsible for maintaining the University's emergency operation center as well as the facilities for radio communications and implementation of contingency alert plans when conditions warrant. In the event of an injury or illness, officers will coordinate emergency medical/first-aid treatment and transportation with the fire department responders.



## REPORTING CRIME AND OTHER INCIDENTS

Community members, students, faculty, staff and visitors are highly encouraged to report all crimes and public safety-related incidents or unsafe or hazardous conditions to Public Safety in a timely manner.

Crimes should be reported to Public Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate.

Public Safety Emergency Extension	3911
Public Safety Non-Emergency Extension	4400
Administrative Office - Law Enforcement Administrator	3950

From off campus you can reach Public Safety at 773-298-3911 or 773-298-4400.

### Confidential Hotline

Public Safety operates a confidential hotline at extension 3838. The purpose of this hotline is to provide a convenient and secure way for students, staff and faculty to report suspicious activities or events on campus 24 hours a day. Messages are checked regularly by department administrators.

### Emergency Telephones

Emergency telephones that will automatically ring to the Public Safety Dispatch Center 24 hours a day are located at various locations throughout our campuses. Simply push and release the emergency button to activate a two-way emergency response call to a Public Safety dispatcher. Please speak clearly into the microphone. This phone may be used for any emergency situation or to report an injury or any unsafe condition. It may also be used for requesting vehicle lockout assistance, a battery jump, protective escort and reporting vehicle damage or an accident.

### Reporting Other Incidents

#### Public Safety:

- Campus Services Center
- 773-298-3911 (24 hours)

#### Dean of Students:

- Anthony Campbell, Room L-103, 773-298-3121, deanofstudents@sxu.edu

#### Residence Life:

- Rubloff Hall, 773-298-3977 or any member of the staff

#### Counseling Center:

- Driehaus Center, 773-298-4045

#### Health Center:

- Driehaus Center, 773-298-3712

*Please note that staff with the Counseling Center and the Health Center are designated as confidential reporting personnel.*

## **VOLUNTARY CONFIDENTIAL REPORTING**

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief of police or a management level designee within Public Safety can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the 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. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

## **CRIMINAL ACTIVITY OFF CAMPUS (NON CAMPUS)**

When a Saint Xavier University student is involved in an off-campus offense, University police and security officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Chicago, Evergreen Park, Oak Lawn, and the Orland Park police departments routinely work and communicate with campus officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. University police and security officers can and do respond to student-related incidents that occur in close proximity to campus. However, University police officers do not provide "primary" law enforcement services to off-campus resident students or locations. This remains the responsibility of the municipality having jurisdiction and Illinois Uniformed Crime Reporting (IUCR) responsibility.

# ANNUAL SECURITY REPORT

The Annual Security Report includes all reportable offenses occurring where classes are held, adjacent parking lots and public sidewalks, for the entire calendar year.

## Annual Chicago Campus Crime Report

Includes all offenses reported to the Chicago Police Department and Public Safety. The reporting area includes all buildings, adjacent roadways and parking lots of the Chicago Campus, which includes the Graham School of Management, Driehaus Center and Pulaski Center.

### 2015-2017 Offense Statistics

3700 W. 103rd Street, Chicago, IL

Offenses -- On Campus (Chicago)	2015	2016	2017
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses (including forcible rape)	1	2	1
Non-Forcible sex offenses (statutory and incest)	0	2	0
Robbery	0	0	0
Aggravated Battery	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	1	1
Arson	0	0	0
Hate crime related	0	0	0
Liquor law violations	58	38	23
Drug law violations	21	6	4
Illegal weapons possession	1	1	1
Domestic Violence	0	0	0
Dating Violence	3	3	4
Stalking	0	0	0

<b>Offenses -- On Campus which occurred in Residence Halls</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses (including forcible rape)	1	1	1
Non-Forcible sex offenses (statutory and incest)	0	0	0
Robbery	0	0	0
Aggravated Battery	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate crime related	0	0	0
Liquor law violations	57	38	23
Drug law violations	19	6	4
Illegal weapons possession	1	1	1
Domestic Violence	0	0	0
Dating Violence	2	1	2
Stalking	0	0	0
Residence Hall Fires	0	2	0

## Annual Orland Park Campus Crime Report

Includes all reportable offenses occurring within the building where classes are held, adjacent parking lots and public sidewalks.

### 2015-2017 Offense Statistics

18230 Orland Parkway, Orland Park, IL

<b>Offenses -- On Campus (Orland Park)</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Murder/Non-negligent Manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible Sex Offenses (including forcible rape)	0	0	0
Non-Forcible Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Battery	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hate Crime Related	0	0	0
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

## OFF-CAMPUS LOCATIONS CRIME STATISTICS

Includes all reportable offenses occurring where off-campus field-based classes are held, off-campus housing apartments, the O'Grady Center, Visual Arts Center and adjacent parking lots and public sidewalks, for the entire calendar year.

### 2017 Statistics

Offense	Murder	Manslaughter	Forcible Sex Offenses	Non-Forcible Sex Offenses	Robbery	Agg Battery	Burglary	MV Theft	Arson	Liquor Law Violations	Drug Related Violations	Weapons Possession Violations	Hate Motivated Crime	Domestic Violence	Dating Violence	Stalking
Chicago, IL 11000 S. St. Louis (O'Grady Center)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chicago, IL 10435 S. Spalding Visual Arts Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9739 S. Kedzie (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9732 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9742 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9549 S. Hamlin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

For more information on Campus Crime Statistics for over 6,000 colleges and universities, as well as detailed explanations of offenses, go to the Department of Education's Office of Post Secondary Education Campus Security website.

## OFF-CAMPUS LOCATIONS CRIME STATISTICS

Includes all reportable offenses occurring where off-campus field-based classes are held, off-campus housing apartments, the O'Grady Center, Visual Arts Center and adjacent parking lots and public sidewalks, for the entire calendar year.

### 2016 Statistics

Offense	Murder	Manslaughter	Forcible Sex Offenses	Non-Forcible Sex Offenses	Robbery	Agg Battery	Burglary	MV Theft	Arson	Liquor Law Violations	Drug Related Violations	Weapons Possession Violations	Hate Motivated Crime	Domestic Violence	Dating Violence	Stalking
Chicago, IL 11000 S. St. Louis (O'Grady Center)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chicago, IL 10435 S. Spalding Visual Arts Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chicago, IL 3660 W. 111th Street (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9739 S. Kedzie (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9732 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9742 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fairbury, IL Prairie Central School	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

For more information on Campus Crime Statistics for over 6,000 colleges and universities, as well as detailed explanations of offenses, go to the Department of Education's Office of Post Secondary Education Campus Security website.

**2015 Statistics**

<b>Offense</b>	Murder	Manslaughter	Forcible Sex Offenses	Non-Forcible Sex Offenses	Robbery	Agg Battery	Burglary	MV Theft	Arson	Liquor Law Violations	Drug Related Violations	Weapons Possession Violations	Hate Motivated Crime	Domestic Violence	Dating Violence	Stalking
Arlington Heights, IL John Hersey High School	0	0	0	0	0	0	0	0	0	2	5	0	0	0	0	0
Barrington, IL Barrington High School	0	0	0	0	0	2	0	0	1	7	8	3	0	0	1	0
Chicago, IL 11000 S. St. Louis (O'Grady Center)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chicago, IL 10435 S. Spalding Visual Arts Center	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9739 S. Kedzie (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9732 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Evergreen Park, IL 9742 S. Troy (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fairbury, IL Prairie Central School	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Morton Arboretum	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oak Lawn, IL 10140 S. Pulaski (Off-campus Apartments)	0	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0
Peoria, IL Illinois Central College North	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rock Island, IL Augustana College	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>18</b>	<b>13</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>



## RIGHTS/DEFINITIONS

### SEXUAL HARASSMENT AND SEX OFFENDERS

#### Crime Victim's Rights

Saint Xavier University will, upon request, disclose to the alleged victim of a reported crime of violence or a sex offense the report on the results of any disciplinary proceeding conducted by the Institution against a student who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such a crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of this paragraph.

#### Confidentiality

Complainants about sexual harassment should be aware of respondent's rights under the Family Educational Rights and Privacy Act (FERPA) to request to review information about the sexual harassment allegation if the information directly relates to the respondent and the information is maintained by the University as an education record. Where the complainant requests that the University not disclose his or her identity and the respondent makes a request under FERPA for education records, the University will either redact the complainant's name and all information identifying the complainant before allowing the respondent to inspect and review the sections of the complaint that relate to the respondent or inform the respondent of the specific information in the complaint that are about the respondent.

#### Orders of Protection

The University complies with the state of the Illinois Domestic Violence Act of 1986 in recognizing orders of protection. Any person who obtains an order of protection or a no-contact stalking order from Illinois or any other U.S. state are encouraged to provide a copy to the Office of Public Safety for the implementation of protective measures for the safety of the victim as well as the University community.

#### Advising the Campus Community about Sex Offenders

The University complies with the Illinois Sex Offender Registration Act (7301LCS 150), which requires all sex offenders employed by or attending an institution of higher education to register directly with Public Safety. In compliance with this act, any student, faculty or staff member who is required to register as a sex offender in any state must register in person in the Office of Public Safety within three days of the beginning of classes or employment. An individual committing such offense while enrolled or employed at Saint Xavier University, must also register in this office within three days of a conviction.

For a listing of registered sex offenders, please visit <http://sexoffender.chicagopolice.org/>.

### VIOLENCE AGAINST WOMEN ACT (VAWA) CRIME DEFINITIONS

For purposes of the Annual Security Report, two sets of definitions are provided to define sex offenses, domestic violence, dating violence and stalking. The first set is from the U. S. Department of Education for reporting crime statistics in the Annual Security Report. The second set is taken from the Illinois Compiled Statutes, which is used for criminal reporting and charging according to the laws in the state of Illinois. Both sets of definitions are being provided to assist complainants/survivors of violence to navigate civil and criminal proceedings.

#### U.S. Department of Education Definitions

**Sexual assault** is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

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

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

**Domestic violence** is a felony or misdemeanor crime of violence committed:

- i. By a current or former spouse or intimate partner of the victim;
- ii. By a person with whom the victim shares a child in common;
- iii. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- iv. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- v. 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** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of 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.

- i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- ii. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

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

### **Illinois Compiled Statutes Definitions**

Criminal Sexual Assault (720 ILCS 5/11-1.20) A person commits criminal sexual assault if that person commits an act of sexual penetration and:

- i. Uses of force or threat of force;
- ii. Knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;
- iii. Is a family member of the victim, and the victim is under 18 years of age; or
- iv. Is 17 years of age or over and holds a position of trust, authority or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

**Aggravated Criminal Sexual Assault** (720 ILCS 5/11-1.30) a) A person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or for purposes of paragraph (7) occur as part of the same course of conduct as the commission of the offense:

- i. The person displays, threatens to use, or uses a dangerous weapon other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- ii. The person causes bodily harm to the victim, except as provided in paragraph (10);
- iii. The person acts in a manner that threatens or endangers the life of the victim or any other person;
- iv. During the course of committing or attempting to commit any other felony;
- v. The victim is 60 years of age or older;
- vi. The victim is a physically handicapped person;
- vii. The person delivers (by injection, inhalation, ingestion, transfer of possession or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes;
- viii. The person is armed with a firearm;
- ix. The person personally discharges a firearm during the commission of the offense;
- x. The person personally discharges a firearm during the commission of the offense and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement or death to another person;
- xi. If that person is under 17 years of age and:
  - a. commits an act of sexual penetration with a victim who is under 9 years of age;
  - b. commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act; and
- xii. The person commits an act of sexual penetration with a victim who is severely or profoundly an intellectually disabled person.

**Predatory Criminal Sexual Assault of a Child** (720 ILCS 5/11-1.40) A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older and commits an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused or an act of sexual penetration and:

- i. The victim is under 13 years of age; or
- ii. The victim is under 13 years of age and that person:
  - a. Is armed with a firearm;
  - b. Personally discharges a firearm during the commission of the offense;
  - c. Causes great bodily harm to the victim that:
    - i. Results in permanent disability; or
    - ii. Is life threatening; or
  - d. Delivers by injection, inhalation, ingestion, transfer of possession or any other means any controlled substance to the victim without the victim's consent or by the threat or deception for other than medical purposes.

**Criminal Sexual Abuse** (720 ILCS 5/11-1.50) A person commits criminal sexual abuse if that person:

- i. Commits an act of sexual conduct by the use of force or threat of force, or
- ii. Commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent:
  - a. If that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age; or
  - b. If that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

**Aggravated Criminal Sexual Abuse** (720 ILCS 5/11-1.60) A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense; or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense:

- i. The person displays, threatens to use or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- ii. The person causes bodily harm to the victim;
- iii. The victim is 60 years of age or older;
- iv. The victim is a person with a physical disability;
- v. The person acts in a manner that threatens or endangers the life of the victim or any other person;
- vi. The person commits criminal sexual abuse during the course of committing or attempting to commit any other felony;
- vii. The person delivers (by injection, inhalation, ingestion, transfer of possession or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception;
  - a. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member;
  - b. A person commits aggravated criminal sexual abuse if:
    - i. That person is 17 years of age or over and (i) commits an act of sexual conduct with a victim who is at least 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or
- viii. If that person is under 17 years of age and (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person is at least 5 years older than the victim; or
- ix. A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim;
- x. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability; or
- xi. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 14 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority or supervision in relation to the victim.

**Criminal Sexual Assault** (720 ILCS 5/11-1.20) (was 720 ILCS 5/12-13) A person commits criminal sexual assault if that person commits an act of sexual penetration and:

- i. Uses force or threat of force;
- ii. Knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;
- iii. Is a family member of the victim, and the victim is under 18 years of age; or
- iv. Is 17 years of age or over and holds a position of trust, authority or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

**Aggravated Criminal Sexual Assault** (720 ILCS 5/11-1.30) (was 720 ILCS 5/12-14) a) A person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7) occur as part of the same course of conduct as the commission of the offense:

- i. The person displays, threatens to use, or uses a dangerous weapon other than a firearm or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- ii. The person causes bodily harm to the victim, except as provided in paragraph (10);
- iii. The person acts in a manner that threatens or endangers the life of the victim or any other person;
- iv. During the course of committing or attempting to commit any other felony;
- v. The victim is 60 years of age or older;
- vi. The victim is a physically handicapped person;
- vii. The person delivers (by injection, inhalation, ingestion, transfer of possession or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes;
- viii. The person is armed with a firearm;
- ix. The person personally discharges a firearm during the commission of the offense;
- x. The person personally discharges a firearm during the commission of the offense and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement or death to another person.
- xi. If that person is under 17 years of age and:
  - a. Commits an act of sexual penetration with a victim who is under 9 years of age; or
  - b. Commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act;
- xii. The person commits an act of sexual penetration with a victim who is severely or profoundly an intellectually disabled person.

**Predatory Criminal Sexual Assault of a Child** (720 ILCS 5/11-1.40) A person commits predatory criminal sexual assault of a child if that person is 17 years of age or older and commits an act of contact, however slight, between the sex organ or anus of one person and the part of the body of another for the purpose of sexual gratification or arousal of the victim or the accused or an act of sexual penetration and:

- i. The victim is under 13 years of age; or
- ii. The victim is under 13 years of age and that person
  - a. Is armed with a firearm
  - b. Personally discharges a firearm during the commission of the offense;
  - c. Causes great bodily harm to the victim that
    - i. Results in permanent disability; or
    - ii. Is life threatening; or
  - d. Delivers by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by the threat or deception, for other than medical purposes.

**Criminal Sexual Abuse** (720 ILCS 5/11-1.50) A person commits criminal sexual abuse if that person:

- i. Commits an act of sexual conduct by the use of force or threat of force; or
- ii. Commits on act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent:
  - a. If that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age; or
  - b. If that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

**Aggravated Criminal Sexual Abuse** (720 ILCS 5/11-1.60) A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense:

- i. The person displays, threatens to use or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- ii. The person causes bodily harm to the victim;
- iii. The victim is 60 years of age or older;
- iv. The victim is a person with a physical disability;
- v. The person acts in a manner that threatens or endangers the life of the victim or any other person
- vi. The person commits criminal sexual abuse during the course of committing or attempting to commit any other felony;
- vii. The person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception:
  - a. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member; or
  - b. A person commits aggravated criminal sexual abuse if:
    - i. That person is 17 years of age or over and (i) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age; or
    - ii. That person is under 17 years of age and (i) commits an act of sexual conduct with a victim who is under 9 years of age or (ii) commits on act of sexual conduct with o victim who is at least 9 years of but under 17 years of age and person is at least 5 years older than the victim.
  - c. A person commits aggravated criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim;
  - d. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a person with a severe or profound intellectual disability; or
  - e. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 14 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.

**Sexual Relations within Families** (720 ILCS 5/11-11) A person commits sexual relations within families if he or she:

- i. Commits an act of sexual penetration as defined in Section 11-0.1 of this code; and
- ii. The person knows that he or she is related to the other person as follows:
  - a. Brother or sister, either of the whole blood or the halfblood;
  - b. Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 8 years of age or over when the act was committed;
  - c. Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed;
  - d. Great-aunt or great-uncle, when the grand-niece or grand-nephew was 18 years of age or over when the act was committed; or
  - e. Grandparent or step grandparent, when the grandchild or step-grandchild was 8 years of age or over when the act was committed.

**Domestic Violence** (750 ILCS 60/103) Means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis. Family or household members include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through child, persons who have or had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 1.2-4.4a of this code. For the purposes of this article, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship.

**Domestic Battery** (720 ILCS 5/12-3.2) A person commits domestic battery if he or she knowingly without legal justification by any means:

- i. Causes bodily harm to any family or household member; or
- ii. Makes physical contact of an insulting or provoking nature with any family or household member.

**Aggravated Domestic Battery** (720 ILCS 5/12-3.3) A person who in committing a domestic battery knowingly causes great bodily harm or permanent disability or disfigurement commits aggravated domestic battery. A person who in committing a domestic battery strangles another individual commits aggravated domestic battery. For the purposes of this subsection, "strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

**Dating Violence** - The state of Illinois does not have a dating violence statute. All references to dating violence can be found in the domestic violence statute.

**Stalking** (720 ILCS 5/12-7.3) A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:

- i. Fear for his or her safety or the safety of a third person; or
- ii. Suffer emotional distress.

A person commits stalking when he or she knowingly and without lawful justification on at least two separate occasions follows another person or places the person under surveillance or any combination thereof and:

- i. At any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed toward that person or a family member of that person; or
- ii. Places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint to or of that person or a family member of that person.

A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:

- i. Follows that same person or places that same person under surveillance; and
- ii. Transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

**Aggravated Stalking** (720-5/12-7.4) A person commits aggravated stalking when he or she commits stalking and:

- i. Causes bodily harm to the victim;
- ii. Confines or restrains the victim; or
- iii. Violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.

A person commits aggravated stalking when he or she is required to register under the sex Offender Registration Act or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim.

**Cyberstalking** (720-5/12-7.5) A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that cause a reasonable person to:

- i. Fear for his or her safety or the safety of a third person; or
- ii. Suffer other emotional distress.

A person commits cyberstalking when he or she knowingly and without lawful justification on at least two separate occasions, harasses another person through the use of electronic communication and:

- i. At any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed toward that person or a family member of that person;
- ii. Places that person or family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
- iii. At any time knowingly solicits the commission of an act by any person which would be a violation of this code directed toward that person or a family member of that person.

A person commits cyberstalking when he or she knowingly and without lawful justification creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours and which contains statements harassing another person and:

- i. Which communicates a threat of immediate or future bodily harm, sexual assault, confinement or restraint where the threat is directed toward that person or a family member of that person;
- ii. Which places that person or family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
- iii. Which knowingly solicits the commission of an act by any person which would be a violation of this code directed toward that person or family member of that person.

**Consent** (720 ILCS 5/11-1.70) "Consent" means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim shall not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.

## CLERY REPORTABLE STATISTICS

### Classifying Crime

Campus crime, arrest and referral statistics include those reported to the Office of Public Safety, designated campus officials, including campus security authorities, and local law enforcement. The following reported statistics cover the period January 1 through December 31 for each specified year.

Statistical crime data is provided with the standards and guidelines used by the FBI Uniform Crime (UCR) program:

- The definitions for murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, weapons carrying, possessing, law violations, drug abuse violations and liquor law violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program.
- The definitions of fondling, incest and statutory rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR.
- Hate crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual.
- For the categories of domestic violence, dating violence and stalking, the Clery Act specifies usage of definitions provided by the Violence Against Women Act of 1994.

### Counting Crime

Statistical crime data is provided for the past three calendar years in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the federal laws articulated in the Clery Act. Data included in the statistics column for murder/non-negligent manslaughter, negligent manslaughter, domestic violence, dating violence and stalking sex offenses, aggravated assault and motor vehicle thefts represent the number of victims in the crime occurrence. Similarly, cases involving arrests for liquor law, drug law and illegal weapons violations are recorded per person. Statistics captured under "Referred for Disciplinary Action" reflect the number of individuals in a reported incident submitted to a campus official authorized to administer and maintain a record of disciplinary action. Statistics recorded for robbery, burglary and arson indicate the number of occurrences.

### Geographic Locations

Crime statistics are categorized in four locations: on campus, on-campus residential, non-campus and public property.

Specific statutory definitions of these geographic areas are as follows:

**On Campus** - Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Residential (or Student Housing)** - A subset of the on-campus property category. Student housing facilities include lease agreements. Data reported in this category includes reported crimes that occurred in these spaces.

**Non-Campus** - Any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property** - All public property, including thoroughfares, streets, sidewalks including the opposite side of street and the parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

### General Categories of Crime Statistics

The Clery Act requires the University to include four general categories of crime statistics:

- i. Criminal Offenses - Criminal homicides, including murder and non-negligent manslaughter, and manslaughter by negligence, sexual assault including rape, fondling, incest and statutory rape; robbery, aggravated assault, burglary, motor vehicle theft and arson.
- ii. Hate Crimes - Any of the above mentioned offenses and any incidents of larceny-theft, simple assault, intimidation, or destruction, damage/vandalism of property that were motivated by bias.
- iii. VAWA Offenses - Any incidents of domestic violence, dating violence and stalking. (Note that sexual assault is also a VAWA offense but is included in the Criminal Offenses category for Clery Act reporting purposes).
- v. Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws

For additional information on crimes as reported to the Chicago Police Department, please visit their City of Chicago Clear Map Crime Summary website.

## CRIME DEFINITIONS

### **Criminal Offenses:**

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

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

**Sexual Assault (Sex Offenses)** - Any act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

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

**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** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** - The unlawful entry of a structure to commit a felony or theft.

**Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle.

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.

### **Hate Crimes:**

A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

For Clery purposes, the following eight categories are included:

- Race
- Religion
- Sexual orientation
- Gender
- Gender identity
- Ethnicity
- National Origin
- Disability

In addition to the first seven criminal offenses, the following criminal offenses are also included:

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

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

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

**Destruction/Damage/Vandalism of Property** - 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.



## **VAWA OFFENSES:**

**Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** - A felony or misdemeanor crime of violence is committed:

- i. By a current or former spouse or intimate partner of the victim;
- ii. By a person with whom the victim shares a child in common;
- iii. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- iv. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- v. 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.

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

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

**Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly or indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

**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.

### **Arrests and Disciplinary Referrals for Violations of Weapons, Drug Abuse and Liquor Laws:**

**Weapons: Carrying, Possessing, Etc.** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

**Drug Abuse Violations** - The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Saint Xavier University maintains an All-Hazards Emergency Operations Plan (EOP) that contains provisions to provide immediate response and evacuation in an emergency situation. This plan provides that if there is an immediate threat to the health and safety of students, employees and visitors occurring on the campus, the University, given the circumstances, should follow the EOP (Annex F: Evacuations, Shelter in Place and Lockdown, Annex B: Communications) notification procedures. The EOP also implements the usage of mass notification systems, which allow for immediate notification of the campus community upon confirmation of a significant emergency or dangerous situation occurring on campus.

The University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate an emergency. Public Safety will utilize the emergency alert functions as means of communicating emergency situations to students and employees. Additionally, a voice over tone public address system may be used. Once the alert is processed, the Office of University Relations immediately updates the University web page and digital signage. The assistant vice president of Information Resources and Technology will also ensure updates are sent to the campus community via voicemail messages.

This emergency notification requirement does not replace the timely warning requirement. They differ in that the timely warning applies only to Clery reportable crimes, while the emergency notification requirement addresses a much wider range of threats (i.e. gas leaks, tornadoes, contagious viruses, etc.). An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances, but must provide adequate follow-up information to the community as needed.

Emergency alert notifications can be initiated by the following responsible authorities:

- Chief of Police
- Public Safety Officers
- University President
- University Provost
- Vice President for Student Affairs
- Media Relations Specialist

The Office of University Relations will provide a University Representative to work in conjunction with the local media and government officials. Public Safety will provide external law enforcement agencies with updates to properly disseminate emergency information to the larger community.

In accordance to the Illinois Campus Security Enhancement Act, the University annually exercises the EOP and documents such exercises. Also, the University has published and distributed an Emergency Guide which provides emergency response and building evacuation procedures specifically for students, faculty and staff.

### Evacuation Procedures

- In the event of major utility failure during regular business hours, go to a safe location with emergency lighting and notify Public Safety at ext. 3911.
- Follow directions from Public Safety and Facilities Management for immediate action.
- If evacuation of a building is required, seek out persons with special needs and provide assistance.
- If needed, the telephone number to request physical assistance for anyone with a disability is ext. 3911.
- Laboratory personnel should secure all experiments and shut off research gases.
- Prior to evacuating, all chemicals should be stored in their original locations.
- Do not light candles or other types of flames for lighting.
- Do not touch any electrical equipment (including computers) or light switches.

### Electrical Outage

- Evacuate the building if the fire alarm sounds or upon notification by authorized emergency personnel.
- In laboratory buildings, fume hoods do not operate during a power outage and most Laboratories should not be used until the ventilation is properly restored.
- If people are trapped in elevators, tell passengers to stay calm and that you are getting help. Then call ext. 3911 and provide information.

### Gas Leak/Unusual Odors

- Cease all operations immediately.
- Do not use cell phones or other electronic equipment.
- Do not switch lights on or off.
- Evacuate as soon as possible.
- Fully open fume hoods.
- If this is not possible or natural ventilation is inadequate, evacuate the laboratory until the power is returned.

### Fire

- Walk to the nearest exit (do not use elevators.)
- Assist persons with special needs.
- Notify First Responder Fire Department personnel or University Public Safety staff if there is someone trapped inside the building.
- Gather outside at a designated assembly area and do not attempt to re-enter the building until instructed to do so by First Responder personnel or University Public Safety staff.

### Flooding/Plumbing Failure

- Cease using all electrical equipment.
- Avoid contact with the water.
- Evacuate effected area.

All hazards evacuations procedures can be implemented by the following responsible authorities:

- Chief of Police
- Public Safety
- Director of Facilities
- Manager of Housekeeping, Grounds and Mailroom

## EMERGENCY NOTIFICATIONS

Saint Xavier University posts any emergency notifications to its website to alert SXU faculty, staff and community members to any on-campus or close to campus situations that could arise. The site also informs the SXU community about what to do in advance of, during or after a major emergency.

Visit [www.sxu.edu](http://www.sxu.edu), keyword: Public Safety for up-to-date emergency notifications.

## CAMPUS ALERT SYSTEM

Saint Xavier has implemented a Campus Alert System that will text message student, faculty and staff cell phones in the event of a campus emergency. SXU strongly recommends that you sign up for the Campus Alert System to better ensure everyone's safety. This service will not be used for routine University communications. It will only be used to advise students and staff of an actual emergency, such as tornado or storm warnings, campus closings or dangerous situations on campus.

In order to have your text messaging information added to the contact list, please go to Self-Service on mySXU and verify your information.

## DAILY CRIME LOG

Public Safety maintains a written, easily understood Daily Crime Log as required by the Campus Security Act.

The Daily Crime Log records, by the date the crime was reported, any crime that occurred on campus or within the Public Safety patrol jurisdiction, in public areas immediately adjacent to or running through campus, and in certain non-campus facilities and remote classrooms. The log includes the nature, date, time and general location of each crime reported to Public Safety as well as the disposition of the complaint, if known at the time the log is written. Public Safety make an entry or an addition to an entry to the Daily Crime Log within two business days of receiving a report, except in certain circumstances as prescribed by the Campus Security Act.

Saint Xavier University's Daily Crime Log is available for public inspection and contains the most recent 60 day period. Any portion of the Daily Crime Log older than 60 days will be made available within two business days of a request for public inspection.

## SECURITY AND ACCESS

During business hours, the University (excluding residence halls) will be open to enrolled and prospective students and their parents, employees, contractors, guests and invitees.

Some facilities may have individual hours, which may vary at different times of the year. Examples are the Shannon Center and the library.

Residence halls are secured 24 hours a day and require a swipe card to access the main entrance and interior corridors. Individual room access requires a high-security controlled key that the University owns and is not commercially reproducible. Over extended breaks, or when suspended, residential students' swipe card access permissions are deactivated.

Residents in on-campus residence halls or University apartments may host two overnight guests at least 17 years of age and of the same sex, provided they have the consent of their roommate(s). Residents must submit a Resident Overnight Automated Request (ROAR) through the student portal by 11 p.m. on the date of the request. Residents will be informed by the RA on duty that the ROAR has been registered and approved/denied. All guest procedures apply, and a guest ID must be worn at all times. Overnight guests may only be in the building for which they have an approved ROAR after visitation hours. No guest may be registered in the halls or stay in a University apartment more than three nights within a seven-night period.

## ILLINOIS SEX OFFENDER REGISTRY

On January 24, 2000, Section 485(f)(1) of the Higher Education Act of 1965 was amended to require that institutions of higher education advise the campus community where information concerning registered sex offenders may be obtained.

Sex offender information is compiled by the Illinois State Police. The state police maintain a website that allows you to search their sex offender database online.

To learn the identity of registered sex offenders on or near campus, or anywhere in Illinois, visit the Illinois Sex Offender Registry.

- The University is in Cook County.
- The University is in zip codes 60655 (Chicago) and 60467 (Orland Park).

You can also search the Chicago Police Department's Registered Sex Offender database, the Chicago Campus is in the 22nd District; Beat 2211, or the Orland Park Police Department Sex Offender database.

## SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

During First-Year orientation meetings on University Services, students are informed of services offered by Public Safety. Slide presentations and hand-outs outline ways to maintain personal safety and residence hall security. Students are told about crime on campus and in surrounding neighborhoods. Crime prevention, fire safety, domestic violence, sexual assault and identity theft prevention programs and information are offered on a continual basis.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. To enhance personal safety, especially after evening classes, walk with a friend or someone from class that you know well, or call Public Safety for a protective escort.

When time is of the essence, information is released to the University community through security alerts posted prominently throughout campus, through computer memos sent over the University's electronic mail system, text messaging system and voicemail system.

### **Additional Programs**

Since fall of 2015, all students are required to view "Every Choice Matters", an online intrapersonal violence prevention program from Student Success™. This video-based program provides critical information about consent, bystander intervention, sexual assault, dating and domestic violence and stalking.

Each fall, all new first-year students are required to attend a live presentation on sexual violence prevention by Catharsis Productions. We've hosted the following programs for students:

- The Hook-Up, a program focused on gender stereotypes and bystander intervention.
- Transitions, a required course for first-year students, includes a unit on healthy choices and sexual violence prevention.

## MISSING STUDENT NOTIFICATION

Text In accordance with the Higher Education Act Title IV, Section 485(j) students have the option to identify an individual to be contacted by Saint Xavier University if it is determined that the student is missing. Please log into Self-Service on mySXU and fill out the emergency contact information. This contact can be updated at any time via Self-Service on mySXU. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. Public Safety will have to notify the local law enforcement agency, of the appropriate jurisdiction, of the missing student regardless if the student has registered emergency contact information. If the missing student is under 18 years of age and is not an emancipated individual, Public Safety will notify their parent or legal guardian immediately.

Saint Xavier University will implement the missing student protocol in the event that a student is reported missing, which follows the Illinois Missing Person Identification Act, 50 ILCS 722/5, effective August, 16 2007. Illinois law mandates that "all law enforcement agencies shall accept without delay any report of a missing person. Acceptance of a missing person report filed in person may not be refused on any ground." Policies pertaining to missing students will be put into effect regardless of whether the student resides on or off campus. If a member of the University community believes that a student is missing, he or she should immediately notify Public Safety by calling 773-298-3911. Public Safety will generate a missing person report and initiate an investigation. In circumstances where the investigation deems the student as missing, the missing student protocol will be activated. Public Safety officials will ensure the coordination of relevant student data entry into law enforcement databases and involve external law enforcement agencies as necessary. Additionally, they will commence emergency contact procedures designated by the student.

In accordance with 50 ILCS 722/10, missing persons designated as "high risk" must be immediately entered into the Illinois State Police Law Enforcement Agencies Data System (LEADS) and the FBI National Crime Information Crime Center (NCIC). "High risk" is defined by 50 ILCS 722/10 as:

1. The person is missing as a result of a stranger abduction.
2. The person is missing under suspicious circumstances.
3. The person is missing under unknown circumstances.
4. The person is missing under known dangerous circumstances.
5. The person is missing more than 30 days.
6. The person has already been designated as a high-risk missing person by another law enforcement agency.
7. There is evidence that the person is at risk because:
  - a. The person is in need of medical attention or prescription medication.
  - b. The person does not have a pattern of running away or disappearing.
  - c. The person may have been abducted by a non-custodial parent.
  - d. The person is mentally impaired.
  - e. The person is under the age of 21.
  - f. The person has been the subject of past threats or acts of violence.
  - g. The person has eloped from a nursing home.
  - h. Any other factor that may, in the judgment of law enforcement personnel, indicate that the missing person may be at risk.

Additionally, Suzanne's Law (Title 42 U.S.C., Section 5799a) also requires agencies to immediately enter records into the LEADS/NCIC Missing Person file for missing individuals under the age of 21, regardless of circumstances. And as an overall policy, LEADS Regulations (Illinois Administrative Code 1240.60a) mandate that "each agency must enter information into LEADS or ensure information has been entered into LEADS as soon as the facts are known and sufficient identifiers are available to permit the establishment of a LEADS record."

## ALCOHOL, DRUG AND OTHER POLICIES

### Alcohol Policy

Saint Xavier University students are expected to abide by Illinois state laws concerning the drinking age. The sale, possession, consumption and service of alcoholic beverages by any person under the age of 21 is prohibited in accordance with Illinois state law.

Possession by any individual of alcoholic beverages in residence halls is prohibited. Students not consuming, but in the presence of alcohol, are also subject to disciplinary action. For the enforcement of status or regulatory offenses which are marked by the absence of a specific victim, University police or security officers will use their discretion in deciding whether the police objective and mission is best served by an arrest or referral to the student conduct system.

When some members and/or guests of a student group, club or organization are under the legal drinking age at an off-campus event, the members of the organization and their guests are responsible for conducting themselves in accordance with University policy and with state laws.

With the exception of Gilhooley's Grande Saloon, students and/or their guests may not possess, sell or consume alcoholic beverages on University property. Students may not purchase alcoholic beverages with University-approved student fees or with any other student funds that are collected and administered by a student organization or club. Violation of this policy may result in disciplinary action.

On rare occasions, students and/or their guests, who are 21 years of age or older, may apply for permission to possess or consume alcoholic beverages at an approved University function. Those who so wish to obtain such permission must consult with the Dean of Students no later than 10 days prior to the date of the event. Permission will be granted only when a series of stringent precautionary and control measures have been arranged so that those attendees who are under 21 years of age will not be served alcoholic beverages. At no time may students and/or their guests sell or effect the commercial delivery of alcoholic beverages on University property.

At any on-campus or off-campus events at which students and/or guests under 21 years of age are present, and where alcoholic beverages are served or provided by an official Saint Xavier University department, organization or club as part of the event, prior University approval must be obtained. Saint Xavier University assumes no responsibility for any liability incurred as the result of a department's, club's or organization's violation of these rules or of any state or city law governing the use and consumption of alcoholic beverages.

### Drug Policy

Members of the University community are subject to federal, state and local laws. Illinois law prohibits the possession or use of marijuana, narcotics and hallucinogenic drugs, either in the refined or crude form, except under the direction of a licensed physician or dentist. The possession, use, distribution and/or sale of marijuana, narcotics and hallucinogenic drugs are prohibited. Violations of these regulations may result in disciplinary action, ranging from a written statement of an official warning up to legal civil actions and expulsion from the University. Individuals convicted of unlawfully possessing or distributing illicit drugs and alcohol may face misdemeanor or felony charges, which are punishable by sanctions up to and including imprisonment.

### Counseling and Treatment for Drug and Alcohol Problems

1. Drugs and alcohol are dangerous substances, which can lead to serious physical problems with all major organs. Even a single abuse of these substances can endanger lives and cause irreparable harm to oneself and others.
2. Students who may have been or are using drugs may request counseling on campus or a referral to outside agencies. If a student enters into a counseling relationship, it will be regarded as privileged information and be treated in a confidential manner.

An extensive list of drug and alcohol counseling treatment rehabilitation programs is available to students through the Office of Student Affairs, or by calling the Illinois Department of Alcoholism and Substance Abuse at 312-917-3840.

Members of the Saint Xavier University community are strongly encouraged to report all suspected illegal drug activity on or around the University's property to the Chicago Police Department or Saint Xavier University Public Safety immediately. Suspected drug activity can also be reported anonymously to the Cook County State's Attorney's Narcotics Nuisance Abatement Hotline at 773-869-DOPE.

The Office of the Dean of Students may notify parents/guardians of students under 21 years of age when a student is found responsible for (1) any violation of the drug policy, (2) a second violation of the alcohol policy and (3) a first violation of the alcohol policy when one or more of the following occurs:

- The student demonstrates a reckless disregard for his/her personal safety or the safety of others.
- Medical attention to any person, including the student, is required as a result of the student's alcohol-related behavior.
- There is property damage.
- The student operates a motor vehicle under the influence of alcohol.
- The incident involves another serious violation.
- The student's alcohol-related behavior negatively impacts the learning environment.

## REPORTING ON CAMPUS/RESPONSIBLE EMPLOYEE

According to guidance from the Office for Civil Rights, a “responsible employee” on campus is any employee who has the authority to take action to redress sexual violence; who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator, or other appropriate University designee; or who a student could reasonably believe has this authority or duty.

The University will make clear to all employees and students which members of the staff are responsible employees so that students can make informed decisions about whether to disclose information to any one of them. Before a student reveals information that he/she may wish to keep confidential, a responsible employee must make every effort to ensure the student understands that it is: (a) the employee’s obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident to the Title IX coordinator or other appropriate officials; (b) the student’s option to request that the University maintain the student’s confidentiality, which the University will consider; and (c) the student’s ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual assault related services.

It is critical to understand that any University employee who is not designated as a confidential resource cannot maintain the confidentiality of a report or information concerning an alleged violation. All employees are instructed to share a report of sexual misconduct with a Title IX coordinator.

## CAMPUS REPORTING RESOURCES/CAMPUS SECURITY AUTHORITY (CSA) RESPONSIBILITIES

All SXU community members should report all incidents of sexual misconduct or retaliation directly to the Title IX coordinator or the deputy Title IX coordinators identified in this policy.

The University recognizes that a student or employee may choose to report to any employee of the University. For example, a student may choose to confide in an associate dean, a resident assistant, a faculty member, a director or a coach. Similarly, an employee may choose to confide in a supervisor or a colleague. No SXU employee may promise confidentiality (except in Counseling Services), and all SXU employees are expected to share such information with the Title IX coordinator or the deputy Title IX coordinators.

The University has identified certain groups of employees as “responsible employees” for purposes of complaints of sexual misconduct. These employees are the same as those identified as “campus security authorities” in the University’s annual Campus Security Report. As indicated below, each of these employees has the authority to receive complaints of sexual misconduct and ensure that timely follow-up, including investigations, occurs:

- Title IX Coordinator and the Deputy Title IX Coordinator(s)
- Director and Officers of Public Safety

The director of Human Resources, as the deputy Title IX coordinator for Employment, can assist faculty and staff requesting information, resources and reporting options and can facilitate informal resolution of complaints, where appropriate. The Office of Human Resources also can assist faculty and staff with requesting workplace interim measures during the investigation or other resolution of a complaint.

Students can report incidents directly to the vice president for Student Affairs/dean of students, or to a member of the Student Affairs professional staff. The Office of Student Affairs can assist with informal resolution of complaints, where appropriate, as well as assisting with academic concerns, changes in housing, or other interim measures. The Office of Student Affairs will be able to connect students to on- and off-campus resources.

(Please Note: The Office of Public Safety is available to receive reports of incidents of sexual misconduct 24 hours a day, 7 days a week and 365 days a year. A member of the Office of Public Safety will be able to arrange transportation to the local hospital, to meet with local law enforcement and to meet a member of the Office of Student Affairs.)

## SEXUAL VIOLENCE POLICY (2016)

Saint Xavier University is committed to a community that respects the dignity and worth of each person. In accordance with the University's Catholic, Mercy values and its role as an educational institution, Saint Xavier is committed to eliminating sexual violence in all its forms and will take appropriate remedial action against any individual found responsible for acts in violation of this policy. Saint Xavier University provides reporting options, an investigative and disciplinary process, and resources for support.

The University, in consultation with the complainant, will pursue strong disciplinary action against students found to be in violation of University policy as outlined in the Student Handbook. Non-student members of the Saint Xavier community who have engaged in behavior that violates the sexual violence policy are subject to discipline under the University policies and procedures that apply to them. Acts of sexual violence may also constitute violations of criminal or civil law.

Saint Xavier University has designated Dr. Anthony Campbell (Room L-103, 773-298-3121, campbell@sxu.edu), vice president of Student Affairs, as the Title IX coordinator, responsible for oversight of complaints of sexual violence.

### **The University has also designated several deputy Title IX coordinators on campus:**

- Katy Thompson, Assistant Vice President, Residential Life (Rubloff Hall, 773-298-3977, thompson@sxu.edu)
- Samantha Maher Sheahan, Associate Dean of Students, Student Life (L-103 D, 773-298-3122, mahersheahan@sxu.edu)
- NaTasha Jones, Director of Human Resources (Human Resources Building, 773-298-3452, njones@sxu.edu)

### **Procedures for Reporting and Responding to Sexual Violence**

Saint Xavier encourages the reporting of all incidents of sexual violence. Reports can be made at any time, but complainants are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding. Complainants of sexual violence may contact appropriate University personnel for assistance or to report incidents. These include:

**Public Safety:** Campus Service Center, 773-298-3911 (24 hours)

**Dean of Students:** Dr. Anthony Campbell, Room L-103, 773-298-3121, campbell@sxu.edu

**Residence Life:** Rubloff Hall, 773-298-3977 or any member of the staff

**Counseling Center:** Driehaus Center, 773-298-4045

**Health Center:** Driehaus Center, 773-298-3712

Please note that the Counseling Center and the Health Center are designated as confidential reporting personnel. They are not required to inform other personnel at the University of a sexual violence report, unless there is deemed an imminent threat of harm to oneself or others.

Students may also submit written reports of sexual violence incidents through the Student Affairs Incident Report. (Please note that written reports may not be read until the next business day.)

After reporting, the staff member will advise the student of his/her rights and options as a complainant. These include:

- Where and how to obtain medical assistance;
- Where and how to report incidents of sexual violence to SXU Public Safety, Chicago Police Department or other appropriate law enforcement agency;
- Resources for on- and off-campus counseling and other support services;
- The right to file criminal charges;
- The right to a prompt and fair response from University officials;
- The right to pursue and participate in a formal disciplinary process at the University; and
- That, at a sexual violence complainant's request, the University may take action to prevent unwanted contact with the alleged assailant, including but not limited to, transfer of the complainant and/or the respondent to alternative classes or to alternative University-owned housing, if such alternatives are available and feasible.

The University reserves the discretion to place a student or staff member on administrative leave or take other temporary measures in order to investigate complaints of sexual violence in an appropriate and timely manner.

## DEFINITIONS RELATED TO SEXUAL VIOLENCE

**Battery.** A person commits battery if he or she intentionally or knowingly, without legal justification and by any means, causes bodily harm to an individual; or makes physical contact of an insulting or provoking nature.

**Sexual Misconduct.** Any intentional or knowing touching or fondling of the victim by the accused, either directly or through clothing, of the sex organs, anus or breast.

**Criminal Sexual Abuse.** An individual commits the crime of criminal sexual abuse if he or she commits an act of sexual conduct by the use of force or threat of force; or commits an act of sexual conduct and the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent.

**Aggravated Criminal Sexual Abuse.** An individual commits the crime of aggravated criminal sexual abuse if he or she commits criminal sexual abuse and any of the following aggravating circumstances existed during the commission of the offense:

- the accused displayed, threatened to use or used a dangerous weapon or any object fashioned or utilized in such a manner as to lead the victim under the circumstances to reasonably believe it to be a dangerous weapon; or
- the accused caused bodily harm to the victim; or
- the victim was a physically handicapped person; or
- the accused acted in such a manner as to threaten or endanger the life of the victim or another person; or
- the accused delivered (by injection, inhalation, ingestion, transfer of possession or any other means) to the victim without his or her consent, or by threat or deception, any controlled substance.

**Criminal Sexual Assault.** An individual commits criminal sexual assault if he or she:

- commits an act of sexual penetration by the use of force or threat of force; or
- commits an act of sexual penetration and the accused knew that the victim was unable to understand the nature of the act or was unable to give knowing consent.

**Aggravated Criminal Sexual Assault.** An individual commits aggravated criminal sexual assault if he or she commits criminal sexual assault and any of the following aggravating circumstances existed during the commission of the offense:

- the accused displayed, threatened to use, or used a dangerous weapon, other than a firearm, or any object fashioned or utilized in such a manner as to lead the victim under the circumstances to reasonably believe it to be a dangerous weapon; or
- the accused caused bodily harm to the victim; or
- the accused acted in such a manner as to threaten or endanger the life of the victim or any other person; or
- the victim was a physically handicapped person; or
- the accused delivered (by injection, inhalation, ingestion, transfer of possession or any other means) to the victim without his or her consent, or by threat or deception, any controlled substance.

**Consent.** Consent is informed, freely given and mutually understood. If coercion, intimidation, threats and/or physical force are used, there is no consent. If the complainant is mentally or physically incapacitated or impaired so that the complainant cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Silence does not necessarily constitute consent and past consent of sexual activities does not imply ongoing future consent.

### Retaliation

Retaliation against anyone who makes or corroborates a complaint of sexual violence is strictly prohibited. Actions by a student intended as retaliation, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

### False Reports

Saint Xavier University takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during an investigation of such a complaint or report may be subject to discipline. Complaints of conduct that are not found to violate policy are not assumed to be false.

### Written Report to the University

If an individual student decides to file a formal charge, an incident report should be completed online. The University will pursue strong disciplinary action against students found in violation of the sexual violence policy, up to suspension or expulsion from the University.

### Investigation

The University will investigate the complaint in accordance with applicable federal and state laws and regulations including those relating to privacy. Investigation of a complaint will include interviews, documentation and other appropriate means. Even if the complainant does not wish to pursue a formal conduct charge, the University may still have the obligation to conduct an investigation and/or hold a conduct hearing for the student alleged to have violated this policy. The complainant may choose the manner and to what extent he or she will participate in the investigation and/or conduct hearing.

### Legal Recourse

A victim of sexual violence has legal recourse outside the University. Certain sexual conduct has serious legal consequences. If a civil or criminal suit is filed, the University reserves the right to conduct its own investigation and proceedings regardless of the status or resolution of any civil or criminal litigation.

### Medical Attention

It is important to receive medical attention, whether or not you plan to report the crime to police or file a campus complaint. All services for sexual assault victims are provided free of cost at emergency rooms in Illinois. These services include options for an examination, collection of evidence, test for STDs and needed medical care. Any and all of these services may be accepted or refused by the victim. Christ Hospital and Little Company of Mary Hospital are both close to campus. The contact information and locations are listed below.

A victim may choose to have a medical examination at the Saint Xavier University Health Center if a police report is not filed. This exam would not collect evidence, but would examine the victim for any health risks or injuries that may have been encountered during the sexual assault.

The following off-campus victim support services are available to assist the victim:

#### Advocate Christ Medical Center

4500 W. 95th Street  
Oak Lawn, IL  
708-684-8000

#### Rape Victim Advocates

228 S. Wabash, Suite 240  
Chicago, IL  
312-663-6303

#### Little Company of Mary

2800 W. 95th Street  
Evergreen Park, IL  
708-422-6200

#### Pillars Community Service

333 North LaGrange Rd., Suite One  
LaGrange Park, IL  
708-698-5500  
24-Hour Hotline: 708-482-9600

National Sexual Assault Hotline 1-800-656-HOPE

Saint Xavier University reserves the right to amend this policy and its procedures.



# REPORT BIAS

## Reporting a Bias Incident

In line with its mission, core values and its Catholic, Mercy identity, Saint Xavier University is committed to fostering a diverse and inclusive community in which its students can learn and grow. As part of that commitment, the Office of the Dean of Students encourages students to report behavior that discriminates, stereotypes, excludes or harasses anyone in the community.

## Purpose

- Support SXU students who are targets or witnesses of bias incidents
- Investigate incidents, take action when possible and refer when appropriate
- Obtain data that might direct future programming, services or policies

## Definition

Bias incidents and/or hate crimes involve behavior that is motivated by bias or prejudice against an individual or group of people based on personal characteristics or identity, including but not limited to: age, gender/gender identity, race, ethnicity, sexual orientation, religion or disability. Hate crimes are bias incidents that include a violation of criminal statute such as property damage, personal injury or other illegal conduct.

## Examples

Bias incidents may take the form of:

- Graffiti or signs
- Verbal harassment or slurs
- Written harassment or slurs
- Telephone or email threat
- Social media post
- Physical injury
- Damage to property

## Responses

A staff member from the Office of the Dean of Students will contact the individual making the report, unless the reporter does not submit a name. (We strongly encourage students to submit their names with reports so that appropriate follow-up can occur.)

Depending on the nature of the report, the Dean of Students Office may implement one or more of the following options:

- Refer the case for Student Conduct
- Refer the case to Public Safety
- Provide educational programming or communication
- Provide mediation
- Implement intervention strategy
- Recommend University practice or policy

## Confidentiality

Professional staff members in the Dean of Students Office regularly maintain confidential information and will do their best to be sensitive to and respectful of the wishes of the reporter. Some bias incidents are more public than others, e.g. awareness of graffiti in a residence hall will be more public than a private incident between two people. If the incident rises to the level of a student conduct case and/or a criminal act, options for pursuing those two avenues will in most cases be at the discretion of the reporting student. Information regarding an immediate threat of harm to oneself or others always requires a response by University staff.

## Reporting

Reports can be made online on SXU's Bias Incident Report form.

Additionally, reports can be made verbally or in writing to any member of the Office of the Dean of Students staff, which includes staff in the departments of Student Life, Residence Life and Student Media. Public Safety officers, including those working at the desks in the residence halls, on patrol or at the Public Safety main office may also be contacted.

Don't think this is the right report for you? You can fill out a report on SXU's online General Incident Report form.

## TITLE IX

As a Catholic university sponsored by the Sisters of Mercy, Saint Xavier affirms the basic human dignity of all persons, including the right to be free from harassment and discrimination on the basis of sex or gender. In support of this fundamental belief, and in accordance with Title IX of the Education Amendments of 1972, the University prohibits discrimination in all educational programs and activities on the basis of sex.

Programs and activities under Title IX include academic programs, admissions, athletics, financial aid, housing, career services, counseling and health services, student activities and employment.

### What does Title IX cover?

Title IX prohibits:

- Sex or gender discrimination
- Sexual harassment
- Sexual violence
- Retaliation for filing a complaint

### Examples of prohibited behavior include:

- Unwelcome conduct of a sexual nature
- Physical assault or coerced sexual activity
- Pressure or demand for sexual favors
- Obscene phone calls, gestures, texts or email

### How do I file a complaint?

Any student who believes he or she has been subjected to any of the above behaviors from another student, faculty or staff member, or third party affiliated with SXU may contact:

- Any responsible University employee
- The Office of Public Safety (available 24 hours a day, 7 days a week and 365 days a year)
- **Dr. Anthony Campbell**  
Vice President of Student Affairs and Dean of Students  
SXU Title IX Coordinator  
Office: WAC L-103  
Phone: 773-298-3121  
Email: campbell@sxu.edu

Or complete a Sexual Misconduct Report. This report is immediately routed to the Office of the Dean of Students.

View the Sexual Violence Policy section of the Student Handbook for more information.

## WEAPONS AND FIREARMS POLICY

In accordance with Illinois law, firearms are prohibited upon the property of institutions of higher education. Saint Xavier University expands the restrictions to prohibit possession of any weapon (other than mace or personal protective spray), including air guns, airsoft products, ammunition, clubs, electrical weapons, explosives, firearms, fireworks, nun-chucks, knives, swords, tasers and throwing stars on University property.

## LOST AND FOUND PROCEDURES

All lost and found items will be kept in a secure location until the owner claims them. Neither Public Safety, nor Saint Xavier University are responsible for lost and found items that are not logged into the lost and found logbook.

Items turned in to an academic department must be forwarded immediately to the Main Switchboard located in the Warde Academic Center, or the Shannon Center's facility manager or Public Safety. Listed below are procedures to be followed:

1. Turn lost items in to lost and found as soon as possible, but not later than the end of the business day on which they were found. Lost items found in the Warde Academic Center should be turned in at the switchboard area located at the main entrance.
2. Items of value such as wallets, purses, keys, backpacks and electronic devices will be immediately forwarded to Public Safety located at the Campus Service Center, Room 100. If the lost item includes any identifying information, staff from the Public Safety Office will attempt to contact the owner directly. Unclaimed property and unidentifiable property will be logged in the lost and found logbook.
3. Items of lesser value such as notebooks, umbrellas and articles of clothing will also be entered into the logbook and placed in a locked location.
4. Lost and found items will be stored in a locked location.
5. Unclaimed student IDs will be forwarded to Student Affairs, L-103, after one week. If unclaimed from Student Affairs the IDs will be destroyed. Other unclaimed IDs such as driver's license or state IDs will be mailed to the designated address after one week.
6. To attempt to ensure lost items are returned to the rightful owners, persons claiming items will be asked to describe the items and to provide identification. Claimants must sign for items before the items will be released to them.
7. Items in lost and found, which are not claimed by the end of each semester, will be donated to a local charity.

## ANNUAL FIRE SAFETY REPORT

As required by the Higher Education Opportunity Act (HEOA) enacted on August 14, 2008, Saint Xavier University's Annual Fire Safety Report is available at Public Safety's Crime Statistics and Reporting page. A hard copy of the fire log, as well as information older than 60 days, will be available to the public at Public Safety at the Campus Service Center.

### Evacuation Procedures

Fire alarm evacuation procedures are posted in each room in on-campus housing facilities. All persons must evacuate the building immediately upon hearing the fire alarm, using the nearest, clear-and smoke-free exit away from the affected area. It is important to use the stairwells and do not use the elevators. Persons with disabilities who need assistance exiting the building must proceed to the nearest stairwell landing away from the affected area to await rescue by Chicago Fire Department personnel. Persons may be directed by authorized personnel to proceed to a safe designated area away from the building. Persons will be authorized to re-enter the building once the all-clear signal has been issued by the fire department or Public Safety officials.

### Campus Safety Policies

Saint Xavier University maintains strict policies on the use of portable electrical appliances, smoking and open flames in student housing facilities. A microwave convection oven is furnished in each room of the suite-style residence halls. Microwaves are permitted in University apartments and in Pacelli Hall rooms provided they are properly installed. Refrigerators are provided in all University apartments and in suite-style residence halls. In the common areas of Regina Hall, there are microwaves available for use. Microwaves are not allowed in students' private rooms because they are not equipped for such electrical usage. Absolutely no cooking (including popcorn) may be done in student rooms in Regina Hall or other unauthorized areas in any residence hall. Compact refrigerators are allowed in private student rooms in Regina and Pacelli halls providing the following maximum limits of no more than 5.0 cubic feet are observed:

- Refrigerators shall be placed in an area with adequate ventilation.
- Refrigerators must be unplugged, cleaned and defrosted prior to semester and spring breaks.

Smoking is not allowed in University housing. Additional items not allowed in University housing are: incense, candles, flammable/combustible liquids and electrical appliances (i.e. space heaters, halogen lamps and any appliances with exposed heating elements).

### Fire Safety System

Each suite-style room in on-campus housing facilities is equipped with a sprinklers system that follows fire code for the City of Chicago. These sprinklers will be activated by intense heat and will emit several hundred gallons of water in a very short time. The fire systems within these suite-style residence halls also include heat detectors, pull stations, smoke detectors, trouble indicators and annunciator panels. The system is also monitored 24 hours daily, seven days weekly, by an alarm monitoring company.

Regina and Pacelli halls, both traditional residence-style halls, are equipped with fire alarm pull stations on every floor, trouble indicators, heat detectors and annunciator panels. These buildings have updated sprinkler systems in place.

The University-owned apartment building located at 10140 S. Pulaski Ave., Oak Lawn, IL 60453 is equipped with hard-wired smoke detectors in each apartment and has an updated sprinkler system in place.

### Procedure for Fire Safety Education and Training

On an annual basis, several actions are taken by the University to ensure fire safety awareness. Fire extinguisher training is offered, upon request, to any campus community member on a year-round basis. The emergency guide for the University is distributed and posted in classrooms to educate the campus community on fire procedures. Yearly, Public Safety and Emergency Management educates the Residence Life staff on fire extinguisher handling and usage and with general procedures for fire evacuation. University students and residents are also made aware of fire safety and University procedures by means of student housing floor meetings and the student handbook.

### Personnel to be Notified in Event of a Fire

- Chicago, Oak Lawn or Orland Park fire departments
- Saint Xavier Public Safety
- Director of Facilities
- Engineers
- Manager of Housekeeping, Grounds and Mailroom
- Director of Residence Life
- Dean of Students
- Vice President of Student Affairs
- Vice President of Business of Finance and Chief Financial Officer
- Associate Vice President of University Relations
- Provost
- President

## SAINT XAVIER UNIVERSITY HOUSING FIRE STATISTICS

### 2017 Statistics

Residence Hall	Number of Fires	Cause	Deaths	Injuries	Damages	Total
10140 Pulaski Apt.	0	DNA	0	0	0	0
McCarthy Hall	0	DNA	0	0	0	0
Morris Hall	0	DNA	0	0	0	0
O'Brien Hall	0	DNA	0	0	0	0
Pacelli Hall	0	DNA	0	0	0	0
Regina Hall	0	DNA	0	0	0	0
Rubloff Hall	0	DNA	0	0	0	0

### 2016 Statistics

Residence Hall	Number of Fires	Cause	Deaths	Injuries	Damages	Total
10140 Pulaski Apt.	0	DNA	0	0	0	0
McCarthy Hall	0	DNA	0	0	0	0
Morris Hall	0	DNA	0	0	0	0
O'Brien Hall	0	DNA	0	0	0	0
Pacelli Hall	1	Overcooked Food	0	0	0	1
Regina Hall	1	Overcooked Food	0	0	0	1
Rubloff Hall	0	DNA	0	0	0	0

### 2015 Statistics

Residence Hall	Number of Fires	Cause	Deaths	Injuries	Damages	Total
10140 Pulaski Apt.	0	DNA	0	0	0	0
McCarthy Hall	0	DNA	0	0	0	0
Morris Hall	0	DNA	0	0	0	0
O'Brien Hall	0	DNA	0	0	0	0
Pacelli Hall	2	Overcooked Food Overheated Hair Dryer	0	0	0	2
Regina Hall	1	Defective Microwave	0	0	0	1
Rubloff Hall	0	DNA	0	0	0	0