



UNITED TRIBES TECHNICAL COLLEGE

CAMPUS SECURITY REPORT FOR CALENDAR YEAR 2009

About the report

Annual Security Reports Are Published for United Tribes Technical College (UTTC)

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the United Tribes Technical College publishes an annual security report for the campus.

How the Report is Disseminated

The Clery Act stipulates that the college is to notify current and prospective students, faculty and staff of the availability of this report, no later than October 1, 2010. The report may be retrieved from the college's campus security webpage at <http://www.uttc.edu>. An e-mail notification providing the URL address for the report will be sent to current students, faculty and staff at the main campus. Printed copies of the report are available upon request at the Financial Aid Office located at building #5.

Prospective students are notified of the availability of the report in the college's primary admission publication, the "View Book" and UTTC college catalog which prospective students receive upon request.

Prospective employees are notified of the availability of the report in the form of an electronic link on the college web site where job openings are listed.

CAMPUS SECURITY INFORMATION

Campus Security

The vice president of student and campus services is responsible for campus security. The college maintains a security department to provide services on the campus. The vice president's office is located in building 1B. Office hours are Monday – Friday from 8:00 A.M. to 5:00 P.M. and office phone is (701) 255-3285 extension 1260.

Uniformed security officers are on campus 24 hours a day, seven days a week. Members of the community who need assistance may call by dialing **255-3285 ext. 1200**.

How to Report an Emergency

Emergency police, fire and medical services for Burleigh County and the City of Bismarck are dispatched from a combined city-county 911 service center. To summon emergency assistance:

- Dial **9-1-1**

As soon as it is safe to do so, please report the emergency to campus security by dialing 255-3285 ext. 1200. The hotlines below may also be helpful for specific emergency situations:

- Abuse Hotline: 1-800-472-2121
- Abused Adult Resource Center in Bismarck: 222-8370
- Community Social Service Referral Line: 2-1-1
- Poison Hotline: 1-800-222-1222
- Suicide Prevention Hotline: 1-800-273-8255

How to Contact Local Fire Services

UTTC contracts Fire Services including suppression, emergency medical, and inspections with the Bismarck Fire Department (BFD). BFD provides fire services for Washington Courts. Contact information for the Fire Department is:

Bismarck Fire Department

1020 East Central Avenue, Bismarck, ND 58501-1936

Emergency Service: 911

Non Emergency Phone: 250-7671

Web page: http://www.bismarck.org/city_departments/department/default.asp?dID=11

UTTC has a signed Memorandum of Understanding (MOU) signed with BFD. In the event of a fire at UTTC, BFD will respond to provide emergency assistance.

The Importance of Reporting Criminal Activity

United Tribes does not have its own police department. Students, faculty, staff and guests are strongly encouraged to promptly report criminal or suspicious activity to both the local law enforcement and campus security.

Prompt reporting of criminal activity enables the college and local law enforcement officials to more effectively protect the safety of the entire community. No matter how insignificant an incident might seem the information you provide may be helpful to the college and/or local law enforcement officials.

How to Report a Crime to Local Law Enforcement Agencies

The college's main campus is located outside the city limits of Bismarck, in rural Burleigh County within the jurisdiction of the Burleigh County Sheriff's Department. Contact information for the Sheriff's Department is:

Burleigh County Sheriff's Department
Burleigh County Court House, 514 East Thayer Avenue, Bismarck, ND 58501
Emergency Service: 911
Non Emergency Phone: 222-6651
Web page: www.burleighsd.com

After a report of criminal activity, the Burleigh County Sheriff's Department (BCSD) will assign investigative staff to the case. The Sheriff's Department generally notifies the college when it is investigating an incident on the campus. At the end of each calendar year, the Sheriff's Department provides the college with statistical information about crimes occurring on campus and reported to them. The information is included in the college's annual disclosure of crime statistics.

UTTC has a signed Memorandum of Understanding (MOU) signed with BCSD. In the event UTTC determines that a criminal offense may have been committed on United Tribes Technical College Campus that needs to be investigated, BCSD will be notified. If the BCSD suspects a criminal violation is occurring or has occurred on UTTC campus UTTC shall cooperate in any investigation.

Washington Courts is located inside the city limits of Bismarck within the jurisdiction of the Bismarck Police Department. Contact information for the department is:

Bismarck Police Department
700 South Ninth Street, Bismarck, ND 58504-5899
Emergency Service: 911
Non Emergency Phone: 223-1212
Web page: www.bismarck.org/city_departments/department/default.asp?dID=15

After a report of criminal activity to the Bismarck Police Department (BPD), investigative staff is assigned to the case. The Department generally notifies the college when it is investigating an incident at Washington Courts.

UTTC has a signed Memorandum of Understanding (MOU) with BPD. In the event UTTC determines that a criminal offense likely has been committed at Washington Courts that needs to be investigated, BPD will be notified. If the BPD suspects a criminal violation is occurring or has occurred at Washington Courts UTTC shall cooperate in any investigation.

How to Report a Crime to the College

If you are a victim of a crime, or if you feel threatened by suspicious activity, your first priority should be to get to a safe place. If you encounter a crime scene (as in the case when your car or your apartment has been broken into) you may be in danger because the perpetrator may still be in close proximity. Do not enter the crime scene! Instead, go to a safe place and call 911.

Suspicious activity or strangers observed on the grounds of the college, in the parking lots, inside buildings, in or around the residence halls should be reported to security officers.

Pastoral and Professional Counselors

As a result of the negotiated rule making process which followed the signing into law, the 1998 amendments to the Clery Act, 20 U.S.C. Section 1092 (f) clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis for inclusion into the annual crime statistics.

The rule making committee defines counselors as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by the religious order or denomination as someone who provides confidential counseling and who is functioning with the scope of that recognition as a pastoral counselor.

Professional Counselor

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

Legally Mandated Reporting

There are instances when the college official taking a report of a crime may be legally mandated to report the incident to law enforcement officials. Examples include:

- Health care practitioners are legally mandated to report any incident where they provide treatment to an individual suffering from wounds inflicted by a firearm or resulting from an assault or abuse.

- Educational administrators, teachers, counselors and clergy are required by law to make a report anytime they become aware of any abuse being perpetrated on a minor child.
- If during the course of receiving a criminal report, the college officials become aware that there is an imminent threat to someone's safety, he/she must take appropriate steps to protect that person which may include making a report to appropriate law enforcement officials.

Off-Campus Safety Risks and Criminal Activity

UTTC cooperates with law enforcement agencies to monitor any off-campus criminal activity that may jeopardize the safety and security of the college community. Campus officials meet and communicate regularly with officials from both the Burleigh County Sheriff's Department and the Bismarck Police Department. Both of these agencies provide timely notification to college officials of safety or security risks in the community and when appropriate, the college will employ its emergency notification and security advisory procedures to alert students, faculty and staff to the risk that exists. Both agencies also inform college officials of any criminal activity occurring in the community that involves UTTC students.

Policy on Alcohol

In North Dakota, it is illegal for anyone under the age of 21 to consume or be in possession of alcohol. It is also illegal for anyone to sell, furnish or provide alcohol to a person under the age of 21. Anyone in violation of these laws is subject to criminal prosecution.

Alcohol abuse, like illegal drugs, is harmful to the mind and body. UTTC does not permit the use of alcohol, any other intoxicating substance, or any illegal drug by students, their guests, or employees when present on UTTC's campus, and also reserves the right not to permit any intoxicated persons on campus. A student found to be under the influence of or in possession of any alcoholic beverage or any illegal drug while on UTTC's campus is subject to immediate termination or other appropriate discipline, and the case shall be investigated by appropriate personnel at UTTC.

Any student found to be under the influence of an alcoholic beverage or any other intoxicating substance, which is a threat to him or herself or others, may be taken immediately by a UTTC security officer to an appropriate detoxification facility. Any guest of a student using an intoxicating substance, or under the influence of any illegal drug, or in possession of any alcoholic beverage or any illegal drug while on campus, may be immediately escorted off campus, and may be reported to the appropriate authority. Illegal drugs include, but are not limited to, marijuana in any form, LSD, speed, methamphetamine, cocaine, heroin, and most other mind-altering drugs that have not been lawfully prescribed by a medical doctor for use by a student or a guest on campus.

Policy on Illegal Drugs

Use and possession is prohibited.

Firearms and Other Dangerous Weapons

Possession of firearms and other dangerous weapons is prohibited. Weapons will be confiscated. Other dangerous weapons include, but are not limited to, explosives of any kind, brass knuckles, clubs, knives with blades longer than four inches (other than kitchen knives), and switchblade knives.

Physical and Domestic Violence

Violence of any kind is prohibited. This includes but is not limited to:

- a. Physical Violence
- b. Domestic Violence
- c. Child Neglect or Abuse

Sexual Assault and Rape

1. UTTC has an active, ongoing training program for its security guards and personnel. In particular, security guards and any administrative or teaching personnel are specifically cautioned to be alert for incidents of rape, acquaintance or “date” rape, and other forcible and non-forcible sex offenses and to report them immediately to the proper authorities.
2. Each student is provided a copy of this policy and is encouraged to promptly report incidents of rape, acquaintance (or “date”) rape, or other forcible and non-forcible sex offenses to which they are witness or of which they are a victim. Students are encouraged to provide suggestions to improve campus awareness of the problems associated with sexual offenses. Recommendations may be referred to appropriate administration officials, including the President of the College, the Vice President of Student and Campus Services, Security Officers or Counseling Department. Incidents of a sensitive nature may be referred to a member of the counseling department.
3. Procedures for reporting a sexual assault or other sexual offense:
 - a. Any student, administrator, faculty member or other employee of UTTC who witnesses or is a victim of any sex related offense, including any such offense involving a child, is requested to immediately report such incident to the Burleigh County Sheriff’s Office, or dial 911 and request assistance, or to call Campus Security ext. 1200 or 1300, who will assist in notifying the appropriate authorities.
 - b. Any student, administrator, faculty member or other employee of UTTC who is a victim of a sexual assault is encouraged to use the services of the Rape-Incest Crisis Center, in Bismarck, whose telephone number is 222-8370.
 - c. Any person who is the victim of a sexual assault is urged to be careful to preserve evidence of the sexual assault for use by any criminal investigator or police officer in the prosecution of the offense and to follow all instructions given to him or her by any police officer investigating the alleged crime.
 - d. All students are hereby notified that if the student is a victim of an alleged sexual assault, alternate living arrangements will be made available to the student as funds and the availability of alternate living arrangements permit.
 - e. The following are the procedures to be followed in addition to any already provided for in any Student and Personnel Policies and Procedures Handbook provided by UTTC to students or staff, of the College:
 - i. Any employee of UTTC or student at UTTC who is the alleged perpetrator of a sexual offense and the victim of such an offense are entitled to have the same opportunities for having others present during any disciplinary proceeding brought concerning the alleged offense.
 - ii. The victim and the perpetrator shall each be provided a statement indicating the outcome of any disciplinary proceeding brought against the alleged perpetrator of a sexual offense.

- f. If a finding is made following a disciplinary hearing that a sexual offense has been committed, UTTC may impose the following sanctions as recommended by the Hearing Panel:
 - i. For any student found to have committed a sexual offense: Suspension or termination from the educational facility, including, but not limited to, being removed from the campus; and
 - ii. For any employee of UTTC found to have committed a sexual offense, suspension or termination from employment, including, but not limited to, being removed from the campus and not being granted permission to return to the campus for any reason.

DISCLOSURE OF REPORTED CRIMES AND CRIME STATISTICS FOR CALENDAR YEARS 2007, 2008 & 2009

Clery Act Required Crime Statistics

Understanding the Crime Statistic Tables

1. Crime statistics presented in the tables are the total number of crimes or suspected crimes occurring at the specified locations and reported to either college or local law enforcement officials during the calendar year (January 1 through December 31). Crimes or suspected crimes reported to *both* college and law enforcement officials are counted only once.
2. Crimes or suspected crimes occurring at Washington Courts are presented under the “noncampus” category.
3. The crimes included in the table are those crimes mandated by the Clery Act. As stipulated by the Clery Act, the crime definitions for sex offenses are from the FBI National Incident-based Reporting System while the definitions of all other crimes are from the FBI Uniform Criminal Reporting System. The definitions are as follows:

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

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

Burglary - The unlawful entry of a structure to commit a felony theft. For reporting purposes this definition includes: unlawful entry with intent to commit larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.

Drug Law Violations - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include but are not limited to: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone), methamphetamine; and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crimes - Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, disability and gender or ethnicity.

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

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

Manslaughter - Manslaughter is defined as “the reckless or grossly negligent killing of a human being, excluding traffic fatalities.”

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned. This includes joy riding.

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

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.

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

Sex Offenses - There are two categories of sex offenses, forcible sex offenses and non-forcible sex offenses:

Forcible Sexual Offenses - Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

- a. ***Forcible rape*** is the carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- b. ***Forcible sodomy*** is oral or anal sexual intercourse with another person forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- c. ***Forcible fondling*** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- d. ***Sexual assault with an object*** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s

will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Non-Forcible Sex Offenses – Any act of unlawful, non-forcible sexual intercourse.

- a. *Incest*: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- b. *Statutory Rape*: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

4. The Clery Act stipulates that statistical information for offenses reported by the college must be broken down into specific categories indicating where the crime was reported to have occurred. The Clery Act defines these locations as follows:

On Campus - Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous 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 the residence hall. Any 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 food or other retail vendors).

Student Residences - A subset of "on campus" crime statistics, which includes only those crimes that were reported to have occurred in the dormitories or other residential facilities. Reports of crimes or suspected crimes occurring in the residence halls are indicated in the On-Campus column in parenthesis.

Non Campus - Any building or property owned by a student organization. Any building 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 used by students, and is not within the same reasonably contiguous geographic area.

Public Property - All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used in direct support of or in a manner related to the institution's purpose.

**CRIMES REPORTED IN CLERY ACT CATEGORIES
2007 - 2009**

	On Campus*			Non Campus			Public Property		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Criminal Offense									
a. Murder/non-negligent manslaughter	0 (0)	0 (0)	0 (0)	0	0	0	0	0	0
b. Negligent manslaughter	0 (0)	1 (1)	0 (0)	0	0	0	0	0	0
c. Forcible sex offenses (including forcible rape)	0 (0)	1 (1)	0 (0)	0	0	0	1	0	0
d. Non forcible sex offenses	0 (0)	0 (0)	0 (0)	0	0	0	0	0	0
e. Robbery	0 (0)	0 (0)	0 (0)	0	0	0	0	0	0
f. Aggravated assault	0 (0)	3 (0)	0 (0)	0	2	0	0	0	0
g. Burglary	6 (6)	1 (0)	0 (0)	0	0	0	0	0	0
h. Motor vehicle theft	1 (0)	0 (0)	0 (0)	0	0	0	0	0	0
i. Arson	0 (0)	0 (0)	0 (0)	0	0	0	0	0	0

* Of the reports occurring on campus, the number of those occurring in the residence halls is indicated in parenthesis.

**ARRESTS/STUDENT DISCIPLINE REFERRALS FOR LIQUOR, DRUG AND WEAPONS
LAW VIOLATIONS IN CLERY ACT CATEGORIES 2007 – 2009**

	On Campus*			Non Campus			Public Property		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Arrest									
a. Liquor law violations (arrests)	5 (5)	24 (20)	12 (5)	0	2	1	0	0	0
number of disciplinary actions/judicial referrals	5 (5)	35 (26)	72 (71)	0	3	0	0	0	0
b. Drug law violations (arrests)	4 (4)	9 (8)	1 (1)	0	0	1	0	0	0
numbers of disciplinary actions/judicial referrals	4 (4)	5 (3)	3 (3)	0	0	0	0	0	0
c. Illegal weapons possessions (arrests)	0 (0)	1 (0)	0 (0)	0	0	1	0	0	0
numbers of disciplinary actions/judicial referrals	0 (0)	0 (0)	1 (0)	0	0	0	0	0	0

* Of the reports occurring on campus, the number of those occurring in the residence halls is indicated in parenthesis.

HATE CRIMES

There were no hate crimes reported to college or law enforcement officials in calendar years, 2007, 2008 or 2009.

A hate crime is one that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The categories of bias include race, gender, religion, sexual orientation, ethnicity/national origin or disability. The Clery Act requires colleges and universities to disclose all instances of Clery Act crimes listed in the crime statistics table above plus any other crime involving bodily injury that manifests evidence that the crime is a hate crime. The disclosure of each hate crime must include information about the geographic location where it occurred and the category of bias that was involved.

Emergency Phone Numbers and Contact Information

Dial **9-1-1**

Abused Adult Resource Center

Call for the location

Phone: 222-8370

Archway Mental Health Services of St. Alexius Medical Center

401 North 9th Street, Bismarck

Phone: 224-7192

Burleigh County Sheriff's Department

Burleigh County Court House, 514 East Thayer Avenue, Bismarck, ND 58501

Emergency Service: 911

Non Emergency Phone: 222-6651

Bismarck Police Department

700 South Ninth Street, Bismarck, ND 58504

Emergency Service: 911

Non Emergency Phone: 223-1212

United Tribes Technical College Security

Office Phone: 255-3285 ext. 1200

NOTES