



**Leech Lake Tribal College  
Annual Security Report  
2017**

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This report and previous annual reports can be found on our website:

<http://lltc.edu/safety-security/>

Address:

6945 Littlewolf Road NW

Cass Lake MN 56633

## Introduction

Leech Lake Tribal College's (LLTC) Campus Safety Officer publishes the Annual Security Report (ASR) each year. The report is distributed to all current faculty, staff, and students via email on or before October 1 of each year; containing a brief description of the content of the ASR and the exact web address of the report. Furthermore all prospective students, faculty and staff are given a copy of the summary for the ASR and the exact web address which is: [http://www.lltc.edu/assets/docs/e-documents/federal-compliance/2016ASR\\_Clery\\_Updated.pdf](http://www.lltc.edu/assets/docs/e-documents/federal-compliance/2016ASR_Clery_Updated.pdf). Printed copies of the report can be obtained from Campus Safety office Oak Hall 102. The report contains information regarding campus safety and security as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Pursuant to the Act, the Campus Safety Officer monitors criminal activity and publishes this report containing a three-year statistical history of select crimes or incidents that occur. The statistics are gathered from four specific geographic areas; 1) campus (including residence halls) 2) residence halls (subset of campus) 3) public property that is adjacent to campus 4) non-campus property or LLTC sanctioned buildings or property and are submitted on an annual basis to the U.S. Secretary of Education.

## Campus Security Authority

The Campus Safety Officer and the Director of Operations and or the designee of the Director of Operations at LLTC are the primary persons on campus responsible for providing safety, and security services for students, faculty, staff, and campus visitors. The Campus Safety Officer is not a licensed police officer, and does not possess the power of arrest as defined by Minnesota State Statute, but have been granted the authority by the LLTC President to enforce college policy, which is not inconsistent with federal, state or local law, and to make citizens arrests when necessary. Per LLTC policy all staff and faculty are considered campus security authority when reporting criminal activity. At this time there is no person(s) acting as a pastoral/counselor/spiritual advisor. If you need to speak with one, additional information is available in the security office.

Local law enforcement agencies such as Leech Lake Department of Public Safety and Cass county Sheriff's department provide fully licensed police protection for LLTC. These law enforcement agencies are available for immediate response to all crimes, emergencies, or requests for service generated by the

campus. The Campus Safety Officer will work with any and all local, state, and federal law enforcement agencies for investigation of criminal activities.

It is the policy of LLTC to report any and all criminal activity to Leech Lake Department of Public Safety. All crimes or potential crimes that are reported to the Campus Safety Officer will be forwarded to Leech Lake Department of Public Safety. It is strongly encouraged that all student, community members, and campus visitors report incidents to campus security or law enforcement. Furthermore and confidential information is strictly used for statistical purposes of the Campus Safety Officer. Reports can be made to Campus Safety Officer, Oak Hall room 102, 218-766-7237, or Leech Lake Department of Public Safety 218-335-8277.

### **Personal Safety Responsibility**

Campus Safety Officer is available 9am-1:00pm Monday through Friday, there will be someone to answer the Security phone outside of those hours 8:00am-4:30pm, and during some evening classes to escort you to your car. Furthermore the Campus Safety Officer does regular foot patrols, and monitors the campus with cameras. However, only you can protect yourself by being aware of your surroundings and taking appropriate precautions to avoid being the victim of a crime. The Campus Safety Officer can and will distribute safety materials to you upon request.

### **Crime and Suspicious Activity**

All faculty and staff at LLTC are required to report crimes to local law enforcement. All students and guests of LLTC are encouraged to immediately report emergencies, criminal, and suspicious activity to Campus Safety Officer (218)335-4260, and Leech Lake Department of Public Safety (218)335-8277. Campus Safety Officer is available 8am-4:30pm Monday through Friday unless otherwise adjusted for class schedules. Leech Lake Department of Public Safety is available all day every day.

The Campus Safety Officer will respond, assist, and prepare reports and any other documentation for the victim(s) for further follow up with law enforcement. The Campus Safety Officer can also assist in filing reports with local law enforcement. Should the victim be unable to make such a report the Campus Safety Officer will make the report for the victim to the local law enforcement.

### **Preparing the Annual Security Report of Crime Statistics**

At LLTC it is recognized that the Campus Safety Officer is responsible for the collection and publication of crime statistics, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Statistics in this report are gathered from the following sources: Public Safety Incident Reports, Leech Lake Department of Public Safety, Cass County Sheriff's records, Campus Security Authorities, and Third Party Anonymous Reports

Statistical information is gathered in two areas; 1) on-campus, 2) public property that borders campus property (public roads directly connected to campus property)

In addition, for each of the categories listed, separate statistics are included for crimes classified as hate crimes by the Uniform crime Reporting system. Hate crimes are reportable crimes where it has been determined that the crime was motivated by a victim's race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

The statistical information that is required to be published includes:

✓ Homicide

- Murder and Non-Negligent Manslaughter
- Negligent Manslaughter

✓ Sex Offenses

- Forcible – Rape, Fondling
- Non-forcible – Incest, Statutory

✓ Robbery

✓ Aggravated Assault

✓ Burglary

✓ Motor Vehicle Theft

✓ Arson

In addition to the aforementioned crimes, statistics are collected and reported for the following crimes when it is determined that the victim was intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability and of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.

✓ Larceny-Theft

✓ Simple

✓ Assault

✓ Intimidation

✓ Destruction, Damage or Vandalism of Property

✓ Any Other Crime Involving Bodily Injury

The law further requires that statistical information for the following categories of arrests or referrals for campus disciplinary action if an arrest was not made:

✓ Liquor Law Violations

✓ Drug Law Violations

✓ Illegal Weapons Possession

\*Note: In order to be included as a statistic, a referral for one of the three categories listed above must also constitute a violation of law.

✓ Domestic Violence

✓ Dating Violence

✓ Stalking

Each year, an email notification is made to all enrolled students, faculty, and staff members that provide the website to access this report. Copies of the ASR may also be requested by contacting the Campus Safety Officer in Oak Hall room 102 or by calling the office (218)335-4260 or cell phone (218)766-7237

## **Daily Crime Log**

The LLTC Campus Safety Officer creates, keeps and maintains a daily crime log recording all crimes reported. This log is available during the hours that the Campus Safety Officer is on campus. The Campus Safety Officer hours are 8am-4:30pm Monday through Friday or unless requested to stay later for classes running later in the evening.

The Daily Crime Log contains information regarding the nature, date, time and general location of each crime and disposition of the crime if known for crimes on LLTC controlled property and connecting public property.

Exceptions to published crimes in the public crime log include where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, jeopardize an ongoing investigation or the safety of the individual, cause a suspect to flee or evade detection, result in the destruction of evidence in which such information may be withheld until that damage is no longer likely to occur from the release of such information.

## **Crime Alerts**

If the Campus Safety Officer and/or Director of Operations receive information that a crime has been committed, that may pose a continuing to the safety of any campus member; a "Security Alert" will be issued. Security Alerts are distributed by the Campus Safety Officer and/or Director of Operations for the purpose of informing the campus community of a potentially dangerous condition that may affect personal safety. The alert will contain information regarding an incident that will allow campus community members to take personal safety measures to insure their individual safety. The alert will withhold the names of victims as confidential and may also contain a request for information regarding an incident.

Security Alerts will be posted on bulletin boards around campus, and may also be sent out through a mass email. Security Alerts will remain active until it has been determined that the threat no longer exists or for thirty days should no further similar incidents occur. Any information regarding the Security Alert should report it to the Campus Safety Officer in Oak Hall room 102 or by phone (218)766-7237

## **Emergency Response and Evacuation Procedures**

LLTC has several communication methods to alert and inform students, staff and the public of an emergency or security threat on campus or near campus property. The methods listed below are readily accessible as part of our Emergency Notification system: 1) Campus wide Public Address System 2) Mass Email Notification System 3) Direct Notification from Staff. The Campus Safety Officer will make every effort to available to contact every student, staff, and faculty member, unless issuing a notification will compromise the efforts to contain the emergency.

LLTC will not only alert students, staff and the public of emergencies on campus, but will also notify students, staff and the public of the following incidents or precautions. These notifications must be approved by the President of the LLTC or their designee.

Emergency Procedures Guides are distributed at the main reception areas, the Campus Safety office and made available via website. () They are also available upon request from the Campus Safety Officer. These guides include information on the following: 911 addresses for campus, general emergency procedures, sever weather, medical emergency, fire or smoke, mechanical/utility, crime reporting, terrorism, violent intruder, suspicious mail, hazardous materials, and bomb threat.

## **Confidential Reporting**

If you are the victim of a crime, and do not wish to pursue action within the college or criminal justice systems, you should still consider making a confidential report. With your permission, the Campus Safety Officer, or their designee, may file a report that documents the details of your incident without revealing your identity. With this information, LLTC can keep accurate records of incidents and better identify crime trends. Reports filed in this manner are counted and disclosed in the Annual Security Report for this institution, but again are entirely confidential.

## **Sexual Assault Training**

LLTC educates the campus community staff, student and faculty about sexual assaults, relationship violence, bystander intervention, and stalking through presentations during new student orientation and various college-wide presentations given throughout the course of the academic year in addition to campus television monitors and student emails. LLTC's designated investigator and decision maker for sexual violence receive regular training and local education programs.

## **Discipline of Sex Offenses**

Victims of sexual assaults or those witnessing any type of sexual violence or relationship violence are encouraged to report the incident to the LLTC, Campus Safety Officer, any other Campus Security Authority or any faculty or staff. The Campus Safety Office is the office of official record for reports of sexual assault, as it is in all reported law violations. A report with the Campus Safety Office can ensure that proper steps are taken to ensure the safety of the survivor as well as the safety of the campus community as a whole. Filing a report with the Campus Safety Office can also initiate the college disciplinary process, and is an option for any person wishing to report a case of student misconduct.

If filling a Sexual/Relationship Violence report as completely as possible. This report can be obtained from LLTC, Campus Safety Office or created in any format that best serves the victim. Be as specific as possible with the information, listing person(s) involved, time(s), date(s), and location(s) of the incident(s) and details regarding the behavior, actions, or statements by the alleged assailant.

LLTC will normally not take any disciplinary action against a member of the campus community without a written complaint and the assistance of the complainant in the disciplinary process, unless the College determines there is a clear immediate danger to the victim or the College community.

Should LLTC determine that continued threat exists, information about the reported sexual assault will be released to the campus community. Taking care to protect the identity of the survivor, the Campus Safety Officer will release information regarding the location, date and time of the assault, and any information that might help identify the assailant. The Campus Safety Officer will inform the campus community of the reported sexual assault and may use such resources as email notices and social media to communicate this information.

In order for the LLTC to proceed with a prompt, fair and impartial process from the initial investigation to the final report, a written complaint (whether by the victim or a third party) must be filed with the Campus Safety Officer. Reports made through the Campus Safety Officer will be forwarded to an investigator who receives annual training on the issues related to dating violence, domestic violence, sexual assault and stalking in addition to how to conduct an investigation and hearing processes that protect the safety of the victim and accountability. After receiving a report/complaint, the investigator shall take the steps listed below:

Conduct a prompt, fair and impartial fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings; Per the Student Code of Conduct both parties are allowed to have an advisor or attorney of their choice present during any disciplinary proceedings including any meeting.

The college will not limit the choice of advisor or presence for either. However the advisor/advocate or attorney may not participate in any questioning or advocate on behalf of the student.

The Leech Lake Tribal College procedures ensure that the institution or employee does not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities.

Investigate the complaint without identifying the complainant if, in the judgment of the designated officer, this would increase the likelihood of satisfactory resolution of the complaint;

Inform the complainant, respondent, witnesses and other involved individuals of the prohibition against retaliation and reprisal;

Create, gather and maintain investigative documentation as appropriate which will be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused;

Disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice (Tennessee warning) in accordance with state law;

Inform the complainant and respondent of the status of the investigation at reasonable times until final disposition of the complaint. Including timely notice of meetings at which the accuser or accused or both may be present.

Conduct further investigation as deemed appropriate by the designated officer; prepare an investigation report for review by the decision-maker;

Take additional investigative measures as requested by the decision-maker;

Provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint; and

Notify both the victim and the accused party of the outcome of the investigation simultaneously in writing that the result of the disciplinary proceedings that arose from the allegation. If there is any change to the result of the disciplinary proceedings both accuser and the accused will be promptly notified.

The possible sanctions and protective measures that LLTC may impose following the results of any investigation may include but are not limited to: reprimand, counseling, suspension, community service, social probation, letter of apology, no contact order, housing ban, and/or expulsion.

Provide the investigation report to the complainant or respondent upon request unless the information is protected under state or federal law consistent with the institution's policies and transparent to the accuser and the accused.

LLTC Campus Safety Officer will complete an investigation and issue a written response within 60 days after a complaint is made, unless reasonable cause for delay exists. The LLTC, Campus Safety Officer

will notify the complainant and respondent if the written response is not expected to be issued within the 60-day period.

The complainant and the respondent may appeal the decision of the decision-maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision.

The College uses a preponderance of evidence standard of evidence in determining violations of the Student Code of Conduct and Sexual Violence policy. Students who are found to have violated the Sexual Violence policy could face suspension or expulsion from the College.

During and upon the completion of the complaint process, the complaint file shall be posted in a secure location in the office of the Campus Safety Officer of the LLTC. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

### **Victims of Sexual Assault**

If You Are the Victim of a Sexual Assault: Go to a safe place.

If you are on campus contact the Campus Safety Office immediately at 218-766-7237. You may also report the incident to any college employee. All college employees are considered Campus Safety Authorities and have a duty to report knowledge of incidents of sexual violence. Timely and prompt reporting of a sexual assault within 72 hours is critical in preserving evidence important in proving a criminal case against the assailant or may be helpful in obtaining a protection order. Do not bathe, douche, use the toilet, or change clothing. If you have been the victim of a sexual assault, you should seek medical attention immediately regardless of whether you report the matter to the police.

Cass Lake Indian Health Service  
475 7th Street NW  
Cass Lake, MN 56633  
218-335-3200

Sanford Health Services Bemidji  
1233 34<sup>th</sup> Street NW  
Bemidji, MN 56601  
218-333-5000

You are not required, but you may file a police report with the appropriate law enforcement agency. Leech Lake Tribal College staff will be available to assist you in this process per your request. For on-campus incidents contact the Campus Safety Office and local law enforcement agencies by dialing 911.

In order to reduce contact between the survivor and the alleged assailant, the College will provide written options, at the request of the survivor, attempt to provide a change in classes, work room, or working arrangements, as applicable and take other appropriate remedial measures. These options are available to victim regardless of whether the victim chooses to report the crime to law enforcement or campus authorities. You have the right to petition for an Order for Protection (OFP) or Harassment Restraining Order (HRO). LLTC, Campus Safety Officer can obtain information on how to file for and request an OFP or HRO. LLTC may take actions it deems necessary in response to all HRO, OFP, or non-contact orders.

You may contact the:



Minnesota Crime Victims Reparations Board at (651) 201–7300.

The Crime Victims Reparations Board provides financial help to victims and their families for losses incurred as a result of a violent crime.

<https://dps.mn.gov>

Minnesota Domestic Violence Crisis Line (866) 223–1111

National Domestic Violence Hotline, (800) 799–SAFE (7233)

United Way 24-hour Referral Line, 2–1–1

Link for Sexual Assault Resources:

<http://www.dr-bob.org/vpc/virtulets.html#Sexual-Assault>

Link for Sexual Harassment Resources:

<http://www.dr-bob.org/vpc/virtulets.html#Sexual-Harassment>

Find Help in Minnesota: RapeHelpmn.org.

Link for Sexual Predators;

<https://por.state.mn.us/OffenderSearch.aspx>

### **Student Code of Conduct**

LLTC expects students to conduct themselves in a manner that is conducive to learning and respectful to others. This applies both on-campus and at college-sponsored or otherwise related activities off-campus. In addition, all students at LLTC must comply with applicable laws that govern the Leech Lake Reservation. Students who do not comply with college regulations or commit violations of a serious nature may be suspended or dismissed from LLTC. Persons who are not students or employees of the college are required to abide by the LLTC policies and student-conduct regulations while on campus property. Each student is responsible for becoming familiar with and complying with the standards of conduct at LLTC and reporting the actions of others, including, but not limited to:

- ✓ Obstruction/disruption of teaching, research, administration, discipline, or any other college duty or function, including public service functions. This includes participation in demonstrations on campus which materially and substantially disrupt or obstruct normal college function, including unauthorized occupation of the premises.
- ✓ Falsification, forgery, alteration or use of college documents, records, and instruments of identification with intent to defraud the college or perpetrate an act of academic dishonesty (See Academic Integrity).
- ✓ Failure to comply with orders or directives of college officials, faculty, security officers, or any other law enforcement/fire department personnel acting in the performance of their duties.
- ✓ Unauthorized entry into/onto or use of college facilities or equipment.
- ✓ Disorderly conduct or lewd, indecent behavior, conduct or expression, including abusive and profane language.
- ✓ Conduct which is physically abusive to others or threatens to endanger the health, life or safety of others or oneself on college property.
- ✓ Sexually abusive or harassing conduct towards others, including but not limited to sexual intimidation, unwanted touching, sexual contact/assault, or any other uninvited behavior of a sexually explicit nature.
- ✓ Hazing and initiation activities in all forms, including but not limited to striking, laying hands upon, treating with violence, or threatening to do bodily harm to another person with the intent to punish or injure.
- ✓ Unauthorized use or possession of firearms, other weapons, explosives, firecrackers, or chemicals within or upon the grounds, buildings or any other facilities of the college.
- ✓ Theft or attempted theft of, on or from college property/activities or individuals.

- ✓ Vandalism, including but not limited to defacing, graffiti, and trashing or attempting to damage property of the college or of another individual.
- ✓ Excessive noise or any act occurring on the college campus which intentionally disturbs the peace and quiet of any person or group of persons.
- ✓ Illegal gambling activities.
- ✓ Misuse of college telephones, including but not limited to charging any long-distance calls and making telephone calls of an offensive, obscene, or illegal nature to or from any telephone on campus.

### **Disciplinary Actions**

Appropriate disciplinary action will be enforced upon any student guilty of violating regulations governing conduct at Leech Lake Tribal College. The following sanctions are consistent with Tribal, State and Federal laws, and may be imposed for violation of the standards of conduct cited in this policy. These standards may include, but are not limited to:

1. Warning.
2. Loss of privilege.
3. Restitution.
4. Mandatory participation in an approved drug/alcohol abuse treatment, rehabilitation and/or re-entry program.
5. Probation.
6. Suspension.
7. Dismissal.
8. Where appropriate, referral for prosecution may be made. One or more other sanctions may be imposed for violation of college regulations in relation to the offense.

### **Drug, Alcohol and Tobacco Free Campus**

Leech Lake Tribal College policy fully complies with current and future requirements, regulations, or interpretations of the Federal Drug Free Schools and Communities Act/Amendments of 1989 and the Drug-Free Workplace Act of 1988. (34CFR Part 85, Sections 85.610).

As of August 2014, LLTC is proud to be a commercially tobacco free campus. We are committed to providing students, employees and the general public with a safe and healthy work and school environment. The use of commercial tobacco, including but not limited to pipes, cigars, cigarettes, and all forms of smokeless tobacco, is not permitted anywhere on campus, other school property, or in association with school activities. Students, staff, or faculty desiring to use commercial tobacco must leave school property or activities to do so. Violations may result in disciplinary action. However, as an Anishinaabe institution of higher learning, LLTC does allow, support, and encourage the use of asema or tobacco for spiritual or ceremonial purposes associated with Ojibwe or other Native American culture, including but not limited to pipe and drum ceremonies, smudging, and prayers.

LLTC Drug and Alcohol policy prohibits students and college staff from manufacturing, possessing, using, delivering, buying, selling or distributing substances prohibited by the Leech Lake Tribe, the State of Minnesota and/or the Federal Government.

Students, faculty, or staff violating this policy will be reported to the Dean of Students or Dean of Instruction. Students, faculty or staff violating this policy will also be reported to the local police and prosecuted to the full extent of the law.

LLTC students, faculty, or staff under the influence of alcohol during classes or during college events will be removed from college property. Students, faculty, or staff that violates this policy will be subject to

suspension or termination from the college. LLTC sanctions for students, faculty, or staff that violate the drug and alcohol Policy are:

- Suspension from the college for up to 30 days
- Possible termination of employment
- Expulsion from the college
- Possible legal action

Other possible legal sanctions:

- Alcoholic beverages, possession by a minor.
- Alcoholic beverage unlawfully delivered to a minor.
- Minor furnishing money for the purchase of alcoholic beverages.
- Possession of an illegal or controlled substance.

LLTC will not hesitate in bringing legal action against any student, faculty or staff member who violates the College's Drug and Alcohol Policy.

### **Drug & Alcohol Abuse Educational Programs**

The purpose of this policy is to set forth the College's policy regarding alcohol and other drug use, including unlawful drug use or abuse in the workplace in accordance with the Drug Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D) and Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101- 226). The possession, sale or the furnishing of alcohol on the Leech Lake Tribal College campus is forbidden by any and all Leech Lake Tribal College policy and Minnesota State Law. Laws regarding the possession, sale, consumption or furnishing of alcohol is determined by state and federal laws.

However, the enforcement of alcohol laws on campus is the primary responsibility of the Leech Lake Tribal College Campus Safety Office, Director of Operations, and local law enforcement agencies. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by numerous local law enforcement agencies and the Campus Safety Office. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under the age of 21 in a public place or a place open to the public is illegal. It is also a violation of the Leech Lake Tribal College and Campus Safety Office, safety and security policies for anyone to consume or possess alcohol in any public or private area of campus or property. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the college.

The College recognizes the reality of chemical dependency and is aware of its occasional presence in the College community. As a safeguard against this dependency, numerous campus organizations provide prevention programs to the College community. The College encourages and provides reasonable assistance to any student, faculty or staff member who seeks information on chemical dependency or treatment for chemical dependency. Various offices, including area counseling and Human Resources, Wellness Center, Student Services and Campus Safety can provide information and referral to prevention programs for those seeking help with substance abuse.

Leech Lake enrolled students can go to; <http://www.llojibwe.org/hs/adprogram.html> for help.

Non-Leech Lake enrolled students can go to;

Beltrami county residents;

<http://www.co.beltrami.mn.us/Departments/HHS/Social%20Services/Adult%20Assessment.html>

Cass county residents;

[http://www.co.cass.mn.us/services/health\\_human\\_and\\_veterans\\_services/what\\_we\\_do.php](http://www.co.cass.mn.us/services/health_human_and_veterans_services/what_we_do.php)

### **Sexual Harassment Policy**

LLTC is committed to maintaining a safe, comfortable learning environment for all students. Sexual harassment undermines the mission of the College, offends the integrity of the College community, and will not be tolerated. Sexual harassment is prohibited by both state and federal law. Any student who engages in sexual harassment is subject to disciplinary action up to and including suspension from LLTC. If you believe you have been subjected to sexual harassment, you are asked to report your concerns immediately to Campus Safety Officer, an instructor, Dept. Chair, Dean of Instruction, Dean of Students, or any other member of the College staff with whom you feel comfortable filing such a report. To the extent permissible, all such reports will be treated confidentially and will be investigated in a prompt and responsible manner.

### **Clery Act Report 2017**

September 30, 2016 Through September 30, 2017 the following criminal acts and offenses have occurred within the Leech Lake Tribal College Campus.

<b>Offense: On-Campus</b>	2015	2016	2017
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses – Forcible	0	0	0
Sex Offenses – Non Forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

Clery Act requires separately reporting of the following criminal offenses that may occur on campus.

<b>Offense: On-Campus</b>	2015	2016	2017
Theft	0	0	2
Simple Assault	0	0	0
Intimidation	0	0	0
Destruction / Damage / Vandalism of Prop.	3	0	1

Secondary Reporting Requirements regarding the following Institutional Disciplinary Referrals for:

<b>Offense: On-Campus</b>	2015	2016	2017
Illegal Weapon Possession	0	0	0
Drug Law Violations	0	0	0
Liquor Law Violations	0	4	0
Arrests	0	1	1

### Hate Crime Statistics

Hate crimes are mandated to be reported separately under the Clery Act and the following are the current statistics of occurrence within the Leech Lake Tribal College.

<b>Offense: On-Campus</b>	2015	2016	2017
Race Based Hate Crime	0	0	0
Gender Based Hate Crime	0	0	0
Religion Based Hate Crime	0	0	0
Sexual Orientation Based Hate Crime	0	0	0
Ethnicity Based Hate Crime	0	0	0
Disability Base Hate Crime	0	0	0

These statistics also include and are defined in accordance with the Violence Against Women Act that defines hate crimes into “national origin” and “gender identity” as those perceived characteristics that must be reported under the Clery Act.

### Violence Against Woman Act Statistics

The Clery Act was amended to include the Violence Against Women Act and this requires Higher Education Institutions to report any of the following crimes and offenses:

<b>Offense: On-Campus</b>	2015	2016	2017
Forcible Sex Offenses	0	0	0
Non Forcible Sex Offense	0	0	0
Aggravated Assault	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	1
Family Violence	0	0	0

## Location Definitions

The following definitions are taken from the Higher Education Act of 1965, 485 (f) (20 U.S.C. 1092[f]), the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”, and are used to classify the locations listed in the “Leech Lake Tribal College Crime Statistics” chart on page 13

**Campus:** The term “campus” means 1) 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 2) 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 vendor).

**Non-Campus Building or Property:** The term “non-campus building or property” means 1) any building or property owned or controlled by a student organization recognized by the institution; and 2) 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 used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** The term “public property” means all public property that is within the same 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 by the institution if the facility is used by the institution in direct support of, or in a related to the institution’s educational purposes.

## Crime Definitions

The definitions below are taken from the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Handbook and used to classify the criminal offenses listed in LLTC’s ASR.

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

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

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

**Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against that 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.

**Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or no forcibly 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.

**Sexual Assault with an object:** 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.

**Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the 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 capacity.

**Sexual Offenses, Non-forcible:** Unlawful, non-forcible sexual intercourse.

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

**Statutory Rape:** Non-forcible 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 of 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 health or great bodily harm. (It is not necessary that injury 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).

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

**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.

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

**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).

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

**Weapon Law Violations:** The violations of laws or ordinances dealing with weapons 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 aforementioned.

## Sexual Violence Definitions

The following definitions are used to classify offenses listed in the “Sexual Violence Statistics for 2013” section.

**Sexual Violence:** Sexual violence includes a continuum of conduct that includes sexual assault, non-forcible sex acts, dating and relationship violence, stalking, as well as aiding acts of sexual violence.

**Sexual Assault:** “Sexual assault” means an actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual assault is often a criminal act that can be prosecuted under Minnesota law, as well as form the basis for discipline under LLTC student conduct codes and employee disciplinary standards. Sexual assault includes but is not limited to: 1) Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the victim. Forced sexual intercourse is included in this definition, as are the acts commonly referred to as “date rape” or “acquaintance rape”. This definition also includes the coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another. 2) Involvement in any sexual act when the victim is unable to give consent. 3) Intentional and unwelcome touching, or coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts (defined as primary genital area, groin inner thigh, buttocks, or breast). 4) Offensive sexual behavior that is directed at another such as indecent exposure or voyeurism.

**Dating and Relationship Violence:** Dating and relationship violence includes physical harm or abuse, and threats of physical harm or abuse, arising out of a personal intimate relationship. This violence also may be called domestic abuse or spousal/partner abuse and may be subject to criminal prosecution under Minnesota state law.

**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 as consent, and past consent of sexual activities does not imply ongoing future consent. Whether the respondent has taken advantage of a position of influence over the complainant may be a factor in determining consent.

**Non-forcible Sex Acts:** Non-forcible acts include unlawful sexual acts where consent is not relevant, such as sexual contact with an individual under the statutory age of consent, as defined by Minnesota law, or between persons who are related to each other within degrees wherein marriage is prohibited by law.

The following terms “dating violence”, “domestic violence”, and “stalking” were taken from section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925[a]).

**Dating Violence:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of a such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic



or family violence laws of the jurisdiction receiving grants monies, or 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.

**Stalking:** The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. For further details on classification of Stalking crimes, please see Minnesota Statutes 609.749.

### **Access to Campus Facilities**

Access to LLTC buildings is 7:00am-5:00pm Monday through Friday. Times are adjusted according to class schedules, and LLTC will keep the doors open until the end of the last class during the evenings. Other times the campus will be open is during community classes, and any other special events after applications for use and approval has been given.

The Campus Safety Officer is available 9:00am through 1:00pm and does regularly patrol the buildings, and during the winter hours Security is not always available. We are currently working on an agreement with the local Law Enforcement to have an officer on campus to walk people to their vehicles. It is impossible to maintain a continuous presence in all facilities at all times. Students, faculty, staff, and visitors are urged to take appropriate steps to insure their own personal safety. Please report suspicious individuals and activities or hazardous conditions immediately to the Campus Safety Officer and/or local law enforcement.