



# LINFIELD UNIVERSITY

2021

## Annual Security and Fire Safety Report

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evening LPS or contract security staff. LPS patrol persons are not armed; they conduct foot, bike and vehicular patrols of campus areas regularly. In addition, on the McMinnville Campus, a courtesy ride service is provided 24 hours a day. LPS patrol persons make referrals f(ns)Tf1 0 0 1 313.13 696.97 Tm0 g0 G(m)4(a)-20(ke

- - contact your residence hall RA or Residence Area Directors in Mahaffey 127 - [503-883-5433](tel:503-883-5433) (24/7)
- Sexual Misconduct Process navigators (available to help students reporting or accused of sexual misconduct)
  - Matt Hiller: [mhiller@linfield.edu](mailto:mhiller@linfield.edu)
  - Matt Hodges: [mhodges@linfield.edu](mailto:mhodges@linfield.edu)
  - Kristi Mackay: [kmackay@linfield.edu](mailto:kmackay@linfield.edu)
  - Michele Tomseth: [mtomseth@linfield.edu](mailto:mtomseth@linfield.edu)
  - Deborah Herlocker: [dherlocker@linfield.edu](mailto:dherlocker@linfield.edu)
  - Sharon Bailey Glasco: [sglasco@linfield.edu](mailto:sglasco@linfield.edu)
- Grand River Solutions, [titleix@linfield.edu](mailto:titleix@linfield.edu)
- - Mindy Larson: [503-883-2203](tel:503-883-2203)
  - Jeff Mackay: [503-883-2436](tel:503-883-2436)
  - Keri Dixon: [503-883-2474](tel:503-883-2474)

Jason Brazel, [jbrazel@linfield.edu](mailto:jbrazel@linfield.edu), [503-883-2349](tel:503-883-2349)

Formal reports may also be submitted through several non-Linfield offices:

- McMinnville/Portland Police Department: [911](tel:911)
- Yamhill County Crime Victim Services: [503-434-7510](tel:503-434-7510)
- Portland Women's Crisis Line: [503-235-1328](tel:503-235-1328)
- Sexual Assault Resource Crisis Line: [503-640-8311](tel:503-640-8311)

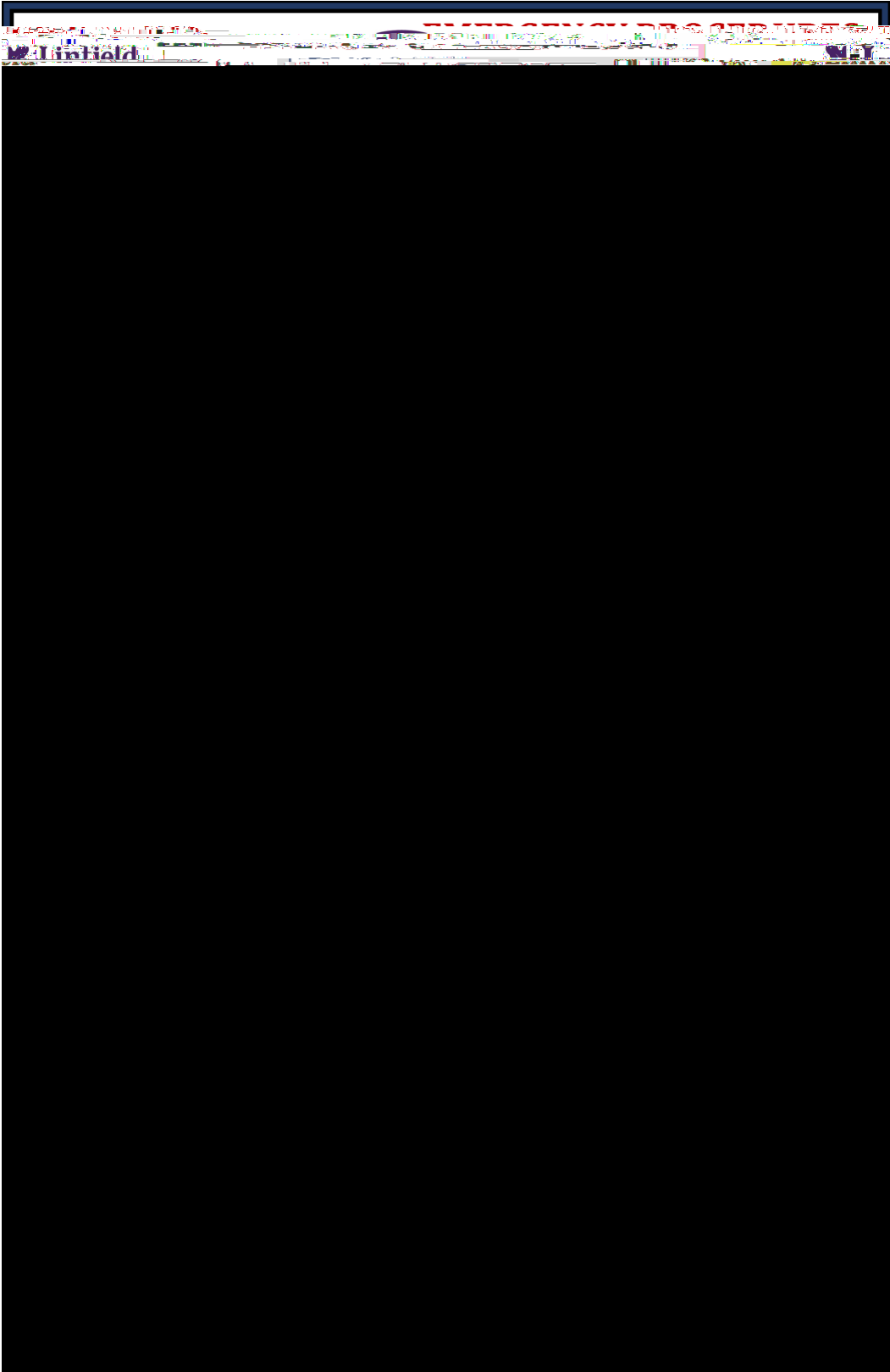


• Staff and Faculty 1994. Qq0u2 re eBTn req0s





The following Emergenc Procedures poster is displayed in all classrooms and buildings



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influence of, manufactures, possesses, has under his/her control, sells, furnishes, or facilitates the use of marijuana (including in marijuana oil, food products, candy, or any other form) on University property, whether in a residence hall, suburb housing, on college controlled property, at a college-sponsored function, either on or off campus, is in violation of University policy, and is subject to disciplinary action up to and including separation from the University.

Students who have a drug problem, or who develop a potential for such a problem are encouraged to seek assistance in the Counseling Center in Walker Hall 105 or the Wellness Coordinator in Walker Hall 102. Employees should seek assistance through the EAP via the Human Resources Office.

Drug paraphernalia found in possession of persons under the age of 21 will be confiscated and destroyed by Linfield Public Safety, regardless of the value or suspected ownership. This includes, but is not limited to: bongs, grinders, pipes, vapes, bottles, or any other equipment, product, or accessory that is intended or modified for the use, consumption, or storage of federally illegal drugs. Drug paraphernalia found in possession of persons over 21 will be confiscated and held by Linfield Public Safety. At the discretion of the Director of Public Safety, confiscated items may be returned to the person as long as they are removed from Linfield property. A receipt for the returned item(s) will be issued to the student by Linfield Public Safety.

More information can be found in the Student Policy Guide available at: <https://catalog.linfield.edu/spg/>

Linfield University is strongly committed to the health, safety, and wellbeing of all its students. Students are encouraged to look out not only for their own health and wellbeing, but also for that of their peers. When someone's health or safety is threatened or appears to be at risk, students should take immediate action to prevent injury, illness, or danger. Medical Clemency is a policy that allows students to seek help for themselves or others, involved in a drug or alcohol-related emergency, without fear of being referred to the formal conduct process.

Linfield University is deeply concerned that, in a medical emergency involving alcohol or other drugs, some students may consider refraining from calling for help because of fear that doing so might subject them to disciplinary action. To address this concern, any individual who seeks campus or medical assistance on behalf of another student during an alcohol or other drug related emergency will meet with the appropriate college official(s) to discuss the incident but will not be subjected to disciplinary proceedings through Linfield College's conduct review process for possession or consumption of alcohol or other drugs.

The recipient of medical clemency will not be required to resolve the matter through Linfield University's conduct review process if she/he agrees to participate in a referral to an appropriate campus or community resource, and to comply with any possible recommendations set forth by that resource. Because the safety and wellbeing of our students is such a concern, students with multiple

Medical Clemencies may be asked to seek a professional evaluation regarding their alcohol and/or drug use.

## B. Bias Incidents

Bias crimes, also known as hate crimes, are criminal activ(Be)-we\* nB2 792 reW\* nEv(ems)6( mbq0.00000912 0 612 792 r

origin, religious belief or practice, disability, sexual orientation, or political persuasion. The University is required to report annually on the statistical incidence of bias crimes on or around campus under the Clery Act.

The Clery Act defines hate crimes as any of the crimes otherwise reportable under the Clery Act or any bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity or disability of the victim. Please report all bias incidents to LPS or Residence Life staff immediately.

## C. Harassment Policy





- A. Title IX Sexual Misconduct and Relationship Violence Procedures apply in all instances in which the University has actual knowledge of potential Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking as defined by these policies that occur in an educational program and activity of the University against a person in the United States.
- B. Linfield University's Extended Sexual Misconduct and Relationship Violence Procedures apply to all potential instances of Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking as defined by these policies that occur on Linfield University premises; during any Linfield University educational programs and activities regardless of location; and off-campus when the conduct has a rational nexus to Linfield University and/or the pursuit of its objectives or that poses a potential threat to the health, safety, or culture of non-

usually. This includes knowledge of somebody's mental or physical state and corresponding ability to consent. An incapacitated individual is incapable of providing explicit consent.

- D. Explicit Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or previous instances of consent do not imply consent to future sexual acts.

*"Constructive Notice"* means notice of sexual harassment that the University should have reasonably known through exercise of reasonable care.

*"Disclosure"* means sharing information related to an alleged incident of Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking to any staff, faculty, student, volunteer or other person associated with the University without the intent to trigger a University response.

Educational Program and Activity includes

- A. locations, events, or circumstances over which Linfield University exercised substantial control over both the responding party and the context in which the sexual harassment occurs.
- B. any building owned or controlled by a student organization that is officially recognized by Linfield University.

*"Forcible Sex Offense"* means 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. (forcible rape; forcible sodomy, sexual assault with an object; and forcible fondling).

*"Formal Report"* means a document filed by a reporting party or signed by the Title IX Coordinator alleging sexual harassment against a responding party and requesting that Linfield University investigate the allegation of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking under the Title IX Sexual Misconduct and Dating Violence Procedure.

*"Incapacitation" / "Incapacitated"* means a state where a reporting party cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction. Incapacity may:

- A. be alcohol or substance induced incapacitation, or
- B. be the result of a mental disorder or physical helplessness.

*"Mental Disorder"* means that a person suffers from a mental disease or disorder that leaves the individual rendering them incapable of appraising the nature of a situation or communicate unwillingness to engage in an act.

*"Reporting party"* means an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking.

*Reporter* means an individual who discloses conduct that could constitute Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking but is not alleged to be the victim of the conduct.

*"Supportive Measures"* means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the reporting party or the responding party before or after the filing of a formal report or where no formal report has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment or deter sexual harassment.

*"Unwelcome sexual advances" / "Unwelcome sexual conduct" / "Unwelcome sexual contact"* means any sexual conduct, advance or contact without explicit consent.

The following behaviors constitute prohibited conduct under this code. After the appropriate procedures have been followed, if a responding party has been found responsible for any of these forms of conduct, they will be subject to sanctions and a reporting party will be eligible to receive appropriate remedies as described in this policy:

- A. Title IX Sexual Harassment which includes conduct on the basis of sex that satisfies one or more of the following:
  1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
  2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
  3. Sexual Assault
- B. Sexual Harassment which includes unwelcome conduct of a sexual nature. Sexual harassment can include:
  1. Unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating hostile or offensive environment and would have such an effect on a reasonable person.
  2. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct
  3. Sexual Assault
- C. Sexual Exploitation which includes when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct or relationship violence offenses.
- D. Sexual Misconduct which includes sexual conduct or the threat of such conduct that is predatory in nature and that a reasonable person in the circumstances would consider offensive or likely to be harmful to others. Sexual misconduct may include, but is not limited to, the exposure of one's sexual organs or the display of sexual behavior.
- E. Sexual Assault which includes an offense classified as a forcible or nonforcible sex offense.



- B. The disclosing person does not need to be the reporting party
  - C. A disclosing person may disclose an alleged instance of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking to the Title IX Coordinator without initiating a formal University response.
  - D. After a disclosure is made, the University will contact and offer to provide process counseling about available supportive measures, formal and informal procedures, which procedure is appropriate and how to file a formal complaint to the reporting party.
  - E. All disclosure will be reviewed by the University to identify whether the conduct falls within the scope of this policy or other related policies.
- 
- A. formal report is required to initiate the Title IX Sexual Misconduct and Dating Violence Procedures.
    - 1. Only individuals who are participating in or attempting to participate in the education program or activity of the University with which the formal report is filed may file a formal complaint.
    - 2. Linfield University must investigate the allegations in a formal report.
  - B. Dismissal of a formal report:
    - 1. If the conduct alleged in a formal report would not constitute Title IX sexual harassment, dating violence, domestic violence or stalking as defined in this procedure or did not occur within the scope or jurisdiction of this procedure, the University must dismiss the formal report for purposes of Title IX
    - 2. The University may dismiss a formal report at any time during the investigation or hearing stages for the following reasons:
      - reporting party notifies the Title IX Coordinator in writing that the reporting party would like to withdraw the formal report
      - the responding party is no longer enrolled or employed by Linfield University
      - circumstances prevent Linfield University from gathering evidence sufficient to reach a determination.
  - C. Upon dismissal of a formal report, the University will promptly send written notice of the dismissal and reason(s) therefor to parties.
  - D. Any formal report dismissed under these procedures will be reviewed by the Title IX coordinator to determine whether it is appropriate to commence a proceeding under the Linfield University Sexual Misconduct and Dating Violence Procedures.
  - E. The University may consolidate formal reports where the allegations of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking arise out of the same facts or circumstances.

D.







- If an appeal is not filed, on the date the University provides parties with the written determination as of the result of the appeal,
  - If no appeal is filed, on the date on which an appeal would no longer be considered timely
1. Potential remedies must be designed to restore or preserve equal access to the University's education program or activity, and include:
    - Housing adjustments
    - Academic course adjustments
    - Class registration priority
    - Housing registration priority
    - Non-academic restrictions for use of campus facilities

Potential sanctions may be disciplinary, punitive or burden responding party, and include:

1. warning: an official reprimand in writing, delivered to the accused student and placed in the student's file
2. probation: a condition that stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified;
3. probation with terms: a condition that adds to regular probation stipulations that may deny the accused student certain privileges or requires certain action of the student;
4. recommendation for suspension: separation from the College for a definite or indefinite period of time;
5. recommendation for dismissal: permanent separation from the College; and/or
6. other action that may seem appropriate for any given case.

Sanctions against groups include those listed above in a-f, and also deactivation, loss of all privileges, including college recognition, either temporarily or permanently.

- A. Any party may appeal the following:
  - 1.



B.

After a report is made and it is determined that the complaint will be investigated, the University has the responsibility to:

- A. follow the procedures as described within this policy
- B. promptly contact reporting party and provide process counseling on rights and options for reporting and receiving supportive measures without engaging a formal procedure
- C. provide an overview to responding parties of their rights and process options.
- D. provide a range of supportive measures.
- E. coordinate individualized and appropriate supportive measures for parties while maintaining confidentiality to the extent possible.
- F. establish the extent to which the process navigator of a reporting party or responding party's choosing may participate in hearings, investigative interviews, or other meetings related to this procedure.
- G. evaluate whether any person designated to facilitate this procedure has a conflict of interest or bias in any given case.
- H. follow timeframes and ensure the reasonably prompt resolution of each case and provide written notice to parties of delays or extensions and reasons for delays or extensions.
- I. when a finding of responsibility has been determined and when appropriate, provide remedies to a reporting party and sanctions to a responding party.

- A. The University shall provide for the adequate, reliable, and impartial investigation of all complaints.
- B. In conducting investigations, the University must:
  1. gather documents and evidence and conduct fact-finding interviews with parties and witnesses
  2. ensure that parties have an opportunity to participate in interviews with the investigator(s), provide witnesses and provide evidence to be reviewed.
  3. provide written notice to a party of their scheduled investigative interviews including the date, time, and location of the interview.
- C. At the conclusion of an investigation, and after reviewing all relevant evidence and performing all relevant interviews, the investigator must draft a written investigative report that includes factual findings, but not determinations of responsibility, as well as any evidence or interviews upon which those findings were determined.
  1. The university will provide parties 5 academic calendar days to review the draft report and submit a written response to the draft report.
  2. The investigator must review and consider the written responses to the draft report prior to finalizing it.

The university will provide the finalized investigative report and all final written responses will be provided to the Decision-maker(s) prior to the commencement of the hearing.

Hearings provide an opportunity for the reporting party and responding party to respond to the allegations through statements to the decision-maker, challenging any evidence gathered or presented, and presenting additional evidence for consideration.

1. The University must provide parties with notice of a hearing date within 15 academic calendar days of the submission of the final investigative report.
  - o Notice must include the date, time, and location of the hearing.
  
1. The Decision-maker(s) will oversee the hearing process.
2. All hearings must be live hearings.
3. Parties shall be entitled to appear in person or virtually, to present their view of what took place to the Decision-maker(s), and may call witnesses on his/her/their behalf.
4. Parties may request to be located in separate rooms during the hearing.
5. Parties may also elect not to appear before the Decision-maker (s). Should a party elect not to appear, the hearing shall be held in their absence.
6. Parties may refuse to answer questions asked by the Decision-maker(s).
7. Parties may have a process navigator of choice present at the hearing who may observe and support but cannot speak for the responding party or the reporting party and may not question the board, witnesses or other participants, this may be a process navigator different from the process navigator the responding party or reporting party uses at other stages through this procedure.



- E. The appellate decision-maker(s) will issue a written determination describing the outcome of the appeal and the rationale for the result to all parties within 72 hours after receiving the responses of non-appealing parties.

Both the content and the outcome of a hearing shall be considered confidential and no Decision-maker s shall discuss a student s role in an incident beyond the requirements of this procedure. The right of the University community to have knowledge of the work of the decision-maker shall be met through the releases of summary outcomes of cases that do not mention the names of individuals.

In certain cases the public nature of the violation of regulations or the student s own public admission of guilt may bring attention to a case, but this does not alter the confidentiality of the conduct review proceedings.

## General Provisions

The following provisions apply to both Title IX Sexual Misconduct and Dating Violence Procedures and Linfield University Sexual Misconduct and Dating Violence Procedures.

# What To Do If You Have Experienced Sexual Misconduct or Relationship Violence

If you have been sexually assaulted, IT IS NOT YOUR FAULT!







- o The most common goal of victims in reporting their assault (according to Ashland PD's research) was that they be believed and not blamed for the assault they were a victim of, not always seeking prosecution of their assailant. Note this is partly a law enforcement issue in general and a societal issue as a whole.
2. We improve our sexual assault investigations by utilizing the Forensic Experiential Traumatic Interview (FETI) techniques developed and taught by the US Army. These recognize the cognitive issues created by a traumatic incident such as a sexual assault, shooting, or other critical events. It encourages investigators to interview with more open-ended questions, at a slower pace if needed, and with much more listening and much less questioning. There are some specific types of question that are avoided as they put victims on the defensive and there are some more sensory response or experience questions that help obtain information and understanding without passing judgment.
  3. We will improve our identification and prosecution of serial sexual offenders by obtaining better information from victims, checking the history of named offenders in other communities (we already found a local case that immediately connected with a previous sexual assault case we had received, but were unable to prosecute), and hopefully by getting more victims willing to report or partially report as this program increases the trust between law enforcement and victims, advocates, and institutions within our community. McMinnville Police Department has generally had positive interactions with victims and advocates and this program is intended to enhance our service level to victims and our community, not to address a problem or failure at the police department. We anticipate that this program is likely to increase the number of sexual assault reports. Based on Ashland's observations while they have doubled their reporting, the number of active cases has not increased beyond the resources of their investigators because a portion of that increase are cases that are waiting for victim input before they proceed further. We anticipate that this will be an increase in our investigative responsibilities, but not that we will need immediate assistance to maintain this program. Most importantly, we are adopting this program because it requires us to treat all victims the way we would want one of our friends or relatives treated if they had a sexual assault to report. Despite the potential for greater work, it is the right thing to do and a critical improvement in how we deal with victims of sexual assaults.

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## Weapons Policy

Property, in any vehicle on university property, and at any university sponsored event at any location. This policy also applies to anyone possessing a valid permit to carry a concealed weapon.

Authorized law enforcement officials, in the performance of their duties, are exempt from this policy. Off duty law enforcement officials are required to notify Linfield Public Safety if they are carrying a concealed weapon while not on duty. Prohibited weapons include: ammunition; explosives in any form; propellant guns of any kind including bb guns pellet guns Air Soft guns paint ball guns potato guns and others; knives (folding or pocket knives of no more than 7 inches in length when fully open are permitted swords hatchets and axes fighting sticks nunchuks throwing stars and other martial arts weapons; brass knuckles, tasers, or any other weapon, as determined by Linfield University except as they may be used in the education process as authorized by Linfield Faculty. Any student or employee found in possession of a prohibited weapon will have it confiscated by Linfield Public Safety. Confiscated weapons will be retained in locked storage by Linfield Public Safety pending an appropriate disposition and adjudication by either the Office of Student Services (for students) or the

Office of Human Resources (for employees). Any student who violates this policy is subject to disciplinary action up to and including suspension. Any Linfield employee who violates this policy is subject to disciplinary action up to and including termination of employment.

Visitors or other persons found in possession of a prohibited weapon will be asked to leave campus (or University sponsored event) and not to return with the prohibited object. In some instances, such person(s) may be directed not to return to campus under any circumstance. Failure to comply with this policy will result in Linfield University engaging the assistance of local police authorities.

For more information about the weapons policy, refer to: <https://catalog.linfield.edu/spg/community-standards/weapons/>

## IV. ANNUAL CRIME STATISTICS

Definitions of reportable crimes under the Clery Act can be found at the following Department of Education webpage: <http://ope.ed.gov/security/glossaryPopup.aspx>



Negligent Manslaughter	0	0	0	0	0	0
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Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
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# V. FIRE SAFETY

## A. Introduction

It is the goal of Linfield University to provide a safe and healthy environment for all students, employees, and visitors.

Linfield seeks to recognize hazardous conditions and take appropriate action before such conditions result in an emergency, which includes fires. These efforts include timely fire evacuations, effective fire detection and alarm systems, fire prevention education and proactive fire hazard reduction.

## B. Fire Evacuation Procedure

All students and their guests must evacuate immediately whenever a fire alarm is sounded. Use the nearest available exit to evacuate the building. Ignoring a fire alarm is grounds for severe disciplinary action to be determined by the Director of Residence Life or the Peer Community Standards Board.











- Police Department (Non-Emergency) 503-434-7307
- Fire Department (Non-Emergency) 503-435-5800
- Linfield Public Safety ext. 7233 (SAFE) or 503-883-7233
- Office of Environmental Health and Safety ext. 2431 or 503-883-2431

Portland Campus:

- Police Department (Non-Emergency) 503-823-