

Drug Health Effects Table

	Narcotics	Depressants	Stimulants	Hallucinogens	Cannabis
Drug Name	(Opium, Morphine, Codeine, Heroin, Hydromorphone, Meperidine, Methadone)	(Chloral Hydrate, Barbiturates, Benzodiazepines, Methaqualone, Glutethimide)	(Cocaine, Amphetamines, Phenmetrazine, Methylphenidate)	(LSD, Mescaline & Peyote, Amphetamine Variants, Phencyclidine, Phencyclidine)	(Marijuana, Tetrahydrocannabinol, hashish, hashish oil)
Possible Effects	euphoria, drowsiness, respiratory depression, constricted pupils, nausea	slurred speech, disorientation, drunken behavior without odor of alcohol	increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, loss of appetite	analogues, illusions, & hallucinations, poor perception of time and distance	euphoria, relaxed inhibitions, increased appetite, disoriented behavior
Effects of Overdose	Slow & shallow breathing, clammy skin, convulsions, coma, possible death	shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	agitation, increase in body temperature, hallucinations, convulsions, possible death	Longer, more intense "trip" episodes, psychosis, possible death	fatigue, paranoia, possible psychosis
Withdrawal Syndrome	watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating	anxiety, insomnia, tremors, delirium, convulsions, possible death	apathy, long periods of sleep, irritability, depression, disorientation	withdrawal syndrome not reported	insomnia, hyperactivity, decreased appetite occasionally reported
Risk of Physical Dependence	High	Moderate to High	Possible	Unknown	Unknown
Risk of Psychological Dependence	High	Moderate to High	High	Unknown, High for Phencyclidine and analogs (i.e. PCP)	Moderate

(see the [Lincoln University Drug and Alcohol Awareness page](#) for additional information on health risks)

EDUCATIONAL INFORMATION

The University has developed an annual educational programs consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; participating in the Spring and Fall Faculty orientation program; presenting programs throughout the year on at least a quarterly basis, may include sessions such as: skits, a residence hall speaker series, and annual poster series. These educational programs are typically put on by [Student Health Services](#), [Residential Life](#), [Student Activities & Greek Life](#), and the [Lincoln University Police Department](#) and other various organizations around campus

Alcohol and Drug Awareness Programs in 2016

Date	Program Name	Program Sponsor(s)	Audience
01/14/16	Orientation: Introduction to Wellness	Stud Health and Wellness	Students
02/09/16	Overcoming Test Anxiety	Stud Health and Wellness	Students
03/08/16	No Stress Zone	Stud Health and Wellness	Students
04/08/16	Overcoming Test Anxiety	Stud Health and Wellness	Students
04/20/16	420 Clean and Sober Party	Stud Health and Wellness	Students
08/08/16	Understanding the Lincoln Student: Current Trends in Alco/ Drug Use, Exp of Sexual Assault	Stud Health and Wellness	Students
08/11/16	Understanding the Lincoln Student: Current Trends in Alco/ Drug Use, Exp of Sexual Assault	Stud Health and Wellness	Students
08/16/16	The Healthy Student: Holistic Health Approaches for Success	Stud Health and Wellness	Students
11/01/16	Drug Awareness Bulletin Board	Women's Resource Center	Students
11/01/16	The Health Student: Holistic health Approaches for Success	Stud Health and Wellness	Students
11/29/16	Substance Abuse	Dept of Nursing	Students
12/04/16	Successful Testing Strategies	Stud Health and Wellness	Students

COUNSELING INFORMATION

As a part of its drug prevention program, the university has prepared the following information summary for educational purposes. Lincoln University also provides counseling services located at Student Health Services center. [Student Health](#), [Residential Life](#), and [Student Activities](#) also sponsor various Drug & Alcohol Abuse Education programs throughout the year on an as needed basis.

Counseling Services: Lincoln University has a counselor on staff with [Student Health Services](#) located at the Thompkins Health Center that can be reached at (573) 681-5167. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm.

In 1980, the State of Missouri created the *Division of Alcohol and Drug Abuse* as a division of the [Department of Mental Health](#), and in the spring of 2013 the *Division of Alcohol and Drug Abuse* became the [Division of Behavioral Health](#). Among the responsibilities of the Division is

the provision of public information relating to alcohol and drug abuse and its prevention, treatment and rehabilitation ([631.010 RSMo.](#)). You can contact the [Division of Behavioral Health](#) at (573) 751-4942 or [click here](#) for additional information on district counseling offices.

Other counseling and/or treatment resources available close to the Jefferson City Campus:

- [Alcoholics Anonymous](#) (Cole County) 573-636-5499
- [Center for Family and Individual Counseling](#) (573) 635-5536
- [Pathways Community Health \(alcohol and Substance Abuse\)](#) (573) 634-3000
- [Capital Region Medical Center](#) (573) 632-5560
- [St. Mary's Health Center](#) (573) 634-5303
- [Drug Abuse.Org Treatment Centers List \(Jefferson City, Mo\)](#)

Counseling and/or treatment resources available close to the Ft. Leonard Wood Campus:

- [Alcoholics Anonymous](#) (Phelps & Pulaski County) (573) 680-2123
- [Phelps County Regional Medical Center Outpatient Services](#) (573) 364-2007
- [Drug Abuse.Org Treatment Centers List \(Waynesville, Mo\)](#)

Hotline numbers for counseling services and information include:

- Cocaine Help: (1-800-COCAINE)
- [Marijuana Anonymous](#): (1-800-766-6779)
- [National Institute for Drug Abuse](#) (NIDA): (1-301-443-4577)
- [Substance Abuse and Mental Health Services Administration](#) SAMHSA: (1-800-662-HELP (4357))

The university makes no endorsement with regard to any counseling/treatment facility and assumes no responsibility for the quality of services available (see the [Lincoln University Drug and Alcohol Awareness page](#) for additional information on educations resources).

*Faculty & Staff Specific Counseling Information: The current *Employee Assistance Program* (EAP) is made available through the University's current health care provider ([click here for LU policies on EAP & Drug Free Workplace](#)). The university's benefit plans, including hospitalization and salary continuation (to the extent vacation and sick leave annual balances are available), may be used for treatment of substance abuse as for any other diseases or disabilities. Please contact Human Resources at (573) 681-5018 or visit the [HR website](#) to obtain more information on drug and alcohol counseling services from the current health care provider.*

BIENNIAL REVIEW

Lincoln University shall conduct biennial reviews of the university's drug prevention program to determine the effectiveness of the program and to recommend/implement changes as appropriate. Each such review shall also include an evaluation of disciplinary sanctions imposed during the review period to ensure that these sanctions are consistently enforced. A copy of this review shall also be made available to the Department of Education and the public upon request. Requests can be made at the Office of Student Affairs.

EMERGENCY RESPONSE AND EVACUATION

In compliance with [34 CFR 668.46\(g\)](#) the following describes the policies of Lincoln University's Emergency Response and Evacuation procedures.

The university will determine that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus by utilizing LUPD personnel and/or other campus security personnel (i.e. Residence Hall Directors or Residence Hall Advisors, among others) to gather and relay information to the LUPD dispatch. The LUPD will inform the President's Office of any emergency or dangerous situation as soon as possible.

Currently Lincoln University makes emergency notifications to the university community upon confirmation of a significant on-campus emergency or dangerous situation involving an immediate threat to the health or safety of students or staff by the following ways:

- Public address systems in buildings so equipped
- Digital public address systems located across campus for outside campus wide notifications
- University wide e-mails originating from the Office of University Relations at the request of the Lincoln University Police Department or higher authority
- Limited telephone trees (an inverse pyramid-like notification system)
- Emergency broadcasts via the university radio station
- [Emergency Text Messages](#) via the University web portal
- Emergency broadcasts via the university television station
- Roving patrols and use of sirens, lights and public address systems on marked Lincoln University PD patrol vehicles

Lincoln University will without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Notifications will be issued from the University Relations Office in cooperation with the Lincoln University Police Department and/or the President's Office.

These notifications, when issued, will explain to the students, faculty and staff procedures they should take in consideration of the particular emergency at hand, including either evacuating from a particular area, building or other location, or moving to shelter such as a basement or lower level in the event of severe weather.

In an effort to publicize the university's evacuation and emergency response procedures, a pamphlet is distributed annually to students in the residence halls by the Director of Student Housing. Furthermore, the Lincoln University Police Department disseminates educational literature specific to the Lincoln University campus on what to do in a variety of emergencies. These pamphlets are provided during orientation to students and during the annual fall Faculty-

Staff Institute, a mandatory training session each August for all Lincoln University faculty and staff.

Efforts to test notification and emergency plans are ongoing throughout the year and are conducted in a variety of ways including:

- The establishment of a university-wide Emergency Operations Team which schedules and conducts table top exercises involving key personnel of Lincoln University in mock scenarios. (*Included in these key personnel among others are the university president and staff and the chief law enforcement officer of the university.*)
- Annual evacuation drills for campus buildings
- Routine fire drills for campus buildings
- Annual testing of the digital public address systems located across campus for outside campus wide notifications
- Clearly marked storm shelters on each building where said shelters are available throughout the campus. Storm shelters are on the lowest point of every building, on an interior hallway or room. The only exception to this is the Buildings and Grounds building; occupants evacuate to Soldiers Hall.

The university documents all emergency/evacuation exercises or drills it conducts. The documentation includes the time and date of the drill, the evacuation beginning and end time, and whether the drill was announced or unannounced. Drill forms are completed by department heads or their designees. Forms are maintained in the respective department offices.

2016 Exercise

There were no emergencies exercises conducted in 2016.

Particular procedures that the university takes in response to emergencies vary by the particular emergency at hand. Thus, it is impossible to provide a detailed response plan in this document for every emergency that could possibly arise. However, in an effort to provide this information in the most generic of forms it is broken down into medical, environmental, fire and law enforcement related emergencies. Each closely resembles the actions listed earlier in this report under “**CAMPUS RESPONSE TO REPORTS of CRIMES and EMERGENCIES.**”

FIRE RELATED EMERGENCY: Such response could include the response of members of the Jefferson City Fire Department and, in cases of large fires responses, could be augmented by response from the Cole County Fire Protection District and Callaway County Fire Services.

MEDICAL RELATED EMERGENCY: Such response could include first responders from the Lincoln University Police Department, the university health nurse and physician (if during their duty hours), the Jefferson City Fire Department (who have EMTs in their units), ambulance units from the Cole County Fire Department (staffed by EMTs and paramedics) and, in cases of multiple victims, this service could be augmented from neighboring jurisdictions including Callaway County, Boone County and other close in jurisdictions.

ENVIRONMENTAL EMERGENCY: Such response could include a response from any of the aforementioned agencies and include a response from the Missouri Department of Natural Resources Environmental Emergency Response Team and, in extreme situations, the Missouri

Army National Guard's WMD-RAID unit (Weapons of Mass Destruction – Rapid Assessment, Interdiction and Decontamination).

LAW ENFORCEMENT EMERGENCY: Could include an immediate response of armed police officers from the Lincoln University Police Department and, if the situation warrants it, officers could be augmented by the Jefferson City Police Department and Cole County Sheriff's Department and the Missouri State Highway Patrol. In extreme situations, such as in the case of an active shooter, this response could be augmented by members of the Special Response Teams of the Jefferson City Police Department, Cole County Sheriff's Department and the Missouri State Highway Patrol. These particular teams have officers who are specially trained in a variety of scenarios and situations including hostage rescue, dynamic building entries and others.

See [LUPD Emergency Information Procedures](#) for more information on specific types of emergencies.

MISSING STUDENTS

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Lincoln University Police Department (LUPD) at 681-5555. The LUPD will generate a missing person report and initiate an investigation. Missing student reports may also be made to a [*residence hall director, a residence hall advisor or the Director of Student Housing*](#), although filing a report with the LUPD should be the first action taken.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Lincoln University in the event the student is determined to be missing for more than 24 hours. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. If a student has identified such an individual, Lincoln University will notify that individual no later than 24 hours after the student is determined to be missing. Students who wish to identify a confidential contact can do so through their residence hall director or residence hall advisor ([*click here for form*](#)).

After investigating the missing person report, should the LUPD determine that the student is missing and has been missing for more than 24 hours, the university will notify the Jefferson City Police Department, the Cole County Sheriff's Department and the student's emergency contact, no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the university will notify the student's parent or legal guardian within 24 hours after the LUPD has determined that the student is missing. Please note that regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, LUPD will inform the Jefferson City Police Department and the Cole County Sheriff's Department within 24 hours of the determination that the student is missing.

SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROCESSES AND PROCEDURES

POLICY STATEMENT

Lincoln University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Lincoln University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Lincoln University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved. No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this policy.

DEFINITIONS

Comparison of Missouri and Federal Sexual Assault Definitions

Section 304 of VAWA stipulates that an Institution of Higher Education must provide the local statutory definition of consent for its jurisdiction in its Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy. The Final Rule was promulgated under rulemaking on November 1, 2014 and shall become effective July 2015. The final rule updates can be found in [34 CFR 668.46](#) & [34 CFR 668 Appendix A](#). No changes were made to [34 CFR 668.49](#) [Institutional fire safety policies and fire statistics](#).

Definitions of sexual assault, domestic violence, dating violence, and stalking can be found in section 304 of Public Law 113-4 "[The Violence Against Women Act 2013](#)" (VAWA). However, institutions must also abide by the state statutes that reflect the federal definitions.

Definitions

Missouri sexual offenses statutes *can be found in* [RSMO. 566](#) (see [Sexual Offense and VAWA Crimes Tables](#) and [566.010 Definitions of Sexual Offenses](#) for more info).

"Consent" [556.061\(14\)](#)

Consent or lack of consent may be expressed or implied.

Assent does not constitute consent if:

- (A) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or
- (B) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to

make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(C) It is induced by force, duress or deception;

- ✓ “No” means “No”
- ✓ “No” can be expressed or implied (*it does not have to be spoken*)
- ✓ “Yes” means “No” if conditions *a, b, or c* listed above exist

***Note on consent and age (reason of youth) in regards to sexual activity in Missouri**

- If you are **21 or older**, **17** is the minimum age of consent.
- If you have sexual contact with an individual and you are more than **4 years older** than the individual that is at least **14**, you can be charged with Child molestation 4th degree ([566.071 RSMO](#)).

(based on current Child molestation statutes in [566.067 through 566.103 RSMO](#), consult your legal counsel for more info)

"Incapacitated" [556.061\(28\) RSMO](#), a temporary or permanent physical or mental condition in which a person is unconscious, unable to appraise the nature of his or her conduct, or unable to communicate unwillingness to an act;

"Sexual contact" [566.010\(6\) RSMO](#), any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying the sexual desire of any person *or for the purpose of terrorizing the victim*;

"Sexual assault" [455.010\(1\)\(e\) RSMO](#), causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that persons consent;

Sex Offenses (FBI UCR) – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. Rape (FBI UCR) – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim ([Definition effective 01/01/13 from FBI UCR](#)).

Also see ["Frequently Asked Questions about the Change in the UCR Definition of Rape May 20, 2013"](#)

Corresponding Missouri Statutes

Rape (*No longer forcible rape in Mo Statute*)

[566.030 Rape in the first degree, penalties—suspended sentences not granted, when.](#)

[566.031 Rape in the second degree, penalties.](#)

(Count statutory rape as rape if it is without consent)

Sodomy - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Corresponding Missouri Statutes

[566.060 Sodomy 1st Degree, penalties--suspended sentence not granted, when.](#)

[566.061 Sodomy 2nd Degree \(Formerly Deviate Sexual Assault 566.70\), penalties--suspended sentence not granted, when.](#)

[566.062 Statutory Sodomy 1st Degree](#)

[566.064 Statutory Sodomy 2nd Degree](#)

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, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity (Please note that a finger or hand is also considered an object).

Corresponding Missouri Statutes

[566.060 Sodomy 1st Degree, penalties--suspended sentence not granted, when.](#)

[566.061 Sodomy 2nd Degree \(Formerly Deviate Sexual Assault 566.70\), penalties--suspended sentence not granted, when.](#)

[566.062 Statutory Sodomy 1st Degree](#)

[566.064 Statutory Sodomy 2nd Degree](#)

34 CFR 668 Appendix A was updated during the 2013 rulemaking process to correspond with the 2013 UCR expanded definition of Rape (which includes the crimes of sodomy and sexual assault with an object).

B. Fondling (FBI UCR NIBRS) - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity

Corresponding Missouri Statutes

Sexual Abuse

[566.100 Sexual abuse in the first degree, penalties.](#)

[566.101 Sexual abuse, second degree, penalties.](#)

[566.071 Child Molestation 4th degree](#)

[566.068 Child Molestation 2nd degree](#)

C. Incest (FBI UCR NIBRS) - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Corresponding Missouri Statutes

[568.020 Incest](#)

- D. Statutory Rape (FBI UCR NIBRS)** – Non-forcible sexual intercourse with a person who is under the statutory age of consent (See page 40 of “[The National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program 2013 Handbook](#) (NIBRS)”).

Corresponding Missouri Statutes (Counted only if crime is non-forcible)

[566.032 Statutory Rape 1st Degree](#) (twenty-one years of age or older, that has sexual intercourse with another person who is less than seventeen years of age.)

[566.034 Statutory Rape 2nd Degree](#)

(Sexual Intercourse with a person who is under the age of 14 in Missouri)

Federal Law Violence Against Women Act (VAWA) Crime Categories Additions

[Definitions used in section the Violence Against Women Act of 1994 \(42 U.S.C. 13925\(a\)\)](#)

After completion of the negotiated federal rule making these definitions will be codified in 34 CFR 668.48(a).

Domestic Violence:

1. A felony or misdemeanor crime of violence committed--
 - (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
2. For the purpose of this definition-
 - (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.

Stalking:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
 - (i) Fear for the person's safety or the safety of others; or
 - (ii) Suffer substantial emotional distress.
2. For the purpose of this definition –
 - (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
 - (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

Applicable Missouri Laws (Revised Statutes of Missouri (RSMO.))

MISSOURI STATUTE DEFINITIONS ON DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING (See [RSMO. 455](#) For more info)

Domestic Violence ([455.010\(5\) RSMO.](#)) is “*abuse*” or “*stalking*” committed by a “*family or household member*”

Dating Violence is considered the same as domestic violence under current Missouri law in the definition for domestic assault based on the definition of “*Family*” or “*Household Member*”

“*Family or Household Member*” ([455.010\(7\) RSMO.](#)) “*spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time;*”

“*Abuse*” ([455.010\(1\) RSMO.](#)) includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

- a. “*Assault*”, purposely or knowingly placing or attempting to place another in fear of physical harm;
- b. “*Battery*”, purposely or knowingly causing physical harm to another with or without a deadly weapon;
- c. “*Coercion*”, compelling another by force or threat of force to engage in conduct from which the latter has a right to abstain or to abstain from conduct in which the person has a right to engage;
- d. “*Harassment*”, engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to an adult or child and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult or child to suffer substantial emotional distress and must actually cause substantial emotional distress to the petitioner or child.
Such conduct might include, but is not limited to:
 - i. Following another about in a public place or places;
 - ii. Peering in the window or lingering outside the residence of another; but does not include constitutionally protected activity;
- e. “*Sexual assault*”, causing or attempting to cause another to engage involuntarily in any sexual act by force, threat of force, duress, or without that persons consent;*
- f. “*Unlawful imprisonment*”, holding, confining, detaining or abducting another person against that person's will;

“*Stalking*” ([455.010\(14\) RSMO.](#)) is when any person purposely and repeatedly engages in an unwanted course of conduct that causes alarm to another person, **or a person who also resides together in the same household with the person seeking the order of protection** when it is

reasonable in that person's situation to have been alarmed by the conduct. As used in this subdivision:

- a. "Alarm" means to cause fear of danger of physical harm; **and**
- b. "Course of conduct" means a pattern of conduct composed of **two or more** acts over a period of time, however short, that serves no legitimate purpose. Such conduct may include, but is not limited to, following the other person or unwanted communication or unwanted contact;

MISSOURI STATUTE ON CRIMES THAT COVER DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Domestic Assault (RSMO. 565) (Similar to Domestic Violence in Federal but Domestic Violence includes Dating Violence in definition) (See [Missouri Bar Handbook on Domestic violence](#))

[565.072 Domestic assault, first degree--penalty](#)

1. A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section [565.002](#).
2. The offense of domestic assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, in which case it is a class A felony.

[565.073 Domestic assault, second degree--penalty](#)

1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section [565.002](#), and he or she:
 - (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
 - (2) Recklessly causes serious physical injury to such domestic victim; or
 - (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.
2. The offense of domestic assault in the second degree is a class D felony.

[565.074 Domestic assault, third degree--penalty](#)

1. A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim, as the term "domestic victim" is defined under section [565.002](#).
2. The offense of domestic assault in the third degree is a class E felony.

[565.076 Domestic assault, fourth degree--penalty](#)

1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section [565.002](#), and:
 - (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;

- (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
 - (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
 - (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
 - (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or
 - (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.
2. The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of assault of a domestic victim two or more times, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

[565.225 Stalking, first degree, penalty.](#)

1. As used in this section and section [565.227](#), the term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.
2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:
 - (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or
 - (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
 - (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
 - (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or
 - (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or
 - (6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.
3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.
5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, in which case stalking in the first degree is a class D felony.

[565.227. Stalking, second degree, penalty.](#)

1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.
2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.
3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.
4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, in which case stalking in the second degree is a class E felony.

Other VAWA Crimes Related in Missouri Statute

[565.090 Harassment 1st degree \(harassment is a precursor to stalking\)](#)

A person commits the offense of harassment in the first degree if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person, and such act does cause such person to suffer emotional distress.

1. The offense of harassment in the first degree is a class E felony.
2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violation of federal, state, county, or municipal law.

[565.091 Harassment 2nd degree](#)

1. A person commits the offense of harassment in the second degree if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person.
2. The offense of harassment in the second degree is a class A misdemeanor.

[565.252. Invasion of privacy](#)

1. A person commits the offense of invasion of privacy if he or she knowingly:
 - (1) Photographs, films, videotapes, produces, or otherwise creates an image of another person, without the person's consent, while the person is in a state of full or partial nudity and is in a place where one would have a reasonable expectation of privacy; or
 - (2) Photographs, films, videotapes, produces, or otherwise creates an image of another person under or through the clothing worn by that other person for the purpose of

viewing the body of or the undergarments worn by that other person without that person's consent.

2. Invasion of privacy is a class A misdemeanor unless:
 - (1) A person who creates an image in violation of this section distributes the image to another or transmits the image in a manner that allows access to that image via computer;
 - (2) A person disseminates or permits the dissemination by any means, to another person, of a videotape, photograph, or film obtained in violation of this section;
 - (3) More than one person is viewed, photographed, filmed or videotaped during the same course of conduct; or
 - (4) The offense was committed by a person who has previously been found guilty of invasion of privacy in which case invasion of privacy is a class E felony.
3. Prior findings of guilt shall be pleaded and proven in the same manner required by the provisions of section 558.021.
4. As used in this section, "same course of conduct" means more than one person has been viewed, photographed, filmed, or videotaped under the same or similar circumstances pursuant to one scheme or course of conduct, whether at the same or different times.

2017 Missouri Penalties and Fines for Offenses

Felony Class	Penalties (Years of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	10 – 30, or life	-
B	5 - 15	-
C	3 - 10	Up to \$10,000
D	Up to 7	Up to \$10,000
E	Up to 4	Up to \$10,000
Misdemeanor Class	Penalties (Term of imprisonment 558.011 RSMo.)	Fines (558.002 RSMo.)
A	Up to 1 year	\$2,000
B	Up to 6 month	\$1,000
C	Up to 15 days	\$750
D	-	\$500
Infraction	-	\$400

(See [Missouri Sexual Offenses & VAWA Crimes Tables](#) for more info.)

BYSTANDER INTERVENTION INFORMATION

Be an intervener! Stop these incidents before they occur, and talk to your friends about it so that they will intervene as well!

1. Notice the Incident

Bystanders first must notice the incident taking place. Obviously, if they don't take note of the situation there is no reason to help.

2. Interpret incident as emergency

Bystanders also need to evaluate the situation and determine whether it is an emergency—or at least one in which someone needs assistance. Again, if people do not interpret a situation as one in which someone needs assistance, then there is no need to provide help.

3. Assume Responsibility

Another decision bystanders make is whether they should assume responsibility for giving help. One repeated finding in research studies on helping is that a bystander is less likely to help if there are other bystanders present. When other bystanders are present responsibility for helping is diffused. If a lone bystander is present, he or she is more likely to assume responsibility.

4. Decide How To Respond Appropriately

Once you have decided to act, you want to consider the best way to safely intervene.

Some of the options include:

1. **Directly responding** - You take responsibility as the person intervening and you confront the situation directly.
2. **Distraction** - You use distraction to redirect the focus somewhere else.
3. **Delegate** - You ask someone else to intervene, be it the police, security, or someone else.

This might include delegating to:

- LUPD Lincoln University Employees
- Supervisors Colleagues/Other Students
- Human Resources External Police/9-1-1
- Local Domestic Violence Center Hotline or website resources

5. Take Action

- Whether this is to help the person leave the situation, confront a behavior, diffuse a situation, or call for other support/security.
- The best way bystanders can assist in creating an empowering climate free of interpersonal violence is to diffuse the problem behaviors before they escalate.
- Educate yourself about interpersonal violence AND share this info with friends
Confront friends who make excuses for other peoples abusive behavior Speak up against racist, sexist, and homophobic jokes or remarks

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Sexual Assault, Domestic Violence, Dating Violence, Stalking Programs 2016

Date	Program Name	Program Sponsor(s)	Audience
01/01/16	Overviews for Greendot	Women's Resource Center	Students
06/15/16	Green Dot Training	Student Health and Wellness Services	Students
07/01/16	Green Dot Training	Women's Resource Center	Students
07/08/16	Concurrent sessions for Project Jump Start	Student Health and Wellness Services	Students
07/15/16	Sexual Health	Student Health and Wellness/Student Counseling	Students
07/15/16	Concurrent Sessions for Project Jump Start	Student Health and Wellness Services	Students
07/22/16	Concurrent Programs for Project Jump Start	Student Health and Wellness Services	Students
07/29/16	Concurrent Sessions for Project Jump Start	Student Health and Wellness Services	Students
08/05/16	Concurrent Sessions for Project Jump Start	Student Health and Wellness Services	Students
08/15/16	Week Of Welcome (WOW Week)- Firm But Fair: Let's Talk Policies	Office of Recruitment and New Student Engagement	Students
08/23/16	Sex in an envelop	Women's Resource Center	Students
09/01/16	Glow Walk	Women's Resource Center	Students
09/01/16	Let's Talk About Sex	Women's Resource Center	Students
09/13/16	RACS speaker	Dept of Nursing	Students
09/17/16	Green Dot Kickoff	Women's Resource Center	Students
09/18/16	Green Dot Training	Student Health and Wellness Services	Students
10/01/16	Movie Night	Women's Resource Center	Students
10/01/16	Paint for a Purpose	Women's Resource Center	Students
10/13/16	Green Dot Training	Nursing	Students
10/19/16	Sexual Assault and Consent	Student Health and Wellness/Student Counseling	Students
10/24/16	Green Dot	Nursing and Allied Health	Students
10/27/16	Hiding in Plain Sight	Access and Abilities	Students
10/27/16	Sexual Assault Prevention and Treatment	Student Health and Wellness Services	Students
11/16/16	Balloon Facts	Women's Resource Center	Students
11/17/16	Green Dot	School of Nursing / Elliff Hall	Students
11/22/16	Green Dot	School of Nursing / Elliff Hall	Students
12/01/16	Zonta 16 days of Activism	Women's Resource Center	Students
12/06/16	Candy Cane Facts	Women's Resource Center	Students

POSSIBLE SANCTIONS AND PROTECTIVE MEASURES FOLLOWING A CRIME OF RAPE, DATE/AQUAINTANCE RAPE, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

Sexual offense, domestic violence, dating violence, and stalking cases referred to the Lincoln University Student Conduct system may result in the perpetrator being suspended from the university. More than one sanction may be recommended or imposed for any single violation when deemed appropriate by the Judicial Officer or Disciplinary Committee. All disciplinary sanctions are noted in the student's non-academic student file. Records of suspended students are kept indefinitely. Sanctions for students may involve change in living arrangements, counseling, community service, suspension, "No-Contact" order, or expulsion depending on the circumstances specific to the case (see the [Lincoln University Student Code of Conduct](#) for more info).

Faculty or staff found to be in violation of this policy will be subject to discipline up to and including written reprimand, suspension, demotion, or termination. (See the Lincoln University [Employee Handbooks](#) for more information). Any disciplinary sanction may include the completion of an appropriate counseling or other rehabilitation program. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law (See [Missouri Sexual Offenses & VAWA Crimes Tables](#)).

PROCEDURES VICTIMS SHOULD FOLLOW IF A SEXUAL OFFENSE, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING HAS OCCURED

The first priority of a victim of sexual assault or domestic violence is to get to a place of safety, then to obtain necessary medical attention as soon as possible. [Jefferson City Capitol Region Hospital](#), and [Phelps County Regional Medical Center](#) (Ft. Wood Campus) have certified ER hospital staff members that are authorized to perform medical/legal examinations. An assault should be reported directly to the [Lincoln University Police Department \(LUPD\)](#) (573-681-5555 or 911), Ft. Wood Military Police (573-596-6141 or 911), the [Dean of Students](#) (681-5128), the [Student Health Center](#) (681-5476), the [Director of Student Housing](#) (681-5971), or if applicable, the [Director of a Student's Residence Hall](#). Reports can also be made online at <https://bluetigerportal.lincolnu.edu/web/police-department/file-a-title-ix-report> (anonymous reporting is also available on webpage). Although Lincoln University strongly advocates that a victim of sexual assault or domestic violence, dating violence, or stalking report the incident to the Lincoln University Police Department in a timely manner, it is the victim's choice to make such a report and the victim has a right to decline involvement with the police.

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

Preserving Evidence for Sexual Assaults

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical/legal exam victims of rape or assault should not bathe, change clothes, douche, use toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours or so that the evidence may be preserved. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Preserving Evidence for Victims of Violence

Victims of violence should not bathe or change clothes prior to documentation of physical evidence. Preserving evidence may be necessary to prove criminal domestic violence, dating violence, stalking, or in obtaining a protection order. If victims do not opt for forensic evidence collection, health care providers can still treat injuries.

Preserving Evidence for Victims of Stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings (i.e...facebook, twitter,..etc...etc), computer screenshots, voicemails, or any other form of evidence that would be helpful.

Reporting an Incident to LUPD

To report the incident to LUPD, an individual should contact the Lincoln University Police Department at (573) 681-5555 or by dialing 911 or by use of any red campus emergency phone, or by reporting to the on-scene officer, if he or she has already been summoned. If a report of an assault has been made to another university official, they will assist in making a report to the Lincoln University Police Department, if requested.

Filing a police report with a Lincoln University Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

However, filing a police report will however do the following:

- Ensure that a victim of sexual assault, dating violence, or domestic violence receives a safe escort to Capitol Region or St. Mary's Hospital to receive the necessary medical treatment at no expense to the victim (if the victim chooses to do so);
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (see information on preserving evidence above);

Please note that evidence can still be collected a Sexual Assault Nurse Examiner even if the victim chooses not to make a report to law enforcement.

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the university's Student Student Conduct System, or only the latter. Victims also have the option of contacting the Title IX coordinator, various Responsible Employees or a *campus security authority* (CSA)'s to discuss reporting options. One of these university representatives will guide the victim through the available options and support the victim in his or her decision. A victim may also choose to speak confidentially to the Lincoln University Counselor located at the Thompkins Health Center.

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Reporting an Incident to Other Campus Security Authorities

It will be the role of the campus security authority (CSA) to be there for students as someone to whom they can report crimes, look to for guidance if they have been victims of a crime, or ask if they simply need advice as to whether or not they should report an incident. If an individual chooses not to report a crime to LUPD and chooses to report to any of the other local police, CSA's can assist an individual in contacting other law enforcement agencies such as the [Jefferson City Police Department](#) at (573) 634-6400 or [Cole County Sheriff's Office](#) at (573) 634-9160. **Please note** that on-campus crimes reported to these agencies will typically be referred to LUPD, since it is the local law enforcement agency that has the jurisdiction for Lincoln University. CSA's will not be responsible for taking any actions in regards to suspected perpetrators of a crime, nor are they to make any judgments as to whether or not a crime took place; they are simply responsible for reporting crimes to the Lincoln University Police Department.

CSA's are also not responsible for convincing victims of a crime to contact the police if victims do not want the police contacted. LUPD will send all Campus Security Authorities requests for information on crimes which were reported to the CSA for inclusion in yearly campus safety statistical reporting. As noted by law, all Universities receiving federal financial aid must report the statistical information on crimes that occur on campus and include them in an annual report. If it is determined by Lincoln University that the alleged perpetrator(s) pose a serious and immediate threat to the University community the University is also obligated by law to make timely warnings to protect the campus. The statistical information and "Timely Warnings" will not contain any names or specific locations to maintain the confidentiality of a victim (see "[Confidentiality of Victims](#)" for more information).

The following programs and offices listed below have CSA's that can assist a victim of sexual assault, domestic violence, dating violence, and stalking:

Office/Program	Location (Campus Map)	Phone Number
Athletics	202 Jason Gymnasium	(573) 681-5953
Access and Ability Services	304 Founders Hall	(573) 681-5162
Career and Academic Support Services	232A Page Library	(573) 681-5975
Dean of Students	301 Young Hall	(573) 681-5128
Infantry Scholars/Male Initiative Program	B-2 Young Hall	(573) 681-5532
Lincoln University Department of Nursing (Ft. Leonard Wood Campus)	Building 733 Colorado Avenue, Fort Leonard Wood, MO	(573) 329-5160
Lincoln University Police Department	1118 Chestnut Street	(573) 681-5555
Lincoln University ROTC	903 Lafayette Street	(573) 681-5350
Residential Life	301 Young Hall	(573) 681-5971
Student Activities	210 Scruggs Center	(573) 681-5266
Student Conduct	301 Young Hall	
Student Health Services	822 Lee Drive	(573) 681-5476
Title IX Coordinator, Jim Marcantonio	101 Young Hall	(573) 681-5018
Women's Resource Center	B-11 Young Hall	(573) 681-5101

In cases where an individual may be a “*Responsible Employee*” (under Title IX) and CSA (under Clery), the individual will make it known that their role as a “Responsible Employee” takes precedence over CSA responsibilities for confidentiality purposes (see the “*STATISTICAL REPORTING AND TIMELY WARNING OBLIGATIONS UNDER THE CLERY ACT*” section located in the [Title IX Sexual Harassment, Sex Equity, and Gender-Based Discrimination Processes and Procedures](#)).

Reporting an Incident to a Counselor

Campus “Pastoral Counselors” and “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 and the information can be disclosed confidentially. However, pastoral counselors and professional counselors are encouraged; if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis (see [counseling services](#) section below for contact info for the campus counselor and additional off-campus resources).

University Responsibilities in Regards to Orders of Protection

The purpose of an *Ex Parte* Order of Protection and a Full Order of Protection is to restrain a respondent from committing or threatening domestic violence, stalking, communicating or disturbing a complainant’s peace, and entering a complainant’s place of residence. An *Ex Parte* Order of Protection is a temporary order in place until a hearing by a judge. After reading a Petition, the Judge will either grant or deny an *Ex Parte* Order of Protection. This initial decision is made solely on the determination of an immediate and present danger to the complainant based on what is written in the Petition. Court hearings are typically held within 15 days of filing an *Ex Parte* Order of Protection as noted in Missouri law. A complainant must be prepared to present documentation, photos, or other forms of evidence with the paperwork when filing a petition for an *Ex Parte* Order. At a court hearing, a judge can issue a Full Order of Protection for a period of 180 days up to one year. A Full Order of Protection can be renewed twice; each renewal can last up to one year. No new incident of abuse is required if the Order is renewed before the old one expires. The Court may, upon a finding that it is in the best interest of the parties, include a provision that any Full Order of Protection for one year shall automatically renew unless the Respondent requests a hearing by 30 days prior to its expiration (see [Chapter 455](#) and specifically [455.010](#), [455.035](#), & [455.050](#) RSMO. for more information).

All commissioned LUPD officers possess the same powers on the Lincoln University campus as city police officers within their particular city. The Lincoln University Police Department shall enforce any violation of an *Ex Parte* Order of Protection or Full Order of Protection by a respondent in the same manner as any police officer in any jurisdiction. A violation of either type of order in Missouri is considered a class A misdemeanor (1-year imprisonment and/or \$1,000 fine) for the first offense and any subsequent offense is treated as a class D felony (up to 4-years imprisonment and/or \$5,000 fine) per [455.085 RSMO](#). Any person who obtains an Order of Protection from Missouri or any other state should provide a copy to LUPD and/or the Title IX Coordinator. Depending on conditions specified in a particular order the University may make arrangements with both parties that permit access to classrooms, library, the cafeteria, and/or any other public places. These arrangements shall be made to ensure normal access to

public areas that do not violate the terms and conditions of the Order of Protection under normal day to day activities

How to File an Order of Protection

In Jefferson City a [Petition for Order of Protection](#) can be filed at the [Cole County Circuit Clerk's Office](#). This office is located in the [Cole County 19th Judicial Circuit Court](#) building located at 301 East High Street, Jefferson City, MO 65101. The Missouri Adult Abuse Act requires that court clerks explain how to file all of these necessary forms and documents. In addition, most counties have victim advocates to assist you in the process for filing for an Order of Protection and they may even go with you to court. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from domestic violence or a motion for hearing on violation of any order of protection may be filed with the [Cole County Sheriff's Office](#) at 350 East High Street, Jefferson City, MO 65101 (contact [LUPD](#), [JCPD](#), [Cole County Sheriff's Office](#), or review the [Missouri Courts Forms](#) Adult Abuse page and the "[Domestic Violence and the Law: A Practical Guide for Survivors](#)" from the Missouri Bar for more info on Orders of Protection).

Ft. Wood Campus Information for Filling an Order of Protection

[Pulaski County Circuit Clerk's Office](#), 301 Historic 66 East Suite 202, Waynesville, MO. 65583 at (573) 774-6196 and the [Pulaski County Sheriff's Department](#), 301 Historic 66 East Suite 136, Waynesville, MO. 65583, at (573) 774-6196.

"No Trespass" Orders

If there is enough reason to believe (through investigation) that an individual is likely to cause harm to any member on campus the Lincoln University Police Department can issue a *No Trespass* order. Any individual found to be on campus after a *No Trespass* order has been issued against them may be immediately be arrested by the Lincoln University Police Department. "*No Trespass*" orders can be issued against any member of the Lincoln University community (students, faculty, or staff) or the public. No Trespass Orders can be issued by LUPD for a 5 day period and can be extended to a year or longer upon approval by the Lincoln University President. A violation of a No Trespass Order is a class B Misdemeanor that could result in up to 6 months in jail and/or \$500 fine per [569.140 RSMO](#).

Retaliation against any member of the Lincoln University community, acting in good faith, who has made a complaint of threatening or potentially violent behavior, is a very concerning violation of the student code of conduct. Any violation of these polices will also result in serious disciplinary action and/or academic suspension or expulsion.

"No Contact" Order

If the circumstances of an alleged violation is judged to be severe enough by the Dean of Students or LUPD, the university reserves the right to impose a "No Contact" order prior to a conduct hearing has occurred. The use of a "No Contact" order is used when there is a threat to the health and safety of the respondent and/or other members of the university community. "No Contact" orders restrict individuals from entering specific university buildings and activities to eliminate contact with alleged victims and/or other forms of contact with certain person(s). A "No Contact" order can be a temporary order in place while a conduct case or appeal is pending,

or extended to a longer period of time to protect the student(s) and/or other members of the university community from threats to their health or safety (see the [Lincoln University Student Code of Conduct](#) for more info on “No Contact” Orders).

PROCEDURES FOR INSTITUTIONAL ACTION IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

If the assailant is a student, regardless of criminal or civil action, campus administrative action may be initiated through the Student Conduct system. Specific violations related to domestic violence, dating violence, sexual assault, stalking, and retaliation in the [Lincoln University Student Code of Conduct](#) are **Assault** (Article II.B.7), **Harassment** (Article II.B.8), and **Sexual Misconduct** (Article II.B.9).

Student Conduct Procedures

All Student Conduct proceedings shall provide a prompt, fair, and impartial investigation and resolution; and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Filing a Complaint

Any university official or student may file a complaint against a student based on a violation of Lincoln University’s [Student Code of Conduct](#), [Residence Hall Rules and Regulations](#), [University Rules and/or Regulations](#), or other [University Policies](#). In order to file a complaint, an individual must fill out the Lincoln University Incident Form (IRF). This form is available online at: https://www.formstack.com/forms/LU_MO-irf. The University Judicial Officer has the responsibility to receive and, where appropriate, investigate complaints arising out of a claim(s) that the one the University policies has been violated. After receiving a complaint, the Judicial Officer will determine through investigation if the alleged charges have merit. Any student charged with a violation will be scheduled for a Pre-Hearing Conference meeting to begin the investigative process. ***Please note that all Lincoln University employees other than professional and pastoral counselors also have reporting requirements that must be fulfilled under the Title IX policy (see the [Title IX Sexual Harassment, Sex Equity, and Gender Discrimination Processes and Procedures](#) for more info).***

Pre-Conference Hearings

If the case merits a hearing, a written notice along with a hearing date and time will be sent to the student. The student will be given the choice to waive his/her right to a hearing. If the student waives his/her right to a hearing, he/she accepts responsibility for all charges. In the event that a student waives the right to a hearing during the Pre-Hearing Conference, the Judicial Officer will examine the information available, and if the information reviewed indicates that the accused student is responsible, render a sanction ([see possible sanctions](#)). If the information available does not indicate that the accused student is responsible, the student will be found not responsible. If the student pleads “not responsible,” the case will be forwarded to the appropriate disciplinary committee. When a student waives the right to a hearing, sanctions may be appealed to the University President.

Conduct Hearings

In the case of a Conduct Hearing, the Judicial Officer will arrange for the hearing by scheduling a meeting of the Student Life Review Board or the Residence Hall Conduct Council.

- Student Life Review Board (SLRB): The Board generally hears cases that may result in suspension. The SLRB consists of a combination of faculty, staff, and students. The quorum is five voting members; the chair shall not have a vote. The SLRB makes confidential recommendations for disciplinary actions to the Dean of Students who will impose sanctions. Suspension sanctions may be appealed to the President.
- Residential Hall Conduct Council: The council hears cases of residential hall violations. The council consists of resident advisors, resident directors, students and staff. The quorum is five members. The council's decisions may be appealed to the Dean of Students and these decisions are final.

Standard of Evidence

The standard of proof used for a student conduct case is a *preponderance of evidence*. This means a **greater** than 50% chance (based on the evidence by the complainant), that the student is responsible for the code violation in the complaint.

Rights of the Accuser and the Accused

The accuser and the accused are entitled to a prompt, fair, and impartial proceeding that is:

1. Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
2. Conducted in a manner that—
 - a. Is consistent with the institution's policies and transparent to the accuser and accused;
 - b. Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - c. Provides timely and equal access to the accuser, the accused, and appropriate officials to information that will be used during informal and formal disciplinary meetings and hearings (as permitted by state and federal laws); and
3. Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.

Both the accuser and the accused shall be simultaneously informed, in writing, of:

- the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;
- the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; and
- any change to the results that occurs prior to the time that such results become final; and when such results become final.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Formal Title IX Complaint Process

Title IX protects individuals from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs, activities or employment of schools, regardless of the location. Title IX protects both males and females from sexual harassment by any school employee, student, and a non-employee third party. This policy applies equally to all students and employees regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

A person alleging sexual assault, domestic violence, dating violence, or stalking may also utilize the complaint and investigatory procedures set forth in the university's [Title IX Sexual Harassment, Sex Equity, and Gender Discrimination Processes and Procedures](#) which can be obtained at Lincoln University Human Resources Office in order to remedy any hostile environment (see the [Title IX Information](#) and the [Title IX Grievance Procedures](#) webpages for more information).

CONFIDENTIALITY OF VICTIMS

Lincoln University will protect the confidentiality of victims of sexual assaults, domestic violence, dating violence, and stalking to the fullest extent of the law. The following programs and offices of Student Activities, Residential Life, Student Development/Civic Engagement, Student Health Services, Athletics, Career and Academic Support Services, LU ROTC, LU Department of Nursing (Ft. Wood Campus), LUPD, and the Dean of Students will cooperatively work together to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University complaint ([contact information](#)). Additionally, person identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The University does not publish the name of a crime victim nor specific housing information regarding victims in the LUPD Daily Crime Log. Victims may request that directory information on file be removed from public sources. Please contact the Director of Residential life at (573) 681-5971 for more information on removing information from public sources.

COUNSELING SERVICES

Lincoln University has a counselor on staff with [Student Health Services](#) located at the Thompkins Health Center that can be reached at (573) 681-5167. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm. Counseling and support services available to victims who choose counseling and support outside the university system are listed below.

External Counseling Services:

External Organization	Phone Number
St. Mary's Behavior Health Unit	(573) 635-7141
Capital Region Medical Center	(573) 632-5560
The Missouri Coalition for Community Behavioral Healthcare	(573) 634-4626
Rape and Abuse Crisis Service Hotline	(573) 634-4911
Cole County Prosecutors Office Victims' Advocate	(573) 634-9180
Planned Parenthood	(573) 635-2882
Birthright	(573) 635-8822

Please note that services from external sources can be held confidential and some external sources can be contacted 24 hours a day such as the [Rape and Abuse Crisis Service \(RACS\) Hotline](#)

Online Resources:

Organization	Website
Missouri Coalition Against Domestic Assault and Sexual Violence	http://www.mocadsv.org
US Dept. of Justice Office on Violence Against Women	http://www.ovw.usdoj.gov
National Coalition Against Domestic Violence	http://www.ncadv.org
National Sexual Violence Resource Center	http://www.nsvrc.org
Stalking Resource Center	http://www.victimsofcrime.org/our-programs/stalking-resource-center

Faculty & Staff Specific Counseling Services

The current *Employee Assistance Program* (EAP) is made available through the University's current health care provider. The university's benefit plans, including hospitalization and salary continuation (to the extent vacation and sick leave annual balances are available), may be used for domestic/dating violence and/or sexual assault counseling as for any other diseases or disabilities. Please contact Human Resources at (573) 681-5018 or visit the [HR website](#) to obtain more information on counseling services from the current health care provider.

OPTIONS FOR SUPPORTIVE SERVICES

Lincoln University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. Please review other portions of this document or contact a [Campus Security Authority](#) for more information on these services.

OPTIONS FOR CHANGING ACADEMIC, TRANSPORTATION, LIVING AND WORKING SITUATIONS

After a sexual assault, domestic violence, dating violence, or stalking incident has been reported, the victims of such crimes shall have the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate temporary or permanent relocation of the victim to safe and secure working location, alternative housing, and/or transfer of classes if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Please contact the [Director of Residential Life](#) (681-5971) or [LUPD](#) (681-5555) for more information on changing living arrangements.

VICTIMS' RIGHTS

A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with [a written explanation of the student or employee's rights and options](#).

SEX OFFENDER REGISTRY

Pursuant to [20 U.S.C. §1092\(f\)\(1\)](#) and section 121 of the Adam Walsh Child Protection and Safety Act of 2006 ([42 U.S.C. 16921](#)), Lincoln University provides the following information regarding sex offenders. Section 121 (also known as Megan's law) amended 42 U.S.C. § 14071(j) also known as the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act of 1994*.

Pursuant to the afore cited federal laws, persons who are required to register under a state sex offender registry are required to notify the state regarding each post-secondary school at which the offender works or is a student. In the state of Missouri, sex offenders are required to register with the county sheriff's department ([589.400 RSMO.](#)). The Missouri State Highway Patrol maintains a [statewide sex offender registry](#). In addition to the state sex offender registry, the U.S. Department of Justice also maintains a [nation-wide sex offender registry](#).

SEXUAL ASSAULT PROCEEDING DISCLOSURE

Lincoln University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in [Section 16 of Title 18, United States Code](#)), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. This information is guaranteed privacy protection

under the Family Education Rights and Privacy Act (FERPA) and disclosure to the victim or next of kin does not violate any of its provisions.

MANDATORY REPORTER LAW IN MISSOURI ([RSMO. 210](#))

At various times throughout the year faculty and staff members may be responsible for the supervision of various programs in which minors (**individuals under the age of 18**) participate on campus. If a faculty or staff member suspects that a minor on campus is a victim of physical or sexual abuse they should notify the Lincoln University Police Department, a campus administrator (i.e. supervisor), and the Children's Division of the Department of Social Services (*the Department*).

By law, a mandatory reporter must notify the Department directly and not just supervisors. All faculty and staff responsible for the supervision of a child for any part of a 24 hour day are considered mandatory reporters under [RSMO. 210.110](#) & [210.115](#). Responsible employees cannot leave the onus of reporting in the hands of the chain of command of an organization. Lincoln University shall not impede or inhibit any employee from reporting. No person making a report shall be subject to any sanction, including any adverse employment action, for making such report. If it is discovered that a mandatory reporter has **not** notified the department of possible abuse, the individual could be subject to be found guilty of a class A misdemeanor (up to 1 year in jail or \$1000 fine) per [RSMO. 210.165](#).

[How to Make an Official Report](#)

If an individual is not sure it's abuse or neglect, they can call *the [local Children's Division office](#)* to discuss their concerns. They can advise the individual whether or not to call the hotline.

They can also give advice that might help you help the family in crisis.

An individual may call the hotline at 1 (800) 392-3738, The Children's Division staff this hotline 24 hours a day, 7 days a week, 365 days a year. They will take information from you and respond to child abuse and neglect. If you live outside Missouri and want to report abuse or neglect of a Missouri child, call (573) 751-3448.

Be sure you have:

the name of the child
the name of the parent(s)
the name of the alleged abuser
where the child can be located

You will also be asked:

Is the child in a life-threatening situation now?
How do you know about the abuse/neglect?
Did you witness the abuse/neglect?
Were there other witnesses and how can they be contacted?

Since 2016 the Children's Division of the Dept. of Social Services has developed an online reporting form that is now available for mandated reporters only and should only be used to report non-emergencies. If it is an emergency or life-threatening situation, call 911 immediately and then report it directly to the Child Abuse and Neglect Hotline.

FIRE SAFETY (34 CFR 668.49)

DESCRIPTION OF ON-CAMPUS HOUSING FIRE SAFETY SYSTEM

	Fire Alarm monitoring by LU personnel	Partial Sprinkler System ¹	Full Sprinkler System ²	Fire Extinguishing Devices	Smoke Detection Devices	Evacuation Plans/Placards	Number of evacuation (fire) drills 2016
Anthony	Y	N	Y	Y	Y	Y	1
Bennett	Y	N	Y	Y	Y	Y	1
Dawson	Y	N	Y	Y	Y	Y	1
813 Locust ⁶	N	N	N	N	Y	N	0
Hoard	Y	N	Y	Y	Y	Y	1
Martin ³	N/A	NA	NA	NA	NA	NA	NA
Perry ⁴	Y	N	N	Y	Y	Y	1
Sherman D. Scruggs	Y	N	Y	Y	Y	Y	1
Thompkins Center ⁵	Y	N	N	Y	Y	Y	1
Tull	Y	N	Y	Y	Y	Y	1
Yates	Y	N	Y	Y	Y	Y	1

(1) Partial Sprinkler system is defined as having sprinklers in the common areas only

(2) Full Sprinkler system is defined as having sprinklers in both common areas and individual rooms

(3) Martin Hall has been closed since Fall 2010 semester (Reopened Fall 2016)

(4) Perry Hall was closed in 2013, but was reopened for the Fall 2014 semester

(5) Thompkins Center Housing was used in the 1990's and reopened in Fall 2014 semester

(6) 813 Locust opened in Fall 2016 semester as student housing

ELECTRICAL APPLIANCES

Hot plates or other LU cooking appliances are not allowed in the residence halls. The only other appliances permitted are:

- Refrigerator, microwave, clothes iron (with temperature settings), curling iron, electric blanket (with temperature settings), hair dryer, hair rollers, heating pad (with temperature settings)

SMOKING AND OPEN FLAMES

Smoking and open flames are not allowed inside residence halls on campus and as of January 1, 2013 Lincoln University became a smoke free campus.

CAMPUS EMERGENCY/FIRE EVACUATION POLICIES

The fire alarm alerts community members of a potential hazard, and community members are required to heed their warning and evacuate a building immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. Each elevator is equipped with an emergency telephone button in the

event that a resident is trapped in an elevator. All emergency phones in elevators ring directly to the Lincoln University Police Department.

In the event of a fire, residence hall occupants are expected to do the following:

- Cooperate fully with all University or emergency services personnel.
- Evacuate in a safe, orderly manner via the closest exit.
- Exit via stairwells, NOT by an elevator.
- Help others who need assistance.
- Pull the fire alarm on your way out of the building
- Take personal belongings if time permits
- Make sure you lock the door as you exit.
- Go to the designated meeting place outside.
- Remain outside the building until University or emergency services personnel give the all-clear.

If an occupant is trapped in a residence hall:

- Remain in his/her room
- Seal the base of the door to prevent smoke from entering
- Call 911 and alert emergency personnel to occupant's location
- Open a window and signal for help.

FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

LUPD provides handouts for fire safety available to all students living in residence halls and rules regarding fire safety are listed in the LU Student Handbook. Resident assistants (RA)'s also provide information on fire safety in each residence hall, and a copy of Emergency Response Procedures is placed inside of each door room. Lincoln University Environmental Health & Safety (EHS) provides Fire Safety Training as part of the annual training modules for the University Faculty and Staff.

FIRE REPORTING

Pursuant to [34 CFR 668.41](#), Lincoln University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires. These are fires to be reported, if it is unclear that the Lincoln University Police Department has already been notified in the event of such a fire, individuals are asked to contact the following with information about the location, date, time and cause of the fire: Lincoln University Police Department (573) 681-5555 and [Housing & Residential Life Office](#) (573) 681-5478. A copy of the fire log may be obtained at the dispatch center within the Police Department, located next to Dwight T. Reed Stadium at [1118 Chestnut Street](#).

PLANS FOR FUTURE IMPROVEMENT AND FIRE SAFETY

No plans noted at this time.

Attachments

Crime Statistics Tables

Table 1: Criminal Offenses

Table 2: VAWA Related Offenses

Table 3: Arrests

Table 4: Judicial Referrals



Hate Crime Statistics Tables

Fire Statistics Tables

