




MONTANA
STATE UNIVERSITY
Office of the
Dean of Students

2023

**Annual Security and
Fire Safety Report (Revised)**
MONTANA STATE UNIVERSITY

2023 Annual Security and Fire Safety Report (Revised)

For Reporting Year 2022, 2021 & 2020

The original 2023 ASFSR was published on September 28, 2023. An administrative error was discovered by the University on January 18, 2024 that has since changed a number of MSU's crime statistics. These statistics have been updated and the revised report was published on February 15, 2024.



Office of the
Dean of Students



President Cruzado and Champ on the first day of classes



Waded Cruzado

To the members of the Montana State University academic community:

Our highest priority at MSU is the safety of our students, faculty, staff and visitors while they spend time on our campus. I am extremely proud of the partnerships we have established to advance the collective safety and security of our campus; but we must never slow our efforts. This requires all our cooperation and a willingness to communicate with each other. Please, when you see something of concern, say something. University Police may be reached 24-hours a day at 406-994-2121 or in an emergency at 911.

I encourage you to read the information contained in this, our Annual Security and Fire Safety Report. I especially want to bring your attention to our policies and procedures for reporting crimes and other emergencies on campus, along with the numerous safety programs designed to prevent injuries or other dangerous incidents. If you have any suggestions on how to improve campus safety or security, please email me at president_cruzado@montana.edu.

Together, we can continue to ensure the safety and well-being of our entire campus.

Sincerely,

– Waded Cruzado, President



Mike Stanley

From the Chief of Police, Chief Compliance Officer, and Dean of Students:

Thank you for taking the time to review our Annual Security and Fire Safety Report. As our departments offer programs, policies and services that respond to criminal activities and campus violations, we also take time every year to make necessary changes and improvements. You will find many of these programs, policies and services listed in this publication. Also, in this report you will find important information on how and where to report criminal activity and campus violations, along with how MSU responds after receiving such reports.



Matthew Caires

MSU's Annual Security and Fire Safety Report is published in compliance with the requirements in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which was signed into law in 1990. Listed in this report are the statistics for the various "Clery" crimes that have been reported to MSU during the last three calendar years. All members of our campus community receive an email at the beginning of every academic year with the exact web address for this online report, and hardcopies are available upon request through the Office of the Dean of Students.



Justin Arndt

This publication is a campus-wide collaboration with numerous departments and agencies. Beyond our departments, we especially want to thank the Office of Institutional Equity, VOICE Center, MSU's Fire Marshall, University Student Housing, and the Office of Health Advancement for their important contributions to this year's report.

Our goal every year is to ensure the highest levels of safety and security for our campus, and we are always seeking ways to improve on the services and programs we offer. After you read the Annual Security and Fire Safety Report, we would welcome any feedback or comments.

– Mike Stanley, Chief of Police, Matt Caires, Dean of Students and Justin Arndt, Chief Compliance Officer



MSU campus in the fall

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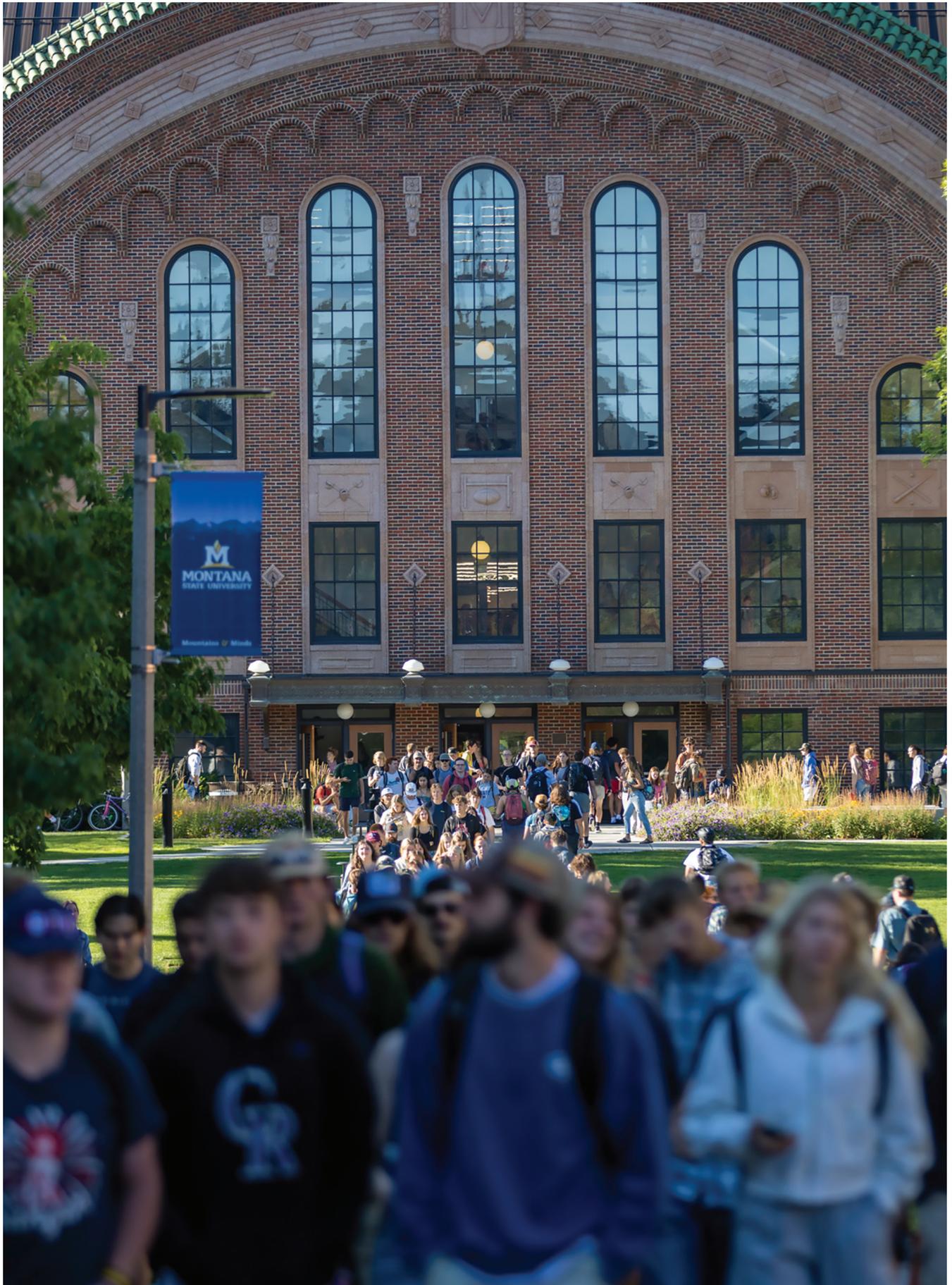
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Geography

This report applies to the MSU campus located in Bozeman. The crime statistics include all crimes reported to MSU's University Police Department (UPD) or Campus Security Authorities for all campus geography including on-campus, on public property within or immediately adjacent to the campus and in non-campus buildings that MSU owns or controls. Where applicable, MSU reached out to local law enforcement for any Clery crimes reported to them and, if provided, this report includes those crimes. More information about MSU's Clery geography and a Clery Map can be found at <https://www.montana.edu/clery/clerygeographydefinitions.html>.

MSU's non-discrimination policy

Montana State University's campuses are committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran's status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our University. Please direct any inquiries regarding MSU's non-discrimination policy or procedures to the Director of Institutional Equity at OIE@montana.edu



Montana State University welcomes students back to campus for the first day of the Fall 2023 semester

Safety on Campus

MSU'S UNIVERSITY POLICE DEPARTMENT (UPD)

The Montana State University Police Department (UPD or Department), established by Montana law (Section 20-25-321 Montana Code Annotated), has primary responsibility for law enforcement on the MSU campus and its jurisdiction extends one mile beyond the campus for University related activities. This means Officers have authority to enforce State, Local and Federal laws and University Policies. UPD police officers have full authority within this jurisdiction and provide a broad range of services to the campus.

The Department provides continuous year-round law enforcement protection to the Montana State University community. Twenty-four-hour police services are provided with access to municipal fire and emergency medical services.

Working relationship with local, state, and federal law enforcement agencies

The UPD also has an agreement with the City of Bozeman which allows University police officers to enforce Bozeman municipal ordinances and state laws within both the city limits of Bozeman and within a three-mile radius of the city limits while in the performance of their UPD assigned duties. The University Police Department maintains a strong working relationship with state and local police agencies, including the Bozeman Police Department, Gallatin County Sherriff, and Montana Highway Patrol.

In an effort to increase interagency communication and coordination, enhance victim service and offender accountability, the Bozeman Police Department and UPD have entered into an agreement. This agreement has established a Special Victims Unit (SVU) that investigates allegations of Felony Sexual Assault, Sexual Intercourse without Consent, Sexual Abuse of Children, Internet Crimes Against Children (ICAC), Felony Domestic Violence, Felony Stalking and other sexual assault related calls within the Bozeman and MSU Police Department's jurisdictions. UPD has assigned one detective to this SVU.

Crimes involving student organizations at off-campus locations

The agreement gives the UPD primary jurisdiction on other University-related property and at University events within the city—for example, on property occupied by student organizations, and at events sponsored by the University. However, UPD limits officer jurisdiction to the MSU buildings and surrounding public property, unless there is an emergency and MSU officers are activated to assist under a Mutual Aid agreement.

MSU has officially recognized student organizations that own or control housing facilities outside of the MSU core campus. If Bozeman PD is called by a citizen to respond to one of those locations, Bozeman PD will typically notify UPD to respond with them or they will notify UPD after they have responded to inform MSU of the situation. However, Bozeman PD does this out of courtesy and is not “required” to notify or involve UPD when they respond to a call involving private property. The UPD, Gallatin County Sheriff’s Office, and the Bozeman PD provide mutual aid assistance to each other when requested.

Role, Authority and Training

University Police Officers are certified Peace Officers for the State of Montana and sworn to all of the responsibilities and powers of a Peace Officer in Montana, including the duty to maintain public order and the power to arrest. All sworn officers are graduates of an accredited Police Academy and professional and formal education is stressed for all officers.

Most officers hold a B.A. degree or are working towards a degree. The University combined its dispatch with the local County dispatch to provide more efficient and effective services. All County Dispatchers are trained and certified by the State of Montana. The Director is the University Police Chief and is responsible for the management of the UPD and reports directly to the Vice President of Finance and Administration. However, all public safety services are closely coordinated with other key university administrators as well as local officials.



Montana State University Police Officers interact with the community during the National Night Out event at Bozeman Pond

REPORTING CRIMES AND OTHER EMERGENCIES

CRIME OR EMERGENCY REPORTING

Crime is a reality at Montana State University, and preventing crime is everyone's responsibility on campus. Unreported crime is a criminal's greatest ally. If you suspect a criminal act has taken place, MSU highly encourages accurate and prompt reporting. Contact the University Police Department located at the corner of 7th Avenue and Kagy Boulevard, in the Roy E. Huffman Building or dial:

MSU Core Campus

Emergency: 911

Non-Emergency: 406-994-2121

Suspicion of crime does not require proof. If you suspect a crime has been committed or is being committed, call the University Police Department immediately. Make a difference, call. Only concerned citizens can prevent crime.

If you are a victim or witness of a crime: Report the incident immediately to the University Police. If you can, gather pertinent information, such as sex, race, hair color, length and texture, body size, clothing description, scars and other noticeable characteristics, modes of travel, type of vehicle, color and license information.

Suspicious persons: If you see anyone acting suspiciously, call 911. Do not approach the individual yourself. Report the type of suspicious behavior and the location. Relay pertinent information concerning the involved person including age, sex, dress, vehicle and direction of travel.

Bomb threats: If you receive a bomb threat, it is important to obtain as much information as possible from the caller. Things to ask are: (1) location of bomb, (2) time of explosion, and (3) type of bomb.

Make mental notes about the caller's voice, and background noises which you may hear. Call 911 immediately. Do not panic. The University Police will search the area, notify properly trained personnel, and notify emergency services. The University Police, in conjunction with the building supervisor and administration, will determine if evacuation is necessary.

What to Report: When calling the University Police Department to report an incident, please provide the following information:

- Your name (optional)
- Location of incident
- Type of incident
- Description of suspect, vehicles or other pertinent information
- Return telephone number (optional)

Members of the MSU community are encouraged to report crime and emergencies accurately and promptly to the University Police Department and the appropriate police agencies, including when the victim of a crime elects not to, or is unable to, make such a report.

VOLUNTARY CONFIDENTIAL REPORTING – GENERAL CRIME

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report.

With your permission, the University Police Chief (or designee) can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. If you wish to make a confidential report, MSU offers the Silent Witness Program to anyone who has witnessed, or knows about, a crime committed on campus. You are welcome to send email to switness@montana.edu with information you feel may be useful in keeping your campus safe and secure. Silent Witness reporting is also available on the SafeCats app. You should provide the information as described in the previous paragraph.

UNIVERSITY POLICE RESPONSE TO REPORTED CRIMES

The University Police Department will respond to reports of crime against persons and all property owned, controlled, leased or operated by Montana State University which includes Fraternity/Sorority (Greek) residences located within one mile of the campus boundary. On a 24-hour basis, dispatchers can instantly dispatch the University Police, Bozeman Fire, Emergency Medical Services, and, if needed, will request assistance from the Bozeman PD and/or Gallatin County Sheriff's Office.

All UPD incident reports that involve MSU students are forwarded to the Dean of Students Office or the Office of Institutional Equity for review and for potential student conduct adjudication, as appropriate. UPD Investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Dean of Students. If assistance is required from the Bozeman PD or the Bozeman Fire Department, UPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including UPD, will offer the victim a wide variety of services.

All reports of criminal activity occurring within the jurisdiction of the UPD will be investigated and, if the investigation confirms a violation of the state criminal code, the matter will be referred to the Gallatin County Attorney or Bozeman City Attorney for prosecution. Reports of criminal activity received by the UPD occurring outside of its jurisdiction will be referred to the appropriate city or county law enforcement agency.

DAILY CRIME LOG

MSU will make timely reports to the campus community regarding the occurrence of crime on campus. A log of daily crime reports and incidents are maintained and available for review by the campus community and the public at large. This crime log can be found on-line or accessed at the customer service desk of the University Police Department.

MSU EMERGENCY COMMUNICATION

MSU uses three types of notifications to warn the campus community in the event of an emergency or public safety risk.

- **Timely Warnings** are issued in the event of a Clery crime that happens within MSU Clery Geography, and that represents a serious or continuing threat to the campus community. Clery Geography is defined on page a7 at the end of the table of contents.
- **Emergency Notifications** are issued during on-campus emergencies or critical incidents that pose an immediate threat to the health and safety of the campus community.
- **Public Safety Advisories** are issued in situations that don't meet the requirements of a Timely Warning or Emergency Notification, but in which it may still be necessary to notify the MSU Community and provide information to keep our community safe and informed.

See past Timely Warnings, Emergency Notifications, and Public Safety Advisories at <https://www.montana.edu/police/crimealert.html>.

MSU ALERT DELIVERY MECHANISM

When an emergency occurs on campus, MSU strives to provide the MSU community with the critical information needed to protect themselves. MSU Alert is a Wireless Emergency Notification System (WENS) powered by Everbridge. The system is used to transmit brief, urgent messages to a large segment of the MSU population as quickly as possible.

MSU takes steps to register community members in the software, but individuals may also opt into the system

More specifics about the registration process include:

- All students, faculty, and staff are automatically enrolled into the MSU Alert system. Contact information provided to the MSU Alert system is gathered from student and employee MyInfo accounts. Students, faculty and staff shall ensure their MyInfo account is up to date with current cellphone number, work email, and personal email address.
- The local community, family, and friends are encouraged to opt into the university Emergency Notification system by texting "montanastate" to 888-777. Opt-in steps can be found here: https://www.montana.edu/msualert/msualert_optin_family_friends_visitors_localcommunity.html
- Students, faculty and staff are strongly encouraged to familiarize themselves with the intent and purpose of the MSU Alert system. For more information, go to the MSU Alert webpage (<http://www.montana.edu/msualert/>).

TIMELY WARNING NOTIFICATIONS

The University Police Department (UPD) is responsible for developing and disseminating Timely Warnings to the MSU community. Once an incident that may require a Timely Warning has been reported, the Chief of Police or designee, often in consultation with other campus administrators (including but not limited to the Dean of Students, Legal Counsel, Managing Director of the Office of Institutional Equity & Title IX Coordinator, and the Emergency Management Director) will determine whether the criteria for issuing a Timely Warning have been met. The decision to send a Timely Warning will be made on a case-by-case basis.

The following four conditions should be met prior to issuing a Timely Warning:

1. One of the following statutorily designated crimes (Clery crime) is reported to UPD or a Campus Security Authority (CSA):

- **Criminal homicide** – Including murder and non-negligent manslaughter, and manslaughter by negligence.
- **Sex offenses** – Including rape, fondling, incest, and statutory rape.
- **Robbery.**
- **Aggravated assault** – Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by UPD and after consultation with the Gallatin County Attorney.
- **Burglary and/or motor vehicle theft** – In general, Timely Warnings will not be issued for single incidents. A Timely Warning may be distributed if a series of incidents poses a continuing threat to the MSU community.
- **Arson.**
- **Hate crimes.**
- **Domestic violence, dating violence, or stalking.**
- **Arrests and referrals for drug, alcohol, and weapons law violations.**

2. The reported crime occurred at a **Clery-reportable location**

3. The crime was reported to a CSA or University Police.

4. The reported crime presents a **serious or continuing threat** to MSU students, faculty, and staff, as determined at MSU's discretion. Factors for determining whether an incident poses a serious or continuing threat include:

- Whether the suspect has been apprehended
- Timeliness of the reported crime to UPD
- Whether a pattern of crimes exists that places MSU students or employees at risk of becoming victims of a similar crime



Montana State University students use the Renne Library

Timely Warnings will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. In most cases, the name of the respondent will not be included in a timely warning.

Timely Warnings will include: a brief statement of the incident, a physical description of any suspect(s), appropriate safety tips (as required by Clery Act), and other relevant, available information.

Timely Warnings will be distributed by the Chief of Police (or designee) via email as registered with MSU Alert with the subject line including the words “Timely Warning.” Timely Warnings may also be distributed via SAFECATS App.

When members of the Office of Institutional Equity (OIE), in their role as campus security authorities, learn of an incident that may require a Timely Warning, but the reporting person requests that the OIE not communicate with law enforcement, OIE may still notify UPD of the incident as part of that office’s obligation to provide a safe and nondiscriminatory environment. To the extent possible, OIE will maintain confidentiality while still providing information to UPD for a timely warning.

The institution is not required to issue a Timely Warning with respect to Clery crimes reported to a pastoral or professional counselor.

EMERGENCY NOTIFICATION

MSU will, upon confirmation of an ongoing significant emergency or dangerous situation on campus that poses an imminent threat to the safety of community members, immediately issue an Emergency Notifications to the campus community.

Confirmation means MSU officials have verified that a significant emergency or dangerous situation is occurring or may soon occur on the campus that involves an immediate threat to the health or safety of students or employees.

While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following situations are examples that may warrant an Emergency Notification after confirmation.

- Active shooter
- Hostage/barricade situation
- Riot
- Suspicious package
- Suspicious death
- Structural damage to a university-owned or -controlled facility
- Biological threat (anthrax, etc.)
- Gas leak



Flowers bloom on a tree near the Strand Union Building

- Bomb/explosives (threat)
- Communicable disease outbreak
- Severe weather
- Natural disaster
- Hazardous materials incident
- Structure fires

MSU will, without delay, and considering the safety of the community, determine the content of the Emergency Notification and initiate the Emergency Notification process through MSU Alert, unless the Emergency Notification will, in the professional judgment of responsible authorities compromise efforts to assist the victim or victims or compromise efforts to contain, respond to, or otherwise mitigate the emergency, such as compromising the efforts of first responders

Initial Emergency Notification Responsibilities

UPD command staff and emergency management staff are responsible for initiating Emergency Notifications.

UPD may seek assistance from University Communications in writing Emergency Notifications and assistance with broader distribution once the initial alert has been issued through such mechanisms as:

- The MSU website
- Official university social media sites
- Internal campus email systems
- Incident/event-specific web pages, if needed
- Website Homepage Banner

University Communications is responsible for sending initial MSU Alerts if UPD or Emergency Management is not available or is unavailable because they are focused on coordinating a safe and effective emergency response.

The campus maintains an emergency operation plan that outlines responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular departments or positions.

Population Notified/Segmented Notification

In the situations when a single facility/area is involved, facility alarms, public address systems, phone trees, and other available technologies may be utilized to provide warning to a specific portion of the campus population. If the situation is limited to a specific facility/area and does not pose a threat or impact to the campus as a whole, UPD may identify the appropriate segment or segments, determine the appropriate segmented notification process, and issue the emergency notification only to those impacted. Should a segmented notification be issued, on-going assessments of the situation will occur, and a campus-wide notification may be sent as necessary.

Emergency Notification Content

The content of an Emergency Notification will depend on the situation and the notification method. The UPD shift commander, the UPD administrator on call, Emergency Management, and/or the Chief of Police, will determine the content of the messages. However, the following information will be included in all initial Emergency Notifications regardless of the situation or method:

- A description of the situation (e.g., severe weather warning, dangerous situation)
- Location of situation if known (e.g., building, area of campus)
- Relevant safety instructions (e.g., be prepared, shelter in place)

A fourth element of where to get additional information will be included, if feasible. Because of text character limits or the immediate availability of information, the fourth element of where to get information may not always be included in Emergency Notifications. Typically, more information will be provided on the MSU Alert website (<http://www.montana.edu/msualert/>) during ongoing emergency events.

Follow-Up Information

As deemed appropriate by the responsible institutional official, follow-up messages deemed necessary during an emergency may be distributed to the campus community and an “all clear” notification may be distributed at the conclusion of a significant emergency or dangerous situation. Any follow-up notifications and the “all clear” message will be sent using some or all of the same communication methods used to send the original Emergency Notification. These follow-up notifications should include campus operating status, if relevant.

SYSTEM TESTING

In compliance with federal law, the MSU Alert system as used for Emergency Notifications is tested once a year. During the test, all Emergency Notification capabilities are evaluated for performance and examined for potential problems regarding that alert channel. Problems identified are investigated, corrected, and retested to ensure the entire system is functioning as expected and ready for deployment. During these scheduled (announced) tests, campus community members are also encouraged to verify their contact information is correct, report any problems they may have had receiving alerts, and become familiar with the location of emergency information. Testing of the emergency response system is typically announced through internal campus emails. In addition to the Emergency Notification system test, the campus departments may conduct drills, tabletop, functional, and full-scale exercises to test their individual emergency response plans as well as campus emergency operations plans and annexes. At the conclusion of each exercise, an after-action review is conducted to gather lessons learned and note areas that worked well aimed at improving the written plans.

PUBLIC SAFETY ADVISORY

Public Safety Advisories (PSA) are used to notify students, faculty, and staff of situations that do not meet the criteria of an Emergency Notification or Timely Warning. PSAs will be issued through the MSU Alert system.

MSU will facilitate notifications about such situations, in coordination with involved departments, as appropriate.

EMERGENCY ACTIONS AND EVACUATION PROCEDURES

This section establishes the emergency actions and evacuation procedures for Montana State University. These procedures have been established to ensure the safety and welfare of MSU students and employees to the greatest extent possible. They are aligned with and in compliance with the Higher Education Opportunity Act, which requires all Title IV institutions, without exception, to have and disclose emergency procedures in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Active Shooter Procedures

An active shooter is a person actively engaged in killing or attempting to kill people in a confined and populated area. Although the likelihood of an active shooter event occurring at MSU is extremely low, it is important that members of the MSU community understand how to respond should they find themselves in such a situation. Below is guidance regarding what to do during an active shooter event as well as what to expect when law enforcement arrives on scene.

DISCLAIMER: An individual must use his/her own discretion during an active shooter event as to whether he/she chooses to run to safety or remain in place. However, best practices for surviving an active shooter event are listed below.

REMEMBER: Law Enforcement's first priority is to confront and disable the threat.

- 1) **Run:** Can you safely escape? At the first signs of a possible active killer situation, flee the area as quickly and quietly as possible. Move away from the sound of violence and do not stop for anything along the way. Warn others of the danger and keep people away from the building once you have escaped.
- 2) **Hide:** If running is not an option, hide in a room that you are able to lock or barricade; if you can't find a room, hide behind a large, solid object that blocks you completely from view. If it is safe to do so, call 911 and alert dispatch to the shooter's last known location. Keep the line open even if you are unable to talk so that the dispatcher is able to track the situation.
- 3) **Fight:** In certain situations, when running and hiding are not possible, prepare to fight back against the aggressor. Use heavy or pointed objects to aid in your defense. Engaging the aggressor as a group is always more effective, and once the decision is made to retaliate, you should not hesitate.

Shelter-in-Place Procedures

A Shelter in Place notification may be issued during a severe weather event, a hazardous materials incident, or an active threat to the campus. The MSU Alert System will be used to issue the notice of a shelter in place. Instructions of immediate actions will be provided in the MSU Alert message. Three types of messages may be issued “Shelter in Place – Secure”, “Shelter in Place - Weather”, and “Shelter in Place – HAZMAT.”

1. **Shelter in Place – Secure:** This notification will be issued when an active threat to the campus is possible. Active threats are human caused situations requiring immediate actions by law enforcement. Remember if an active shooter situation is occurring on campus, MSU Alert communications will clearly relay the information of an active shooter and instructions to RUN, HIDE, FIGHT.
2. **A Shelter in Place – Weather:** This notification may be issued when a significant weather situation is expected to impact the campus. Weather situations may include extreme winds, large hail, tornadoes, or microbursts.
3. **Shelter in Place – HAZMAT:** This notification will be issued when a hazardous materials situation has occurred on campus or could affect the campus. Hazardous material releases are often accidental and may result from a transportation accident or laboratory work. All or portions of campus may be asked to Shelter in Place - HAZMAT during an incident of this nature. It is possible portions of the campus will also be asked to evacuate.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit and dial 911.

1. Remain calm
2. Do NOT use elevators — use the stairs
3. Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell and immediately inform UPD or the responding fire department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

The emergency evacuation procedures are tested at least twice each year. MSU may test evacuation procedures in academic/office buildings or in University Student Housing. The tests may be announced or unannounced. The tests will be documented, including a description of the exercise, the date and time and whether it is announced or unannounced. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel

when exiting each facility for a short-term building evacuation. Occupants are told in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat.

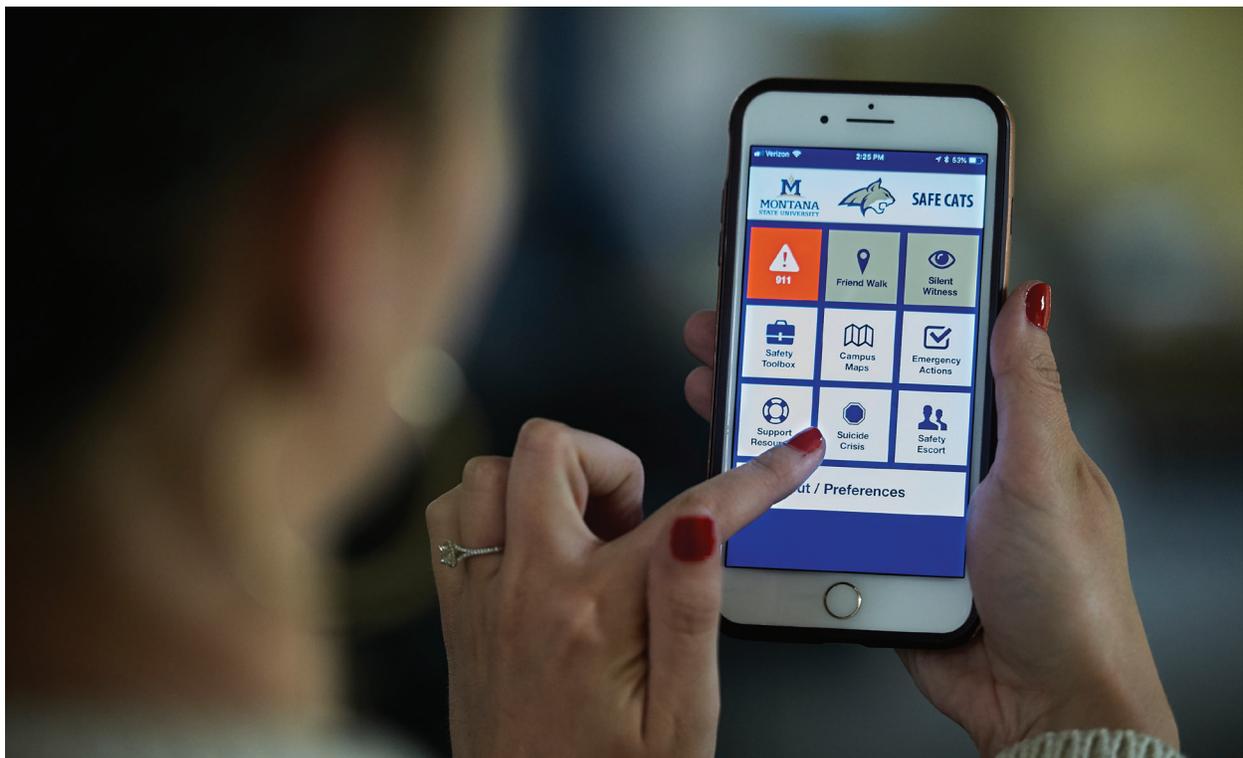
For additional information on emergency actions and evacuation procedures, visit: https://www.montana.edu/emergency/emergency_actions/index.html

CAMPUS SAFETY

Educational Programs concerning security awareness, personal safety, and crime prevention, including the prevention of sexual assault, (including rape, fondling, incest and statutory rape) and personal safety techniques are offered by a variety of groups and individuals on campus each year, including UPD, Dean of Students, Office of Health Advancement (OHA), Office of Emergency Management (OEM), Safety and Risk Management (SRM), Office of Institutional Equity (OIE), Counseling & Psychological Services, the VOICE Center, University Student Housing and others.

During the 2022-2023 academic year, MSU offered approximately 50 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others.



The SafeCats Safety App

The UPD provides safety and security education through numerous presentations to on-campus groups and other presentations upon request. The OHA offers outreach and presentations upon request for residence halls, fraternity and sorority life and student groups on topics related to risk reduction/harm reduction; bystander intervention; Alcohol, Tobacco and Other Drugs (ATOD); and healthy relationships.

Safety and Risk Management provides safety and compliance training free of charge to University employees; including workplace safety, occupational health & safety, and laboratory training courses.

Programs and presentations available annually include:

- AED/CPR/First Aid Training
- Fire extinguisher Training
- Chemical Safety Training
- E-Scrap Computer & Electronic Recycling
- Ice Gripper Program (MSU employees)
- Alcohol awareness
- Drug awareness
- Crime Prevention covering crimes such as rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual intercourse without consent, relationship violence, privacy in communications, and stalking
- Run, Hide, Fight - Active shooter protocol
- Workplace violence protocols
- New Employee Orientation
- Internet Safety and Security
- Facility Intruder Awareness for Secure Facilities
- International Student Orientation
- Property security
- Personal safety
- Bicycle safety
- Identity theft
- VOICE Center and Not In Our House taskforce educational presentations on bystander intervention and interpersonal violence prevention
- Insight – OHA classroom instruction based on self and administrative referral for individuals dealing with alcohol & drug related issues
- Others upon request

University Student Housing staff regularly address residence hall safety and security rules and precautions, and personal safety considerations with all residents at floor and hall meetings. Safety and security rules and guidance are provided in the University Student Housing Community Standards.

SAFECATS SAFETY APP

SafeCats is a safety app that allows the user to contact police, request a safety escort, or to activate a Friend Walk in a single mobile application. The SafeCats app is available for both Android and Apple cellular phones and is available free of charge.

MSU CARE PROGRAM – CAMPUS ASSESSMENT RESPONSE EVALUATION

As a result of growing national trends on college campuses with increasing student mental health needs and unsafe behaviors leading to harm or death, MSU has created the MSU CARE Program. In order to promote the safety and wellness of our community, the MSU CARE Program addresses behaviors that are disruptive, dangerous, and may include mental health and/or safety issues.

The MSU CARE Program includes two specialized advisory teams managed through the Office of the Dean of Students (DOS). Our CARE and BIT teams are committed to improving campus safety and security by proactively and collaboratively coordinating purposeful interventions to situations that pose a threat to the safety and well-being of the campus community or any of its members.

Behavioral Intervention Team (BIT): The members of this team manage cases after it has been reported that a student may be a danger of harming themselves or others, including incidents when students display suicidal ideation, homicidal ideation, or after a suicide attempt. When the BIT is aware of a student who was transported to the hospital or the crisis stabilization unit after a suicide attempt or other serious mental health concern, they follow-up and offer to coordinate ongoing services and support.

CARE Team: The members of this team manage cases after it has been reported that a student is demonstrating behaviors or experiencing stressors that are interfering with their ability to be safe and successful students.

The MSU CARE Program is housed within the Office of the Dean of Students and is comprised of the Behavioral Intervention Team (BIT) and the Campus Assessment Response and Evaluation team (CARE).

The BIT and CARE Teams consist of university personnel with expertise in law enforcement/threat assessment/tactical applications, university operations, mental health, and student affairs. The team members have regular contact with campus community members in some manner, which will aid in the assessment of students of concern, and/or the authority to take the appropriate action, as needed.

What if I am concerned about someone?

A person of concern is any individual who demonstrates disruptive or problematic behavior, expresses personal difficulties, exhibits mental or emotional instability, or otherwise causes another member of the campus community to feel apprehension for their safety or for the safety of the person of concern.

To report a concern, visit: <https://www.montana.edu/deanofstudents/care> or submit a CARE report using the SafeCats app. Additional questions and concerns can be directed to the Office of the Dean of Students.

OTHER CAMPUS SAFETY PROGRAMS

Student Conduct Program and Policy

The student conduct process at MSU is not intended to punish students; rather, it is a developmental process which exists to challenge those whose behavior is not in accordance with our policies and to foster a better understanding of the expectations that exist for members of our academic community. Most conduct cases at MSU are resolved through administrative meetings. These are one-on-one conversations between the student and a Conduct Officer.

During an administrative meeting, the Conduct Officer will provide the student an opportunity to share their account of the incident, view incident reports and/or other written documentation, ask follow-up questions, and discuss potential outcomes (sanctions) if the student is found responsible for violating the Code of Student Conduct (Code). The primary focus of these meetings is to determine what happened and if a violation took place, assist the student in understanding the impact of their behavior, and provide a space for the student to begin reflecting on how to learn from the incident. If it is determined that a violation of the Code occurred, and that the student is responsible, most administrative meetings conclude with an administrative agreement in which the student agrees to take responsibility for their involvement in the incident and to complete a sanction or set of sanctions that will help them learn from the incident.

The conduct process also includes a more formal route for resolving conduct cases called a conduct hearing. A conduct hearing is utilized if an administrative agreement cannot be reached, if the severity of the incident or the student's conduct history warrants a more in-depth adjudication process, or if the student chooses to participate in a hearing instead of first meeting with a Conduct Officer. The procedures and guidelines for conduct hearings are detailed in the Code.

Sanctions are intended to improve the students' moral and ethical decision-making and to help them learn more about what is expected as members of the MSU community. In determining a sanction, the Conduct Officer will rely on the Common Sanctioning Guidelines, but may also consider the student's present and past disciplinary record, including residence hall disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, and other factors relevant to the case.

Additionally, more than one sanction may be assigned upon the completion of a hearing or proposed by a conduct officer. In cases where students fail to demonstrate an understanding of established conduct standards or pose a threat to the continuing safety of the academic community, the conduct officer may determine that the student should no longer share in the privilege of being a student member of MSU's academic community.

(HEOA) Notification to Victims of Crimes of Violence

MSU will disclose upon written request the results of any disciplinary proceeding, conducted by the institution, to the alleged victim of a crime of violence or a non-forcible sex offense 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 disclosure.

Disclosure of the results of a proceeding to the charging student and the charged student in 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).

University Student Housing

University Student Housing distributes educational information to each resident about Safety and Security in the halls and on campus, including information about vandalism and reporting suspicious persons and activities. This communication also contains information about missing persons reporting, the silent witness program, and residence hall access.



Montana State University welcomes students back to campus for the first day of the Fall 2023 semester

Additionally, each semester, University Student Housing provides educational programming for residents that focuses on safety and security in the buildings. In the fall semester, each building completes a program that addresses the importance of locking doors in the hall by going to every door in each hall and giving out educational materials. In the spring semester, each building designs a safety program that meets the specific needs of that building. Examples of those programs include cyber security, reporting suspicious persons, and leaving items unattended in common areas.

Fraternity and Sorority Life Training

Each Fraternity and Sorority chapter at MSU is required by the Dean of Students to host a sexual assault prevention training with the VOICE center each semester. A variety of other health and safety trainings are held during the academic year. Topics include but are not limited to: sexual health and awareness, bystander intervention, men and women's health, safety on campus, QPR (suicide prevention) training, mental health and wellness, and alcohol awareness. All MSU fraternities that host events with alcohol must attend an alcohol awareness and risk management training at the start of each semester.

Programming and Trainings for Faculty

The Office of the Dean of Students offers an annual Faculty Excellence Workshop on dealing with disruptive and at-risk students. In addition, trainings regarding how to deal with suicidal or disruptive students are conducted (or offered) for department heads and academic advisors in all colleges and academic departments during each academic year. Associate Deans receive regular updates regarding safety and welfare trends and policies each semester.

Crime Statistics

Crime statistics can be found later in this report and can also be accessed on the Montana State University Police website located at: <http://www.montana.edu/police/crime-statistics.html>

Campus Crime Log

The UPD keeps a daily crime log available online or may be accessed at the customer service desk of the University Police Department located in the Roy E. Huffman building at South 7th and Kagy Boulevard. All crimes are reported, though the names of victims and suspects are redacted, and locations are generalized to preserve the confidentiality of individuals.

Crime Prevention Seminars

The University's crime prevention program stresses community awareness and interaction through the dissemination of materials and presentations designed to familiarize students, faculty and staff with their responsibility in reducing criminal opportunity. The UPD also plays an active role in the local crime prevention and crime stoppers program as well as the DUI task force. University officers provide presentations throughout the university community ranging from late night discussion sessions in residence halls to classroom presentations. Crime prevention materials and reminders are also distributed to the campus community.

In addition, the University Police Website provides crime prevention information for the campus, including a crime log, crime alerts, the MSU Sexual or Violent Offender list, 360 Stay Safe at College online and other useful information.

Ice Gripper Program

MSU employees are eligible to participate in the Ice Gripper Program. To help MSU personnel stay safe while walking in the wintertime, Safety & Risk Management provides free ice grippers to employees (eligible every three years for a new pair). Ice grippers are the equivalent of studded tires for your feet. These devices are similar to slippers that slide over the outside of your shoe and can be easily put on and removed. For more information, contact Safety & Risk Management at 994-7597 or visit <http://www.montana.edu/srm/programs/icegrippers.html>

Adopt-a-Cop Program

In the interest of fostering good relations with community members residing in university residence halls, the UPD in partnership with University Student Housing, implemented the Adopt-A-Cop program in the fall of 2007. The program entails the assignment of a specific officer to each hall. Officers participate in hall activities, eat meals in the dining halls with residents, and deliver presentations on topics such as alcohol awareness, safety and security, identity theft, etc. Since its inception, the program has been very successful. Officers feel that they have been able to develop a kind of rapport with students that wasn't possible prior to the program. Hall staff and residents have also reported having many positive experiences with the program.

Automated External Defibrillators (AEDs)

MSU initiated the Public Access Defibrillator Program in 2004 because of due diligence and the expectation an organization MSU's size would have AED's available to the public. MSU currently has approximately 100 AEDs located throughout campus. For detailed locations, go to <https://www.montana.edu/srm/insuranceriskmanagement/aedlocations/index.html>. AED locations are also available on the SafeCats app.

When considering where to place an AED, the University will consider several facts, including building population, high risk activities, athletic activities, near energized electrical circuits, or in a location more than a 3-minute response time for an AED to arrive from Police or Emergency Medical Services (EMS). Please contact Safety & Risk Management at 994-7597 if you would like to make a request or if an AED has been used and emergency services have been called.

Free Bicycle Registration

The University Police Department sponsors a free bicycle registration program for students in an effort to discourage bicycle theft.

SECURITY AND ACCESS IN CAMPUS FACILITIES

MSU has established policies and practices designed to provide security and access in its facilities, whether in classrooms, offices, residences or other campus locations.

SECURITY AND ACCESS IN ACADEMIC AND ADMINISTRATIVE (NON-RESIDENCE) CAMPUS BUILDINGS

Facilities Services department and a Cat-Card electronic access control system managed by Auxiliary Services provides access for authorized students, staff and faculty to academic buildings during closed hours. Key access is provided with appropriate written supervisory approvals. Campus buildings (non-residence) are normally open from 7:00AM - 7:00PM (closing times may vary) to students, staff, faculty and visitors of the university, Monday through Friday or for scheduled weekend classes and special events but are generally locked at all other times.

In addition, the university has adopted the following additional security practices:

1. Rules that mandate all locked exterior building doors are not to be propped open;
2. The right to prohibit, limit or otherwise restrict access to or use of its buildings, facilities or other property as may be necessary to provide for the orderly conduct of the University's educational, research and service programs and the safety and security of the campus property, students, employees, guests and other visitors.
3. Substantial outdoor lighting installations which helps deter criminal behavior and enhances security; lighting is routinely patrolled to identify outages and periodically assessed to assure effectiveness.
4. UPD officers patrol the campus, 24 hours a day, including residential facilities. UPD conducts routine patrols of campus buildings to evaluate and monitor security related matters.
5. A policy requiring background checks for new employees; potential employees with criminal backgrounds may be denied employment to protect the campus community.

Security and access in Residence Halls

Residence Halls are subject to substantial security policies and measures, including restricted access, 24 hour monitored desk operations, guest and visitor restrictions, and other measures detailed in the University Student Housing Community Standards. A paper copy of the policy is also available from the University Student Housing Office.

Security in Building Maintenance

MSU's master key system also controls security for maintenance staff. All Facilities Services and Auxiliary employees authorized to carry master keys are required to store these keys in a secure/ alarmed cabinet during all non-working hours. Some buildings are part of a security system that requires the use of a staff-assigned Cat Card to gain entrance into the building.

Maintenance of Campus Facilities

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UPD regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to

Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to UPD and/or Facilities Services.

Facilities Services provides a voluntary call-out program to provide maintenance services during after-hours, weekend, and holiday periods. For security considerations, if an employee is called in to assist with after-hours maintenance issues, the employee checks out master keys at the University Police Station where their name, date and time of key checkout and check in are recorded or uses personally identifiable Cat Card with the supervisor's permission.

ALCOHOL AND OTHER DRUGS

UNIVERSITY POLICIES ON ALCOHOL AND OTHER DRUGS

MSU students and employees are bound by the MSU Campus Alcohol and Drug Policy. This policy prohibits unlawful possession, consumption, use or distribution of illicit drugs and alcohol by students and employees on campus property. Students and employees found in violation are subject to discipline under the Student Code of Conduct or the Workplace Expectations and Conduct: Drug, Alcohol, and Tobacco Free Workplace policy. In addition to disciplinary sanctions by the university, students and employees who violate this policy may also be subject to federal, state, and local laws that may result in imprisonment, fines, and loss of federal benefits for conviction of alcohol and drug-related offenses.

DRUG FREE SCHOOLS AND COMMUNITIES ACT

In compliance with the Drug Free Schools and Communities Act, Montana State University publishes information regarding the University's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for MSU students and employees. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <https://www.montana.edu/legalcounsel/compliance/DFSCA.html>

POLICIES AND PROGRAMS ADDRESSING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Montana State University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act and Title IX regulations) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community.

Under the University [Discrimination, Harassment and Retaliation](#) Policy, the definition of Sexual Harassment includes sexual assault, dating violence, domestic violence, and stalking.

MSU recognizes that these issues can impact anyone regardless of sex, gender, gender identity, gender expression, or sexual orientation. Campus services are available to anyone who experiences these crimes.

Throughout this section, the term “victim” will refer to anyone who experiences a Clery-covered crime. MSU recognizes that individuals may use various terms to describe themselves and their experiences.

Definitions

MSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Under the Clery Act and VAWA, these crimes are defined as follows:

Domestic Violence is:

A felony or misdemeanor crime of violence committed by:

- i. 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 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. .

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

Sexual Assault is:

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

Stalking is:

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - a. Fear for the person’s safety or the safety of others; or
 - b. Suffer substantial emotional distress
- ii. For the purpose of this definition-



MSU campus during the fall by the Norm Asbjornson Hall

- a. A course of conduct means two or more acts, including, but not limited to, acts 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.

MSU and the Montana criminal law definitions vary slightly from the Clery Act definitions. The following are the definitions from MSU policy.

Sexual Assault is:

- i. Non-consensual touching, or coercing or forcing another to touch a person’s intimate body parts (defined as genital area, groin, inner thigh, or breast);
- ii. Penetration, no matter how slight, of a person’s vagina or anus, by any body part or object, or oral penetration by a sex organ of another person without consent; or
- iii. Sexual intercourse between persons who are related to each other to the degree they cannot marry under state law.

Dating Violence is:

- i. violence,
- ii. committed by a person,
- iii. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

- a. The existence of such a relationship shall be determined based on the Complainant'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. For the purposes of this definition—
- b. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- c. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is:

- i. violence,
- ii. committed by a current or former spouse or intimate partner of the Complainant, or
- iii. by a person with whom the Complainant shares a child in common, or
- iv. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- v. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Montana, or
- vi. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Montana.

To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.



Montana State University students walk through the Romney Oval

Stalking is:

- i. engaging in a course of conduct,
- ii. directed at a specific person that
 - a. would cause a reasonable person to fear for the person’s safety, or
 - b. the safety of others; or
 - c. Suffer substantial emotional distress

For the purposes of this definition—

- i. Course of conduct means two or more acts, including, but not limited to,
- ii. acts in which the Respondent 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.
- iii. Reasonable person means a reasonable person under similar circumstances
- iv. and with similar identities to the Complainant.
- v. Substantial emotional distress means significant mental suffering or
- vi. anguish that may but does not necessarily require medical or other professional treatment or counseling.

Consent

Montana State University defines “consent” to decide if the University’s Policy prohibiting sexual assault has been violated. Consent is defined by University Policy as follows:

Consent is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used, there is no consent. If a person is mentally or physically incapacitated, under the statutory age of consent, or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

Montana defines “consent” as words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact.

Retaliation

Retaliation is prohibited by MSU policy and federal law. Any retaliation against any person for making a report or complaint, responding to a report or complaint, testifying, assisting, participating, or refusing to participate in an investigation, proceeding, or hearing falls under this Policy and accompanying Discrimination Grievance Procedures. Retaliation is subject to the same [Discrimination Grievance Procedures](#) and potential sanctions.

Reporting

MSU takes seriously reports of sexual assault, stalking, dating violence, and domestic violence. The Office of Institutional Equity (OIE) or The University Police Department (UPD) are the preferred receivers of these reports. If domestic violence, dating violence, sexual assault, or stalking are reported to the University, OIE or UPD will provide written notifications to students and employees explaining a victim's rights and options, including:

- Procedures to follow (how to preserve evidence, where to report)
- Information about confidentiality
- Counseling and victim advocacy and mental health resources, both on and off-campus
- Contact and information for local and university law enforcement
- Information on how to request supportive and protective measures
- Supportive and protective measures are available, including academic adjustments such as extensions of deadlines, living adjustments, protective orders and modifications of work or class schedules, campus escort services, changes to housing, leaves of absence, safety planning, and other similar measures.
- Information regarding legal assistance, Visa and Immigration Assistance, and Student Financial Aid
- Process for institutional disciplinary procedures

Victims have the right to:

- Pursue action through both MSU's Discrimination Grievance Procedures and the criminal process
- Pursue action only through MSU's process
- Pursue action only through the criminal process
- Report to the police and decline to pursue further action by law enforcement
- Seek support and protective measures regardless of whether they choose to report to law enforcement or file a formal complaint
- Seek confidential support on campus through Counseling and Psychological Services or the VOICE Center or off-campus through confidential resources listed below
- Report to the Office of Institutional Equity and decline to pursue further action
- Report anonymously
- Do none of the above (victims are still encouraged to seek support)

Required Reporting by MSU Employees

To enable MSU to prevent and respond effectively to instances of sex discrimination and sexual harassment, including domestic violence, dating violence, sexual assault, and stalking, all University employees must promptly (generally within 24 hours) report information they have about Discrimination based on sex and sexual harassment, as defined by this Policy, involving students to the Title IX Coordinator.

Confidential employees, professionals permitted to maintain legal or statutory confidentiality, are not required to report but may be required to provide de-identified statistics annually. Victims who are also required reporters are not required to report to MSU about their experiences.

Once a report is received, the victim will be provided with information about their rights, options, and resources.

Students, faculty, and staff are encouraged to report to the offices described below if they experience one of these issues or know of someone who is a victim.

Reports to MSU's Title IX Coordinator and Office of Institutional Equity

Title IX of the Education Amendments of 1972 is a federal civil rights law prohibiting discrimination in educational programs based on actual or perceived sex, gender, and sexual orientation. The Office of Institutional Equity is the University office responsible for coordinating the University's compliance with Title IX and other federal and state laws prohibiting discrimination based on a protected class. The Office responds to sex discrimination and sexual harassment complaints, including Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Anyone can report potential discrimination or violence concerns to the Title IX Coordinator. These reports are not confidential but are private student records protected under federal privacy law (FERPA). Reporting to the Title IX Coordinator does not mean a person is obligated to pursue formal action or speak with law enforcement. Those who report to the Title IX Coordinator will be made aware of their rights, options, and resources and will receive supportive and protective measures as reasonable and necessary to help the person be safe and continue to be successful at MSU.

Reports can be made by phone, e-mail, online, or in person.

Kyleen Breslin

Managing Director of the Office of Institutional Equity and Title IX Coordinator

311 Montana Hall

406-994-1568

oiie@montana.edu

www.montana.edu/equity

Reports to Law Enforcement

MSU encourages accurate and prompt reporting of all crimes to the University Police Department (UPD) and local law enforcement when the victim elects, when there is an obligation under state law, or when there is an emergency. Although MSU strongly encourages all members of its community to report domestic violence, dating violence, sexual assault, and stalking to law enforcement, it is the victim's choice whether to make such a report, and victims have the right to decline involvement with the police.

Certain offenses, such as sexual intercourse without consent, sexual assault, domestic and dating violence, and stalking are crimes under Montana law. UPD officials are available 24 hours a day to help respond to reports of these crimes. MSU encourages reporting to the police as soon as possible, but a report can be made later if a victim chooses not to report immediately. At UPD, a victim can meet with a detective or officer to learn more about their options, the process, the people involved, and make an informed decision on pursuing criminal charges. If requested, University officials, such as the Office of Institutional Equity staff, are available to assist victims in reporting to UPD or other law enforcement agencies.

In addition to reporting to the University, anyone can make a report to law enforcement at the following non-emergency numbers:

University Police: 406-994-2121

Bozeman Police Department: 406-582-2000

Gallatin County Sheriff's Department: 406-582-2100

To make a report, an individual may call or schedule an interview regarding their experience. For more information about reporting to UPD, please see www.montana.edu/police. In an emergency, please dial 9-1-1.

Anonymous Reporting

Victims and bystanders can make reports anonymously. MSU employees designated as mandatory reporters may not make anonymous reports about matters they have a duty to report.

MSU's ability to investigate an anonymous report may be limited unless sufficient information is furnished to enable MSU to conduct a meaningful and fair investigation. An anonymous reporter's identity may be discovered during an investigation.

Reports can be made anonymously to OIE by calling 406-994-1568, to UPD via the Silent Witness Program: switness@montana.edu, or by filling out a MUS System Anonymous report at <https://secure.ethicspoint.com/domain/media/en/gui/74116/index.html>.

RESOURCES

Several resources available on campus and in the community provide support to victims of dating or domestic violence, sexual assault, and stalking.

ON-CAMPUS RESOURCES

MSU Counseling and Psychological Services

MSU Counseling and Psychological Services offers free, confidential counseling to eligible students and is open to faculty and staff for crisis intervention and risk assessment in emergencies. Talking with a counselor can be important in learning about available options and helping the recovery process.

Counseling and Psychological Services
211 Swingle Office: (406) 994-4531
<http://www.montana.edu/counseling>

VOICE Center

The MSU VOICE (Victim Options in the Campus Environment) Center provides free information to students impacted by sexual assault, relationship violence, stalking, and harassment.

Advocates are available 24 hours a day to provide support, resources, and information on rights and reporting options. The VOICE Center can refer survivors to legal, medical, and psychological service options and accompany students in accessing these services. VOICE Center also provides prevention presentations, trainings, and volunteer opportunities for those who want to help support survivors and work to prevent interpersonal violence on our campus. Information is also available on the VOICE Center website.

MSU VOICE Center values privacy and will treat the student's interactions with the VOICE Center as private, except as required by law.

VOICE Center

370 Strand Union Building (SUB)

24/7 Helpline (call or text): (406) 994-7069

<http://www.montana.edu/voice>

Office of Institutional Equity

The Office of Institutional Equity:

- Provides protective and supportive measures to victims of discrimination and harassment based on a protected class, including Domestic Violence, Dating Violence, Sexual Assault, and Stalking;
- Leads investigations into complaints of discrimination, harassment, and sexual violence by promptly organizing an impartial and administrative review and, if necessary, recommends equitable resolutions of complaints;
- Serves as the designated office responsible for coordinating the University's compliance with Title IX of the Education Amendments of 1972, including oversight of complaints of sex discrimination and sexual violence and identifying and addressing any patterns or systemic problems that arise during the review of such complaints;
- Develops and delivers detailed educational programs concerning discrimination, harassment, sexual violence, affirmative action, diversity, inclusion and respectful workplace conduct;
- Recommends, writes, interprets and implements policies and procedures in support of non-discrimination.

The Office of Institutional Equity will make every effort to respect and safeguard the privacy of the individuals involved in reporting or otherwise participating in Discrimination Grievance Procedures. Privacy means that reports will only be shared with limited individuals who need to know for assessment, implementation of Supportive and Protective measures, and investigation and resolution of a formal complaint, and to the extent required by law or court order.

Office of Institutional Equity

311 Montana Hall

406-994-2042

oiie@montana.edu

www.montana.edu/equity

University Health Partners

Regardless of the length of time since an assault, healthcare providers recommend a clinical visit to assess sexually transmitted infections (including HIV), pregnancy risk, and physical injuries.

Services are available to eligible MSU students and their spouses/domestic partners. There is no charge for a clinical visit. A student's insurance may cover lab tests, X-rays, and pharmaceutical charges. Morning-after contraception is available. University Health Partners does not perform medical forensic exams. These exams are only performed at the Bozeman Health Hospital Emergency Room.

University Health Partners
Swingle First Floor
(406) 994-2311
<http://www.montana.edu/health>

ASMSU Legal Services

The Associated Students of Montana State University (ASMSU) in Bozeman, Montana, have partnered with Cromwell Law, PLLC, to offer students affordable legal services. An attorney can help you resolve your legal problem for a minimal fee, saving you time, energy, and money. ASMSU Legal Services can provide legal advice on various issues or concerns. Most cases are alcohol and drug-related criminal charges, landlord-tenant, business, and non-profit, family law, and immigration issues, but this is not a comprehensive list of all of their legal services. You are welcome to make an appointment if you have a legal problem that is not listed.

ASMSU Legal Services
221 Strand Union Building
(406) 994-2933
<https://asmsulegalservices.org/>

OFF-CAMPUS RESOURCES

Help Center and Sexual Assault Counseling Center

The Help Center is the confidential community crisis line for sexual assault victims and those struggling with suicide and mental health concerns. The Help Center also provides counseling and advocacy services.

Help Center and Sexual Assault Counseling Center
421 E. Peach St., Bozeman, MT
(406) 586-3333
<http://www.bozemanhelpcenter.org>

Bozeman Health Hospital Emergency Room

Bozeman Health Hospital Emergency Room is the only hospital in Bozeman where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana's Forensic Rape Examination Payment Program.



Clouds rest in the mountains as Montana State University welcomes the incoming first-year class during move-in day

Bozeman Health Hospital Emergency Room

915 Highland Boulevard, Bozeman

(406) 414-5000

<https://www.bozemanhealth.org/services/emergency-services/>

Bridgercare

Bridgercare is a non-profit reproductive healthcare facility in Bozeman. The professional staff provides affordable reproductive and sexual healthcare and education in a safe, supportive, and empowering atmosphere.

Bridgercare

1288 N 14th Ave #201, Bozeman

(406) 587-0681

<http://www.bridgercare.org>

HAVEN

HAVEN is Bozeman's domestic violence shelter and provides 24-hour crisis support and advocacy for all domestic violence survivors. In addition to emergency shelter and crisis support, HAVEN provides support groups, individual counseling, and legal advocacy. A HAVEN Legal Advocate is housed at the Law and Justice Center in Bozeman and can help victims obtain protective orders, including court accompaniment.

HAVEN

24/7 Helpline: (406) 586-4111

<http://havenmt.org>

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include:

<http://www.rainn.org> – Rape, Abuse, and Incest National Network

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

LEGAL ASSISTANCE IN THE COMMUNITY

- American Civil Liberties Union (ACLU) (406) 443-8590
- Citizens' Advocate Hotline (800) 332-2272 www.citizensadvocate.mt.gov
- Gallatin County Self Help Law Center (406) 582-2158
- Help Center (suicide hotline) 2-1-1 (406) 586-3333
- Human Rights Bureau (800) 542-0807
- Lawyers Referral Services (MT State Bar Assn.) (406) 449-6577
- Montana Legal Services-low income (civil; no criminal) (800) 666-6899
- State Auditor/Insurance Commissioner (Auto insurance questions) (800) 332-6148 - www.sao.mt.gov
- Victims Assistance/Legal Advocacy (406) 582-2038
- If you have a misdemeanor, you can ask the judge for a public defender if you face jail time and are indigent (have no money). 582-2450 (Office of Public Defender)
- Other helpful websites:
 - www.montanalawhelp.org;
 - <https://courts.mt.gov/> (Montana civil legal forms & areas of MT law)

VISA AND IMMIGRATION ASSISTANCE

Assistance in the application process for a Visa
Department of Justice Clearinghouse or an Attorney

<https://www.justice.gov/eoir/recognition-accreditation-roster-reports>

Amnesty Policy

The University strongly encourages reporting discrimination and harassment. Therefore, students who provide information about discrimination, harassment, dating violence, domestic violence, or stalking involving students will not be disciplined by the University for any violation of the University's drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

What to Do If You are a Victim

There is no right or wrong way to respond if you are a victim of domestic violence, dating violence, sexual assault, or stalking. What happened is not your fault. The following are options you can consider.

If you are a friend supporting a victim, support their decisions and try not to tell them what to do. Find ways to help them make decisions for themselves.

Seek Medical Attention: After an incident of sexual assault, dating, or domestic violence, you should consider seeking medical attention as soon as possible to treat any injury, get screened for sexually transmitted infections, pregnancy, or seek the medical collection of evidence.

Bozeman Health Deaconess Hospital offers physical evidence recovery kit collection and access to forensic nurse examiners and sexual assault nurse practitioners.

Sexual Assault Nurse Examiners (SANE) are forensic nurses who may be available to conduct a forensic examination. There is no cost to have a Sexual Assault Forensic Examination completed, and completing the examination does not require filing a police report or taking criminal action.

In the State of Montana, evidence may be collected and held for a year, even if you choose not to make a report to law enforcement. University Health Partners are available for a wellness check but cannot do forensic exams.

Preserve Evidence:

Evidence may assist in proving a criminal offense occurred, demonstrating that a campus policy was violated, or obtaining an Order of Protection. Evidence can include pictures of injuries, social media posts, text messages, emails, or other related evidence items.

In cases of sexual assault, medical forensic evidence may be collected within 120 hours of the assault by a specially trained SANE nurse. You may request an exam and forensic evidence collection at no cost and without having to file a police report. In Montana, evidence may be collected and held for a year even if you choose not to make a report to law enforcement.

Things to keep in mind before an examination by a Sexual Assault Nurse Examiner:

- If possible, it is best not to use the bathroom, shower, change clothing, brush hair, smoke, brush teeth, or clean up the area where the assault occurred; this can help to preserve the perpetrator's DNA.
- If you change clothes, put all clothing worn during the assault in a paper bag (no plastic bags).

No Contact Orders and Supportive and Protective Measures

An Order of Protection is a civil court order designed to stop violent and harassing behavior by limiting the conduct and contact with the abuser. The University cannot apply to the Court system for an Order of Protection. Individuals seeking an Order of Protection must apply directly for these services themselves.

The law governing Orders of Protection in Montana is Chapter 40, Part 21. MCA § 40-15-201 sets forth the procedure for requesting a Temporary Order of Protection. Within 20 days of a Temporary Order of Protection issuance, a hearing must be held to determine if there is reasonable cause for the order to be continued, amended, or made permanent. See MCA § 40-15-202. The victim is required to apply directly for these services through the City Court, Justice Court, or District Court. Assistance applying for an Order of Protection may be sought from HAVEN Legal Advocacy Office. Victim Services and the Self-Help Law Center in the Gallatin County Law and Justice Center may also be available to assist.

The University may issue a mutual no-contact order, if deemed appropriate or at the request of an involved party. If the University receives a report that such a mutual no-contact order has been violated, the University will initiate appropriate disciplinary proceedings and impose sanctions if responsibility is found for the violation of the order. To obtain a no-contact order related to an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, please reach out to the Office of Institutional Equity.

Range of Supportive and Protective Measures Available for Victims

Supportive and protective measures are available to the individual who experienced the behavior regardless of whether they report the crime to a law enforcement agency or wish to file a formal complaint.



Clouds rest in the mountains as Montana State University welcomes the incoming first-year class during move-in day

University offices will work cooperatively to assist the victim in implementing reasonable supportive and protective measures at the victim's request and to the extent of the victim's cooperation and consent.

Supportive and protective measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, safety planning, referrals to on and off-campus services, trainings, mutual restrictions on contact, and other similar measures.

Examples of a course-related adjustment may include transferring to a different section of a class, withdraw, or the option to take a class at another time depending on availability. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may consist of changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To Request and receive supportive and protective measures, a victim should contact the Office of Institutional Equity at 406-994-1568, OIE@montana.edu; you may also make requests in person in Montana Hall 311. You may request assistance by making a brief statement about what you have experienced and request the changes that you believe would be helpful to remain safe and successful in your campus environment. Upon receipt, OIE will determine if the request is reasonable and work to implement the interim measures.

Directory Information

Victims may request that directory information on file with the University be withheld by request to either the Office of Institutional Equity (406-994-2042 or oie@montana.edu) or to the Registrar, Tony Campeau (406-994-1972 or registrar@montana.edu).

Regardless of whether a victim has opted out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as private and only shared with persons who have a specific need-to-know, i.e., those who are investigating/ adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as private any accommodations or protective measures provided to the victim to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued based on a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

University Response

Reported allegations of domestic violence, dating violence, sexual assault or stalking will first be considered for processing through the [University's Discrimination, Harassment, and Retaliation Policy and appropriate procedures](#). This Policy and related procedures guide the University's response to dating violence, domestic violence, sexual assault, and stalking incidents. MSU has designated the Office of Institutional Equity (OIE) to oversee the University's compliance with state and federal civil rights laws, including laws covering dating violence, domestic violence, sexual assault, and stalking.

Cases of Alleged dating violence, domestic violence, sexual assault, or stalking that fall outside of the jurisdiction of the Title IX procedures will be referred to either the Student Conduct process, or Human Resources for adjudication. The Title IX coordinator will make such referrals to the appropriate process and will appoint someone from OIE to assist the case through the designated process if necessary.

In addressing all complaints, the University will take all reasonable permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees.

In determining the severity of sanctions or corrective actions, factors such as the frequency and severity of the offense and any history of past discriminatory, harassing, or retaliatory conduct are relevant. A finding of discrimination, harassment that creates a hostile environment or results in tangible employment or educational action, or sexual violence may be cause for disciplinary action up to and including the discharge of employees and the expulsion of students, in accordance with applicable University policies and procedures and collective bargaining agreements.

If a student or employee make a report of domestic violence, dating violence, sexual assault, or stalking to the university, the university will do the following:

- Provide a written explanation of Rights and options. Including what the student can do if they have been sexually harassed, Options for reporting, resources both on and off campus, and steps that can be taken in preserving evidence.
- The institution will assess immediate safety needs for the complainant.
- The institution will provide information on how the student can apply for a Protective Order
- If requested, the institution will assist the complainant in contacting the local police department to make a criminal report.
- Implement supportive and protective measures, if reasonable, appropriate and at the request of the complainant.
- If deemed appropriate, the institution will invoke the [Restricting Access to University Property](#) policy.

Adjudication of Violations

The University's Discrimination Grievance Procedures provide for a prompt, fair, and impartial investigation and resolution process of alleged violations of the university policy prohibiting domestic violence, dating violence, sexual assault, and stalking. Furthermore, it is the practice to provide:

1. The Complainant and the Respondent will have timely notice for meetings at which the Complainant, Respondent, or both, may be present.
2. The Complainant, the Respondent, and appropriate officials will have timely and equal access to any information used during investigations.
3. The institutional disciplinary procedures will not be conducted by officials with a conflict of interest or bias for or against the Complainant or the Respondent. These officials receive annual training in VAWA and the Adjudication of VAWA Crimes.
4. The Complainant and the Respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor for either the Complainant or the Respondent in any meeting or institutional proceeding. Please note, however, the role of the advisor is limited to providing advice to the individuals, cross-examination during a Title IX hearing, and may not speak freely on their behalf.
5. The Complainant and the Respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any formal investigation; and
6. Where an appeal is permitted under the applicable policy, the Complainant and the Respondent will be notified simultaneously in writing of the procedures for the Respondent and the Complainant to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the Complainant and the Respondent will be notified simultaneously in writing of any change to the result before it becomes final and of the final result once the appeal is resolved.

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Three policies exist for adjudicating reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

- MSU Discrimination, Harassment and Retaliation Policy
- MSU Student Code of Conduct
- MSU Human Resources Performance Management and Progressive Discipline Policy

These procedures apply to Employees (Faculty/Staff), Students, and Guests.

How to File a Complaint

The individual who experienced the behavior may initiate a complaint by reporting to the Office of Institutional Equity. The incident will first be reviewed under the MSU Discrimination, Harassment and Retaliation policy for jurisdiction. If jurisdiction exists, this office will work with the Complainant to determine what course of action they would like to take under the appropriate policy. In most cases, the decision is up to the individual who experienced the behavior. The policies and procedures documents may be accessed at:

<https://www.montana.edu/policy/discrimination/procedures/>

<https://www.montana.edu/policy/discrimination/>

How the University Determines Whether This Policy will be Used

Each report the Office of Institutional Equity receives is reviewed for jurisdiction and an immediate health and safety risk for campus. If the Managing Director of the Office of Institutional Equity determines that the Office does not have jurisdiction to pursue a Complaint under the Discrimination, Harassment, and Retaliation Policy, the complaint will be referred to either the Dean of Students for adjudication under the Student Code of Conduct or Human Resources for adjudication under the appropriate HR Policy. Regardless of which policy is used in addressing VAWA cases the appropriate steps will be followed.

Steps in the Disciplinary Process

In general, the procedural steps in addressing cases of Sexual Assault, Dating Violence, Domestic Violence, and Stalking include the following:

1. Upon receipt of a report of prohibited conduct, the Office of Institutional Equity will offer the person who experienced the behaviors supportive and protective measures and invite the person to meet with a staff member to discuss the options available to the person and the process for filing a complaint or violation.
2. If the Complainant wishes to proceed with a complaint, staff will notify Respondent(s) of the allegations contained in the complaint or violation and the complainant will be provided with information about procedures and resources. Once notified, the investigator will conduct an investigation. Prior to the completion of the investigation, the parties will be provided an opportunity to review the evidence collected. Both parties are permitted to have an advisor of choice throughout the process.
3. Upon completion of the investigation, a Hearing Officer or a Hearing Board will preside over a live hearing at which each party will present witnesses and engage in cross-examination as allowed under the policy and will be advised by an advisor of their choosing or, if they have no advisor, one will be appointed by the University.
4. Following the conclusion of the Hearing, the Hearing Officer or Hearing Board will issue a written determination regarding responsibility using a preponderance of the evidence standard of proof. If applicable, the determination will include the sanctions to be imposed on the Respondent.
5. Each party has the right to appeal the determination of responsibility to the appropriate appellate officer.

Anticipated Timelines

The University makes every effort to complete the investigative process promptly while adhering to the required time frames established in the policy and the parties' schedules. The process also allows for timeframe extensions if either party requests and has reasonable cause for the delay. Other reasonable delays may include complex investigations involving multiple witnesses or other reasonable delays in availability. The University will do its best to complete an investigation and make a determination within 160 days of receiving the report.

Decision-Making Process

Generally, upon receipt of a Formal Complaint, the decision-making process will follow the process described in section 4 above.



Montana State University students walk through campus

Standard of Evidence

The standard of evidence is preponderance of the Evidence in the adjudication process.

Possible Sanctions

Student will be held accountable under the Student Code of Conduct. Sanctions for students mater in VAWA cases are: Expulsion, Suspension for one, two, three, or four semesters, Educational sanctions, including alcohol or drug education, meeting with the Allen Yarnell Center for Student Success, educational papers, reflection papers, sexual violence or anger management courses, or counseling, Conduct Probation/Suspension Warning for one, two, three, or four semesters or for tenure, University Conduct Warning Reprimand, Restitution, Student housing sanctions, including warnings, housing probation for one, two, three, or four semesters, or for tenure, restriction of privileges to any housing or dining facilities, removal from the floor, removal from housing, Community service hours, Loss of privileges for University items, including Recreation facilities and activities, parking, or Bobcat Athletic events, Trespass from specific University buildings or the entire campus, Transcript hold, delay or revoke the conferral of a degree, Permanent No Contact, Removal from specific courses or activities.

Employee matters will be referred to Human Resources, Academic units or the Provost. Sanctions for Employee matters in VAWA cases include : Involuntary Termination, Termination of employment, restriction from employment, Mandatory training, job transfer or reassignment, cancellation of leave, last chance agreement, Letter of Warning, Letter of Expectation, Leave with Pay, Leave Without Pay, Restitution, Disciplinary Remand, Trespass from all of campus, part of campus, and/or campus affiliated properties, and progressive disciplines as deemed appropriate.

MSU's Education and Outreach

Montana State University prohibits the crimes of domestic violence, dating violence, Sexual assault, and stalking (as defined by the Clery Act and Title IX regulations). The University provides a range of campaigns, strategies, and initiatives to promote awareness of rights and resources and reduce crimes of interpersonal violence including rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

Educational programs are offered to raise awareness for all incoming students and new employees. Students participate in educational programming prior to being a new student at MSU and throughout an incoming student's first semester. Employees attend New Employee Orientation during their first month at MSU which contains an introduction to OIE and VOICE and are required to complete an online Title IX and Mandatory Reporting Training.

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that: Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming also consists of ongoing awareness and prevention campaigns for students and employees. Programs and campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, risk reduction practices and bystander intervention), and discuss institutional policies as well as the Montana state law definitions of domestic violence, dating violence, sexual assault, stalking, and the Montana state law definition of consent in reference to sexual activity. The program provides the institution's definition of consent and includes a statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act), as well as how to receive support if such an event has impacted you.

A description of safe and positive options for bystander intervention is also provided. Bystander intervention are options that an individual or individuals may carry out to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying and taking safe and effective intervention options.

Programs offer information on risk reduction that strives to empower victims, recognize warning signals, avoid potential attacks, and do so without victim-blaming approaches.

The programming also includes information regarding:

- a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
- b. How the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- c. 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 (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
- d. Options for available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
- e. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

In the 2022 there were 162 separate presentations to various groups around campus. This included primary prevention presentations and ongoing educational opportunities with presentations to class groups, departments, fraternity groups, workshops, athletes, new employees, campus clubs, university student housing, and many others. A full list of trainings that has groups, topics covered, and dates, can be requested through the Office of Institutional Equity.

MSU offices directly involved in these programs include the MSU VOICE Center, Office of Institutional Equity, University Student Housing, Intercollegiate Athletics, Office of the Dean of Students, UPD, Women’s Center, Diversity Inclusion Student Commons and the Faculty center for excellence.

MSU’s primary and ongoing prevention and awareness programs are details as followed:

Student Online Required Training – MSU uses the Sexual Assault Prevention for Undergraduates/ Graduate (SAPU/SAPYAL) Program in conjunction with alcohol.edu from Vector. This online training is mandated for all incoming new undergraduate and graduate students. SAPU/SAPYAL covers the topics of sexual assault, domestic violence, stalking, bystander engagement, risk reduction, and campus resources. All students are required to take an online follow up training before registering for their second semester on-campus.

Employee Online Mandatory Reporter Training – the Office of Institutional Equity facilitates training related to mandatory reporting of sex discrimination and sexual harassment, including, dating violence, domestic violence, and stalking. All employees of MSU are required to complete the training on a biannual basis. New employees must complete the training within 45 days of employment. The training covers definitions, reporting requirements, response to reports, and campus and community resources.

Violence Prevention Workshop – A five-hour workshop marketed to all MSU students, faculty, and staff offered within the first six weeks of the Fall and Spring semesters. Participants engage in interactive learning focusing on the primary prevention technique of bystander intervention. Consent is defined and discussed within the workshop. Additional topics include gender stereotypes, causes of violence, and how to support a survivor of sexual violence. The workshop is advertised across campus for students, faculty, and staff. The Honors College, Psychology Department, Sociology Department, and the Women’s and Gender Studies minor all receive specific emails to share with students about the event. Table tents, advertising on MSU’s website, radio program, and event calendar are also used.

Faculty and Staff Trainings –

- a. **New Employee Orientation (Staff):** Every new employee of MSU is required to attend a half-day New Employee Orientation. Office of Institutional Equity (OIE) and MSU VOICE Center presents information about discrimination and harassment, sexual assault prevention, and available resources.
- b. **New Faculty Orientation:** All new faculty at MSU are required to attend a New Faculty Orientation. OIE presents information about discrimination and harassment, sexual assault prevention, and available resources.

Educational outreach and safety presentations: the following receive VOICE Center and Institutional Equity training throughout the year: residence hall supervisors; fraternity and sorority organizations; student-athletes; student orientation leaders; and faculty and staff groups and organizations. Connecting with these groups is a long-standing tradition. The professional staff in charge of these student groups reach out to the VOICE Center or to the Office of Institutional Equity and request a presentation.

Awareness Campaigns:

- c. **Take the Pledge** – Members of the MSU community can sign the It’s On Us pledge as part of the national It’s On Us campaign. The signing of the pledge is hosted by the MSU VOICE Center and held in front of Montana Hall for one week fall semester.
- d. **Sack Lunch Seminars** – the MSU Women’s Center facilitates regular seminars on issues related to violence prevention, gender equity, and intersectional identity, among other topics.
- e. **Destress Fest** – The VOICE Center and Office of Health Advancement along with other campus partners tables during the week before finals week. The focus of this event is to make people aware of resources on campus, stress responses, and help students learn coping skills for stressful situations.

Passive Programming:

- f. **Social Media Campaign** – The MSU VOICE Center posts information and educational posts on Facebook and Instagram weekly throughout the year. Each month has a different topic focused on violence prevention.
- g. **Posters, Flyers, and Magnets** – The MSU VOICE Center, OHA, OIE, and Women’s Center work in conjunction to create posters and flyers focused on bringing awareness to sexual violence, relationship violence, stalking, and harassment. These posters and flyers are hung in the Student Union every semester and throughout the Residence Halls. Electronic posters are placed into the cycle on television screens throughout campus buildings.
- h. **First Year Window Clings** – The VOICE Center gave a window cling and a quarter-page information flier to every student in the residence halls. Students were encouraged to put the clings up in their personal space to have access to the 24/hour crisis line number.
- i. **Tabling Events** – The MSU VOICE Center, OHA, and OIE regularly attend tabling events for new and potential students on campus. Information on preventing sexual violence on campus is provided. Events include Catapalooza, Fall Wellness Fair, Take the Pledge, Coffee Corner, Destress Fest, and Student Information Fairs.

Fraternity Engagement – Each semester fraternities are required to schedule and attend a presentation from the VOICE Center and Office of Institutional Equity in order to host events with alcohol. The fraternity president is expected to reach out to the VOICE and Institutional Equity within the first six weeks of school to schedule the presentation.

Bystander Engagement

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention. Techniques taught at MSU include the 5 D’s: Direct, Distract, Delegate, Document, and Delay. Students are taught each technique and practice using these techniques in scenarios within the prevention training. Students are encouraged to be mindful of safety when using any bystander intervention technique.

- Direct intervention focuses on students identifying an unsafe situation and intervening in a straightforward manner to prevent violence.
- Distract intervention allows students to intervene by distracting individuals involved in a situation and refocusing on an alternative.
- Delegate intervention encourages students to find assistance in intervening, including calling 911 as needed.
- Delay intervention reminds students to keep themselves safe and not cause additional violence. They also may use this technique to support a survivor by connecting them with appropriate resources if they have experienced or are experiencing violence.
- Documentation involves either recording or taking notes of an instance of harassment.

Bystanders play a critical role in the prevention of sexual and relationship violence. We want to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm. We may not always know what to do even if we want to help.

Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with incapacitated people.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

MSU SEXUAL OR VIOLENT OFFENDER LIST (MONTANA STATE SEX OFFENDER REGISTRY)

The federal Campus Crimes Prevention Act, enacted on October 28, 2000, requires:

1. Registered sex offenders to provide notice, as required under State law, to each institution of higher education where they are employed or enrolled;
2. States must make this information available to a law enforcement agency where the institution of higher education is located; and
3. Institutions of higher education must advise the campus community where the information on registered sex offenders can be obtained.

The MSU Police Department has a website that lists individuals who are registered with the Montana Department of Justice as sexual or violent offenders and who are affiliated with the institution. Updates to the MSU Sexual or Violence Offender List are made regularly and throughout the year. To search the current names of offenders for sexual offender pictures and additional information, go to <https://app.doj.mt.gov/apps/svow/search.aspx>

CRIME

CAMPUS SECURITY AUTHORITIES (CSAS)

CSAs include University Police, campus security-related personnel, and officials who have significant responsibility for student and campus activities, including, but not limited to, student housing, student conduct officers, and members of the Office of Institutional Equity. CSAs must report crimes online at www.montana.edu/clery using the [CSA Reporting Form](#). Crimes reported to any CSA will be included in the annual crime statistics found later in this report.

While we have hundreds of CSAs, MSU officially designates the following two offices as locations where campus community members should report crimes:

- Office of Institutional Equity
- University Police

Students and employees can report criminal offenses to the above designated Campus Security Authorities for the purpose of making timely warning reports and annual statistical disclosure. Under the Clery Act, MSU must designate certain individuals as CSAs.

As explained above, students, employees, and visitors are encouraged to promptly report crimes to the University Police Department or the Office of Institutional Equity. However, students may contact any CSA for appropriate assistance in reporting crimes.

Confidentiality of crime reports made to CSAs cannot be promised. Clery requires statistical reporting, but CSAs are also reporters under the requirements of Title IX and University policy and as such may not be able to maintain confidentiality. There may be instances where the University must act regardless of the wishes of the complainant or reporting party. Nevertheless, in such cases MSU will take care to protect identities to the extent allowed by the circumstances and law.

Annual Training for CSAs and Identification

Montana State officials responsible for overseeing Clery practices meet annually- or upon the receipt of new guidance- to update a centrally maintained CSA list in the Office of the Dean of Students. Further, MSU staff members who are identified as Senior CSAs help to provide updated information regarding new CSAs or those who have left Montana State on a regular basis.

Identified CSAs are offered training through three means:

- Online Training;
- In-person training with an on-campus Clery expert from the Dean of Students or similar office/ delegate on campus;
- Dedicated campus web page providing an overview of CSA responsibilities and a link to the Department of Education training video.

Additionally, a web page is maintained and updated throughout the year that hosts information on CSA trainings, including presentations they can browse and other relevant Clery information. Once a CSA has completed training, the centrally maintained CSA list is updated to indicate training completion.

PASTORAL AND PROFESSIONAL COUNSELORS

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such, are not considered CSAs for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics.

According to the Clery Act, professional mental health counselors who are appropriately credentialed and hired by Montana State University to serve exclusively in a counseling role are not considered CSAs. As a matter of policy, the University encourages our professional mental health counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

Pastoral Counselor – An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. MSU does not have any Pastoral Counselors that work at the institution at this time.



The Montana State University community participates in the 'Week of Belonging' Resource Fair on the Centennial Mall

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

2023 CRIME STATISTICS

PREPARATION OF THE ANNUAL DISCLOSURE OF CLERY CRIME STATISTICS

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained primarily from the following sources: the University Police Department (UPD), Office of Institutional Equity (OIE), and Campus Security Authorities (CSAs). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by the Office of the Dean of Students. The MSU Dean of Students submits the annual crime statistics published in this Report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the Department of Education's website, and hard copies of this report are available from the MSU Office of the Dean of Students.

Under the Clery Act, Montana State University is required to report annual crime statistics showing reported occurrences of specific types of crime for the benefit of current/prospective students and current/prospective employees.

Crimes reported under the Silent Witness Program are included in the annual disclosure of crime statistics. The VOICE Center staff report crimes on a confidential basis for inclusion in the annual disclosure of crime statistics. The VOICE Center staff will inform persons they are counseling that they will make these confidential reports. The VOICE Center staff will not disclose any identifying information without the consent of the client.

Statistics pertaining to referrals for student conduct action reflect those incidents of alcohol, drugs, and weapons violations that were referred to the Dean of Students, Director of University Student Housing, and the Fraternity/Sorority Leadership for student conduct action.

The MSU Police Department has requested information for public property and non-campus buildings or property within each agency's jurisdiction. However, the agencies are not required to provide this data to the MSU Police Department.

There are two private apartment complexes immediately adjacent to the campus and across from the MSU Football Stadium that are not affiliated with MSU. Visitors sometimes assume that those apartment buildings are part of the campus, but the institution has no written agreement with those apartment complexes to provide student housing. Thus, there are no MSU staff members assigned to those buildings and the policies, procedures, and statistics for those buildings are not addressed in the Annual Security and Fire Safety Report. Furthermore, crime statistics are not provided for those private apartment buildings in the Annual Security and Fire Safety Report.

MSU CRIME STATISTICS: CLERY DATA

The following crime statistics are for selected crimes that have been reported to appropriate and corresponding police agencies or to campus security authorities based on our Clery geography. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus student conduct officers for respective violations, not the number of offenses documented.

CRIMINAL OFFENSES (Reported by Hierarchy)	On-Campus			On-Campus Student Housing			Non-Campus			Public Property		
	20	21	22	20	21	22	20	21	22	20	21	22
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	13	12	12	13	11	11	1	5	2	0	0	0
Fondling	2	3	6	1	2	5	0	1	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	1	1	0	1	1	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	4	1	0	2	1	1	5	4*	0	0	0
Burglary	4	4	2	3	4	2	0	0	0	0	0	0
Motor Vehicle Theft	0	0	1	0	0	0	0	0	0	0	0	0
Arson	0	2	1	0	2	1	0	0	0	0	0	0

*The original 2023 ASFSR was published on September 28, 2023. An administrative error was discovered by the University on January 18, 2024 that has since changed MSU’s crime statistics. These statistics have been updated and the revised 2023 report was published on February 15, 2024.

ANNUAL SECURITY AND FIRE SAFETY REPORT FOR REPORTING YEAR 2020, 2021 AND 2022

ARRESTS	On-Campus			On-Campus Student Housing			Non-Campus			Public Property		
	20	21	22	20	21	22	20	21	22	20	21	22
Weapons Law Arrests	0	0	0	0	0	0	0	0	0	2	0	0
Drug Law Arrests	33	3	15	24	2	12	0	0	0	1	0	2
Liquor Law Arrests	49	54	78	16	12	17	1	11	9	9	14	17

VAWA OFFENSES	On-Campus			On-Campus Student Housing			Non-Campus			Public Property		
	20	21	22	20	21	22	20	21	22	20	21	22
Domestic Violence	6	7	5	5	6	5	0	0	0	0	0	0
Dating Violence	6	7	3	2	4	1	0	0	0	0	0	0
Stalking	16	7	7	9	3	6	1	0	0	0	0	1

DISCIPLINARY REFERRALS	On-Campus			On-Campus Student Housing			Non-Campus			Public Property		
	20	21	22	20	21	22	20	21	22	20	21	22
Weapons Law Violations	4	0	0	4	0	0	0	0	0	0	0	0
Drug Law Violations	118	98	91	117	95	88	0	0	1	1	0	1
Liquor Law Violations	368	445	501	355	423	478	2	0	1	15	2	4

UNFOUNDED CRIMES

Year	Description
2022	Three unfounded crimes
2021	Two unfounded crimes
2020	No unfounded crimes

HATE CRIMES BY CATEGORY AND BIAS

Year	Description
2022	One public property intimidation incident, characterized by racial bias
	One non-campus intimidation incident, characterized by racial bias
	One on-campus intimidation incident, characterized by racial bias
2021	One on-campus assault and intimidation incident, characterized by sexual orientation bias.
	One non-campus intimidation incident, characterized by sexual orientation and disability bias.
2020	One on-campus housing intimidation incident, characterized by Racial Bias.
	One on-campus intimidation incident, characterized by Racial, Gender, and Sexual Orientation Bias.

CRIME DEFINITIONS (STATE AND FEDERAL)

DEFINITION OF CRIME CATEGORIES UNDER FEDERAL LAW

Criminal Offenses are defined as outlined by the U.S. Department of Justice, FBI National Incident-Based Reporting System. For the purposes of complying with the requirements of 34 CFR 668.41, and incident meeting these definitions is considered a crime for the purpose of Clery Act reporting.

1. **Murder & Non-Negligent Manslaughter:** The willful (non- negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as murder and non- negligent manslaughter.
2. **Manslaughter by Negligence** – Is defined as the killing of another person through negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Manslaughter by Negligence.
3. **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident- Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”
 - a) **Rape** - 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.

- b) **Fondling**- 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. (Because there is no penetration in fondling, this offense will not convert to the SRS as Rape)
 - c) **Incest**- sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - d) **Statutory Rape**- sexual intercourse with a person who is under the statutory age of consent.
4. **Robbery**: The taking, or attempted taking, of anything of value from one person by another, in which the offender uses force or the threat of violence.
 5. **Aggravated Assault**: Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
 6. **Burglary**: The unlawful entry into a building or other structure with the intent to commit a felony or a theft.
 7. **Motor-Vehicle Theft**: The theft or attempted theft of a motor vehicle, including automobiles, trucks, motorcycles, and mopeds.
 8. **Arson**: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property of another, etc.
 9. **Domestic Violence**: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that persons acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
 10. **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; and, where the existence of such a relationship shall be determined by the victim with consideration of the following factors: (1) The length of the relationship, (2) The type of relationship, (3) The frequency of the interaction between the persons involved in the relationship.
 11. **Stalking**: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or to suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts 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.

* *Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.*

* *Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.*

12. **Liquor-Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned offenses.

* *Drunkenness and driving under the influence are not included in this definition.*

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

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

Categories of Prejudice

Hate Crime is defined as a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

- Murder and Non-negligent manslaughter
- Sex Offense
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Destruction/Damage/Vandalism to Property
- Intimidation
- Larceny/Theft
- Simple Assault

Hate Crime Bias

- Race
- Gender
- Religion
- National Origin
- Sexual Orientation
- Gender Identity
- Ethnicity
- Disability

DEFINITION OF CRIME CATEGORIES UNDER MONTANA LAW

The terms Domestic Violence, Dating Violence, Sexual Assault, Rape, Stalking and Consent are defined in the applicable jurisdiction as outlined by Montana Code Annotated (MCA) 2021, Title 45. Crimes, Chapter 5. Offenses Against the Person, Part 5. Sexual Crimes.

1. **Domestic Violence:** The state of Montana uses the term “Partner or Family Member Assault (PFMA)” to define what constitutes Domestic Violence in Montana, which is defined in Montana Code Annotated (MCA) 45-5-206. Partner or Family Member Assault.
2. **Dating Violence:** The state of Montana does not have a definition of dating violence.
3. **Sexual Assault:** The state of Montana defines sexual assault in: Montana Code Annotated (MCA) 45-5-502. Sexual Assault.
4. **Rape:** The State of Montana uses the term “Sexual Intercourse Without Consent” to define what constitutes rape in Montana, which is defined in Montana Code Annotated (MCA) 45-5-503. Sexual Intercourse Without Consent.
5. **Stalking:** The State of Montana defines Stalking in Montana Code Annotated (MCA) 45-5-220. Stalking
6. **Consent:** The State of Montana defines Consent in Montana Code Annotated (MCA) 45-5-501. Definitions- Consent.

45-5-206. Partner or family member assault:

1. A person commits the offense of partner or family member assault if the person:
 - a. purposely or knowingly causes bodily injury to a partner or family member;
 - b. negligently causes bodily injury to a partner or family member with a weapon; or
 - c. purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.

2. For the purposes of Title 40, chapter 15, **45-5-231** through **45-5-234**, **46-6-311**, and this section, the following definitions apply:
 - a. "Family member" means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.
 - b. "Partners" means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship.

3. An offender convicted of partner or family member assault shall be fined an amount not less than \$100 or more than \$1,000 and be imprisoned in the county jail for a term not to exceed 1 year or not less than 24 hours for a first offense.
 - a. An offender convicted of a second offense under this section shall be fined not less than \$300 or more than \$1,000 and be imprisoned in the county jail not less than 72 hours or more than 1 year.
 - b. Upon a first or second conviction, the offender may be ordered into misdemeanor probation as provided in **46-23-1005**.
 - c. On a third or subsequent conviction for partner or family member assault, the offender shall be fined not less than \$500 and not more than \$50,000 and be imprisoned for a term not less than 30 days and not more than 5 years. If the term of imprisonment does not exceed 1 year, the person shall be imprisoned in the county jail. If the term of imprisonment exceeds 1 year, the person shall be imprisoned in the state prison.
 - d. If the offense was committed within the vision or hearing of a minor, the judge shall consider the minor's presence as a factor at the time of sentencing.



Aerial photo of the MSU campus

4. For the purpose of determining the number of convictions under this section, a conviction means:
 - a. a conviction, as defined in **45-2-101**, under this section;
 - b. a conviction for domestic abuse under this section;
 - c. a conviction for a violation of a statute similar to this section in another state;
 - d. if the offender was a partner or family member of the victim, a conviction for aggravated assault under **45-5-202** or assault with a weapon under **45-5-213**;
 - e. a conviction for strangulation of a partner or family member under **45-5-215**;
 - f. a conviction in another state for an offense related to domestic violence between partners or family members, as those terms are defined in this section, regardless of what the offense is named or whether it is misdemeanor or felony, if the offense involves conduct similar to conduct that is prohibited under **45-5-202**, **45-5-213**, or this section; or
 - g. a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or in another state for a violation of a statute similar to this section, which forfeiture has not been vacated.

5. An offender convicted of partner or family member assault is required to pay for and complete a counseling assessment with a focus on violence, controlling behavior, dangerousness, and chemical dependency. An investigative criminal justice report, as defined in **45-5-231**, must be copied and sent to the offender intervention program, as defined in **45-5-231**, to assist the counseling provider in properly assessing the offender's need for counseling and treatment. Counseling providers shall take all required precautions to ensure the confidentiality of the report. If the report contains confidential information relating to the victim's location or not related to the charged offense, that information must be deleted from the report prior to being sent to the offender intervention program.

6. The offender shall complete all recommendations for counseling, referrals, attendance at psychoeducational groups, or treatment, including any indicated chemical dependency treatment, made by the counseling provider. The counseling provider must be approved by the court. The counseling must include a preliminary assessment for counseling, as defined in **45-5-231**. The offender shall complete a minimum of 40 hours of counseling. The counseling may include attendance at psychoeducational groups, as defined in **45-5-231**, in addition to the assessment. The preliminary assessment and counseling that holds the offender accountable for the offender's violent or controlling behavior must meet the standards established pursuant to **44-7-210** and be:
 - a. (i) with a person licensed under Title 37, chapter 17, 22, or 23;
 - b. (i) with a professional person as defined in **53-21-102**; or
 - c. (i) in a specialized domestic violence intervention program.

7. The minimum counseling and attendance at psychoeducational groups provided in subsection (4) (b) must be directed to the violent or controlling conduct of the offender. Other issues indicated by the assessment may be addressed in additional counseling beyond the minimum 40 hours. Subsection (4)(b) does not prohibit the placement of the offender in other appropriate treatment if the court determines that there is no available treatment program directed to the violent or controlling conduct of the offender.

8. In addition to any sentence imposed under subsections (3) and (4), after determining the financial resources and future ability of the offender to pay restitution as provided for in **46-18-242**, the court shall require the offender, if able, to pay the victim's reasonable actual medical, housing, wage loss, and counseling costs.
9. In addition to the requirements of subsection (5), if financially able, the offender must be ordered to pay for the costs of the offender's probation, if probation is ordered by the court.
10. The court may prohibit an offender convicted under this section from possession or use of the firearm used in the assault. The court may enforce **45-8-323** if a firearm was used in the assault.
11. The court shall provide an offender with a written copy of the offender's sentence at the time of sentencing or within 2 weeks of sentencing if the copy is sent electronically or by mail.

45-5-502. Sexual assault:

1. A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault.
 - a. On a first conviction for sexual assault, the offender shall be fined an amount not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.



Photo of a Montana Farm

- b. On a second conviction for sexual assault, the offender shall be fined an amount not to exceed \$1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.
 - c. On a third and subsequent conviction for sexual assault, the offender shall be fined an amount not to exceed \$10,000 or be imprisoned for a term not to exceed 5 years, or both.
2. If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual assault, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years, unless the judge makes a written finding that there is good cause to impose a term of less than 4 years and imposes a term of less than 4 years, or more than 100 years and may be fined not more than \$50,000.
3. An act “in the course of committing sexual assault” includes an attempt to commit the offense or flight after the attempt or commission.
 - a. Subject to subsections (5)(b) and (5)(f), consent is ineffective under this section if the victim is:
 - i. incarcerated in an adult or juvenile correctional, detention, or treatment facility or is on probation or parole and the perpetrator is an employee, contractor, or volunteer of the supervising authority and has supervisory or disciplinary authority over the victim, unless the act is part of a lawful search;
 - ii. less than 14 years old and the offender is 3 or more years older than the victim;
 - iii. receiving services from a youth care facility, as defined in 52-2-602, and the perpetrator:
 - A. has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
 - B. is an employee, contractor, or volunteer of the youth care facility; or
 - iv. admitted to a mental health facility, as defined in **53-21-102**, is admitted to a community-based facility or a residential facility, as those terms are defined in **53-20-102**, or is receiving community-based services, as defined in **53-20-102**, and the perpetrator:
 - A. has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
 - B. is an employee, contractor, or volunteer of the facility or community-based service.
 - v. a program participant, as defined in **52-2-802**, in a private alternative adolescent residential or outdoor program, pursuant to Title 52, chapter 2, part 8, and the perpetrator is a person associated with the program, as defined in **52-2-802**;
 - vi. the victim is a client receiving psychotherapy services and the perpetrator:
 - A. is providing or purporting to provide psychotherapy services to the victim; or
 - B. is an employee, contractor, or volunteer of a facility that provides or purports to provide psychotherapy services to the victim and the perpetrator has supervisory or disciplinary authority over the victim; or

vii. a student of an elementary, middle, junior high, or high school, whether public or nonpublic, and the perpetrator is not a student of an elementary, middle, junior high, or high school and is an employee, contractor, or volunteer of any school who has ever had instructional, supervisory, disciplinary, or other authority over the student in a school setting.

Subsection (5)(a)(i) does not apply if one of the parties is on probation or parole and the other party is a probation or parole officer of the supervising authority and the parties are married to each other.

Subsections (5)(a)(iii) and (5)(a)(iv) do not apply if the individuals are married to each other and one of the individuals involved is a patient in or resident of a facility, is a recipient of community-based services, or is receiving services from a youth care facility and the other individual is an employee, contractor, or volunteer of the facility or community-based service.

45-5-503. Sexual intercourse without consent.

1. A person who knowingly has sexual intercourse with another person without consent or with person who is incapable of consent commits the offense of sexual intercourse without consent. A person may not be convicted under this section based on the age of the person's spouse, as provided in [45-5-501\(1\)\(b\)\(iv\)](#).
2. A person convicted of sexual intercourse without consent shall be punished by life imprisonment or by imprisonment in the state prison for a term of not more than 20 years and may be fined not more than \$50,000, except as provided in [46-18-219](#), [46-18-222](#), and subsections (3), (4), and (5) of this section.
3. (a) If the victim is less than 16 years old and the offender is 4 or more years older than the victim or if the offender inflicts bodily injury on anyone in the course of committing sexual intercourse without consent, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years or more than 100 years and may be fined not more than \$50,000, except as provided in [46-18-219](#) and [46-18-222](#).
(b) If two or more persons are convicted of sexual intercourse without consent with the same victim in an incident in which each offender was present at the location where another offender's offense occurred during a time period in which each offender could have reasonably known of the other's offense, each offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 5 years or more than 100 years and may be fined not more than \$50,000, except as provided in [46-18-219](#) and [46-18-222](#).
(c) If the offender was previously convicted of an offense under this section or of an offense under the laws of another state or of the United States that if committed in this state would be an offense under this section and if the offender inflicted serious bodily injury on a person in the course of committing each offense, the offender shall be:

- (i) punished by death as provided in [46-18-301](#) through [46-18-310](#), unless the offender is less than 18 years of age at the time of the commission of the offense; or
 - (ii) punished as provided in [46-18-219](#).
- 4. (a) If the victim was 12 years of age or younger and the offender in the course of committing a violation of this section was 18 years of age or older at the time of the offense, the offender:
 - (i) shall be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (4)(a)(i) except as provided in [46-18-222](#)(1) through (5), and during the first 25 years of imprisonment, the offender is not eligible for parole. The exception provided in [46-18-222](#)(6) does not apply.
 - (ii) may be fined an amount not to exceed \$50,000; and
 - (iii) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.
- (b) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in [46-23-1010](#).
- 5. If the victim is at least 14 years of age and the offender is 18 years of age or younger, the offender may be punished by imprisonment in the state prison for a term of not more than 5 years and may be fined not more than \$10,000 if:
 - (a) the offender has not previously been found to have committed or been adjudicated for a sexual offense as defined in [46-23-502](#);
 - (b) a psychosexual evaluation of the offender has been prepared and the court finds that registration is not necessary for protection of the public and that relief from registration is in the public's best interest; and
 - (c) the court finds that the alleged conduct was consensual as indicated by words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact.
- 6. In addition to any sentence imposed under subsection (2) or (3), after determining the financial resources and future ability of the offender to pay restitution as required by [46-18-242](#), the court shall require the offender, if able, to pay the victim's reasonable medical and counseling costs that result from the offense. The amount, method, and time of payment must be determined in the same manner as provided for in [46-18-244](#).
- 7. As used in subsections (3) and (4), an act "in the course of committing sexual intercourse without consent" includes an attempt to commit the offense or the act of flight after the attempt or commission.
- 8. If as a result of sexual intercourse without consent a child is born, the offender who has been convicted of an offense under this section and who is the biological parent of the child resulting from the sexual intercourse without consent forfeits all parental and custodial rights to the child if the provisions of [46-1-401](#) have been followed.

45-5-220 Stalking – exemption – penalty.

1. A person commits the offense of stalking if the person purposely or knowingly engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to:
 - a. fear for the person's own safety or the safety of a third person; or
 - b. suffer other substantial emotional distress.
2. For the purposes of this section, the following definitions apply:
 - a. "Course of conduct" means two or more acts, including but not limited to acts in which the offender directly or indirectly, by any action, method, communication, or physical or electronic devices or means, follows, monitors, observes, surveils, threatens, harasses, or intimidates a person or interferes with a person's property.
 - b. "Reasonable person" means a reasonable person under similar circumstances as the victim. This is an objective standard.
 - c. "Substantial emotional distress" means significant mental suffering or distress that may but does not necessarily require medical or other professional treatment or counseling.
3. This section does not apply to a constitutionally protected activity.
4. Except as provided in subsection (4)(b), for the first offense, a person convicted of stalking shall be imprisoned in the county jail for a term not to exceed 1 year or fined an amount not to exceed \$1,000, or both.
 - a. For a second or subsequent offense within 20 years or for a first offense when the offender violated any order of protection, when the offender used force or a weapon or threatened to use force or a weapon, or when the victim is a minor and the offender is at least 5 years older than the victim, the offender shall be imprisoned in the state prison for a term not to exceed 5 years or fined an amount not to exceed \$10,000, or both.
 - b. A person convicted of stalking may be sentenced to pay all medical, counseling, and other costs incurred by or on behalf of the victim as a result of the offense.
5. Upon presentation of credible evidence of violation of this section, an order may be granted, as set forth in Title 40, chapter 15, restraining a person from engaging in the activity described in subsection (1).
6. For the purpose of determining the number of convictions under this section, "conviction" means:
 - a. a conviction, as defined in **45-2-101**, in this state;
 - b. a conviction for a violation of a statute similar to this section in another state; or
 - c. a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or another state for a violation of a statute similar to this section, which forfeiture has not been vacated.
7. Attempts by the accused person to contact or follow the stalked person after the accused person has been given actual notice that the stalked person does not want to be contacted or followed constitutes prima facie evidence that the accused person purposely or knowingly followed, harassed, threatened, or intimidated the stalked person.



Plew building

Consent: The State of Montana defines consent, in relation to sexual activity, with reference to sexual assault, in the applicable jurisdiction (Montana Code Annotated (MCA) 2021, (45-5-501), as follows:

1. The term “consent” means words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact and is further defined but not limited by the following:
 - a. an expression of lack of consent through words or conduct means there is no consent or that consent has been withdrawn;
 - b. a current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent; and
 - c. lack of consent may be inferred based on all of the surrounding circumstances and must be considered in determining whether a person gave consent.

2. Subject to subsections (1)(c) and (1)(d), the victim is incapable of consent because the victim is:
 - a. mentally defective or incapacitated; physically helpless; overcome by deception, coercion, or surprise; less than 16 years old;
 - b. As used in subsection (a), the term “force” means:
 - 1.the infliction, attempted infliction or threatened infliction of bodily injury or the commission of a forcible felony by the offender; or
 - 2.the threat of substantial retaliatory action that caused the victim to reasonably believe that the offender has the ability to execute the threat.

2023 ANNUAL CAMPUS FIRE SAFETY REPORT FOR REPORTING YEAR 2022, 2021 & 2020

INTRODUCTION

MSU publishes this Annual Fire Safety Report as part of its annual Clery Act/HEOA Compliance, which contains information regarding fire safety practices, education, and standards for the University. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire (see Fire Statistics later in this report).

In an effort to standardize the information an institution publishes on fire safety, the U.S. Department of Education requires all universities that maintain on-campus student housing facilities and receive U.S. Department of Education funding to publish an annual fire safety report, maintain a fire log, and report fire statistics to the Secretary of Education. The Annual Security and Fire Safety Report is also posted on the University Student Housing website. Paper copies of the full report are available upon request at the University Student Housing Office during business hours.

Federal Definition of Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. Fire safety is essential in protecting a campus community from injuries, deaths, business interruption, and property damage resulting from fires.

On-Campus Student Housing: A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

FIRE REPORTING AND UNIVERSITY RESPONSE TO ARSON

If you suspect an active fire or witness evidence of a fire (smoking paper on bulletin board, fire in a trash can, etc.), please call UPD located at the corner of 7th Ave. and Kagy Blvd., in the Roy Huffman Building or dial:

- For emergencies call 911
- Non-Emergencies call (406) 994-2121

MSU is required to annually disclose statistical data on all fires that occur in on-campus housing facilities. To report a non-emergency fire that has already been extinguished in on-campus housing contact the University Police Department non-emergency line at (406) 994-2121.

Arson is the act of maliciously, voluntarily, and willfully setting fire to the building, buildings, or other property within the building. Arson is a criminal offense and will be treated as such. Any acts or attempted acts of arson will result in disciplinary sanctions, up to and including suspension or expulsion from the university as well as criminal charges.



MSU campus in the spring

If you are not sure if UPD or the Fire Department has been contacted, call 911 or the University Police Department immediately. Make a difference, please call and report arson. Concerned citizens can (and should) report fires and/or arson.

UNIVERSITY FIRE MARSHAL

MSU's Fire Marshal is the authority that has jurisdiction over fire and life safety across the Bozeman campus and, as part of his duties, annually reviews MSU's fire safety policies, evacuation plans, and oversees fire drills in MSU's buildings. For questions related to MSU's fire and life safety programs please contact MSU Fire Marshal Chris Salter at (406) 994-7583. University Student Housing coordinates with MSU Fire Marshal to facilitate drills and fire safety education in campus housing facilities.

UNIVERSITY FIRE SAFETY POLICIES

Smoking: Montana State University became a "tobacco-free" campus, effective August 1, 2012. Smoking is prohibited within the residence halls, academic buildings, public areas, and student rooms. Smoking is prohibited in all University Student Housing, Apartments and grounds.

Open Flames: Within the residence halls system, any type of open flame is prohibited. Within University Student Apartments open flames are allowed when operated under safe conditions.

Use of Portable Electrical Appliances: Within the residence halls, hot plates, George Foreman Grills, and toaster ovens are not permitted. Other appliances are allowed provided there are no exposed heating elements. Within University Student Apartments, standard household electrical appliances are allowed.

Candles: Burning candles in campus housing is prohibited (University Student Housing Community Standards)

Lamps: Halogen lamps, lava lamps, and space heaters are not allowed in the residence halls due to significant fire hazards. (University Student Housing Community Standards)

Incense: Burning of incense in the residence halls is strictly prohibited. (University Student Housing Community Standards)

University Student Apartments Fire Safety rules: Gasoline, kerosene, burning fluid, or other combustible or explosive materials are prohibited. Any condition that creates a fire hazard is prohibited and must be eliminated upon request of University Staff.

Beds: Storage and workspace under loft beds should be maintained in a safe manner. Lamps/lights under the loft must have a shade/covering to protect the bulb and heat-generating appliances should (e.g., refrigerators and microwaves) be kept to a minimum.

Chemicals and Explosives: Chemicals and explosives (including firecrackers, spray paint, explosive devices, smoke bombs, combustion engines, flammable and explosive liquids/gases, ammunition, and fireworks) are not permitted in the residence halls. Spray painting is not allowed in the residence hall rooms or common areas. If residents are unsure about a substance, check with an RA/CD. This includes materials and devices which by themselves, or when combined, could be explosive, toxic, flammable or dangerous (such as camping fuel). Spray adhesive can be used unless it is disrupting other residents in the building.

PROHIBITED ACTS

The following acts are prohibited in any University Housing and will result in disciplinary action and possible criminal charges:

1. Misuse of any fire equipment, including extinguishers, pipes, pull stations, smoke/heat detectors, hoses, exit signs, emergency lights, horns, alarms, bells, and doors;
2. Starting fires or setting off false alarms;
3. Failing to evacuate and/or hindering in the evacuation of others; and
4. The use of fire escapes during a “non-emergency” (University Student Housing Community Standards)

FIRE EVACUATION PROCEDURES

Fire alarms alert community members of potential hazards, and community members are required to heed their warning and evacuate buildings 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. Fire drills are mandatory and failure to participate in a fire drill is subject to disciplinary action.

When a fire alarm is activated, the elevators in most buildings will recall automatically to a safe floor. Occupants should use the stairs to evacuate the building. If students are caught in an elevator, they should push the emergency phone button. The emergency phones in elevators on campus typically ring to Montana State University Police Dispatch at the Gallatin County 911 Center.

University Student Housing: Resident Advisors explain the evacuation procedures to residents at the first-floor meeting of each academic year, including discussion of evacuation plans posted at each floor exit door. Residents are directed to exit through the nearest safe exit route/stairwell and are informed of the exterior hall meeting location for students. Students are required to evacuate any residence hall immediately upon the sound of an alarm and may not re-enter until authorized by University personnel.

Students requiring additional assistance to evacuate should communicate their individual needs with a University Student Housing staff member when they move into the community.

During the alarm, front desk personnel document the fire alarm and evacuation progress. University Student Housing Senior Staff members facilitate the fire panel and direct University Student Housing staff during the alarm. Residents are not permitted to re-enter until Fire department personnel have reauthorized entry.

University Student Apartments: Tenants are instructed to evacuate their apartment and call 911 if they hear an alarm or see smoke or fire.

FIRE SAFETY EDUCATION AND TRAINING

University Student Housing Evacuation Procedures In Case of a Fire

- If you hear the fire alarm immediately evacuate the building using the nearest available exit. **Do not attempt to fight a fire unless you have been trained to do so.**
- Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- University Student Housing staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (Example: there is an emergency in the building leave by the nearest exit) and knock-on doors as they make their way to the nearest exit and out the building.
- When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- **DO NOT USE ELEVATORS.** Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- Each resident should report to their assigned assembly area. University Student Housing staff should report to their assigned assembly area and make sure that students have cleared the building. University Student Housing will not allow re-entry into the building until directed to do so by emergency personnel.

All residence halls are equipped with portable fire extinguishers and Resident Advisors attend training and participate in fire evacuation simulations each academic year. Students in the residence halls are provided with the housing requirements set forth in the University Student Housing Community Standards and are instructed on evacuation procedures.

University Student Apartments

Check-in Appointment: Tenants are required to attend a check-in appointment within one week of their move into their apartment. During this meeting, tenants are given the following instructions. These are ongoing throughout the year, dependent on when the tenant(s) obtains housing.

- If an alarm is audible, vacate the building immediately in a safe manner;
- If smoke or fire are visible, dial 911 immediately and report visible fire/smoke; as well as instructed to activate the emergency pull station for their building.
- Tenants are encouraged and instructed to practice E.D.I.T.H. (more information below)

Fire Safety Brochure: A fire safety brochure is delivered to all tenants during our week of welcome. This provides information for new tenants and a refresher for existing tenants. Details are listed below:

- **E.D.I.T.H (Exit Drills in the Home):** education materials provided by NFPA (National Fire Protection Association) are provided to the tenants.
- **University Student Apartments Safety Fair:** Held within the first two weeks of the fall semester, the Annual Safety Fair is an event for all tenants of University Student Apartments. Fire safety is featured, along with a variety of other safety-related topics (bicycle safety, household safety/security, neighborhood crime reporting, fire extinguisher training, personal safety, etc.)
- All University Student Apartments are equipped with portable fire extinguishers and Community Assistants attend and complete live fire extinguisher training.

FIRE DRILLS AND FIRE SAFETY SYSTEMS

The Higher Education Act (HEA) defines a fire drill as “A supervised practice of a mandatory evacuation of a building for a fire.” Fire drills assist in the educational process for students and staff alike. Within the residence halls and University Student Apartments, fire drills are conducted in each building at the beginning of each academic period. Fire drills are scheduled with staff and unannounced to the general public.

The table below lists the various fire drills conducted in 2022, as well as a list of on-campus residential and academic buildings and their current fire/life safety status.



Groundbreaking event for the Bozeman Fire Station No2 next to MSU Police Station at Montana State University

	Fire Alarm Monitoring Done On Site	Partial ¹ Sprinkler System	Full ² Sprinkler System ⁶	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	Number of Evacuation (fire) drills each calendar year
RESIDENTIAL FACILITIES							
East Julia Martin 101-111	NO	NO	NO	YES	YES	NO	1
Gallatin Hall	YES	N/A	YES	YES	YES	NO	3
Hannon Hall	YES	N/A	YES	YES	YES	NO	3
Hapner Hall	YES	N/A	YES	YES	YES	NO	3
Hedges Hall (North)	YES	N/A	YES	YES	YES	NO	3
Hedges Hall (South)	YES	N/A	YES	YES	YES	NO	3
Hyalite	YES	N/A	YES	YES	YES	NO	3
Jefferson Hall	YES	N/A	YES	YES	YES	NO	3
Johnstone Hall	YES	N/A	YES	YES	YES	NO	4
Langford Hall	YES	N/A	YES	YES	YES	NO	3
Madison Hall	YES	N/A	YES	YES	YES	NO	3
Miller Dining	YES	N/A	YES	YES	YES	NO	0
Quads A-F	YES	N/A	YES	YES	YES	NO	3
Roskie Hall	YES	N/A	YES	YES	YES	NO	3
West Julia Martin 112-115	NO	NO	NO	YES	YES	NO	1
Yellowstone Hall	YES	N/A	YES	YES	YES	NO	3
UNIVERSITY STUDENT APARTMENTS							
Branegan Court	NO	NO	NO	YES	YES	NO	0
Grant Chamberlain	NO	NO	NO	YES	YES	NO	0
McIntosh Court	NO	N/A	YES	YES	YES	NO	0
Nelson Story Tower	YES	N/A	YES	YES	YES	NO	0
Paisley Court	NO	NO	NO	YES	YES	NO	0
Peter Koch Tower	YES	N/A	YES	YES	YES	NO	0
South Street Residence	NO	NO	NO	YES	YES	NO	0
West Side Houses	NO	NO	NO	YES	YES	NO	0
West Julia Martin 116-119	NO	NO	NO	YES	YES	NO	0

FIRE SAFETY REPORT LOG 2020/2021/2022

The [MSU Fire Log](#) includes the date, time, and location of fire reports and the nature of the fire for the past three years in on-campus living units. The MSU Fire Log is accessible online and hard copies are available at the University Student Housing Office during normal business hours. The following table indicates the fire statistics from each on-campus housing facility during the last three years.

ANNUAL SECURITY AND FIRE SAFETY REPORT FOR REPORTING YEAR 2020, 2021 AND 2022

	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
2020 RESIDENTIAL FACILITIES						
East Julia Martin 101-111	1	1	Unintentional - Cooking	0	0	\$0-99
Gallatin Hall	0	0	0	0	0	0
Hannon Hall	0	0	0	0	0	0
Hapner Hall	0	0	0	0	0	0
Hedges Hall (North)	0*	0*	0*	0	0	0*
Hedges Hall (South)	0	0	0	0	0	0
Hyalite Hall	0	0	0	0	0	0
Jefferson Hall	0	0	0	0	0	0
Johnstone Hall	0	0	0	0	0	0
Langford Hall	0	0	0	0	0	0
Madison Hall	0	0	0	0	0	0
Miller Dining	0	0	0	0	0	0
Quads A-F	0	0	0	0	0	0
Roskie Hall	0	0	0	0	0	0
West Julia Martin 112-115	0	0	0	0	0	0
Yellowstone Hall	0	0	0	0	0	0
2020 FAMILY & GRADUATE HOUSING						
Branegan Court	0	0	0	0	0	0
Grant Chamberlain	0	0	0	0	0	0
McIntosh Court	0	0	0	0	0	0
Nelson Story Tower	1	1	Light Bulb cracked and produced flame	0	0	\$0-99
Paisley Court	1	1	Unintentional – Cooking	0	0	\$0-99
Peter Koch Tower	0	0	0	0	0	0
South Street Residence	0	0	0	0	0	0
West Side Houses	2*	1	Unintentional – Cooking	0	0	\$0-99
		2*	Unintentional – Cooking*	0*	0*	\$0-99*
West Julia Martin 116-119	0	0	0	0	0	0

	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
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2021 RESIDENTIAL FACILITIES

East Julia Martin 101-111	0	0	NA	0	0	0
Gallatin Hall	0	0	NA	0	0	0
Hannon Hall	0	0	NA	0	0	0
Hapner Hall	0	0	NA	0	0	0
Hedges Hall (North)	0	0	NA	0	0	0
Hedges Hall (South)	0	0	NA	0	0	0
Hyalite Hall	1	1	Elevator motor sparked	0	0	\$1500
Jefferson Hall	0	0	NA	0	0	0
Johnstone Hall	1	1	Unknown-found burned door decoration	0	0	\$0-99
Langford Hall	1	1	Hand sanitizer ignited on tile floor	0	0	\$0-99
Madison Hall	0	0	NA	0	0	0
Miller Dining	0	0	NA	0	0	0
Quads A-F	0	0	NA	0	0	0
Roskie Hall	0	0	NA	0	0	0
West Julia Martin 112-115	0	0	NA	0	0	0
Yellowstone Hall	1	1	Unknown-Found burn mark on carpet	0	0	\$0-99

**2021 UNIVERSITY STUDENT APARTMENTS
(FORMERLY KNOWN AS FAMILY & GRADUATE HOUSING)**

Branegan Court	0	0	NA	0	0	0
Grant Chamberlain	0	0	NA	0	0	0
McIntosh Court	0	0	NA	0	0	0
Nelson Story Tower	0	0	NA	0	0	0
Paisley Court	0	0	NA	0	0	0
Peter Koch Tower	0	0	NA	0	0	0
South Street Residence	0	0	NA	0	0	0
West Side Houses	0	0	NA	0	0	0
West Julia Martin 116-119	0	0	NA	0	0	0

	Total Number of Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire (in USD)
2022 RESIDENTIAL FACILITIES						
East Julia Martin 101-111	0	0	NA	0	0	0
Gallatin Hall	0	0	NA	0	0	0
Hannon Hall	1	1	Oven caught fire during cooking	0	0	\$500
Hapner Hall	0	0	NA	0	0	0
Hedges Hall (North)	0	0	NA	0	0	0
Hedges Hall (South)	1	1	Suspected Acetylene torch burned wall	0	0	\$100-999.
Hyalite Hall	0	0	NA	0	0	0
Jefferson Hall	0	0	NA	0	0	0
Johnstone Hall	1	1	Unknown- 3rd floor Mullan, paper burned on wall	0	0	\$0-99
Langford Hall	0	0	NA	0	0	0
Madison Hall	0	0	NA	0	0	0
Miller Dining	0	0	NA	0	0	0
Quads A-F	0	0	NA	0	0	0
Roskie Hall	1	1	Range caught fire during cooking	0	0	\$750
West Julia Martin 112-115	0	0	NA	0	0	0
Yellowstone Hall	0	0	NA	0	0	0



Sunny spring

**2022 UNIVERSITY STUDENT APARTMENTS
(FORMERLY KNOWN AS FAMILY & GRADUATE HOUSING)**

Branegan Court	1	1	Lint caught fire in dryer	0	0	\$0-99
Grant Chamberlain	0	0	NA	0	0	0
McIntosh Court	0	0	NA	0	0	0
Nelson Story Tower	0	0	NA	0	0	0
Paisley Court	0	0	NA	0	0	0
Peter Koch Tower	0	0	NA	0	0	0
South Street Residence	0	0	NA	0	0	0
West Side Houses	0	0	NA	0	0	0
West Julia Martin 116-119	0	0	NA	0	0	0

**The original 2020 ASFSR was published on November 13, 2020. An administrative error was discovered by the University that has since changed a number of MSU's crime statistics. These statistics have been updated and revised in the 2020 report.*

PLANS FOR FUTURE IMPROVEMENTS IN MSU'S FIRE SAFETY

Montana State University is committed to reviewing trends as it relates to residence hall fire incidents, alarms, and best practices in order to provide our campus community with a fire-safe living and learning environment. New programs and policies are developed as needed to help ensure the safety of all faculty, staff, and students. Montana State University is committed to enhancing the degree of fire and life safety of all campus facilities. This summer MSU had the opportunity to move forward with updating the fire alarm system within Madison Hall and Jefferson Hall, which has increased ADA accessible rooms and improved the reliability of the system.



Montana Hall on the Montana State University campus is seen from the air

