

# **U.S. Truck Driver Training School Annual Security Report**

**Includes 2019 Reportable Crime Statistics**



**November 2020**

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# Clery Act Annual Security Report

Each year, the Vice President & Director of Financial Aid prepares an Annual Security Report of crime statistics for each of the three most recent years of crimes that were committed on campus, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus. This report is compiled from all of the incidents reported to the institution by any one of the following sources:

- Victim
- Witness
- Third-Party
- Perpetrator
- Local law enforcement agencies

This report includes policies, procedures, programs, and statistics on Criminal Murder; Non-Negligent Manslaughter and Manslaughter by Negligence; Sex Offenses; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Hate Crimes; Domestic Violence; Dating Violence; Stalking; as well as arrests and/or disciplinary referrals for Illegal Weapons Possession and Drug or Liquor Law violations. This annual statement will be collected, reported and disseminated to the campus community as well as to the U.S. Department of Education.

The Annual Security Report will be retained by the campus Administrative Offices for a period of seven (7) years.

The Annual Security Report will be made available online each year by October 1<sup>st</sup> at [www.ustdts.edu](http://www.ustdts.edu). Please note that the institution has received an extension due to COVID-19 in 2020 and the report is available on the website as of 11/23/2020.

During orientation, the instructor will notify all enrolled students of the “Annual Security Report” and provide the web site to access this information. An email notification is sent to employees of USTDTS via their USTDTS provided email account announcing publication of the “Annual Security Report” and providing the web site to access this information.

During the interview process, prospective students and prospective employees will be provided with a verbal notice containing a statement of the report’s availability, and a description of its contents, the exact web address of the Internet or intranet web site at which the report is posted and the opportunity to request a paper copy. Additionally, any person interviewed as a result of an advertisement shall be provided a notice of the availability of the Annual Security Report.

Anyone may obtain a paper copy of the Annual Security Report through the Financial Aid Department. There is no fee charged for this report.

This Annual Security Report is in compliance with the Jeanne Clery Act and is prepared in cooperation with the City of Sterling Heights Police Department, USTDTS’s Campus Authorities, students, employees, witnesses and third-party information.

## **Reporting a Crime or Emergency**

USTDTS encourages accurate and prompt reporting of all crimes to the Vice President and the local law enforcement agency. If the victim is unable (physically/mentally) to make such a report, the first available USTDTS Authority will contact the local law enforcement agency on their behalf.

If anyone on campus, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus is a victim of a crime, a witness to a crime, has third party information, or observes suspicious activity, they should immediately report it to the Campus Authority by calling **586-838-1268** or by coming into the office. For non-campus options crimes may be reported to the Sterling Heights Police Department, by calling **586-446-2800**, or the Michigan State Police Department by calling **911** or stopping by the local police station. If law enforcement is requested, the department may take information over the phone, may respond to your location, or require you to make the report at the police station. Law enforcement may gather information, collect evidence, obtain written statements, prepare a report and submit to a local prosecutor.

Crimes **should** be reported to a school official and the Financial Aid Department must be notified to ensure inclusion in the annual crime statistics and to aid in providing Timely Warning Notices to the institution's community, when appropriate.

Crimes may also be reported to any Campus Authority (CA). The CA is anyone on campus who has significant responsibility for student and campus activities. A CA may include: President, Vice-President, Admissions Representative, Director of Financial Aid, Instructor, and or Career Advisor.

## **Response to Reports**

Administrative Personnel are available at the number listed above between 8:00 am and 5:00 pm Monday through Friday to answer your calls. Yard and Road instructional staff are available Saturday and Sunday from 8:00 am to 4:30 pm. In response to a call, Campus Authority will take the required action, either dispatching an officer or asking the victim to report to the Vice President to file an incident report. All reported crimes may be investigated by the institution and may become a matter of public record. Campus Safety incident reports are forwarded to the Vice President for review. Investigation will be performed by the Vice President and if assistance is required from a local law enforcement agency or the local fire department, Campus Authority will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene, including Campus Authority, will offer the victim a wide variety of services. CA's have no authority to make arrests, however any CA has the authority to notify local police when believed that an arrest may be necessary. After reportings are investigated, the accuser and the accused will be notified in writing of the decision made by the CA, the procedures taken and any changes to the result including the result becoming final. The victim will not have the ability to appeal the result.

## **Emergency Response & Evacuations**

U.S. Truck Driver Training School practices emergency response procedures during the academic school year. Evacuation plans are posted throughout the school and fire drills are practiced at random throughout the academic year while class is in session. Evacuation maps are in all office spaces, classrooms, bathrooms, garages, and gathering places throughout the USTDTS facility. In the event of an emergency that requires evacuation, all staff and students are to immediately exit the building and training grounds and meet at the USTDTS sign located nearest the street in front of the building. Daily evaluation sheets will be used to conduct a headcount of students at the meeting area. The most recent list of USTDTS staff and visitor sign-in sheet (located at the front lobby reception desk) will be used to conduct a headcount of staff and visitors at the meeting area (the USTDTS sign located nearest the street in front of the building).

## **Campus Emergency Notification**

Upon confirmation of an emergency (typically confirmed by the Vice President in conjunction with institution administrators, local first responder agencies and/or the National Weather Service) or ongoing dangerous situation on campus, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus that, in the judgment of the President, a Vice President and/or their designee constitutes an immediate threat to the health or safety

of some or all of the members of the USTDTS community, an emergency notification will be immediately issued to the campus community or the segment of the community that is affected by the emergency. The decision to issue an emergency notification, determine the appropriate segment of the campus community to notify, and the content of the notification, will be made on a case-by-case basis by consultation with the President, Vice President, or their designee in light of all the facts, the nature of the incident, the continuing immediate danger to the campus community and the possible risk of compromising law enforcement efforts. USTDTS will immediately determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending upon the particular circumstances of the crime or incident, an emergency notification may be issued utilizing one or more of the following methods:

- Email
- Text messaging
- Voice Messaging
- Contacting the local media
- Face-to-face communication, if deemed necessary

Additionally, anyone with information warranting an emergency notification may report the circumstances to the Campus Authority by calling **586-838-1268** or by coming into the office.

Due to the nature of services provided at USTDTS, (classroom, yard, and road) instructors will be notified of an emergency and the instructor will immediately notify their students.

General information about the emergency response and evacuation procedures for USTDTS are publicized each year as part of the institution's Clery Act compliance efforts (*Annual Security and Fire Safety Report*).

### **Timely Warning**

All crimes specific to the *Clery Act* are required to be assessed for a potential Timely Warning Notice if the crime represents a serious or continuing threat to the community. In the event that a crime occurs within the Clery Geography (on campus, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus) that, in the judgment of the President, a Vice President or their designee constitutes a serious or continuing threat to persons or property, and/or as an educational effort to prevent similar crime(s) in the future, a campus wide timely warning will be issued. The decision to issue a timely warning will be made on a case by case basis in light of all the facts surrounding the

crime, including factors such as the date and time of the crime or incident versus the date it was reported to a USTDTS official, the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Timely Warnings may typically be issued for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications: Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson. The issuance of a timely warning will be considered on a case-by-case basis, depending on the facts of the case and the information known by Campus Authority. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other USTDTS community members, and a Timely Warnings would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by Campus Authority. The Vice President, or their designee will determine what type of information will be included in the timely warning and will likewise be responsible for issuing the warning.

Depending upon the particular circumstances of the crime or incident, a timely warning may be issued utilizing bulletin boards throughout the campus.

Timely Warnings will be issued in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences. Additionally, anyone with information warranting a timely warning may report the circumstances to the Campus Authority by calling **586-838-1268** or by coming into the office.

### **Voluntary Confidential Reporting Procedures**

USTDTS encourages anyone who is the victim or witness to any crime to promptly report the incident to the authorities. Individuals who report information to the police should be given the opportunity to remain anonymous. If a student reports a crime to the school the school will hold their name confidential unless the student wishes to divulge themselves as a witness to a crime.

### **Maintenance of Campus Facilities**

The school is well lit and in an open area. There are multiple exits that are all marked. Security cameras are installed in and outside for student and faculty protection. The facility is regularly inspected for maintenance

issues. First aid kits are restocked regularly by a third-party vendor.

### **Campus Safety Policies**

Campus Safety policies and procedures are presented during orientations for new students/faculty. Policies are also available in the Financial Aid Office, and online in the Student Handbook.

### **Sexual Assault Definitions**

**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 is incapable of giving consent."

In Michigan Criminal Sexual Assaults are defined as: sexual penetration or sexual contact with a person without their consent, or with someone who is incapable of giving consent.

**Rape:** The penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** The touching of the private 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 incapacity.

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

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person 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 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.

In Michigan, Domestic Violence means the occurrence of any of the following acts by a person that is not an



act of self-defense: Causing or attempting to cause physical or mental harm to a family or household member, placing a family or household member in fear of physical or mental harm, causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress, engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Family or household member includes any of the following: spouse or former spouse, an individual with whom the person resides or has resided, an individual with whom the person has or has had a dating relationship, an individual with whom the person is or has engaged in a sexual relationship, an individual to whom the person is related or was formerly related by marriage, an individual with whom the person has a child in common.

**Dating Violence:** Means violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on the reporting party's statement with a consideration of the following factors:

1. The length of the relationship,
2. The type of relationship,
3. The frequency of interaction between the persons involved in the relationship.

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.

In Michigan, Dating Violence is violence when a person is in a dating relationship with someone. Dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a causal relationship or an ordinary fraternization between two individuals in a business or social context.

**Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others. Also, suffer substantial emotional distress. For the purposes of this definition:

- 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.

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

C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. In Michigan Stalking means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

Resources for Victims of Domestic Violence, Dating Violence, Sexual Assault, Stalking:  
<https://www.mcedsv.org/help/find-help-in-michigan.html>

### **Violence Against Women Act / Sexual Assault Procedures for Reporting a Complaint**

The institution has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, this includes informing individuals about their right to file criminal charges as well as the availability of medical, counseling, and support services. It is the victims' choice to call, or not call, local law enforcement in regard to their complaint. Campus Authority will assist in calling local law enforcement if requested. If law enforcement is requested, the department may take information over the phone, may respond to your location, or require you to make the report at the police station. Law enforcement may gather information, collect evidence, obtain written statements, prepare a report, and submit to a local prosecutor. Additional remedies may be implemented to prevent contact between a complainant (victim) and an accused party, such as academic, transportation, and working accommodations, if reasonably available. To file a complaint, students should contact the Vice President (**586-838-1268**).

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee with a written explanation of the student or employee's rights and options.

The Director of Financial Aid and the Admissions & Retention Counselor are receiving annual training on the issues related dating violence, domestic violence, sexual assault, and stalking. Both officials are also trained on how to conduct an investigation and hearing process that protects the safety of victims and promotes

accountability while offering the same opportunity to the accused as the accuser to have present during any institutional disciplinary proceedings, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The school has a right to limit the extent to which the advisor may participate in proceedings and such restrictions would apply to both parties.

### **Sex Offender Registry**

USTDTS is committed to providing a safe environment to all our students and visitors. Sex offender registration is a system for monitoring and tracking sex offenders following their release into the community. The registration provides important information about convicted sex offenders to local and federal authorities and the public, such as offender's name, current location and past offenses. The report can be obtained on the State of Michigan website [https://www.michigan.gov/msp/0,4643,7-123-1878\\_24961---,00.html](https://www.michigan.gov/msp/0,4643,7-123-1878_24961---,00.html) and [http://www.communitynotification.com/cap\\_main.php?office=55242/](http://www.communitynotification.com/cap_main.php?office=55242/)

### **How to be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. USTDTS wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger or it is not safe for you to intervene, 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 people who are incapacitated.
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.

### **Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)).

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. **Try to avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable

with.

- c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Alcohol and Drug Policy and Prevention**

U.S. Truck Driver Training School is grounded in the principles of student achievement, health, and safety; hence, the school strictly enforces a drug-free campus policy. Regulations set forth below are to promote an academic environment conducive to student and career achievement and comply with the Drug-Free Schools and Communities Act Amendments of 1989.

In compliance with federal, state, and local laws, USTDTS prohibits the unlawful manufacture, distribution, sale, possession, or consumption of narcotics, illegal drugs, prescription drugs for which the person does not have a prescription, or alcohol by students, employees, or contractors on any school property or school-sponsored event. The Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) requires that the school inform all members of the USTDTS community of the legal sanctions of illicit drugs and alcohol, which may include suspension/termination of employment and possible referral for criminal prosecution. Violations are recorded in the individual's file.

Students should be aware that those found guilty of violation of the Drug-Free Campus Policy may lose financial assistance provided by the school. Furthermore, according to the Anti-Drug Abuse Act of 1988 (Section 5301), students who receive federal aid must certify that they will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period covered by the aid. If students are convicted of drug distribution or possession, the court may suspend their eligibility for Title IV aid.

The school tests for drug use during the program and can subject students to random drug testing if drug use is reported or suspected. The use of drugs is a major DOT violation and has the potential to end a professional driver's career.

Use of drugs and alcohol can inhibit your ability to operate motor vehicles. A major focus of this program revolves around the use of motorized equipment. **This includes the use of Marijuana for medical purposes.** It is prohibited by DOT standards. Medical cards are also not valid state to state. Traveling across state lines is a requirement of employment in most cases after graduation.

Employees or students who believe they have a drug abuse problem can utilize the following resources for help.

[http://www.michigan.gov/mdhhs/0,5885,7-339-71550\\_2941\\_4871\\_4877---,00.html](http://www.michigan.gov/mdhhs/0,5885,7-339-71550_2941_4871_4877---,00.html)

<http://drugabuse.com/usa/drug-abuse/michigan/>

### **Standards of Conduct**

USTDTS is a drug- free and alcohol-free institution. It does not consider the use of drugs or alcoholic beverages as necessary or conducive to the process of higher education. USTDTS students and employees are expected to abide by all federal, state, and local laws. The use of alcohol on USTDTS owned or leased property or during an institution sponsored activity is strictly prohibited. Violations will result in immediate disciplinary action up to and including expulsion.

### **Health Risks**

Alcohol and drug use present numerous health, behavioral, and social problems. These include acute health problems related to intoxication or overdose, physical and psychological dependence, interference with memory sensation and perception, potential permanent brain damage or death, additional long-term health problems, contraction of diseases, pregnancy problems, psychological problems, diminished behavior, risk taking, violent behavior, accidents, negative side effects on academic or work performance, and conduct problems.

### **Legal Sanctions**

The following laws are strictly enforced by USTDTS Campus Authority and local law enforcement agencies.

## **Federal Law**

Federal Law provides criminal and civil penalties for unlawful possession or distribution of a controlled substance. Under the Controlled Substance Act, as well as other related federal laws, the penalties for controlled substance violations include, but are not limited to, incarceration, fines, potential for the forfeiture of property used in possession or to facilitate possession of a controlled substance (which may include homes, vehicles, boats, aircraft, and any other personal or real property), ineligibility to possess a firearm, and potential ineligibility to receive federal educational benefits (such as student loans and grants).

## **State Law**

The State of Michigan has numerous laws regulating the possession and use of controlled substances and alcohol. As an example, under current Michigan state law, “a person shall not knowingly or intentionally possess or distribute a controlled substance.” If an individual is found guilty of a violation of the state law, he or she may be subject to large fines and imprisonment. A minor (defined as a person under the age of 21) may not “purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content.” Violations of the law may subject the individual to fines, participation in a substance abuse program, imprisonment, community service hours, and/or out-of-pocket expenses related to required substance abuse screenings.

## **Local Laws**

Although local laws and ordinances may vary by county, they typically consider the following as violations: consumption in public places, possession and use of alcohol by minors, uncapped liquor in passenger compartments of vehicles, and all substance abuse ordinances. Sanctions could range from a civil infraction with attached fines to probation, rehabilitation, or even imprisonment.

## **Institutional Sanctions**

The use of illegal drugs or alcohol on any USTDTS owned or leased property, or during an institution sponsored activity is strictly prohibited.

- For students, a violation of either the drug or alcohol policy will result in immediate disciplinary action up to and including verbal warning, written warning, and changes to academic schedule, suspension or expulsion from the institution.
- Distributing, possessing, carrying, using, or being under the influence of illegal drugs on

USTDTS premises, will be cause for immediate expulsion from the institution.

- Possessing, carrying, using, or being under the influence of alcohol on USTDTS premises will be cause for disciplinary action up to and including expulsion from the institution.

For employees, a violation of either the drug or alcohol policy will result in immediate disciplinary action up to and including transportation changes/restrictions, changes in work assignment/location, suspension or termination of employment.

### **Suspension of Financial Aid Eligibility for Drug-Related Offenses**

A student who has been convicted of any offense under federal or state law involving the possession or sale of a controlled substance, while receiving Title IV funds, is no longer eligible to receive any federal grant, loan, or work assistance from the point of conviction and ending after the following:

#### Possession Offenses

- *First Offense – ineligible for 1 year*
- *Second Offense – ineligible for 2 years*
- *Third Offense – ineligible indefinitely*

#### Sale of Controlled Substance Offenses

- *First Offense – ineligible for 2 years*
- *Second Offense – ineligible indefinitely*

A student whose eligibility has been suspended may resume eligibility by completing an acceptable drug rehabilitation program, which must include at least two unannounced drug tests, and is qualified to receive funds from federal, state, or local governments; or from a federally or state-licensed insurance company; or be administered or recognized by a federal, state, or local government agency or court; or a federal or state licensed hospital, health clinic, or medical doctor.

### **Definitions of Crimes**

- **Aggravated assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury (this type of assault usually is accompanied by the use of a



weapon or by means likely to produce death or great bodily harm).

- **Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Burglary** – The unlawful entry of a structure to commit a felony or a theft.
- **Dating Violence**-Means violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors: (i) The length of the relationship, (ii) The type of relationship, (iii) The frequency of interaction between the persons involved in the relationship.
- **Destruction/damage/vandalism of property** – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- **Domestic Violence** - Includes felony or misdemeanor crimes of violence committed: By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Drug Abuse Violations** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.
- **Hate Crime** - Is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. There are eight categories of bias; race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, disability. Hate crimes include any of the following offenses that are motivated by bias; Criminal Homicide, including Murder and Non negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson, Larceny-Theft, Simple Assault, Intimidation and Destruction/Damage/Vandalism of Property.

- **Intimidation** – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Larceny-Theft (Except Motor Vehicle Theft)** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another (attempted larcenies are included; embezzlement, confidence games, forgery, worthless checks, etc. are excluded).
- **Liquor Law Violations** – The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Manslaughter by Negligence** – The killing of another person through gross negligence.
- **Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle.
- **Murder/Non-negligent manslaughter** – The willful (non-negligent) killing of one human being by another.
- **Robbery** – The taking or attempted taking of anything of value from the care, custody, or control of a person by force or threat of force or violence and/or by putting the victim in fear.
- **Sex Offense-Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sex Offense-Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Sex Offense-Rape:** The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sex Offense-Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Simple assault:** An unlawful physical attack by one person upon another where neither the offender

displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- **Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.
- **Weapons: Carrying, Possessing, Etc.** – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons (this classification encompasses weapons offenses that are regulatory in nature).

# Annual Crime Statistics

USTDTS provides an annual summary of crime statistics for the most recent three years committed on the campus and public property. The following tables include statistics on murder, sex offenses, robbery, aggravated assault, burglary, and auto theft. It also includes the number of arrests for alcohol, drug and/or weapons violations.

		ON CAMPUS			PUBLIC PROPERTY		
		2017	2018	2019	2017	2018	2019
<b>CRIMINAL OFFENSES</b>							
<b>Murder/Non-negligent Manslaughter</b>		0	0	0	0	0	0
<b>Negligent Manslaughter</b>		0	0	0	0	0	0
<b>Sex Offenses</b>	<b>Rape</b>	0	0	0	0	0	0
	<b>Fondling</b>	0	0	0	0	0	0
	<b>Incest</b>	0	0	0	0	0	0
	<b>Statutory Rape</b>	0	0	0	0	0	0
<b>Robbery</b>		0	0	0	0	0	0
<b>Burglary</b>		0	0	0	0	0	0
<b>Aggravated Assault</b>		0	0	0	0	0	0
<b>Hate Crimes</b>		0	0	0	0	0	0
	<b>Racial</b>	0	0	0	0	0	0
	<b>Religion</b>	0	0	0	0	0	0
	<b>Sexual Orientation</b>	0	0	0	0	0	0
	<b>Gender</b>	0	0	0	0	0	0
<b>Hate Crimes</b>	<b>Simple Assault</b>	0	0	0	0	0	0
	<b>Larceny-theft</b>	0	0	0	0	0	0
	<b>Intimidation</b>	0	0	0	0	0	0
	<b>Destruction/damage/ Vandalism of property</b>	0	0	0	0	0	0
	<b>Gender Identity</b>	0	0	0	0	0	0
	<b>Disability</b>	0	0	0	0	0	0
	<b>Ethnicity</b>	0	0	0	0	0	0
	<b>Nation of Origin</b>	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>		0	0	0	0	0	0
<b>Arson</b>		0	0	0	0	0	0
<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	ON CAMPUS			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019

Violence Against Women Act OFFENSES						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

ALCOHOL, DRUGS, WEAPONS ARRESTS						
Liquor Law Violations	0	0	0	0	0	0
Drug Abuse Law Violations	0	0	0	0	0	0
Weapons: Carrying, possessing, or brandishing Law Violations	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

ALCOHOL, DRUGS, WEAPONS DISCIPLINARY ACTIONS/REFERRALS						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
Referrals for disciplinary actions	Liquor law violations	0	0	0	0	0
	Drug law violations	0	0	0	0	0
	Weapons law violations	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>