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**2016 SOUTHWESTERN OKLAHOMA STATE UNIVERSITY
SAYRE CAMPUS ANNUAL CRIME REPORT AND
ANNUAL FIRE SAFETY REPORT**

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INTRODUCTION

The Chief of SWOSU Campus Police, or his/her designee, will compile data, review policies, and prepare the annual report pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and other applicable laws and regulations. The Chief will work with appropriate Southwestern Oklahoma State University (SWOSU) departments and individuals to compile and to create the necessary information for the annual report. In addition, this group will work with local law enforcement agencies to collect statistical data for inclusion in the report.

The Clery Act is a federal law requiring all institutions of higher education receiving federal financial assistance under the programs authorized under Title IV of the Higher Education Act of 1965 to disclose certain timely and annual information about campus crime and security policies.

The following are specific policies, practices and procedures to help ensure Southwestern Oklahoma State University's compliance:

- Policies regarding procedures and facilities for students and others to report criminal actions or other emergencies on campus and regarding the universities response to such reports. Reports should be made to SWOSU Campus Police Department or other Campus Security Authorities including: Any official who has significant responsibilities for student and campus activities, including student housing, student discipline, student activities, club sponsors, team coaches, etc.
- Campus law enforcement policies, including enforcement authority, and policies encouraging accurate and prompt reporting of crimes.
- Description of the type and frequency of educational programs.
- Annual reporting of statistics concerning the occurrence on campus, in or on non-campus buildings or property and on public property contiguous to campus, the following criminal offenses are reported: murder, forcible or non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson, crimes of domestic violence, dating violence, stalking, arrests of persons referred for campus disciplinary action for law violations, drug-related violations

and weapons violations, and crimes in which the victim is intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

- Policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations recognized by the university that are engaged in by students, including student organizations with off-campus housing facilities.
- Policy regarding possession, use and sale of illegal drugs and enforcement of federal and state drug laws.
- Description of drug and alcohol abuse education programs.
- Campus sexual assault programs and procedures to prevent sex offenses.

NOTICE OF AVAILABILITY OF ANNUAL SECURITY REPORT

The Federal Student Right-to-Know, Crime Awareness and Campus Security Act, now cited as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” and herein identified as the “Clery Report,” requires institutions of higher education to annually prepare and publish a report concerning campus crime statistics and security policies. The report is distributed through appropriate publications, mailings, or computer networks to all current students and employees, as well as to all prospective students and employees upon request. The report contains annual specific campus crime and arrest statistics and campus policies and practices intended to promote crime awareness, campus safety and security. This report is prepared by SWOSU CAMPUS POLICE DEPARTMENT.

Copies of this report may be obtained by visiting:

The Southwestern Oklahoma State University Campus Police Department
<http://www.swosu.edu/administration/police/index.aspx>

A copy of this Report can also be obtained in person at:
SWOSU Sayre Campus Administration Building
409 E. Mississippi
580-774-3111
580-774-7116
police@swosu.edu

CAMPUS SECURITY AUTHORITIES

The U.S. Department of Education defines campus security authorities as:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

DESIGNATED CAMPUS SECURITY AUTHORITIES

The following individuals are designated campus security authorities:

Title	Phone Number
President	(580) 774-3766
Vice President for Administration and Finance	(580) 774-3000
Vice President for Academic Affairs	(580) 774-3771
Vice President for Student Affairs	(580) 774-7172
Vice President of Public Relations & Marketing	(580) 774-3063
Law Enforcement/Full Time and Reserve	(580) 774-3111
Dean/Chairs of Departments	(580) 774-6611
Human Resource Department	(580) 774-3275
Dean of Students	(580) 774-3767
Counseling/Assessment & Orientation	(580) 928-5533
Athletic Director/Coaches	(580) 774-3701
Director of Housing//Housing Coordinator/Resident Assistant	(580) 774-3024
SGA President	(580) 774-0615
President/Leaders to Student Organizations	(580) 774-3767
Dean of Sayre Campus	(580) 928-5533

SWOSU CAMPUS POLICE DEPARTMENT

The SWOSU Campus Police (Fulltime and Reserve officers) is the law enforcement division of Southwestern Oklahoma State University and was authorized by State Statute, Title 74, O. S. 360. In 1963 which gave the Board of Regents authority to appoint peace officers. The Oklahoma Council on Law Enforcement Education and Training (CLEET) certifies each officer via attendance at the state-sponsored police academy.

The SWOSU Campus Security provide the same services one would expect from any city, county or state law enforcement agency, and is responsible for enforcement of all state laws as well as rules and regulations of Southwestern Oklahoma State University. SWOSU Security have the legal authority to make arrests, issue traffic citations, conduct criminal investigations, serve warrants, and issue summons for parking violations.

The SWOSU Campus Security provide a sensitive, meaningful, measured approach to situations which require police assistance, while at the same time maintaining the autonomy of the University.

The Southwestern Oklahoma State University Sayre campus consists of 7 permanent buildings; all of which are protected by the SWOSU Campus Police and Sayre Police Department. The SWOSU Campus Security has the responsibility for the protection of persons and property of approximately 500 students, 40 faculty and staff members, and many visitors that frequent the campus each year.

<http://www.swosu.edu/sayre/administration/.../jurisdictional-boundaries.pdf>

WORKING RELATIONSHIP WITH OTHER LAW ENFORCEMENT AGENCIES

SWOSU Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the Sayre Police Department on the Sayre Police radio network. The SWOSU Campus Police Department is also a part of the county 911 emergency system.

By mutual agreement with state and federal agencies, the SWOSU Campus Police maintain a link with the OSBI. Through this connection, police personnel can access the national crime information computer system as well as all information enforcement system. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

Per agreement with the local police departments, the SWOSU Campus Police's jurisdiction extends to any university owned or leased property and in outlying areas. These areas are patrolled jointly by both SWOSU Campus Police and Sayre Police Department.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the dean of students for any action or follow-up that may be required.

TIMELY WARNING POLICY

To help prevent crimes or serious incidents, the SWOSU Campus Police, in conjunction with other departments on campus, issue timely warnings to notify Southwestern Oklahoma State University community members about crimes or other serious incidents in and around the community. If a situation arises that, in the judgment of the President, any Vice-President, Chief of Police or his/her designee constitutes an ongoing or continuing threat, a campus-wide warning will be issued. The warnings will be issued Campus Crime Alerts may be e-mailed, text (e2campus) message, bulletin boards or other available means, as reasonably and timely as possible to faculty, staff, and students, distributed throughout campus, provided to

campus media, posted on the SWOSU Campus Police website and, if appropriate, posted in off-campus areas frequented by students.

Whenever the Sayre Police Department issues a news release about an off-campus crime that represents a serious or ongoing threat to the safety of students, faculty, and staff, the university may assist in publicizing the crime on campus.

The purpose of timely warnings is to provide the Southwestern Oklahoma State community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to SWOSU Campus Police at (580) 774-3111.

DAILY CRIME LOG

A daily crime log is kept at the SWOSU Administration building and is available for review upon request; however, the viewing may not be available immediately. This viewing may take up to three business days.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES STATEMENT (ERAEP)

The SWOSU administration will immediately notify the campus community in the event and confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of the campus community.

The decision to notify the community will be based on a case by case basis. The initial recommendation will be made by law enforcement personnel at the scene and they will request notification of the campus community based on their professional judgment. This recommendation can be made to any senior administrator, but is typically made to the President, Executive Vice President or the Vice President for Academic Affairs. The persons responsible for sending the official notification to the Campus community include, but is not limited to, the SWOSU Chief of Police, the SWOSU dispatcher, the SWOSU Information Technology Service Director and the Vice President of Public Relations and Marketing. In the event of an incident which would require the larger community to be

notified, information will be sent through the internet, local media, and local cable channels if appropriate.

SWOSU Campus Police and designated persons will test the ERAEP annually and document the information concerning a description of the exercise, i.e. date, time and if announced or not announced. This documentation will be kept in the Annual Security Report paper file at the SWOSU Administration Building.

NOTIFICATION TO UNIVERSITY COMMUNITY ABOUT AN IMMEDIATE THREAT

If the SWOSU Campus Police confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Southwestern Oklahoma state University community, the SWOSU Campus Police and/or the President, any Vice-President, Chief of Police or his/her designee will utilize some or all of the systems described under the Timely Warning Policy (located at page 8) to communicate the threat to the SWOSU community or appropriate segment of the community if the threat is limited to a particular building or segment of the population. The SWOSU Campus Police Department without delay – and taking into account the safety of the community – determines the content of the notification and initiates the notification system unless issuing a notification will, in the judgment of the responsible authorities (including the president, any Vice-President, Chief of Police or his/her designee compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Emergency Text Messaging System

The University provides emergency notification services (e2campus) to the university community via cell phone text messages and email. The Emergency Text Messaging System is available to students, faculty, and staff on Weatherford and Sayre campuses.

To participate in this service, individuals must register through the SWOSU Police Web site.

<http://www.swosu.edu/resources/alert.aspx>

Messages may be used for situations that pose immediate danger or the closing of an entire campus. Messages about Campus Crime Alerts generally will not be sent unless it is decided there is imminent threat of danger. This notification service is provided in addition to existing emergency reporting procedures and does not replace or eliminate any emergency notification system (e.g., tornado sirens).

Emergency Notification Policy Test

SWOSU Campus Police Chief or his/her designee will test the system annually and record this information. Test results will be kept in SWOSU Campus Police Department and available for public viewing on request.

MEDICAL EMERGENCIES

Steps to take in a medical emergency:

1. Do not move the patient unless his or her life is in danger.
2. Have someone stay with the patient until help arrives.
3. Call 911. Tell them your name, your exact location and a brief description of the problem. Do not hang up until told to do so.
4. Meet emergency personnel to guide them to the patient.

Contact Aime Brodwater at X106 or (580) 928-5533.

CAMPUS WIDE EMERGENCY RESPONSE

The purpose of this policy is to establish emergency response procedures Southwestern Oklahoma State University, as required by the Higher Education Opportunity Act of 2008. This policy applies to all students and employees of SWOSU.

The goal of this plan is to limit the loss of life and property in the event of an emergency or crisis that affects the operations of the University. The proper use of available resources and personnel is critical to the successful management of Emergency Operations, including, but not limited to:

- Provide maximum preparation to reduce the potential for injury

or damage;

- Provide a coordinated, interdisciplinary, and comprehensive response to a critical situation;
- Maximize the effectiveness and immediacy of response to victims;
- Facilitate assistance to the primary, secondary, and tertiary victims;
- Reduce the severity and duration of the trauma to the campus community;
- Provide coordinated internal and external communications;
- Facilitate coordination with external agencies;
- Prepare for post-crisis support, evaluation, and condition;
- Reassure the public and local community;
- Guard the institution's image.

For the purposes of this plan, an emergency is defined as any unplanned or sudden serious event or condition that cannot be controlled by normal responses or measures. Southwestern Oklahoma State University Chief of Police or his/her designee will have primary responsibility for convening the Emergency Management Team and will manage the institutional response. Once a state of emergency is declared, the plan's guidelines are to be implemented by all faculty, staff and students. The procedures contained in this document are guides and should be used as a flexible tool to respond to a variety of circumstances. This plan applies to all University personnel and properties.

CRIME PREVENTION

Policy Statement Addressing Crime Prevention Programs for Students and Employees

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. SWOSU Campus Police personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, community organizations providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes. Dr. Robert Sam Lackey teaches a personal safety class in the fall and spring semesters. Lackey is a 5th-degree black belt instructor. This is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance, while progressing on to the basics of hands-on defense training.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from class that you know well or contact campus police for an escort.

PERSONAL SAFETY

The following precautions provide guidance.

General Precautions and Crime Prevention Tips:

1. Program the SWOSU Campus Security phone number (580-928-5533) into your cell phone. Report any suspicious activity to the SWOSU Campus Security Department immediately.
2. Never take personal safety for granted. Always be aware of your surroundings.
3. Limit your alcohol consumption and leave social functions that get too loud or too crowded, or that have too many people drinking excessively. Remember to call the SWOSU Campus Security Department or the Sayre Police Department for help at the first sign of trouble.
4. Use lighted walkways and thoroughfares, even if it means going out of your way.

5. Carry only small amounts of cash and keep purses, backpacks and money belts close to the body.
6. Do not struggle if someone attempts to take your property.
7. Never leave valuables (wallets, purses, books, calculators, laptops, etc.) unattended.
8. Carry your keys at all times and do not lend them to anyone.
9. Lock up bicycles and motorcycles. Lock doors and close windows when leaving your car.
10. Remember to lock the doors at your residence. Be certain that your door is locked to your residence when you go to sleep, and keep windows closed and locked when you are not at home.
11. Do not leave valuables in your car, especially if they can be easily noticed.
12. Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
13. Inventory your personal property and insure it appropriately with personal insurance coverage.

At home, in an apartment building:

1. Keep your room door locked when you are sleeping.
2. Never let unauthorized persons come into your room, or enter apartment security doors. Always ask to see proper identification.
3. Never prop open inside or outside doors.
4. Do not hide keys outside your apartment. Do not put your name or address on your key rings.
5. Avoid working or studying alone in a campus building.

6. Never dress in front of a window. Close blinds or curtains after dark.
7. If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder. Try to get an accurate description of the intruder and call the police.
8. Any suspicious activity should be reported to the SWOSU Campus Security Department immediately.

When driving:

1. Park your vehicle in a well-lit and populated area.
2. Have your car keys in your hand when approaching your vehicle so you can enter quickly.
3. Scan the area before getting into your vehicle and always check underneath your car upon approach and in the rear seat for intruders before entering the automobile.
4. Lock your doors and keep windows rolled up whenever possible.
5. Drive on well-traveled and well-lit streets.
6. Never hitchhike, and never pick up hitchhikers.
7. If someone tries to enter your stopped vehicle, sound the horn and drive to a safe area such as a convenience store.
8. If your vehicle breaks down, ask any person who stops to help to call the police. Do not allow any person access to you or inside your car. Roll down your window no more than an inch. Be aware that an accident may be staged to provide the other driver an opportunity to commit a criminal act.
9. Leave enough room between your car and the one ahead so you can drive around it if necessary.
10. Call ahead when driving to your home or apartment late at night and have someone watch you walk from your car to the residence.

11. Limit distractions such as cellphones.

While walking or jogging

1. Avoid walking or jogging alone, and try not to walk or jog after dark.
2. Avoid dark or vacant areas. Walk along well-lit routes.
3. Be alert to your surroundings. If you suspect you are being followed: Run in a different direction, go to the other side of the street and yell for help, or move quickly to a lighted area, a group of people.

Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks can be found at <http://www.helpguide.org/articles/abuse/domestic-violence-and-abuse.htm>

NATURAL DISASTERS

The following information is a guideline to aid you in determining what action you should take in severe weather.

Tornado WATCH: Conditions are such that storms capable of producing a tornado may develop.

Tornado WARNING: Either a tornado has been sighted or it is highly probable that one will develop. A warning will be signaled by the storm warning sirens.

Tornado Precautions:

1. If you are in the warning area, seek shelter immediately, each building has a designated storm shelter area, if unaware of the location use the lowest accessible floor of the building away from windows and doors.
2. If you are in a vehicle, get out and seek shelter in a sturdy building. If a building is not available, a depression such as a ditch or ravine offers some protection, but be alert for flash floods.
3. Do not open windows. This can actually increase damage to the

building. Stay away from windows and exterior doors.

4. Basements, interior hallways on the lower floors and small interior rooms on the lower floors offer the best shelter.
5. Do not attempt to turn utilities on or off.
6. Report injuries and damage to the SWOSU Campus Security Department at 580-928-5533. After the all clear, leave badly damaged buildings and do not attempt to return unless directed to do so by emergency personnel.

SEX OFFENDER REGISTRY

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained.

Oklahoma law (Title 57, Sections 583-584) requires anyone required to register as a sex offender do so with both their local law enforcement (municipal or county) agency at their residence and also with the police or security department of any institution of higher education at which they are enrolled as a student (full-time or part-time), are an employee (full-time or part-time) or reside (or intend to reside or stay) on any property owned or controlled by the institution of higher education.

Information on any sex offender who works for, attends, or lives on property owned by Southwestern Oklahoma State University can be found at the SWOSU Campus Police Department, 100 Campus Drive, Weatherford, OK 73096. You may also search at <https://sors.doc.state.ok.us/svor/f?p=105:1>

REPORTING PROCEDURES (GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY)

CRIME REPORTING

Crime victims and witnesses to a crime, regardless of the crime, are

encouraged to promptly report incidents to the SWOSU Campus Security Department or other appropriate police agencies. To report a crime, the victim, if he or she elects to, or witness needs only to call the police and a police officer will meet them to gather information. An official report will be made with copies available to the victim after a completed investigation. Each month, the number of incidents in each category of crime are counted and reported to the Oklahoma State Bureau of Investigation, which in turn provides the information to the Federal Bureau of Investigation.

Each year, the FBI publishes a book of crime statistics, "Crime in the United States," which includes accurate accounting of the criminal incidents that occurred on the Southwestern Oklahoma State University campus.

To report a crime in progress, dial 911, or dial extension 2172 from a campus phone or call 580-774-3111 when off campus or using a cell phone.

CONFIDENTIAL CRIME REPORTING

Confidential reporting of crimes is allowed at SWOSU. If, for a personal reason, a person does not wish to report an on-campus crime or suspected crime to the police, that person may anonymously report it by reporting it online at: www.swosu.edu/administration/police/docs/crime-incident-form.pdf

CRIMES DISCLOSED TO A PASTORAL OR MENTAL HEALTH COUNSELOR

To be exempt from disclosing reported offenses to appropriate Southwestern Oklahoma State University officials, a pastoral or mental health counselor must be acting in their role as a pastoral or professional counselor. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. When speaking to a victim or witness to a crime, counselors are encouraged to inform the individual to report the crime to the police.

A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as

someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

A mental health counselor is a person whose official responsibility includes providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition also applies to professional counselors who are not employees of the institution but are under contract to provide counseling to the institution.

Note that the pastoral counselor or mental health counselor must report the crime to SWOSU Campus police for purposes of including the incident in the annual crime statistics only. Personal information will not be conveyed when making this disclosure unless the victim consents to such disclosure.

CRIMES IN PROGRESS

To report a crime in progress, a person, victim or witness can dial 911 or 580-928-5533. Any reporting method will stimulate the response of police, fire, ambulance or other first responders. In addition, the victim of a serious crime can request support personnel, such as ministers and rape crisis or domestic violence counselors, during or after reporting the incident.

Additionally, crime victims may be eligible for funds through victims' compensation laws administered by the local district attorney's office.

Prompt reporting of criminal activity to the police enables a quick response, a timely warning, and a safer campus for everyone.

If you are the victim of a crime or a witness to one, you should do the following:

1. **Call the police immediately:** Dial 911 for emergencies or call 580- 928-5533 or ext. 2172
2. **Obtain a description:** Attempt to obtain a description of the offender(s), including gender, age, race, hair, clothing and distinguishing features. Also attempt to obtain a description and license number of any vehicle(s) involved. Note the direction of

travel of any offender(s) or vehicle(s) and report these to the police.

3. **Preserve the crime scene:** Do not touch any items involved in the incident. Close off the area of the incident, and do not allow anyone in the crime area until police arrive.

CRIME DISCLOSURE

SWOSU policies and procedures require the publication of annual crime statistics. Included in this report are crimes reported to the SWOSU Campus Police Department and other campus officials, including Dean of Students, and local law enforcement. Crime statistics are collected by: SWOSU Chief of Police or his/her designee and maintained at the SWOSU Campus Police Department.

The tables on page 27 (Campus Crime Report) comply with the Clery Act.

The crime and arrest statistics reported are those that occurred within the jurisdictional boundaries of campus. They do not include off-campus private housing, which are within the Sayre Police Department jurisdiction. SWOSU does not report crime and arrest statistics for fraternities and sororities although they are within the jurisdictional boundaries of Sayre.

Crimes occurring on public property immediately adjacent to campus are also reported when available. Crime statistics concerning other locations are available at the Sayre Police Department.

DEFINITION OF TERMS FOR STATISTICAL CHARTS

The charts setting forth statistical data on reported crimes include the following terms.

Campus: Any building or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in the direct support of, or related to, its educational purpose.

Clery Geography: Buildings and property that are part of the institution's campus; the institution's noncampus buildings and property; and public property within or immediately adjacent to and accessible from the

campus.

Residential: Those buildings and parking lots designated as Residence Halls and University Apartments area.

Other: Any non-residential area on campus.

Non-Campus Building or Property: Buildings or property owned or controlled by a student organization, such as a fraternity or sorority, recognized by the institution, and any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is used by students and is not within the same reasonable contiguous geographical area of the institution

Public Property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, street or other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution, if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

CRIME DEFINITIONS

The following definitions are those used in the Uniform Crime Reporting System of the United States Department of Justice's Federal Bureau of Investigation. Definitions under Oklahoma law can be found in appendix A.

Aggravated Assault: An unlawful attack of one person by 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 means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.

Arson: Any willful or malicious attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property of another. Only fires determined to have been willfully

or maliciously set are classified as arson.

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

Homicide:

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

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

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: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Pocket-picking: The theft of articles from another person's physical possession by stealth where the victim usually does not become immediately aware of the theft.

Purse-snatching: The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

Theft from Building: A theft from within a building which is either open to the general public or where the offender has legal access.

Theft from Coin Operated Machine or Device: A theft from a machine or device which is operated or activated by the use of coins.

Theft from Motor Vehicle (Except "Theft of Motor Vehicle Parts or Accessories"): The theft of articles from a motor vehicle, whether locked or unlocked.

Theft of Motor Vehicle Parts or Accessories: The theft of any part or

accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle, or necessary for its operation.

All Other Larceny: All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

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

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sexual assault: An offense that meets the definition of rape, fondling, incest, or statutory rape, defined as follows:

- **Rape** means 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.
- **Fondling** means 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 incapacity.
- **Incest** means non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** means non-forcible sexual intercourse with a person who is under the statutory age of consent (age 16).

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.

Consent:

Consent is:

- informed;
- freely and actively given;
- mutually understandable words or actions; and
- indicates a willingness to participate in mutually agreed upon sexual activity.

Consent cannot be:

Given by an individual who:

- is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
- is under duress, threat, coercion or force; or

Inferred under circumstances in which consent is not clear including, but not limited to:

- the absence of an individual saying "no" or "stop", or
- the existence of a prior or current relationship or sexual activity.

Violence Against Women Act (VAWA) (See also, Sexual Misconduct above): In accordance with the Violence Against Women Act, statistics on domestic violence, dating violence, and stalking are reportable under the Clery Act. Upcoming federal regulations will further define these terms, but the following definitions are used in good faith compliance with applicable laws:

Domestic Violence: Domestic violence is a felony or misdemeanor crime of violence committed by a:

- current or former spouse or intimate partner of the victim,
- person with whom the victim shares a child in common,
- person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner,
- person similarly situated to a spouse of the victim under the domestic or family violence laws of Oklahoma; or
- 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 Oklahoma.

Domestic Violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over

another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.

Dating Violence: Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts that meet the definition of domestic violence.

Stalking: Stalking refers to one who engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **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.

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: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crimes: A crime reported to local police agencies or to a campus

security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Liquor Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. Drunkenness and driving under the influence are not included in this definition.

Weapon 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; and all attempts to commit any of the aforementioned. SWOSU policy prohibits deadly weapons on campus with limited exceptions. . In accordance with state law, no one other than a commissioned law enforcement officer may carry firearms on campus.

CRIME STATISTICS

Sayre Campus Crime Statistics

The following data represents campus crime reported statistics for the Weatherford campus for the past three years.

Sayre Campus Crime Statistics		Department of Public Safety	
		100 Campus Drive	
		Weatherford, OK 73096	
		Phone: (580)774-3111	
		Fax: (580)774-7116	
The following data represents campus crime reported statistics for the Sayre campus for the past three years.		safety@swosu.edu	
CRIME	2015-2016	2014-2015	2013-2014
Manslaughter	0	0	0
Murder	0	0	0
Arson	0	0	0
Aggravated Assault	0	0	0
Simple assault	0	1	1
Burglary	0	0	0
Larceny	0	0	0
Motor Vehicle Theft	0	0	0
Weapons Possessions	0	0	0
Rape	0	0	0
Intimidation	0	0	0
Robbery	0	0	0
Vandalism	0	0	0
Liquor Law Violations	0	0	0
Driving Under the Influence	0	0	0
Public Intoxication	0	0	0
Minor in Possession	0	0	0
Drug Abuse Violations	0	0	0
Hate Crimes	0	0	0

CRIMINAL OFFENSES	2015-2016	2014-2015	2013-2014
CRIMINAL HOMICIDE			
MURDER	0		
NON-NEGLIGENT MANSLAUGHTER	0		
MANSLAUGHTER BY NEGLIGENCE	0		
SEXUAL ASSAULT			
SEX OFFENSES-FORCIBLE	0		
SEX OFFENSES-NON-FORCIBLE	0		
RAPE	0		
FONDLING	0		
INCEST	0		
STATUTORY RAPE	0		
ROBBERY	0		
AGGRAVATED ASSAULT	0		
BURGLARY	0		
LARCENY	0		
VANDALISM	0		
MOTOR VEHICLE THEFT	0		
ARSON	0		

HATE CRIMES	2015-2016	2014-2015	2013-2014
CRIMINAL HOMICIDE			
MURDER	0		
NON-NEGLIGENT MANSLAUGHTER	0		
MANSLAUGHTER BY NEGLIGENCE	0		
SEXUAL ASSAULT			
RAPE	0		
FONDLING	0		
INCEST	0		
STATUTORY RAPE	0		
ROBBERY	0		
AGGRAVATED ASSAULT	0		
BURGLARY	0		
MOTOR VEHICLE THEFT	0		
ARSON	0		
LARCENY-THEFT	0		
SIMPLE ASSAULT	0		
INTIMIDATION	0		
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY	0		

VAWA OFFENSES			
	2015-2016	2014-2015	2013-2014
DOMESTIC VIOLENCE	0		
DATING VIOLENCE	0		
STALKING	0		
SEXUAL ASSAULT			
RAPE	0		
FONDLING	0		
INCEST	0		
STATUTORY RAPE	0		

ARRESTS AND REFERRAL FOR DISCIPLINARY ACTION			
	2015-2016	2014-2015	2013-2014
WEAPONS			
CARRING	0		
POSSESSING	0		
OTHER	0		
LAW VIOLATIONS	0		
DRUG ABUSE VIOLATIONS	0		
LIQUOR LAW VIOLATIONS	0		

OBTAINING REPORTS

To request a copy of a report or ask other related questions, contact the SWOSU Campus Police Department at 580-774-3111.

Requests for incident reports or traffic crash reports by persons involved generally will be processed when the investigation is completed. SWOSU faculty, staff, and students are not charged for obtaining report copies when involved in the reported incident.

The SWOSU Campus Police Department is committed to complying with its obligations under the Freedom of Information Act (F.O.I.A.) without undue delay, but realizes that under certain circumstances the release of records may have an impact on victims, witnesses and the integrity of investigations. If an investigation is ongoing and still open, a request for any related SWOSU Campus Police Department report may be denied and information of a personal nature will be withheld or redacted where the public disclosure of such information would constitute an invasion of privacy.

OFF-CAMPUS CRIME

If the Sayre Police Department is contacted about criminal activity occurring off-campus involving a member of the SWOSU community, the Sayre Police Department may notify the SWOSU Campus Security Department. However, there is no official policy requiring such notification. Individuals in these cases may be subject to arrest by Sayre Police Department and subject to SWOSU judicial proceedings through the Office of the Dean of Students. There are no officially recognizes student organizations with off-campus locations.

SWOSU Campus Security officers have direct radio communications with the Sayre Police Department and the Beckham County Sheriff's Office.

ACCESS TO CAMPUS FACILITIES

During business hours, SWOSU will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all SWOSU facilities is by key, if issued, or by admittance via the SWOSU Campus Safety In the case of periods of extended closing, the university will admit only those with prior written approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Dean's Office, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Directors of Facilities Management, SWOSU Campus Security meet to discuss issues of pressing concern.

MAINTENANCE OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. SWOSU Campus Security officers regularly patrol and report malfunctioning lights and other unsafe physical conditions to SWOSU Campus Security for correction. Other members of the SWOSU

community are helpful when they report equipment problems to the SWOSU Campus Security Department at 580-928-5533.

ALCOHOL AND DRUG POLICIES

SWOSU seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety and welfare of its students, faculty, staff and visitors. These participants are expected to know and follow the applicable laws and all SWOSU rules and regulations. Each person is responsible for his/her own behavior. The SWOSU enforces compliance with state law and alcoholic beverage laws on campus and at University-sponsored activities.

SWOSU recognizes that drug and alcohol abuse diminishes the integrity of the institution and erodes the strength and vitality of its human resources. Employees are expected to be in suitable mental and physical condition able to perform their assigned duties satisfactorily. It is the intent of SWOSU to educate students and employees about the dangers of drug and alcohol abuse and to discourage the illegal possession and distribution of drugs and alcohol. Accordingly, SWOSU adopts the following policy: The unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on SWOSU property, or as a part of any SWOSU student sponsored activity, is strictly prohibited. All students and employees must abide by this policy as a condition of enrollment or employment. Continuance of employment or enrollment following receipt of this policy constitutes acceptance of this policy by the employee or student. Sanctions will be imposed for violation of this policy. Employees and students are required to notify SWOSU Human Resources of any state or federal drug statute conviction for a violation occurring on SWOSU campus no later than five (5) days after conviction.

Sanctions: Under Federal Regulations, SWOSU must impose sanctions for violations of its Drug-Free Schools Policy. SWOSU sanctions include, but are not limited to reprimand, restriction of activities, conduct probation, administrative leave, expulsion, and termination of employment. SWOSU may also require the completion of an approved rehabilitation program at the employee's or student's expense. All disciplinary action will be taken in accordance with the applicable policies of SWOSU. Employees

should note that they are also subject to SWOSU Drug-Free Workplace policy. Employees are referred to that policy for additional sanctions. It is also within the discretion of SWOSU to refer any violations to the appropriate authorities for criminal prosecution.

Health Risks: Alcohol and other drug use represent serious threats to health and the quality of life. More than 25,000 people die each year from drug related accidents or health problems. With most drugs, it is probable that users will develop psychological and physical dependence.

Counseling and Rehabilitation: SWOSU provides access to SWOSU Employees' Assistance Program and Counseling Services for counseling and training programs that inform participants of the dangers of drug and alcohol abuse. Volunteer participation in or referrals to these services is confidential.

ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS

SWOSU has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

SWOSU Health Services provides an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

Alcohol and Drug Education: SWOSU Health Services, Employee Assistance Program, University Health Class.

Counseling Services: Student Development Counselors, Campus Nurse, and Employee Assistance Program.

Referral Services: Student Development Counselors, Campus Nurse, Employee Assistance Program.

University Disciplinary Actions: Faculty/Student Judicial Review Committee. Director of Student Development.

Local, State & Federal Legal Sanctions

Legal Sanctions – Laws Governing Alcohol

The State of Oklahoma sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the SWOSU Campus Police.

A violation of any law regarding alcohol is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

LOST AND FOUND

The SWOSU Lost and Found is located at the Administration Building. After a certain period of time, all buildings and officers are encouraged to forward any found items to the SWOSU Dean of Students Office to maintain a central location for persons seeking lost property.

SWOSU Campus Security Department items will be stored in the campus police storage area for a period of one year. After good faith efforts to locate the owner and the time limits have expired, the items will be sold or destroyed. Inquiries about lost and found property can be made by calling 580-928-5533.

DISCIPLINARY PROCEEDINGS

Anyone can report any instances of sexual harassment and sexual violence, as well as other crimes or violations of the Student Code of Conduct, to the Dean or at 580-928-5533. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused are students, the incident will be addressed through the Student Conduct process once a complaint is filed.

SWOSU strongly encourages individuals to report any instance of sexual harassment and sexual violence to the police.

Student Conduct Process

Violations of the University's Student Code of Conduct are referred to the Dean of Students for investigation and adjudication. Students should refer to the Code which is found in the Student Handbook.

STUDENT CODE OF CONDUCT

The University's basic standard of behavior requires a student (a) not violate any municipal, state, or federal laws, or (b) not interfere with or disrupt the orderly educational process of SWOSU. Any student violating either of these basic principles is violating the rules and regulations of SWOSU. A student is not entitled to greater immunities or privileges before the law than those privileges enjoyed by the citizens of the state of Oklahoma.

Authority is vested in the RUSO and the President of the University. This includes authority to control and regulate various aspects of student behavior through disciplinary means. Generally speaking, disciplinary authority and judicial latitude necessary to accomplish it are delegated to the DOS Office. The objective of SWOSU is to provide an opportunity for education to all students. In order to achieve this objective, it is important to define standards of conduct or limits of behavior that will enable students to work together with the faculty, staff, and administration in a positive manner.

The enrollment of a student into SWOSU means that the student voluntarily assumes obligations of performance and behavior reasonably expected by the University. University rules and regulations are designed to insure optimal conditions for learning for all students. Standards of conduct for students are seen as a base or foundation of behavior rather than arbitrary limits of behavior.

The University's policies concerning students' behavior are an educational and rehabilitative approach. The former approach emphasizes assisting students to understand and accept responsibilities for their behavior. Both the interests of the student and the University are taken into account in deciding the desirability of undertaking a program of rehabilitation within the University.

The student code of conduct is also available at <http://www.swosu.edu/administration/studentdean/student-conduct.asp>
The Regional University System of Oklahoma (RUSO) adopted the following disciplinary regulations and administrative procedures. Additional changes become effective upon their adoption by RUSO.

PROHIBITED ACTIVITIES DEFINED

Misconduct is considered a matter of concern to the University. Reports of misconduct in violation of university regulations usually are made in the first instance to the Office of DOS for investigation. The DOS will then determine appropriate action, if any. The following actions, among others, are specifically prohibited by SWOSU:

Physical or verbal abuse, threats, assault against any person on University owned or controlled premises, including the premises used at University sponsored or supervised functions or any acts of misconduct which endanger the health, safety, or property of others.

Dating Violence defined as abusive and aggressive behavior in a romantic relationship. It can include verbal, emotional, physical, or sexual abuse, or a combination of them. Dating relationship is determined by the length of the relationship, type of relationship and frequency of interaction between partners.

Domestic Violence defined as the willful intimidation, assault, battery, sexual assault or other abusive behavior perpetrated by one family member, household member, or intimate partner against another. It may include physical, sexual, emotional, economic or psychological abuse.

Stalking defined as a pattern of repeated, unwelcome contact or harassment. It may include: following or lying in wait for a person; repeated unwelcome, intrusive, and/or frightening communications; damaging a person's property; threats to harm any person or that person's acquaintances, family, or pets; cyberstalking - harassment through the Internet, cell phones, telecommunications, GPS, etc.; and, securing confidential personal information about person without that person's express permission.

PENALTIES

Any student accused of a violation of the Student Code of Conduct for which he or she could be expelled, or for which his or her degree could be revoked, shall be entitled to an opportunity upon appeal to choose (A) an Administrative Hearing or (B) a hearing with the Committee on Student Conduct.

Penalties for violation of University regulations or public law may include one or a combination of the following:

1. Warning

A formal warning will be a written notice documented in a disciplinary letter.

2. Specified Restrictions/Requirements

The imposing of specified restrictions, including but not limited to: letter of apology, presentation of a workshop, preparation of a research paper project, social probation, community service, assessment or evaluation, counseling, restitution for damages, punitive fines, eviction from residence halls, loss of privileges (i.e., visiting privileges in housing or denial of access to computer services), or any combination of the above, and any other appropriate educational expectation.

3. Personal Probation

Personal probation is an informal probation. A second violation means that disciplinary action will be based on both charges.

4. Conduct Probation

Conduct probation is a formal probation. A second violation means that disciplinary action will be based on both charges. The record of conduct probation is kept in the student's disciplinary file and the disciplinary hold on his or her record is removed at the discretion of the DOS.

5. Suspension Delayed

Suspension Delayed is an agreement between the student and DOS that a future violation of the student code of conduct or failure to comply with sanctions will result in immediate suspension. The Committee on Student Conduct may also issue this sanction.

6. Temporary Suspension

A student may be temporarily suspended from the university without a hearing when there is an immediate and present danger of damage to life, property or disruption of university life. Such an administrative decision will be effective immediately.

7. Suspension

A student may be suspended for reasons of conduct for a definite period of time not less than the remainder of the current semester in which he or she is enrolled. The student who has been suspended may apply for readmission at the close of the period for which he or she was suspended. A suspension hold will be placed on the transcript during the period of the suspension.

8. Expulsion

When a student is expelled, a record of this action will be made a part of the student's permanent record in the Office of the Registrar. A student who is expelled will not be allowed to re-enter the university.

9. Degree Revocation

When a degree is revoked or credit rescinded, a record of this action will be made a part of the official record of the graduate or student in the Office of the Registrar.

10. Disciplinary Hold

A disciplinary hold may be placed on records of students who have been placed on conduct probation, suspension, or expulsion.

EXPLANATION OF RIGHTS

Prior to the commencement of any disciplinary action the DOS shall explain to the accused student the student's rights under the terms of the Student Code of Conduct.

1. Prior to disciplinary action resulting in suspension, expulsion, or degree revocation, the DOS or a representative shall explain to the student the student's rights under the terms and conditions of these rules and regulations.
2. Each student involved in a proposed disciplinary action of suspension, expulsion, or degree revocation, will be asked to sign a statement

explaining the disciplinary policies and procedures of the University. A copy of this statement is available in the Office of the DOS.

3. To initiate an appeal, a student must make the request. The request and reason for appeal should be made in writing, by hard copy, signed, and dated, to the Vice President for Student Affairs within twenty-four (24) hours after the disciplinary decision is rendered. If the student appeals a decision of temporary suspension, suspension, expulsion, degree revocation, or rescission of credit, the student may indicate in the appeal to choose an administrative hearing or a hearing before the Committee on Student Conduct. If the student appeals a decision of suspension, expulsion, degree revocation, or rescission of credit, the decision will not become effective until after the administrative hearing or after the Committee on Student Conduct hearing. A decision to temporarily suspend becomes effective immediately, but may be overturned after an appeal hearing. Hearings will be held as soon as practical after the request is made by the student.
4. In cases of an appeal of an expulsion decision with a request for a hearing with the Committee on Student Conduct; shall follow expulsion hearing procedures outlined according to the RUSO Policy Manual, Chapter 4 on Student Policies.

COMMITTEE ON STUDENT CONDUCT

A committee consisting of faculty members and students will be created to consider the appeal of cases resulting in temporary suspension, suspension, expulsion, degree revocation or rescission of credit of students. The committee shall be designated as the "Committee on Student Conduct." The committee shall be appointed by the President of the university and shall include faculty members whose primary duties are not concerned with administration of student conduct and affairs. In those universities where Faculty Senates are organized, the president will receive nominations for committee memberships from the Faculty Senate. The Student Senate or a similar governing body will nominate student committee members and submit those nominees to the President of the University for selection. A student instituting an appeal to the Committee on Student Conduct shall have the right to exclude the student members of the committee upon proper request. One or more students may be included in the membership of the committee, such number to be determined by the

President of the University. Any act by a properly constituted committee, at which a quorum of the committee is present, shall be binding.

SEX OFFENSES, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Educational Programming

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the “Definitions” section on Page 21.

The University educates the student community about sexual assaults and date rape through mandatory freshman orientations each fall. The SWOSU Campus Police offers sexual assault education and information programs to University students and employees upon request. Literature on date rape education, risk reduction, and University response is available through the SWOSU Campus Police.

Victim Information

If you are a victim of sexual violence, you are not alone and you are in no way responsible for your assault.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The SWOSU Campus Police strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a University officer and/or to a Housing official. Filing a police report with a University officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will:

- ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam);

- assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

When a sexual assault victim contacts the SWOSU Campus security, the local police will also be notified. A representative from the Office of Housing and dean of students will also be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the University, or only the latter. Explanation of a victim's rights will be provided in writing. Various counseling options are available in writing from the University through the Student Health Services, the Women's Center, University Ministries, Employee Assistance, and the Psychological and Counseling Center. Counseling and support services outside the University system can be obtained through the District Attorney's office.

University disciplinary proceedings, as well as special guidelines for cases involving sexual misconduct, are detailed in the *Student Handbook*. The *Handbook* provides, in part, that the accused and the victim will each be allowed to choose one person who has had no formal legal training to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. If alleged victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the alleged victim for purposes of disclosure under this policy. A student found guilty of violating the University sexual misconduct policy could be criminally prosecuted in the state courts and may be suspended or expelled from the University for the first offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available.

- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding?
- Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense? Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

- Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or nonforcible sex offenses; expulsion-temporarily or indefinite

SWOSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the Definitions section on Page 21
SWOSU further prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined under Oklahoma law.

Definition of Consent

Definition of Consent

Effective Consent is:

- informed;
- freely and actively given;
- mutually understandable words or actions; and
- indicates a willingness to participate in mutually agreed upon sexual activity.

Consent cannot be:

Given by an individual who:

- is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
- is under duress, threat, coercion or force; or

Inferred under circumstances in which consent is not clear including, but not limited to:

- the absence of an individual saying "no" or "stop", or
- the existence of a prior or current relationship or sexual activity.

What to do if you are a Victim of Sexual Violence

- a. If you are not safe and need immediate help, call the police. If the incident happened on campus, call the SWOSU Campus Security Department at 580-928-5533. If the incident occurred elsewhere in Sayre, call the Sayre Police Department at 580-928-2122. If the incident happened anywhere else, call the law enforcement agency

that has jurisdiction in the location where it occurred.

- b. There are many safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or interfere when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual, which can be found at http://www.samuelmerritt.edu/sexual_violence/bystander
- c. Do what you need to do to feel safe. Go to a safe place or contact someone with whom you are comfortable. You can call the 800-656-HOPE (4673) to get advice and discuss options for how to proceed.
- d. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will not be available without credible evidence. The evidence collected can also be useful in the campus conduct process.
- e. Go to the Sayre Hospital to receive care for any physical injuries that may have occurred. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy.
- f. Upon arrival at Sayre Hospital, you will be taken to a private exam area. The nurse, advocate and police officer will be directed to this same location. You will be examined to treat any injuries and to gather evidence.
- g. The rape advocate will support you throughout the entire exam, which will be performed by the nurse. The advocate will provide a packet of written materials that contains information about common reactions to rape, follow-up medical needs and support services.

On and Off Campus Resources

Sexual violence can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to support that may be

found in family and friends, the following agencies and departments can serve as resources for you.

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, Southwestern Oklahoma State University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Victim Advocate - Confidential Reporting Option

The Victim Advocate can confidentially provide students with information about on and off campus resources available to victims.

Local Services Available To Victims- Non-Confidential Reporting Options

SWOSU Campus Police Department

580-774-3111

Sayre Police Department

580-928-2122

SWOSU Dean

580-928-5533

Title IX Coordinator

David Misak, HR Director

580-774-3248

Medical Services

It's important to have a thorough medical examination after a sexual assault even if you do not have any apparent physical injuries. Medical providers can treat any injuries and provide tests for sexually transmitted diseases.

Sayre Regional Hospital (off-campus)

911 Hospital Drive

Sayre, OK 73662

580-928-5541

Interim Measures

The Dean of Students Office and the Title IX Coordinator can put in place interim measures for student victims of sexual violence as needed. A formal complaint does not need to be submitted to have interim measures put in place. SWOSU will maintain as confidential any interim measures provided as long as it does not impair the ability to provide the interim measures.

- a. **Assistance in Reporting:** Student Conduct can assist you in filing a complaint with the institution conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.
- b. **No Contact Order:** Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.
- c. **Emergency Protective Order:** Student Conduct can assist you in filing for an Emergency Protective Order in court with. This is a court-ordered petition that prohibits contact between the complainant and respondent.
- d. **Safety Measures:** Student Conduct can coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.
- e. **Living Arrangements:** Student Conduct can assist in changing your on-campus living arrangements or that of the accused to ensure safety and a comfortable living situation.
- f. **Academic Arrangements:** Student Conduct can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.
- g. **Other Interim Measures:** Student Conduct can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

When Student Conduct becomes aware of a student who potentially could have been a victim of sexual violence, they will contact the victim in writing through SWOSU email to share these interim measures, reporting options and other resources available. This will be done no matter the location of the incident.

Reporting

All forms of sexual violence should be reported, no matter the severity. SWOSU primary concern is safety; therefore individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

SWOSU encourages victims of sexual violence to talk to someone about what happened so they can receive support and so that the institution can respond appropriately. SWOSU offers both confidential reporting and non-confidential reporting options. It is important to be aware that different individuals who victims can contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure a victim of confidentiality, including counselors and certified victims' advocates. In general, however, any other institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, the institution must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Different employees on campus have different abilities to maintain a victim's request for confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a victim in confidence, and generally report only that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger an institution investigation into an incident against the victim's wishes. This report is done through a Clery Report and does not include the victim's name or other identifying information.
- Thirdly, some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator.

A. Confidential Reporting Options

Confidential reporting options provide students with the ability to confidentially report and discuss an instance of sexual violence without their information being shared with others. Please note confidential reporting limits the institution's ability to respond to incidents.

www.swosu.edu/administration/police/security-report/witness.aspx

Professional Counselors

Professional and licensed counselors who provide mental health counseling (including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. These individuals are also not required by the Clery Act to report.

Victim Advocate

SWOSU treats the Victim Advocate as a confidential reporting option. Victims can visit with the Victim Advocate to learn about resources available on campus. The Victim Advocate is not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, the Victim Advocate will report incidents to SWOSU Campus Police Department for the purpose of the Clery Act. Additionally, the Victim Advocate will report quarterly to the Board of Regents on trends of incidents.

University Health Providers

University Health Services providers are confidential reporting options. They are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. However, they will report incidents without any identifiable information to SWOSU Campus Police for the purpose of the Clery Act.

While these professional counselors, non-professional counselors (those who act under the supervision of a licensed counselor), advocate, and health providers may maintain a victim's confidentiality, they may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in the case of minors, imminent harm to self or others, or requirement to testify if subpoenaed in a criminal case.

If SWOSU determines that the alleged individual(s) pose a serious and immediate threat to the campus, SWOSU may issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

B. Non-Confidential Reporting Options

The Board of Regents for the Oklahoma Agricultural and Mechanical Colleges and the Clery Act require all other employees (excluding counselors and Victim Advocate) who become aware of an instance of sexual violence to report the instance to SWOSU Campus Security. The victim's name should not be reported to the police without the victim's permission. The report should include the nature, date, time, and general location of an incident. This is a limited report which includes no information that would directly or indirectly identify the victim. This allows for the institution to track patterns, evaluate the program, and develop appropriate campus-wide responses.

When an instance of sexual violence is reported to a "responsible employee" the reporter can expect the incident will be reported to the Title IX Coordinator or Student Conduct Office. A responsible employee must report to the Title IX Coordinator or Student Conduct Office all relevant details about the alleged sexual harassment or sexual violence shared by the victim including names, date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the institution's response to the report. A responsible employee should not share information about the victim to law enforcement.

A "responsible employee" is an employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. Examples include but are not limited to faculty members, advisors, employees in student services offices and anyone in a supervisory role.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the institution will investigate the

alleged sexual violence, end any sexual violence, prevent the sexual violence from reoccurring, and educate on sexual violence.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations and if the victim wants to maintain confidentiality, then the student should be directed to a confidential resource.

Requests for Confidentiality from a Non-Confidential Reporter

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or conduct action taken, SWOSU must weigh that request against the obligation to provide a safe environment for all students, including the victim.

If the institution honors the request for confidentiality, a victim must understand that the institution's ability to meaningfully investigate and respond to the incident may be limited.

Although rare, there are times when the University may not be able to honor a victim's request in order to provide a safe environment for all students.

When weighing a victim's request for confidentiality or that no investigation or conduct process be pursued, the following will be considered:

- The increased risk that the alleged respondent will commit additional acts of sexual or other violence, such as:
 - whether there have been other sexual violence complaints about the same alleged respondent;
 - whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
 - whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
 - whether the sexual violence was committed by multiple respondents;
 - whether the sexual violence was perpetrated with a weapon;
 - whether the victim is a minor;

- whether the institution possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the institution to investigate and, if appropriate, pursue conduct action. If none of these factors is present, the institution will likely respect the victim's request for confidentiality.

If it is determined that the institution cannot maintain a victim's confidentiality, the institution will inform the victim prior to starting an investigation. SWOSU will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. The institution may not require a victim to participate in any investigation or conduct process. Retaliation against the victim, whether by students or institution employees, will not be tolerated.

Reporting to the Police

SWOSU strongly encourages individuals to report sexual violence and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of information and evidence. The information and evidence preserve future options regarding criminal prosecution, institution conduct actions and/or civil actions against the perpetrator.

If the incident happened on campus, it can be reported to the SWOSU Campus Security Department at 580-928-5533. If the incident occurred elsewhere in Sayre, it can be reported to the Sayre Police Department at 580-928-2122. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

Please know that the information you report can be helpful in supporting other reports and preventing further incidents.

Report to Student Conduct

Anyone can report any instances of sexual violence to The Dean at the Administration Building or call 580-928-5533. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

If either the victim or the accused is a student, the incident will be addressed through the Student Conduct process once a complaint is filed.

Additionally, as stated above, SWOSU strongly encourages individuals to report any instance of sexual violence to the police.

MISSING STUDENT NOTIFICATION

In accordance with Section 485 of the Higher Education Act, 20 U.S.C. § 1092(j), SWOSU has developed this investigation and notification policy regarding students who reside in campus housing and have been reported as missing.

- SWOSU encourages all SWOSU students to use the option to register a confidential contact person they want to be notified in the case the student is reported missing for 24 hours.
- This information will be kept confidential and reported only to law enforcement and offices mentioned above.
- Students may register their contacts with the Director of Housing office or the Dean of Students office. In the event that a SWOSU student is not registered, and has been reported missing for 24 hours, the SWOSU Campus Police will still be notified.
- IF A SWOSU STUDENT IS UNDER 18 YEARS OLD, IS NOT EMANCIPATED, AND IS MISSING FOR 24 HOURS, THE PARENT OR LEGAL GUARDIAN MUST BE NOTIFIED. ANY REPORTED MISSING SWOSU STUDENT FOR 24 HOURS WILL ALSO BE REPORTED TO THE SWOSU CAMPUS POLICE.
- SWOSU will follow specific procedures when there is a reported SWOSU student missing for 24 hours, including but not limited to,

contacting the confidential person or persons registered, housing director or his designate to check dorm room if applicable, dean of students and the VP of Student Affairs to check with faculty to determine if student has been attending classes. SWOSU Campus Police will also notify local police departments and any other police agency deemed necessary after the student is missing for 24 hours.

- If the missing student is under the age of 18 and is not an emancipated individual, SWOSU Campus Police will notify the student’s parent or legal guardian immediately after the investigation has determined that the student has been missing for 24 hours.
- SWOSU encourages anyone who knows or believes a student may be missing to report this to the SWOSU Campus Police, or other persons listed above, immediately.
- If another office receives the first report of a presumed missing student the SWOSU Campus Police shall be notified.

This requirement does not preclude implementing these procedures in less than 24 hours if circumstances warrant a faster implementation.

CONTACT INFORMATION

Any SWOSU student presumed missing for 24 hours, shall be reported to the SWOSU Campus Police Chief and presumed missing. The Chief will contact other parties as listed below.

SWOSU Campus Police	580-774-3111
SWOSU Sayre Dean	580-928-5533
SWOSU Director of Housing	580-774-3024
SWOSU Dean of Students	580-774-3767
SWOSU Title IX Coordinator	580-774-3248
SWOSU Vice President of Student Affairs	580-774-7172
Sayre Reginal Hospital 911 Hospital Drive	
Sayre, OK 73662	

VICTIM SERVICES
Beckham County
(580) 928-2054

SANE NURSE
Contact: Allison Radke
Custer County
603 B. Street
Arapaho, OK 73620
(580) 323-3232

ANNUAL FIRE SAFETY REPORT

No Residential facilities on SWOSU Sayre Campus.

Policies for Fire Safety Education and Training Programs for Students/Faculty/Staff

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college's fire safety policies. Everyone is also provided with maps of each on-campus student housing facility that illustrate evacuation routes and fire alarm equipment locations. During these programs, trainers emphasize that participating in fire drills is mandatory. Students with disabilities are given the option to have a "buddy" assigned to them.

Fire safety education and training programs are taught by local fire authorities.

The information provided during the fire safety programs is also available online at any time

A list of Titles/Persons to which individuals should report when a fire has occurred

Per federal law, SWOSU is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the **non-emergency** numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the SWOSU Campus Police may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Office	Phone #
President	(580) 774-3766
Vice President for Administration and Finance	(580) 774-3000
Dean Sayre Campus	(580) 928-5533
Law Enforcement/Full Time and Reserve	(580) 774-3111

APPENDIX A

Definitions under Oklahoma law:

Dating violence is not defined in Oklahoma; however, violence against a person with whom the perpetrator is in a dating relationship is considered domestic violence, defined below. A **dating relationship** is defined as: a courtship or engagement relationship. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

22 Okla. Stat. § 60.1.

Domestic violence is not defined in Oklahoma law. However, the criminal definition of **domestic abuse** is defined as: Any person who commits any assault and battery against a current or former spouse, a present spouse of a former spouse, a former spouse of a present spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is or was in a dating relationship as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, or a person living in the same household as the defendant shall be guilty of domestic abuse.

21 Okla. Stat. § 644.

Sexual assault:

- a. rape, or rape by instrumentation, as defined in Sections 1111, 1111.1 and 1114 of this title, or
- b. forcible sodomy, as defined in Section 888 of this title.

21 Okla. Stat. § 142.20.

Rape (as used in the definition for “sexual assault”):

A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:

1. Where the victim is under sixteen (16) years of age;
2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;

4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privacy of the accused as a means of forcing the victim to submit;

5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;

6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;

7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or

8. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system.

B. Rape is an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person.

21 Okla. Stat. § 1111

Rape by instrumentation (as used in the definition of “sexual assault”):

Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a

municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

21 Okla. Stat. § 1111.1.

Forcible sodomy (as used in the definition of “sexual assault”):

A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section, where the victim of the third or subsequent offense is a person under sixteen (16) years of age, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, a violation of Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of said offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.

B. The crime of forcible sodomy shall include:

1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; or
2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or

3. Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime; or

4. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state; or

5. Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system.

21 Okla. Stat. § 888.

Stalking:

Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:

1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and

2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested,

Upon conviction, shall be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment

F. For purposes of this section:

1. "Harasses" means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

2. "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate acts over a period of time, however short, evidencing a continuity of

purpose. Constitutionally protected activity is not included within the meaning of “course of conduct”;

3. “Emotional distress” means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;

4. “Unconsented contact” means any contact with another individual that is initiated or continued without the consent of the individual, or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following:

- a. following or appearing within the sight of that individual,
- b. approaching or confronting that individual in a public place or on private property,
- c. appearing at the workplace or residence of that individual,
- d. entering onto or remaining on property owned, leased, or occupied by that individual,
- e. contacting that individual by telephone,
- f. sending mail or electronic communications to that individual, and
- g. placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and

5. “Member of the immediate family”, for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months.

21 Okla. Stat. § 1173.