

Academic Year 2016-17
**Annual Security and
Fire Safety Report**

UNIVERSITY of WISCONSIN
UWMILWAUKEE



®

Dear Campus Community,

I appreciate your taking the time to review the University of Wisconsin Milwaukee's Annual Security and Fire Safety Report. This report is produced annually to provide prospective and current community members with information regarding how we keep our campus safe, data regarding crimes that occur on and near the campus, and in compliance with the Jeanne Clery Act of 1998.

Our campus is located in a vibrant area of the City of Milwaukee and this provides tremendous opportunity for our students, faculty, staff and community to have rich learning and living experiences. Our philosophy of safety and security on the campus is centered on ensuring ongoing safety awareness and education, regular monitoring of trends (locally and nationally), and collaboration between the University of Wisconsin Milwaukee Police Department, the University of Wisconsin Police Department, and the City of Milwaukee Police department.

In the report you will notice that the Panther community was provided with many opportunities, including our annual Campus Safety Week, to learn about crime prevention, keeping themselves and property safe and what to do if there is an emergency or someone in crisis. Safety on and around the campus is taken very seriously and this expands beyond crime. We provide robust services and efforts to assist students in making healthy choices related to alcohol and other personal behavior as well as support to those who may be in crisis.

Regular safety services are available to students and include our University Housing shuttle service and Be On the Safe Side (B.O.S.S.) shuttle service. B.O.S.S. has been shown to reduce area crimes by 14% when it is operating (2014). Other services that are open to all campus members include S.A.F.E. alert emergency notification systems, S.A.F.E. emergency phones, the SAFE Walker program, and self-defense courses.

I encourage you to continue to become familiar with our campus and remember the following tips for whatever reason brings you to the campus:

Be Aware and Alert

- Be aware and alert to what is going on around you.
- Stand tall, walk confidently, and make eye contact with those around you.
- Be aware of your surroundings especially when using a handheld device and/or wearing headphones.
- Avoid walking alone at night.
- If you have been drinking, have someone walk you home or get a ride.

Be Informed

- Know where the nearest blue light phone is.
- Know the hours of B.O.S.S. and SAFE in order to get around.
- Know your destination and how you are getting there.
- Download the UWM mobile app for easy access to campus safety resources.
- Program the Campus Police #'s into your phone - Emergency: (414) 229-9911/Non-Emergency: (414) 229-4627

Be Prepared

- Keep doors locked, even if you are away for only a few minutes.
- Do not leave electronics, purses, wallets, or backpacks unattended.
- Lock your vehicles to prevent theft of or from your vehicle.
- Never leave valuables in the passenger compartment of vehicles.
- Take a self-defense course yearly.

I look forward to continuing to work with all of our campus and Milwaukee community members to continue to keep our campus a safe and great place to live, learn, and work.

Sincerely,

Timothy W. Gordon, PhD.
Dean of Students

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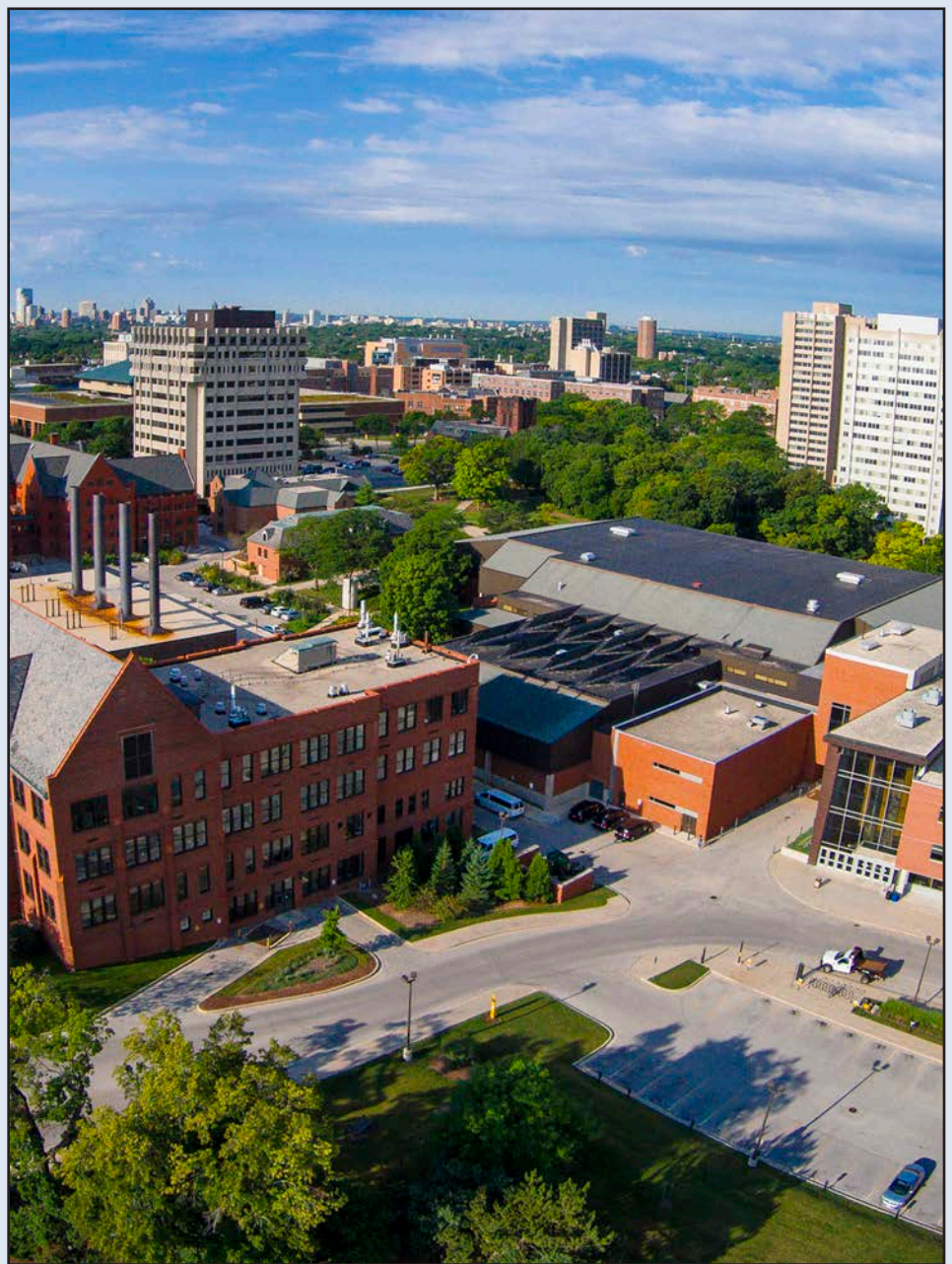


Annual Disclosure Of Crime Statistics

The Clery Act, the Campus Sex Crimes Prevention Act of 2000, and 2013 amendments to the Clery Act via the Violence Against Women Reauthorization Act of 2013, require that UWM report and publish crime statistics along with policies and procedures to be followed in the case of sexual violence, dating/domestic violence, stalking and other crimes. Various UWM units (Police, Dean of Students, University Housing, Women's Resource Center, etc.) and "Campus Security Authorities" provide ongoing information about campus crime. This is monitored on an ongoing basis and then reported annually via the Annual Security Report.

Each year, the Dean of Students Office (in consultation with other campus units, such as the University Police Department, University Housing, Women's Resource Center, Center for Student Involvement, Athletics, Norris Health Center, the Office of Equity/Diversity Services, and University Safety and Assurances) compiles statistics on reported crimes for the preceding three years. Campus crime, arrest, and referral statistics include those reported to:

- The UWM Police Department; designated campus officials (including, but not limited to, UWM Police Department staff)
- Those responsible for campus security (e.g., those responsible for monitoring entrances into institutional property)
- The Dean of Students, Director of University Housing, and the Chief Student Affairs Officer and other officials of the institution who have significant responsibility for student and campus activities (at UWM, this would include the Title IX Coordinator and Director of the Office of Equity/Diversity Services)
- The Norris Health Center Director
- All members of the Athletics Department who actively work with students
- All employees within University



Housing and the Dean of Students offices who actively work with students

- Advisors to student organizations
- Local law enforcement agencies, including those for the City of Milwaukee, City of Glendale, City of Wauwatosa, Village of Shorewood, and Ozaukee County.

These statistics may also include crimes that have occurred on non-campus property owned or controlled by UWM or public property immediately adjacent to and accessible from the campus (i.e., roads and sidewalks sur-

rounding or intersecting the campus). Norris Health Center counseling staff may disclose, on an anonymous basis, crimes disclosed to them in the course of their confidential treatment of clients. A procedure is in place to capture such confidential disclosures for inclusion in the annual crime statistics.

Each year, the University sends an email notification to all enrolled students and current employees that provides the website to access this report. Anyone may request a copy of this report at the Dean of Students Office, Mellencamp Hall room 118 or by calling 414-229-4632.

The University Of Wisconsin-Milwaukee Police

The University of Wisconsin-Milwaukee Police Department (UWMPD) protects and serves the UWM community 24 hours a day, 365 days a year. The department staffs a full time 9-1-1 dispatch center. The department provides police service, facility security, emergency planning and safety programming to campus.

The department is staffed by 37 sworn police officers who are certified law enforcement officers meeting or exceeding standards set by the Wisconsin Law Enforcement Standards Board. UWM police officers have advanced training in active shooter response, first aid, and CPR/AED. The department is also staffed by security officers, law enforcement dispatchers and other civilian support staff.

University police maintain close working relationships with the Milwaukee and Shorewood Police Departments, whose jurisdiction borders campus. These working relationships allow for the sharing of information and collaboration on neighborhood patrols, training, and investigations as needed. University police participate in a regional mutual aid pact that gives UWMPD access to a large amount of resources in the event of a large-scale emergency.

Police Services On Campus

UWMPD has complete police authority to apprehend, arrest, and/or cite anyone involved in committing violations of Wisconsin Administrative Code Chapter UWS 18 (Conduct on University Lands) and acts that are unlawful under state statutes on campus and at other areas under UWM's control.

Individuals are encouraged to report all crimes occurring on campus to the University Police (x9911 from a campus phone, and 414-229-9911 from all other phones). If a victim is unable to report a crime, it is the University's expectation that anyone aware of a crime should report all known details regarding the crime to the University Police or to the following offices:



Director of University Housing
414-229-6589
Sandburg Hall C143

Chief Student Affairs Officer
414-229-4038
Chapman Hall 132

Dean of Students
414-229-4632
Mellencamp Hall 118

Director of Equity/Diversity Services
& Title IX Coordinator
414-229-5923
Mitchell Hall 359

Norris Health Center Director
414-229-4716
Northwest Quad Building B, 5th floor

Criminal offense reports, incident reports, and citations under Chapter UWS 18 are used to document incidents reported to or observed by the police, and serious and/or persistent violators of criminal law may be referred to the District Attorney's office for prosecution. Uniform traffic citations are issued to traffic violators.

University Police personnel have received training in first aid, CPR and AEDs (Automated External Defibrillators). AEDs are kept in each police vehicle and in most buildings on campus, including the residence halls. These officers have the training and experience to provide the immediate life-sustaining medical assistance needed in the first critical minutes of any medical emergency.

All federal law enforcement agencies are empowered to investigate violations of federal law and take appropriate enforcement action. All state law enforcement agencies are empowered to investigate violations of state statutes, the state administrative code and selected federal laws and take appropriate enforcement action. The Milwaukee County Sheriff's Office and the Milwaukee Police Department possess concurrent authority to investigate violations of state statutes and selected federal laws on University property but neither is empowered to enforce county or municipal ordinances on state property.

Off-Campus Criminal Activities

Individuals are encouraged to promptly and accurately report all crimes to the local police department where the crime occurred. In addition, University Police may provide some law enforcement services to the non-campus locations under UWM's control. If a victim is unable to report a crime, it is the University's expectation that anyone aware of a crime should report all known details regarding the crime to the police or:

Director of University Housing
414-229-6589
Sandburg Hall C143

Chief Student Affairs Officer
414-229-4038
Chapman Hall 132

Dean of Students
414-229-4632
Mellencamp Hall 118

Director of Equity/Diversity Services
& Title IX Coordinator
414-229-5923
Mitchell Hall 359

Norris Health Center Director
414-229-4716
Northwest Quad Building B, 5th floor

When a UWM student is involved in an off-campus offense, university police officers may assist with the investigation in cooperation with local, state, or federal law enforcement.

City of Milwaukee and Shorewood police routinely work and communicate with university officers on any serious incidents occurring in the immediate neighborhood and business areas surrounding campus. UWM does not operate or recognize any campus organization's off-campus facilities, including housing facilities. However, many graduate and undergraduate students live in the neighborhoods surrounding UWM. While the Milwaukee Police Department has primary jurisdiction in all areas immediately surrounding UWM, UWM police can and do respond to student-related incidents that occur in close proximity to campus. UWM offi-



cers have direct communications with the local police, fire department, and ambulance services to facilitate rapid response in any emergency situation.

The University Police may take police action off-campus and within Milwaukee County under the authority of Wis. Stat. § 175.40(5)(d) and the University Police Department Policy on Off-Campus Law Enforcement Authority. Officers have authority to arrest and take into custody any person for whom a federal, state or municipal arrest warrant has been issued. University Police officers may also take action when assisting other law enforcement agencies within Milwaukee County.

The University Police are participating members of the Suburban Mutual Assistance Response Teams (S.M.A.R.T.). Numerous suburban police departments provide aid and support, by written agreement, to fellow member departments in the event that an inci-

dent requires greater resources than are available from any single department.

At the beginning and end of each academic year, UWM contracts with the City of Milwaukee Police Department to provide additional police services in the neighborhoods surrounding UWM. University Police may assist the City of Milwaukee Police with these patrols in the UWM area. Apart from S.M.A.R.T. and these contracts with the City of Milwaukee Police Department, the University does not have written memorandum of understanding or other written agreements for the investigation of alleged criminal offenses. The UWM Police Department investigates crimes occurring within its jurisdiction, and local law enforcement agencies investigate crimes occurring in their jurisdictions, although law enforcement agencies will cooperate in any investigation as necessary and permissible.

Reporting Crime

The University has a number of ways for students and other members of the University community to report any crime, suspicious activity or emergency to law enforcement or other University officials. Regardless of where such incidents are reported, you are urged to promptly and accurately report all such incidents so that the University Police can investigate each situation and determine the appropriate response, including whether a Timely Warning or emergency notification is necessary.

Reporting To The University Police Department Or Other Law Enforcement Agency

You may notify the University Police (x9911 from a campus phone or 414-229-9911), or by picking up any one of the blue lit S.A.F.E. emergency phones located on campus and/or contacting the appropriate law enforcement agency. Individuals may also report the crime or emergency in person at the University Police Department located at 3410 N. Maryland Ave.

For off-campus incidents, the Milwaukee Police Department can be contacted at 911 for emergencies and (414) 933-4444 for non-emergencies. The Milwaukee Police Department District One station is located at 749 W. State St. in downtown Milwaukee.

Reporting to "Campus Security Authorities"

While all campus community members are encouraged to report crimes and other emergencies directly to the University Police or other appropriate law enforcement agency, the Clery Act also defines a large number of university staff as "Campus Security Authorities."

This includes staff who are responsible for campus security (e.g., those responsible for monitoring entrance into institutional property), and staff who have significant responsibility for student and campus activities, including, but not limited to student housing,



student discipline and campus judicial proceedings. At UWM, this includes hundreds of individuals, and those individuals are responsible for disclosing such reports for the purpose of compiling the university's annual crime statistics.

They are not, however, responsible for determining whether a crime occurred (i.e., investigating such incidents). That responsibility resides with the University Police Department or other appropriate law enforcement agencies. While there are hundreds of Campus Security Authorities, the University specifically designates the following offices as places/officials where or to whom campus community members should report crimes:

University Police Department
414-229-9911
3410 N. Maryland Ave.

Director of University Housing
414-229-6589
Sandburg Hall C143

Chief Student Affairs Officer
414-229-4038
Chapman Hall 132

Dean of Students
414-229-4632
Mellencamp Hall 118

Director of Equity/Diversity Services
& Title IX Coordinator
414-229-5923
Mitchell Hall 359

Norris Health Center Director
414-229-4716
Northwest Quad Building B, 5th floor

All of these offices will refer any crime report impacting the safety of students, staff, and the campus community to University Police.

Contacting University Police

UWM maintains an advanced system for the reporting of any problems to the University Police Department. The heart of the system is a dedicated 911 emergency telephone system with enhanced location determination capabilities. There are several types of phones on the campus, all of which are connected to this system.

All inter-campus (229 exchange) phones are connected to this system. One must dial 9911 (instead of just 911) from these phones to gain access to the emergency system. These phones are located in offices and corridors.

All public phones on campus are connected to the 911 system. No coin is required when dialing 911. Campus elevators are also equipped with emergency phones.

A network of S.A.F.E. emergency phones covers the campus. These phones are mounted in yellow boxes on poles or affixed to buildings and are illuminated by a blue light. The phones are located outside buildings, along walkways and in parking lots and structures at various locations where they will be most visible. To use these phones, open the door to the box and push the button. This will activate the 911 system, which will display the phone's location at the University



University Police

3410

Police Department. The caller and the police dispatcher can then converse with each other. Equipment installed in 2004 is ADA compliant and includes Braille instructions.

UWM also has a smart phone application through which users can select the safety icon. This icon will provide the opportunity to direct dial the UWM Police Department.

Persons in need of assistance also may approach any of the uniformed University Police or security personnel that patrol the campus in marked police vehicles and on foot or bicycle.

Civilian security personnel employed by the UWM Union, University Housing and the UWM Libraries are equipped with two-way radios that have the ability to communicate directly with the University Police dispatcher. Personal escort services such as BOSS are equipped with radios or cellular phones for reporting crimes or other emergencies.

Confidential and Anonymous Reporting

If you are the victim of a crime, but do not wish to pursue action within the University or criminal justice system, the University Police Department will accept voluntary, confidential crime reports. Such reports allow the University Police to respect the wishes of the reporting party to remain confidential while allowing the University Police to take steps to ensure the safety of the campus community. These reports will

be entered into the Automated Records Management System and tracked as anonymous.

Reports provided in this manner will also be included in the annual crime statistics. Crimes reported to the Dean of Students Office on an anonymous basis will also be included in the annual crime statistics.

If a victim is unable to report a crime, it is the University's expectation that anyone aware of a crime should report all known details regarding the crime to the University Police or appropriate law enforcement agency or one of the offices noted above.

Professional And Pastoral Counselors

The Norris Health Center Counseling and Consultation Service provides counseling for UWM students. While counselors are exempt from the crime reporting requirements of the Clery Act, the Norris Health Center counselors encourage students they are counseling to report crimes to the University Police Department. Norris counselors also explain to students that they may report crimes to the University Police and/or Dean of Students Office on an anonymous basis for inclusion in the annual disclosure of crime statistics.

The University does not employ pastoral (religious) counselors.

Hate/Bias Incident Reporting

UWM defines a hate or bias-motivated incident as any disruptive conduct (oral, written, graphic, or physical) that is against an individual, or individuals, because of their actual or perceived race, color, national origin/ancestry, religion, sex, age, disability, sexual orientation, gender identity/expression, veteran and National Guard status, marital status, pregnancy, political affiliation, or arrest/conviction record. (The definition of "hate crime" for the purpose of crime statistics reporting is different - see that definition in the Crime Statistics section of this report).

Members of the UWM community are encouraged to report hate/bias incidents to the Office of Equity/Diversity Services using the Hate/Bias Incident Reporting Form found on its website at: www4.uwm.edu/eds/hbr/. Equity/Diversity Services will investigate reports that contain sufficient information to enable an investigation.

If the incident involves any crime or emergency that may impact the safety of members of the UWM community, students or staff are urged to notify the University Police (at x9911 from a campus phone, 414-229-9911, or by picking up any one of the blue-lit S.A.F.E. emergency phones located on campus).

Individuals may also report the crime or emergency in person at the University Police Department, located at 3410 N. Maryland Avenue.

Response To Report Of Crime

When University police receive the report of a crime, one or more officers will be assigned to investigate. Officers will document the investigation by filing a report in the departments Automated Records Management System (ARMS) that also automatically generates a record of a reported crime to the Crime Log.

Officers will follow through with the investigation until an appropriate disposition, such as presenting the investigation to the Milwaukee County District Attorney's Office for prosecution or issuing a citation, is achieved. An investigation may be discontinued upon exhausting investigative leads or at the request of the reporting person (in some cases) or if the crime is unfounded.

Timely Warning Policy

UWM has a policy of timely warning the campus community of Clery Act crimes occurring on campus that may constitute a serious or continuing threat to students and employees. If an incident occurs that, in the judgment of the University Police Chief, may constitute a serious or continuing threat to students or employees, the Chief or his/her designee will normally consult with the Vice Chancellor for University Relations, the Chief Student Affairs Officer and the Vice Chancellor for Finance & Administrative Affairs, or their designees if determined by that group to be appropriate based on the circumstances.

If, upon consultation with the appropriate UWM representatives, the Chief or his/her designee reasonably concludes that a campus-wide timely warning is appropriate under the Clery Act, UWM will issue a warning designed to provide timely notice to the affected members of the community. The University Police Chief also has the authority to issue unilaterally a timely warning if the circumstances do not permit any consultation.

A timely warning most often takes the form of an email to the campus or portions of the campus, but may also include any other media designed to get the word out quickly campus-wide,

such as by posting physical signs at appropriate locations and/or distributing information through social media sites.

Timely warnings will also be posted for sixty days on the University Police web site at: www4.uwm.edu/police/safety-warnings/. Timely warnings may also be sent via email and text message using the University's S.A.F.E. Alert system in cases of an immediate threat to the health or safety of the campus community.

The Chief of University Police also may, upon consultation with the Vice Chancellor for University Relations, the Chief Student Affairs Officer and the Vice Chancellor for Finance & Administrative Affairs, or their designees, issue a notice to the campus community regarding a safety threat that does not require a timely warning under the Clery Act.

Crime reports given to the University community will not disclose the identity of victims or witnesses that wish to remain anonymous. Such reports will be included in the annual crime statistics.

Anyone with information about an incident that may warrant a timely warning should contact the University Police Department by calling x9911 from a campus phone and 414-229-9911 from all other local phones or emergency in person at the University Police Department located at 3410 N. Maryland Ave.

Missing Student Notification Policy

Any individual who is aware a student who resides in University housing has been missing for 24 hours or more should report those circumstances to any of the following campus authorities:

University Police Department
414-229-9911
3410 N. Maryland Ave.

Director of University Housing
414-229-6589
Sandburg Hall C143

Chief Student Affairs Officer
414-229-4038
Chapman Hall 132

Dean of Students
414-229-4632
Mellencamp Hall 118

In the event a student is reported missing, UWM officials will notify the University Police Department immediately and local law enforcement within 24 hours. If a student is determined to be missing for 24 hours, the University Police will:

- Open an investigation
- Conduct a risk assessment to determine if there is information to suggest the missing student is in danger or the victim of a criminal act
- Assign investigative resources to locate the missing student
- Collaborate and share information with outside agencies that can aid in the investigation

Each student living in University Housing may register a confidential contact person to be notified within 24 hours in the event the student is determined to be missing. This is in addition to the option to designate a general emergency contact person and should be registered separately. To register a confidential contact, a student may contact any member of the UWM University Housing Department staff.

Confidential contact information is maintained in a confidential file accessible only to authorized campus officials. It may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation. Each student has the option to designate a confidential contact person annually, or mid-year for students who move on campus at that time.

If a missing student is under 18 years of age and is not emancipated, University officials must notify the student's parent or guardian, in addition to any additional contact person designated by the student, within 24 hours of a determination that the student is missing.

Building/Grounds Security

Security measures in place at UWM buildings vary considerably from building-to-building and day-to-day in order to accommodate the demands of the academic year. Circumstances such as late office hours, special events, semester breaks, legal holidays, spring break, exam periods and mini-terms can cause building schedules to change frequently.

During business hours, University facilities (excluding University Housing facilities) are open to students, employees, and the public, with the exception of designated areas that may be limited to students, Facility Services, research personnel, and other appropriate individuals. Campus and non-campus buildings are secured each night either by University Police personnel or by building personnel in accordance with a schedule of closing times set by the building chair of each building and published by the Campus Planning Director twice per year (<http://uwm.edu/academicaffairs/wp-content/uploads/sites/32/2014/07/buildingschedule.pdf>). The published hours cover the academic school year, breaks and modified summer hours. University Police work in concert with classroom support services to allow access into buildings and classrooms as scheduled through Room Optimization Assignments and Reservations (ROAR) (www.uwm.edu/roar) during evening hours and on weekends.

Every campus building, with the exception of the residence halls, has a designated building chair who is responsible for: monitoring facilities and equipment; coordinating the placement of security information; determining the placement of bulletin boards; posting all required postings; serving as a liaison to Facility Services; and collaborating with University Police to address any safety or security concerns.

Access to specific areas, rooms or facilities within each building is determined by the building chair. When deemed appropriate, keys or electronic access may be issued to faculty/staff/student personnel to allow them access. Persons not issued keys should contact the University Police for access to locked buildings or areas within buildings unless buildings have their own personnel on duty to provide access.

Authorization for access to such areas is confirmed for the University Police by the provision of work permits, access lists, memorandum or other communications from persons in charge of areas that specify those allowed to be present outside normal hours. University Police do not provide access to any areas that are under the jurisdiction of University Housing or the UWM Union. These units provide access to areas under their jurisdiction.

Residence halls are secured 24 hours a day, with the exception of first-floor common areas that are open to the public during business hours. No access is provided beyond the common areas without security clearance, and residents must show identification to 24-hour security staff to go beyond common areas into residential areas.

In the case of emergencies, the building chair for each building and/or the University Police may change access policies and procedures. The extent of such changes will depend upon the type of emergency involved, whether outside law enforcement or emergency service providers are present, and the extent of the emergency.

In the case of an emergency involving an imminent risk of harm to the campus community, the community will be notified via S.A.F.E. Alert and other emergency messaging as described in the Emergency Notification section of this report below.

In the case of an emergency in University Housing facilities, evacuation of the building is normally involved for any issue that is not localized. University Housing staff escort first responders to the area of the emergency situation. In the case of a fire alarm or any other major facility evacuation, University Housing staff have the ability to waive normal security clearance procedures until all residents evacuated from the building have reentered. At that point, normal entry procedures are reinstated.

Physical security measures and security patrols are augmented by a network of security cameras on campus and at non-campus residence halls. Security cameras on campus are located in residence halls, the UWM Union, campus

buildings and other common areas. The University Police also work with those responsible for individual buildings on campus to perform security surveys and make recommendations to improve security.

Each year, the Director of University Safety and Assurances assembles a working group of University staff and students that performs a safety assessment by walking throughout campus. This assessment includes lighting, landscaping, crosswalks and any other environmental factors that could pose a safety concern or hazard. The Director of University Safety and Assurances refers any concerns to Facility Services for resolution, and the Director of University Safety and Assurances is responsible to follow up and ensure that any items of concern are fixed.

University Police and Facility Services personnel, through their daily routine of opening and locking buildings, ensure the functionality of doors and report any deficiencies to Facility Services. Doors that are not functional will not be propped open and will be secured with traffic directed to the nearest operational door until repaired.

University Police officers perform multiple checks of campus facilities each day and note any safety issues that need attention. Any other malfunctions of security equipment should be reported to University Police who will notify the appropriate party for repair. At the beginning of each semester, University Police also check all of the campus blue light emergency phones for functionality. Any malfunctions are reported to University Network Operations for repairs.

UWM also has specific policies related to the safety of minors on campus and to ensure compliance with Wisconsin Executive Order 54, which requires mandatory reporting of child abuse and neglect by University staff. These include portions of UWM's Use of Facilities Policies and Procedures (Selected Academic and Administrative Policy S-23), UWM's Criminal Background Check Policy (Selected Academic and Administrative Policy S-14.5), and UWM's Child Abuse and Neglect Policy (Selected Academic and Administrative Policy S-64).

Emergency Notification And Response

The University of Wisconsin-Milwaukee employs a S.A.F.E. Alert Emergency Notification System to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of the campus community. Examples of significant emergencies could be an active shooter, a gas leak near a building, or a severe weather event.

The S.A.F.E. Alert system allows UWM to contact faculty, staff and students via text message to personal mobile phones or a designated e-mail address. Registration in the S.A.F.E. Alert System is voluntary for faculty and staff and is used for emergency contact purposes only. Students are automatically enrolled in the system if their registered contact information includes a cell phone number but they may opt out of such messaging.

The S.A.F.E. Alert System will not be used to distribute advertising or other unsolicited messages, and subscribers to S.A.F.E. Alert will pay no fees for the service, other than normal fees charged by their mobile service provider for receiving text messages. S.A.F.E. Alert is only available to members of the UWM campus community.

In the event of a significant emergency that poses an immediate threat to campus, the first responders would verify the emergency and notify University Police Department supervisors of the need for a S.A.F.E. alert. In a significant emergency, the University Police would send a campus wide S.A.F.E. alert message. The message will describe the nature of the event and provide instructions to the campus community to avoid danger and remain safe. This could include avoiding campus or portions of it, leaving campus, or remaining in your present location (sheltering in place).

Additionally, the university's main campus has a voice mass notification system integrated into the fire alarm speakers of numerous buildings and is



augmented by outdoor speakers capable of providing additional information targeted to certain areas if the event is localized on campus. Both of these systems have pre-recorded messages covering the most serious events that could occur such as an active shooter, a fire, or severe weather.

University Police will, without delay, take into account the safety of the community as well as the impact of notification on efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Updates may be sent on the S.A.F.E. alert system. University Relations will, as soon as possible, also provide follow-up information, which will be sent via the campus-wide e-mail accounts and/or be posted on the campus website and/or social media as information becomes available.

Emergency Response And Evacuation Procedures

Emergency Management - University Police, in collaboration with University Safety and Assurances (US&A), evaluate emergency preparedness needs

for campus and maintain the campus Emergency Operations Plan that can be found at <http://www4.uwm.edu/usa/safety/emergency/>.

Each year, the University tests a part of the plan through a tabletop or functional exercise that includes activating the Emergency Operations Center (EOC) and concludes with a debriefing of the exercise. The EOC serves as the centralized facility in which team members will gather, check in, receive assignments and assume their emergency response roles. The EOC team is composed of a cross section of campus personnel, selected for their expertise and the needs of the EOC. The Incident Commander determines the appropriate level of activation and assembles the designated EOC Team members. The EOC's scope and function is determined by the incident, its impact on the campus or region and the specific needs related to the emergency.

US&A also convenes an Emergency Operations Oversight committee consisting of key campus stakeholders including Student Affairs, University Housing, Auxiliary Services, University Police, Facility Services and others who meet on a regular basis to address campus preparedness. University Police and US&A also have working partnerships with the Milwaukee County Office of Emergency Management as well as the City of Milwaukee's Office of Emergency Management and Homeland Security to ensure the University's preparedness for a wide variety of emergencies. The Campus Management Team, consisting of the Chancellor and his cabinet, may be activated by the Chancellor (or designee) separately, to provide executive-level oversight.

Each department on campus also prepares for responding to and recovering from emergencies through Continuity of Operations Planning (COOP). University Police primarily work with the departments in the preparation and maintenance of these plans on an annual basis.

Evacuation and Emergency Response Training and Drills - UWM tests emergency response and evacuation procedures twice annually.

First, the campus conducts a tornado drill for all buildings during Tornado Awareness Week in the spring. The drill is organized by US&A in collaboration with the University Police and the University of Wisconsin System Administration's Office of Risk Management.

Procedures for tornado and other "shelter-in-place" responses are announced to the campus community via campus notices, e-mail messages and website postings. Building chairs and floor captains are offered pre-event training to ensure they can safely direct campus occupants to shelters or other refuge areas. The S.A.F.E. Alert system is also tested during the tornado drill. A text message and e-mail alert is sent to all registered participants announcing the drill.

In 2015, the tornado drill was conducted on April 14th. The drill consists of an announcement over the PA system or whistles blown (in buildings without PA systems) to start the drill. Individuals proceed to the Tornado Shelter Area, and floor captains ensure that individuals in their areas participate and know where the shelter area is located. An "all clear" announcement is made when the drill is complete.

Floor captains, building chairs, and US&A staff provide feedback on specific drill actions via the tornado drill response form based on their observations. US&A compiles the feedback, determines where corrective action is needed, notifies responsible departments of the need for corrective action and assists them in correcting any issues. Finally, US&A sends to the University of Wisconsin System Office of Risk Management a summary report documenting the drill and any corrective actions.

Then, in September of each year, campus-wide fire drills are conducted to test building evacuation procedures. In case of a fire, buildings need to be evacuated (opposite of shelter-



ing-in-place), sending occupants outdoors or to a refuge area. The drills are organized by US&A in collaboration with the University Police and the University of Wisconsin System Office of Risk Management.

Procedures for the fire drills are announced in advance to the campus community via campus notices, e-mail messages and website postings. Building chairs and floor captains are offered pre-event training to ensure they can safely direct campus occupants to emergency exits and ways of egress.

Drills are conducted for individual buildings and, in 2015; the campus-wide fire drills were conducted during the weeks of Sept. 14th and 28th. Fire drills occur at designated times, usually on the hour, and the average evacuation time is 4.5 minutes per building. The drill consists of the fire alarm being activated, individuals evacuating, floor captains ensuring individuals in their areas evacuate and know where to go as well as that the evacuation is the proper distance from the building, and an "all clear" announcement when the drill is complete.

As with tornado and shelter-in-place drills, floor captains, building chairs, and US&A staff provide feedback on specific drill actions via the fire drill response form regarding the evacuation based on their observations. US&A compiles the feedback, determines where corrective action is needed, and notifies responsible departments of

the need for corrective action. US&A follows up on corrective actions and works with departments to determine best solutions to any reported problems. A summary report documenting the drill and corrective actions is sent to University of Wisconsin System Office of Risk Management.

For individuals with disabilities, alternative evacuation procedures are in place. These individuals are encouraged to go to the nearest emergency stairwell. These stairwells are considered "areas of rescue assistance." Emergency personnel will arrive at the stairwells and evacuate individuals as needed.

Prior to an emergency, it is recommended that each person with any limitations ask a friend, colleague or fellow student to provide assistance if an emergency develops. The "evacuation assistant" should be informed about what limitations an individual has and how the evacuation assistant can be of help. The evacuation assistant will go to the building evacuation assembly point and notify the on-site emergency personnel of the location of the person with a disability. Emergency personnel will determine if further evacuation is necessary.

Building chairs and floor captains also check areas of rescue assistance before reporting that a building has been fully evacuated.

Student Escort And Transportation Services

Be On The Safe Side (BOSS) (414-229-6503) is the free service for transportation on or near campus. BOSS boundaries are Capitol Dr. (north), Brady St. (south), Holton St. (west) and the lake (east).

The service operates seven days a week during the fall and spring semesters, from 6 p.m. to 2 a.m. Limited service is available at other times of the year. The BOSS offices are located in the UWM Union, Room 324.

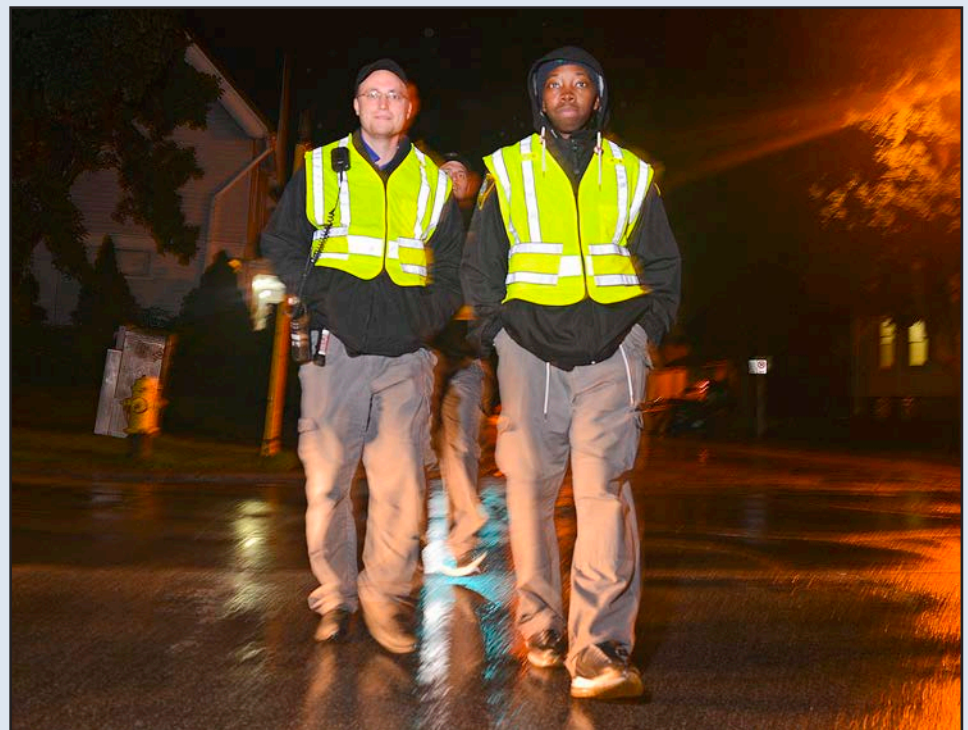
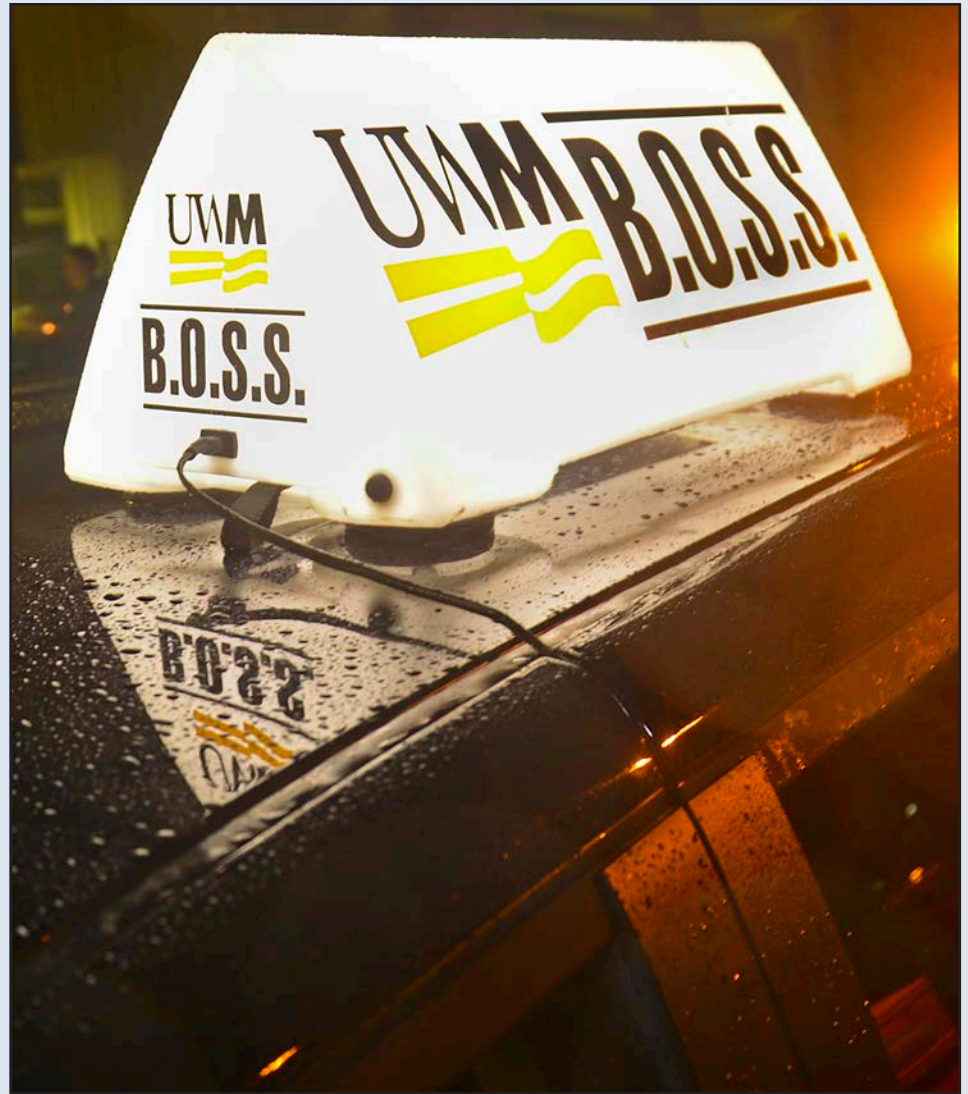
In April 2014, a research study evaluated the influence of a safe ride program on neighborhood crime in a major urban area. Using an hours of the week panel, the BOSS program's operation is associated with an approximately 14% reduction in crime.

Moreover, increases in rides (the intensity of the program) are also associated with reductions in crime. Such increases in program intensity are also associated with notably greater reductions in crime occurring on weekends.

The University Housing shuttle service operates continuously between the UWM Kenwood Campus, Kenilworth Square Apartments, Cambridge Commons and RiverView Residence Hall for housing residents. The average shuttle ride is 10 minutes, although it can be shorter or longer depending on traffic. Some on-call services are provided to University Housing residents during break periods.

The University Police Department also maintains the SAFE Walker program. Uniformed SAFE Walkers are UWM students employed by the University Police who patrol the neighborhoods surrounding UWM between the hours of 8 p.m. and 3 a.m., and report safety concerns to the University Police.

University Police will provide walking escorts, upon request, at any time. An escort can be requested by calling University Police at (414) 229-4627.



Security Awareness And Crime Prevention Programs For Students And Employees

The University actively promotes campus security and crime prevention/awareness programming throughout the year.

The University aims to reach every new freshman through the New Student Orientation Program (NSO) and Transfer and Adult Student Orientation (TASO). The Dean of Students Office, Norris Health Center and University Police present important information regarding personal safety, security programs, and crime prevention tips at each NSO/TASO. NSO is offered 15-20 and TASO 4-6 times per year.

At the beginning of the fall semester, University Police host a series of safety and security awareness events during the annual "Campus Safety Week". During Safety Week, information is shared with students and staff through three tabling events at the Student Union and University Housing dining halls where the programs are presented to students. University Police team up with campus partners to present a wide array of health and safety resources. The Women's Resource Center, Norris Health Center, US&A, local police and fire departments and others present and provide information to attendees. Dating and domestic violence, mental and physical health, fire safety, weather safety, alcohol and drug awareness, crime prevention, and fire prevention are among the topics covered. Active shooter and self-defense classroom presentations are scheduled and available to all students and staff during Safety Week as well as upon request.

About six times throughout the school year, University Police participate in informational events on campus such as Open House, the Employee Wellness & Benefits Fair, Fall Welcome and others. Police officers staff a booth or exhibit table at these events and answer questions about safety and crime prevention. Literature on topics covering sexual assault prevention, traffic safety, active shooter response, alcohol

Guidelines For Personal Safety (Provided by UWM Police)

- Use the S.A.F.E. phone systems around campus if you feel threatened (yellow boxes with blue lights)
- Avoid the use of headphones and personal electronic devices while walking as these can distract your attention and/or attract thieves
- If confronted, surrender property rather than risk your life
- At home, keep your windows and doors locked
- When moving, unpack quickly and always have someone monitoring your belongings
- Secure laptops with a lock if leaving them unattended
- Avoid propping open doors for long durations
- Keep your car locked and remove any valuables
- If biking, follow the rules of the road (i.e., wear a helmet, ride with traffic, avoid sidewalks, etc.)
- Secure your bicycle with a Cycle-Safe bike locker or a secure lock of your own
- Avoid walking alone, especially at night: use B.O.S.S. anytime from 6PM - 2AM
- Stay sharp! Walk in well-lit areas and with a purpose, and pay attention to your surroundings
- If you've been drinking, try to find someone to drive or walk you home
- Don't invite random people into your house
- Don't drink anything that could have been tampered with
- Be careful what you post online
- Don't verify any personal information over the phone
- Protect the privacy of your Social Security Number

awareness and the SAFE escort program is distributed. These events are open to students and staff except as designated. University Police, in conjunction with the Dean of Students Office, also sends bi-weekly email safety messages that provide safety tips, including crime prevention strategies. University Housing provides presentations twice each year on safety in the housing facilities for those residing in University Housing facilities.

Neighborhood Relations staff works with the University Police, students and non-student neighbors on topics of mutual concern, including crime prevention and quality of life issues.

These collaborations are ongoing throughout the year and are kicked off by the "UNITE" program, which uses volunteers to visit student residences off-campus. The volunteers welcome the students to the neighborhood, educate them on being good neighbors and provide safety information and other useful tips for living in the area such as locking a securing their residence. Every week during the course of the semester, the Office of Neighborhood Relation hosts a meeting where local police, University police, and the Dean of Students Office, meet with stakeholders to discuss safety, crime prevention and quality of life issues on and off campus.

SAFETY TIPS

Be Aware & Alert

Look around

Confidently walk, stand tall, make eye contact

Be aware of surroundings

Don't walk alone at night

If drinking, have someone walk you home or get a ride

Be Informed

Locate the nearest blue light phone

Know the hours of B.O.S.S. and SAFE

Know your destination and plan your route

Download the UWM mobile app

Be Prepared

Keep your doors locked

Don't leave valuables unattended

Lock your vehicle

Never leave items in your car

Take an annual self-defense course

**Program These UWM Police Numbers
 229-9911 (emergency) • 229-4627 (non-emergency)**

For those students living off campus, the Neighborhood Housing Office (NHO) offers advice, referrals, and resources, both on and off-campus. It works closely with health and safety offices and centers, such as the Norris Health Center, the Dean of Students Office, and UWMPD.

These services address a wide range of topics, including security concerns related to rental units, commuting concerns for drivers, bikers, bus riders, and walkers, and health concerns related to behavior off campus.

NHO also employs Community Outreach and Assistance for Student Tenant (COAST) Leaders to go out into the community frequently each semester to meet with students living off campus and address any concerns or questions they may have, including those related to safety and safety resources on and off campus. NHO also offers a

Preferred Tenant Program, which prepares students who will be living off campus with information about safety resources and alcohol and other drug (AODA) information and resources.

Throughout the course of the year, University Police respond to requests for personal safety seminars by various student and staff groups on campus. Such personal safety presentations are given by the police department more than 15 times per year and cover a wide array of topics including conflict resolution, drug and alcohol awareness, rape aggression defense, self-defense, active shooter response, online protection, and other topics.

University police also held 26 active shooter, 9 self defense and 8 CPR/AED classes over the course of 2015. The active shooter training video is also available on the University police website. The University Police and

Dean of Students Office will also offer 20 sessions of "Classroom and Campus Safety" for faculty and instructors in the Fall 2016 semester. The sessions will address classroom disturbances, troubling classroom behavior, and how to react during an emergency, including an active shooter situation.

The UWM website is an important resource for informing employees and students about crime prevention tips and information. On the Campus Health and Safety website (<http://www4.uwm.edu/life/health-and-safety.cfm>), there are various links to resources, including personal safety tips. University Safety and Assurances also has resources on the UWM website for workplace violence prevention and presents training on emergency preparedness, security, and the active shooter training video during New Employee Orientation (for faculty, staff, and graduate students).

Alcohol And Illicit Drugs

Substance use among college students impacts all aspects of University life, including student well-being, the educational environment, and the quality of life on campus and in the surrounding communities. In an ongoing effort to mitigate these high-risk behaviors, UWM has instituted a variety of alcohol and other drug abuse (AODA) prevention and intervention initiatives. Assessment and treatment services for students are offered on campus, and the University can also facilitate referrals to appropriate community resources for students or staff members who are experiencing problems related to their personal use of alcohol or other drugs.

Health Effects Of The Abuse Of Alcohol And Other Drugs

The results of the 2015 National College Health Assessment (NCHA) Survey indicates that 74 percent of University of Wisconsin-Milwaukee students are current alcohol users, as defined by having consumed alcohol at least once in the past 30 days. While many UWM students choose to drink moderately or not at all, a significant portion report engaging in high-risk drinking behaviors.

High-risk drinking is associated with a variety of detrimental outcomes, including injury, illness, legal trouble, regretted actions, high-risk sexual activity and violence. Additionally, research consistently shows a strong correlation between frequent alcohol use and poor academic performance, and alcohol and other drug use is known to impact student retention rates.

While alcohol is the distinct "drug of choice" among UWM students, the 2015 NCHA results show that 20 percent report having used marijuana in the past 30 days and 16 percent report having used one or more prescription medications in a manner not prescribed by a healthcare professional in the past 12 months. There is a small, but persistent, presence of other illicit drug use within the student community: the past 30-day prevalence of other illicit drugs, such as cocaine, heroin and methamphetamines, is less than 2 percent. Such substances carry the risk for serious health consequences, and the use of these substances in combination with alcohol or with each other can result in harmful and potentially lethal interactions. Additional information related to the health effects

of the use and abuse of alcohol and other drugs can be found in Appendix 1.

Finally, students who use alcohol and/or other drugs are not the only individuals who may be detrimentally impacted, as students and UWM community members report having experienced disturbances to their quality of life due to the behaviors of intoxicated peers. These impacts include, but are not limited to, personal property damage, being awakened or kept from studying, and feeling unsafe.

Drug And Alcohol Educational Programs

In its "A Call to Action: Changing the Culture of Drinking at U.S. Colleges," the National Institute on Alcohol Abuse and Alcoholism (NIAAA) presented a "3-in-1 Framework" for the development of multi-component, comprehensive and integrated campus programs to mitigate substance use within the college student community.

This framework encourages consideration of programs and policies that work simultaneously with multiple audiences, including interventions that target individuals (such as at-risk or alcohol-dependent drinkers), programs that target the student body as a whole, and environmental-level strategies that reach the college and surrounding community.

In its recognition of the role that individual, interpersonal, community, and societal factors play in influencing behaviors, the 3-in-1 Framework echoes the Social-Ecological Model – a well-accepted behavioral theory that is often utilized in guiding the develop-

ment of comprehensive public health programs.

By these standards, the Alcohol and Other Drug Abuse (AODA) Prevention and Intervention Program at UWM represents a comprehensive approach to addressing substance use on campus. UWM aims to provide students with the information and skills necessary to make healthy and responsible decisions so as to reduce substance use rates and the negative impact of high-risk use.

To this end, the University maintains a comprehensive breadth of evidence-based and theory-driven programs and services that concurrently impact the individual, interpersonal, community, and societal factors that influence these behaviors. These include mandatory online alcohol education for incoming students; training programs for targeted student mentors/leaders to assist them in disseminating information regarding alcohol and other drug effects to their peers; numerous educational programs sponsored by Norris Health Center, University Housing, the Neighborhood Housing Office, Union Programming, and other campus entities; frequent substance-free social and service events; and the regular distribution of policy and educational information via campus-wide events, information tables, and bulletin boards as well as within University Housing and campus resource centers.

The University also maintains an AODA Task Force, comprised of representatives from a variety of campus entities. This group collaborates on programs related to alcohol and other drug abuse prevention and shares updates regarding pertinent issues

and initiatives. Information regarding alcohol and other drugs, as well as strategies for addressing these issues with students, are incorporated into orientation presentations and resources materials for UWM parents, family members, faculty, and staff.

Additionally, the campus offers the following services for individuals who are at risk for experiencing or causing issues as a result of their personal use of alcohol or other drugs.

Brief Alcohol And Other Drug Screening And Intervention For College Students (BASICS)

BASICS offers UWM students the opportunity to explore their use of alcohol or marijuana in a confidential and non-judgmental setting, receive personalized feedback about their use and to consider strategies to reduce harmful consumption and negative experiences related to use.

BASICS includes a small group discussion followed by an individual feedback session with a trained graduate student facilitator. Another option is to meet individually with the Campus Alcohol & Other Drug Coordinator for 1-3 sessions. BASICS does not provide a diagnosis of substance abuse or dependence. BASICS is free for voluntary (non-mandated) students.

For more information, visit <https://www4.uwm.edu/ace> or contact the Norris Health Center Office of Health Promotion & Wellness at 414-229-3712 or aodresources@uwm.edu.

Evaluation And Treatment Services

The Counseling and Consultation Services Unit of Norris Health Center offers voluntary, short-term Alcohol and Other Drug Abuse (AODA) evaluation and treatment services. These services include voluntary AODA assessments for students who have questions or concerns regarding their use of alcohol or other substances.

For those students desiring treatment



of an identified substance use problem, short-term weekly counseling sessions are also offered. For students whose substance abuse problems require intensive AODA services, referrals to community resources are provided.

The Counseling Unit also offers an open-ended weekly general therapy which would be appropriate for many students with AODA concerns who desire a group experience as part of their recovery process. Call Norris Health Center at 414-229-4716 to schedule an appointment.

Prohibited Conduct

The University of Wisconsin System and UWM prohibit the unlawful possession, use, sale/distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities. University Police are empowered by state law to enforce drug and alcohol laws on and off campus, and the University Police strictly enforce these laws.

- The use, possession, or sale/distribution of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the chief ad-

ministrative officer or under institutional regulations. (UWS 18.09(1), Wis. Admin. Code; UWM's Guidelines for Serving Alcoholic Beverages (Selected Academic and Administrative Policy S-5))

- Without exception, alcohol consumption is governed by Wisconsin statutory age restrictions. (UWS 18.09(1), Wis. Admin. Code)

- The unlawful use, possession, sale/distribution, manufacture or dispensing of illicit drugs ("controlled substances" as defined in 961.01(4), Wis. Stats.,) is prohibited. (UWS 18.09(2), Wis. Admin. Code)

- UWM's policies relating to alcohol and drugs are enforced off campus, such as in the UWM neighborhoods, when a student's behavior adversely affects a substantial University interest. In making this determination, an investigating officer considers whether the conduct constitutes or would constitute a serious criminal offense, indicates that the student presented or may present a danger or threat to self or others, or demonstrates a pattern of behavior that seriously impairs the University's ability to fulfill its mission. (UWS 17.08(2) Wis. Admin. Code).

Disciplinary Sanctions

Violation of these provisions by a student may lead to the imposition of disciplinary sanctions, up to and including suspension or expulsion, under Ch. UWS 17, Wis. Admin. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on University property or the worksite during work time, up to and including termination from employment.

- Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin statutes, administrative rules and faculty, academic staff and university staff policies.

- Violations of s. UWS 18.09, Wis. Admin. Code may result in additional

penalties as allowed under Ch. UWS 18, Wis. Admin. Code.

- Referral for prosecution under criminal law is possible.

Employees who are convicted of any drug statute violation occurring in the workplace must notify their dean, director or department chair within five days of the conviction if the employees are employed by the University at the time of the conviction, in accordance with the Federal Drug-Free Workplace Act, 41 U.S.C. s. 701 et seq., and UWM's Drug-Free Campus Policy (Selected Academic and Administrative Policy S-19.5).

Wisconsin Criminal Sanctions

The Uniform Controlled Substances Act, Chapter 961, Wis. Stats., regulates controlled substances and outlines the penalties for violations.

- A person convicted for the first time for possession of a controlled substance can receive a sentence of up to one year in prison and a fine of up to \$5,000 (§§ 961.41(3g)(am)-(g), Wis. Stats.), depending on the drug.
- If a person is convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, he or she can be imprisoned for up to 40 years and fined up to \$100,000 (§ 961.41(1m)(a)-(j), Wis. Stats.).

• Penalties differ depending on the type of drug, the amount of the drug confiscated, previous convictions, and whether there are any aggravating factors.

- The distribution of a controlled substance to a minor can result in a person receiving double the authorized sentence term (§ 961.46, Wis. Stats.).

Wisconsin has tough legal sanctions that restrict the use of alcohol in a variety of situations.

- It is illegal to procure for, sell, dispense or give alcohol to anyone that



has not reached the legal drinking age of 21 years (§ 125.07(1)(a)(1), Wis. Stats.). A first time violation can result in a fine up to \$500.

- All adults have a legal obligation to prevent the illegal consumption of alcohol on property they own or control. (§ 125.07(1)(a)(3), Wis. Stats.). A first-time violation of can result in a fine up to \$500.
- It is illegal for an underage person to obtain or attempt to obtain an alcoholic beverage, or to represent falsely his or her age in order to obtain alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises (§ 125.07(4), Wis. Stats.). A first-time underage violator can be fined up to \$500, required to participate in a supervised work program, and have his or her license suspended.

Federal Criminal Sanctions

The Controlled Substances Act (CSA), 21 U.S.C. s. 801 et seq., is a consolidation of numerous federal laws regulating the manufacture and distribution of controlled substances. The CSA establishes mandatory minimum penalties for the unlawful manufacturing and distribution of controlled substances. Select penalties mandated by the CSA are highlighted below.

21 U.S.C. 844(a)

- 1st drug conviction: Up to 1 year imprisonment and/or fined at least \$1,000

- 2nd conviction: At least 15 days in prison, not to exceed 2 years and/or fined at least \$2,500
- 3rd conviction: At least 90 days in prison, not to exceed 3 years and/or fined at least \$5,000

21 U.S.C. 853 and 21 U.S.C. 881

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance, used to transport a controlled substance, obtained as the result of a violation of federal law, or otherwise used to violate federal law relating to controlled substances.

21 U.S.C. 844a

- Civil fine of up to \$10,000.

21 U.S.C. 862

- 1st offense: Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses for up to 1 year

- Subsequent offenses: Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses for up to 5 years

18 U.S.C. 922(g)

- Ineligible to purchase, receive, or transport a firearm or ammunition.

Miscellaneous

- Drug convictions may result in the revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc. The power to revoke such licenses and benefits is vested within the authorities of the applicable government agency.

Sexual Assault, Dating/Domestic Violence And Stalking

UW-Milwaukee is committed to creating a safe and inclusive campus community. As such, sexual violence, including sexual assault, domestic and dating violence, stalking and sexual harassment, is not tolerated. Within this section, we will refer to these incidents collectively as “sexual violence.”

Definitions

Consent - In Wisconsin, “consent” as related to sexual assault is defined as “words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact.” A person: (a) suffering from a mental illness or defect which impairs capacity to appraise personal conduct, or (b) a person who is unconscious or for any other reason is physically unable to communicate an unwillingness to act, is incapable of giving consent.

Dating Violence - In Wisconsin, “dating violence” is violence committed by one person against another with whom they are in a dating relationship. A “dating relationship” is defined as “a romantic or intimate social relationship between 2 adult individuals but ‘dating relationship’ does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.”

Domestic Violence - In Wisconsin, “domestic abuse” means any of the following engaged in by an adult family member or adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver’s care, by an adult against his or her adult former spouse, by an adult against an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common:

- Intentional infliction of physical pain, physical injury or illness.
- Intentional impairment of physical condition.
- First, second, or third degree sexual assault.

- Stalking.
- Criminal damage to property involving property that belongs to the individual.
- A threat to engage in any of the above.

Sexual Assault - In Wisconsin, “sexual assault” includes:

- Sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
- Sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
- Sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence and aided or abetted by one or more other persons.
- Sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- Sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
- Sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person’s conduct, and the defendant knows of such condition.
- Sexual contact or sexual intercourse

with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

- Sexual contact or sexual intercourse with a person who the defendant knows is unconscious.
- Sexual intercourse with a person without the consent of that person.
- Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant’s instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.
- For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant’s body, whether clothed or unclothed.
- Sexual contact with a person without the consent of that person.

Sexual Harassment - The University defines harassment as conduct that (1) is of any type (oral, written including electronic, graphic, or physical); (2) is directed towards or against a person because of the person’s protected status; and (3) unreasonably interferes with the individual’s work, education or participation in activities or programs at UWM or creates a working or learning environment that a reasonable person would find threatening or

intimidating. Sexual Harassment is one type of prohibited harassment and includes unwanted conduct of a sexual nature.

Stalking - In Wisconsin, "stalking" includes intentionally engaging in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household, and the actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household, and the actor's acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.

What To Do If You Are The Victim Of Sexual Violence

Students who experience any form of sexual violence have several options available to them, on and off campus, including medical assistance, counseling, advocacy, and access to criminal and campus disciplinary processes. All of these services are available to students regardless of their choice to file a complaint with law enforcement and/or campus investigating authorities. Most of these services are also free.

Confidential Resources - On campus, a student can talk to someone confidentially about sexual violence at the UWM Norris Health Center and the UWM Women's Resource Center, which provides services to any student regardless of gender or gender identity.

Preserving Evidence - Preserving evidence related to sexual violence may be important to an investigation and potential criminal prosecution. While it is not mandatory to report sexual

Strategies For Reducing Your Risk Of Sexual/Gender Violence

- **Communicate Clearly**

Communicate clearly and expect that your wishes be honored.

- **Trust Yourself**

Trust your instincts about possible danger.

- **Avoid Drinking And Drug Use**

Drinking and other drug use can make it harder to get out of a dangerous situation and can put someone at greater risk for victimization. Victims under the influence of drugs and/or alcohol at the time of an assault, however, are NOT responsible for a perpetrator's actions.

- **Know What You Drink**

Be careful about drinking anything that has been out of your sight. Drugs are sometimes slipped into drinks to incapacitate a person in order to assault them. Get your own drinks - don't let someone else continually fill your cup or get your drink.

- **Watch for Certain Behaviors**

Be wary of anyone that acts jealous or possessive, displays anger or aggression, ignores your wishes, ignores your personal space boundaries, at-

tempts to make you feel guilty or gets hostile when you say "no."

- **Be Aware**

Be aware of your surroundings. Think twice about getting a ride from or being alone with someone you don't know well.

- **Stay In A Group**

Go out with a group or double date. Whenever possible, walk with a group of people.

- **Avoid Strangers**

Don't open your door to strangers and don't allow strangers inside your house or room.

- **Speak Up**

Yell for assistance and attract attention. Yelling words like "fire" have greater potential for drawing a crowd than using words like "help" or "rape."

- **Be Prepared**

Carry emergency money and/or your phone to call parents, friends, police, B.O.S.S. or a taxi. Make the effort to help friends and acquaintances, and yourself get home safely.

Don't Be A Sexual/Gender Violence Perpetrator

- **Communicate Clearly**

Ask permission before touching or becoming sexual with someone.

- **Make Sure You Have Consent**

Silence does not mean consent. Consent is a clear and freely given yes, not the absence of a no. People who are incapacitated by alcohol or drugs cannot give consent. Never be sexual with someone who is passed out or overly intoxicated.

- **Take "NO" For An Answer**

No is an answer regardless of whether it is stated verbally or nonverbally (e.g., pushing/pulling away, struggling to get away).

- **Change Your Focus**

If your main focus on a date or at a party is to have sex with someone, you are at higher risk for perpetration

of sexual violence.

- **Avoid Drug/Alcohol Parties**

Stay away from parties that have heavy alcohol/drug use. Being high or drunk is no excuse for sexual aggression or doing things you believe you would not otherwise do.

- **Know The Laws**

Make yourself aware of the sexual assault, domestic violence, assault & battery, harassment and stalking laws in your state.

- **Monitor Your Friends**

Confront friends who express sexist attitudes, display disrespect or aggression towards others, or you suspect may have intentions of engaging in behaviors that constitute sexual violence, dating/domestic violence, and/or stalking.

violence to the police or to pursue criminal prosecution of the perpetrator, once evidence of sexual violence has been destroyed, it may impact any criminal proceeding, campus disciplinary proceeding, or the ability to obtain a protective order.

In order to preserve such physical evidence, the Sexual Assault Treatment Center (<http://www.aurorahealthcare.org/services/sexual-assault/satc.asp>) recommends the following if you have been sexually assaulted:

- Don't blame yourself
- Do not rinse your mouth, smoke, brush your teeth or have anything to eat or drink until you have been seen by one of our experts
- Do not wipe, bathe, wash, shower or douche until you have been seen by one of our experts
- If you think you may have been drugged, please save your urine in a clean container and bring with you to the treatment center as soon as possible (drugs may be found in urine)
- Get to a safe place as soon as possible
- Save all of your clothing you were wearing at the time of the assault
- Save any sheets, blankets or towels you may have used or came in contact with during or after the assault
- Consider reporting the assault to your local police department

Other evidence that should be preserved includes emails, text messages, chat records, other social networking records, photographs, and telephone records.

Victim Rights - Students who are the victim of sexual violence have the right to:

- Report the incident to University Police, the Dean of Students Office, and/or the Office of Equity/Diversity Services to initiate an investigation. They may also report the incident to local

law enforcement if the incident occurred off campus.

- Receive assistance from campus staff in the Dean of Students Office, Office of Equity/Diversity Services, Women's Resource Center, and University Housing in notifying University Police or local law enforcement.
- Decline to report the incident to law enforcement.
- Receive assistance from the Dean of Students Office and/or Women's Resource Center in obtaining a campus "no contact" order and/or assistance in obtaining a protective order from a local court.
- Receive medical services and confidential counseling services from the Norris Health Center.
- Receive advocacy, personal support, crisis intervention, and other support services, including referrals for visa/immigration assistance, from the Women's Resource Center.
- Receive written notification of all of the above services/options.

Protective Measures - Students who are the victim of sexual violence may receive assistance, upon request and regardless whether the victim chooses to report the crime to police or local law enforcement, from the Dean of Students Office. This assistance could include changing academic, living, transportation, financial aid, and campus working situations if requested and if such accommodations are reasonably available.

- any changes to the above will be kept confidential to the extent that maintaining such confidentiality will not impair the University's ability to provide such accommodations or protective measures
- these measures are kept confidential through limited disclosure of them to only those individuals who need to know about them in order to implement or enforce them, and records concerning such measures are maintained confidentially consistent with

the institution's obligation to maintain the confidentiality of student education records

How To Report An Incident Of Sexual Violence

Reporting incidents of sexual violence to UWM authorities as soon as possible will help to ensure that victims/survivors are aware of services available to them and that University staff can act on UWM's commitment to providing a safe environment to live, work and learn. For the sake of clarity, "reporting" is used here to refer to the formal disclosure of a sexual violence incident.

There are several places on campus where someone can report an incident of sexual violence:

University Police
414-229-4627
Sandburg Hall, WB90

Dean of Students Office
414-229-4632
Mellencamp Hall 118

Office of Equity/Diversity Services
414-229-5923
Mitchell Hall, Room 359

Director of University Housing
414-229-6589
Sandburg Hall C143

If a report is made to the University Police, they will notify police in other jurisdictions if applicable. If a student is uncertain about whether they want to report an incident of sexual violence, they can talk to someone confidentially at Norris Health Center or the Women's Resource Center. Employees may receive confidential assistance through UWM's Employee Assistance Program (<http://www4.uwm.edu/hr/toolkits/eap.cfm>) or their own medical or mental health provider.

The process of reporting to the University Police includes contacting the police by phone or in person and participating in an interview regarding the incident. Subsequent investigative measures will vary based upon the in-

cident. The University Police Department will accept voluntary, confidential crime reports. Such reports allow the University Police to respect the wishes of the reporting party to remain confidential while allowing the University Police to take steps to ensure the safety of the campus community. These reports will be entered into the Automated Records Management System and tracked as anonymous.

Reporting an incident of sexual violence to University Police does not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from police officers. Filing a police report may help:

- Ensure that a victim of sexual violence receives any necessary medical treatment and has access to counseling from individuals specifically trained in the area of sexual assault crisis intervention.
- Provide the opportunity for collection and preservation of evidence which may be difficult or impossible to obtain later.
- Aid in the apprehension of offenders and make it possible to pursue potential prosecution through the criminal justice system as well as to pursue a protective (restraining) order.

At UWM, a number of departments may investigate sexual violence reports. The Dean of Students Office investigates sexual violence cases when both the alleged victim and perpetrator are UWM students or when the alleged perpetrator is a UWM student. University Housing investigates incidents of sexual violence that occurred in University Housing facilities when the alleged perpetrator is a student. The Office of Equity/Diversity Services (EDS) investigates sexual violence reports if the alleged perpetrator is a University employee (including student employees) or visitor. Anyone wishing to report an incident of sexual violence may contact any of these units regardless of the status of the individuals involved, and the unit receiving the report will ensure that any report is routed to the appropriate office for investigation. A sexual violence incident

can also be reported through the links provided at www.uwm.edu/sexual-assault, and staff receiving such a report will refer it to the appropriate office for investigation and/or other action.

In addition to investigating sexual violence and discrimination complaints, EDS coordinates the University's compliance with Title IX of the 1972 Education Amendments. Title IX, as amended, prohibits discrimination on the basis of sex in any educational program or activity receiving federal financial assistance. Covered under Title IX are educational programs and services such as: housing, athletics, admissions, financial aid, recruitment, student treatment services, counseling, guidance, discipline, classroom assignments, and grading.

Campus Disciplinary Policies And Procedures For Sexual Violence Cases

Sexual violence committed by a student may lead to university-imposed disciplinary procedures and sanctions. University employees are also subject to disciplinary procedures and sanctions for committing sexual violence on university property or in the course of their employment. Referral for prosecution under criminal law is also possible and is a standard procedure in cases of sexual assault. Student employees may be subject to nonacademic misconduct charges in addition to any employment-related action.

Whether the investigation is being handled by EDS, the DOS Office, or University Housing, such investigations will be prompt, fair, and impartial from the outset of the investigation through its conclusion. Whenever possible, UWM will complete a sexual violence investigation within 60 days, although this may not always be possible due to the availability of witnesses and evidence, and other factors such as a parallel criminal investigation, school breaks, reasonable requests by either party for an extension, and the complexity of the investigation. All individuals in the investigation and student disciplinary hearing process, at a minimum, receive annual training on

the issues related to dating violence, domestic violence, sexual assault, and stalking as well as how to conduct and investigation/hearing process that protects the safety of victims and promotes accountability.

If the alleged perpetrator is a student, the process outlined in Chapter UWS 17, Wis. Admin. Code must be followed. Such disciplinary procedures typically take 30-60 days following the conclusion of any sexual violence investigation. The length of the employee disciplinary process depends upon the rules for the employee type at issue as well as other factors such as the availability of any hearing body and witnesses, among other factors.

In all sexual violence investigations, UWM uses a preponderance of evidence standard to determine whether an act of sexual violence occurred. A "preponderance of evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true.

Student Disciplinary Procedures

Wisconsin Administrative Code Chapter UWS 17 is a collection of state regulations that govern student conduct and discipline for nonacademic misconduct, which is behavior that causes harm either to another member of the University community or to the University itself. Chapter UWS 17 also describes the sanctions which may be imposed and the procedures for carrying out disciplinary actions.

The Dean of Students Office investigates allegations under Chapter UWS 17 with the exception of alleged misconduct that involves alleged student perpetrators who live in University Housing. University Housing staff investigate such cases.

UWS 17.09 Conduct subject to disciplinary action. In accordance with s. UWS 17.08, the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct: (1) DANGEROUS CONDUCT. Conduct that endangers or threatens the health or safety of oneself or another

person.

(2) **SEXUAL ASSAULT.** Conduct defined in s. 940.225, Stats.

(3) **STALKING.** Conduct defined in s. 940.32, Stats.

(4) **HARASSMENT.** Conduct defined in s. 947.013, Stats.

(5) **HAZING.** Conduct defined in s. 948.51, Stats.

(6) **ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES.** Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.

(7) **UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.** Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.

(8) **DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.** Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.

(9) **FORGERY OR FALSIFICATION.** Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.

(10) **MISUSE OF COMPUTING RESOURCES.** Conduct that involves any of the following:

(a) Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.

(b) Use of university computing resources for unauthorized commercial purposes or personal gain.

(c) Failure to protect a personal password or university-authorized account.

(d) Breach of computer security, invasion of privacy, or unauthorized access to university computing resources.

(11) **FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.** Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.

(12) **VIOLATION OF CRIMINAL LAW.** Conduct that constitutes a criminal offense as defined by state or federal law.

(13) **SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.** Serious and repeated off-campus violations of municipal law.

(14) **VIOLATION OF CH. UWS 18.** Conduct that violates ch. UWS 18, including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.

(15) **VIOLATION OF UNIVERSITY RULES.** Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.

(16) **NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS.** Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.

(17) **DATING VIOLENCE.** Violence committed by a student against another person with whom they are in a "dating relationship" as defined in s. 813.12 (1) (ag), Stats.

(18) **DOMESTIC VIOLENCE.** Conduct defined as "domestic abuse" in ss. 813.12 (1) (am) and 968.075, Stats.

(19) **SEXUAL HARASSMENT.** Conduct defined in s. 111.32 (13), Stats., or as defined in Board of Regent Policy that addresses sexual harassment.

UWS 17.10 Disciplinary sanctions.

(1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. UWS 17.11 to 17.13, are any of the following:

(a) A written reprimand.

(b) Denial of specified university privileges.

(c) Payment of restitution.

(d) Educational or service sanctions, including community service.

(e) Disciplinary probation.

(f) Imposition of reasonable terms and conditions on continued student status.

(g) Removal from a course in progress.

(h) Enrollment restrictions on a course or program.

(i) Suspension.

(j) Expulsion.

(2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.

(3) Disciplinary sanctions shall not include the termination or revocation of student financial aid; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of a student for financial aid.

For purposes of the section below, the "investigating officer" for nonacademic misconduct allegations, including those involving sexual violence is staff in the Dean of Students Office or University Housing.

UWS 17.11 Disciplinary procedure.

(1) **PROCESS.** The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. UWS 17.10 (1).

(2) **CONFERENCE WITH RESPONDENT.** When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the respondent in person, by telephone, or by electronic mail to offer to discuss the matter, review the investigating officer's basis for believing that the respondent engaged in nonacademic misconduct, and to afford the respondent an opportunity to respond. If the respondent fails to respond to the investigating officer, the investigating officer may proceed to make a determination on the basis of the available information. A complainant shall have all the rights provided to the respondent in this subsection.

(3) **DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED.** If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action. The investigating officer shall simultaneously notify the respondent and the complainant of this outcome and offer to discuss it separately with either one. If the investigating officer determines

that nonacademic misconduct did not occur or that no disciplinary sanction is warranted, the complainant may appeal this decision in accordance with s. UWS 17.13.

(4) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.

(a) If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 17.10 (1) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:

1. A description of the alleged misconduct.
2. A description of all information available to the university regarding the alleged misconduct. Such information shall be available to the complainant and the respondent, except as may be precluded by applicable state or federal law.
3. Specification of the sanction sought.
4. Notice of the respondent's right to a hearing.
5. A copy of this chapter and of the institutional procedures adopted to implement this section.

(b) The written report shall be delivered simultaneously to the respondent and complainant, excluding any information that may be precluded by applicable state or federal law.

(c) A respondent who receives a written report under this section has the right to a hearing under s. UWS 17.12 to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.

1. Where the disciplinary sanction sought is one of those listed in s. UWS 17.10 (1) (a) to (g), and if the respondent desires a hearing, the respondent shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the respondent. If the respondent does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

2. Where the disciplinary sanction

sought is one of those listed in s. UWS 17.10 (1) (h) to (j), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. UWS 17.12 to schedule a hearing on the matter. A hearing shall be conducted unless the respondent waives, in writing, the right to such a hearing.

If a hearing is requested or required under 17.11(4)(c), the process for that hearing is governed by 17.12 below.

UWS 17.12 Hearing.

(1) A respondent who requests a hearing, or for whom a hearing is scheduled under s. UWS 17.11 (4) (c) 2., shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee. In cases of sexual assault, dating violence, domestic violence, stalking, or sexual harassment the university shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

(2) If a respondent requests a hearing under s. UWS 17.11 (4) (c) 1., or a hearing is required to be scheduled under s. UWS 17.11 (4) (c) 2., the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the respondent and investigating officer, or is ordered or permitted by the hearing examiner or committee.

(3) No less than 5 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the respondent and the complainant with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information of the type described in s. UWS 17.11 (4) (a) 2.

(4) The hearing shall be conducted in

accordance with the following guidance and requirements:

(a) The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in ch. UWS 17.

(b) The respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the respondent's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in s. UWS 17.10 (1) (a) to (h), the advisor may counsel the respondent but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the respondent except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in s. UWS 17.10 (1) (i) or (j), or where the respondent has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the respondent. In accordance with the educational purposes of the hearing, the respondent is expected to respond on his or her own behalf to questions asked of him or her during the hearing. The complainant shall have all the rights provided to the respondent in this subsection.

(c) The hearing examiner or committee:

1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.

2. Shall observe recognized legal privileges.

3. May take reasonable steps to maintain order, and to adopt procedures for the questioning of a witness appropriate to the circumstances of that witness's testimony, provided, however, whatever procedure is adopted, the complainant and respondent are allowed to effectively question the witness.

(d) The hearing examiner or commit-

tee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. The respondent and the complainant may access the record, except as may be precluded by applicable state or federal law.

(e) The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.

(f) A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:

1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10 (1) (h) to (j).
2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10 (1) (a) to (g).
3. A preponderance of the evidence, regardless of the sanction to be imposed, in all cases of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

(g) The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. UWS 17.10 (1) (a) to (g) that differs from the recommendation of the investigating officer. Sanctions under s. UWS 17.10 (1) (h) to (j) may not be imposed unless previously recommended by the investigating officer.

(h) The hearing shall be conducted by the hearing examiner or committee, and the university's case against the respondent shall be presented by the investigating officer or his or her designee.

(i) The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered simultaneously to the respondent and the complainant, excluding information that may be precluded by state or federal law. The decision shall become final within 14 days of the date on the written decision, unless an appeal is taken under s. UWS 17.13.

(j) If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may issue a decision based upon the information

provided.

(k) Disciplinary hearings are subject to the Wisconsin open meetings law and may be closed if the respondent or complainant requests a closed hearing or if the hearing examiner or committee determines that it is necessary to hold a closed hearing, as permitted under the Wisconsin open meetings law. Deliberations of the committee shall be held in closed session, in accordance with s. 19.85, Stats. As such, proper notice and other applicable rules shall be followed.

UWS 17.13 Appeal to the chancellor.

(1) Where the sanction prescribed by the hearing examiner or committee is one of those listed in s. UWS 17.10 (1) (h) to (j), the respondent may appeal in writing to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record. In cases involving sexual assault, dating violence, domestic violence, stalking, or sexual harassment, the complainant shall be notified of the appeal.

(2) In cases involving sexual assault, dating violence, domestic violence, stalking or sexual harassment, the following appeal rights shall be provided:

(a) The complainant may appeal in writing to the chief administrative officer within 14 days of the date of the decision of the investigating officer pursuant to s. UWS 17.11 (3) or the hearing committee or examiner pursuant to s. UWS 17.12 (4) (i). The appeal shall be based upon the record. The respondent shall be notified of the appeal.

(b) The respondent may appeal in writing to the chief administrative officer within 14 days of the date of the decision of the hearing committee, or examiner pursuant to s. UWS 17.12 (4) (i). The appeal shall be based upon the record. The complainant shall be notified of the appeal.

(3) The chief administrative officer has 30 days from receipt of an appeal to respond and shall sustain the decision unless the chief administrative officer finds any of the following:

- (a) The information in the record does not support the findings or decision.
- (b) Appropriate procedures were not

followed which resulted in material prejudice to the respondent or complainant.

(c) The decision was based on factors proscribed by state or federal law.

(4) If the chief administrative officers makes a finding under sub. (3), the chancellor may return the matter for consideration, or may invoke an appropriate remedy of his or her own. The chief administrative officer's decision shall be communicated simultaneously to the respondent and the complainant.

UWS 17.14 Discretionary appeal to the Board of Regents. Institutional decisions under ss. UWS 17.11 to 17.13 shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by any party within 14 days of the final institutional decision. In cases involving sexual assault, dating violence, domestic violence, stalking, or sexual harassment, the non-appealing party shall receive notice of the appeal.

Employee Disciplinary Procedures

The investigation of sexual violence allegations in which a UWM employee is the alleged perpetrator will be investigated by the Office of Equity/Diversity Services pursuant to UWM's Discriminatory Conduct Policy (https://www4.uwm.edu/secu/docs/other/S_47_Discriminatory_Conduct_Policy.pdf). Under that policy, EDS investigates such allegations as follows:

1. EDS will review the complaint to ensure that it contains the information necessary to proceed. If any necessary information is missing, EDS will request the complainant to provide that information.

2. Upon the receipt of a complaint where the respondent is a faculty member, EDS will notify the University Committee of the nature of the complaint and report on the disposition of complaints at least annually.

3. Within ten working days of the filing of the complaint, the Director of EDS (or her or his designee) will provide a copy of the complaint to the person(s) alleged to have violated this policy

(the respondent) and the Dean or Division Head of the complainant and respondent. In the event that a conflict of interest exists for anyone involved in processing the complaint, a substitute will be appointed accordingly.

4. EDS will initiate an investigation of the complaint within ten working days. EDS will make every effort to complete the investigatory process within 60 days, as suggested by the U.S. Department of Education Office for Civil Rights guidance. If that is not reasonably feasible, EDS shall complete the investigation within 120 calendar days of receipt of the complaint, unless the Director of EDS approves an extension of the time period, which in most cases will not be later than 180 calendar days from receipt of the complaint. The Director of EDS will grant such an extension only for legitimate and necessary reasons. The investigation may include, but is not limited to: (a) meetings with material persons who may have relevant information; (b) reviewing relevant records and files; (c) comparing the treatment of the complainant to that of others who are in similar situations in that person's department or unit; and (d) reviewing applicable policies and practices.

5. EDS may dismiss a complaint without issuing written factual findings and remedial recommendations if, after considering the totality of the circumstances including any pattern of violations under this Policy, it determines that the circumstances are appropriate for doing so. Such circumstances may include, but are not limited to, the following:

- a. Complaint is without sufficient basis to warrant investigation.
- b. Part or all of the complaint would be handled more appropriately by another department or individual at UWM.
- c. The complainant and respondent have agreed to a mutually acceptable resolution of the matter, pursuant to the section below, which makes further investigation unnecessary.
- d. The complainant requests in writing that the complaint be dismissed.
- e. The complainant fails or refuses to cooperate with the investigation.

Findings by EDS, Responses and Implementation. At the conclusion of its investigation, EDS will prepare written findings and remedial recommendations to the Provost, with copies to the complainant, respondent, the complainant's supervisor or Dean, the respondent's supervisor or dean, the Associate Vice Chancellor for Diversity and Climate, and the Vice Chancellor for Global Inclusion and Engagement. At the conclusion of the investigation involving faculty members, the Director of EDS also will notify the University Committee of factual findings and remedial recommendations for consideration of review by the Faculty Rights and Responsibilities Committee. For investigations involving academic staff, copies of factual findings and remedial recommendations will also be provided to the Academic Staff Committee.

Appeal to Provost

A. Within ten working days of receipt of the Director of EDS's factual findings and remedial recommendations, the complainant or the respondent may respond to the factual findings and remedial recommendations. The response must be in writing and sent to the Provost. The Provost will provide copies of any such responses to the other party, to the Director of EDS, the Dean or Division Head of both the complainant and the respondent, and the University Committee (for faculty) or the Academic Staff Committee (for academic staff). Responses may be based on (1) whether the evidence supports the findings and/or (2) whether the recommended remedial actions are appropriate.

B. Within twenty working days after the last day that either the complainant or respondent was given to respond to the factual findings and remedial recommendations, even if neither party filed such an appeal, the Provost will review the Director of EDS's factual findings and remedial recommendations by a) accepting them; b) modifying them; or c) requesting that EDS conduct further investigation of the matter. The Provost may also address conduct described in the factual findings that violates university policy other than the Equal Employment Opportunity Policy or Discriminatory Conduct

Policy. A copy of the decision will be provided to the complainant, respondent, the Dean or Division Head of the complainant and the respondent, the Director of EDS, the Vice Chancellor for Global Inclusion and Engagement, and the University Committee (for faculty) or the Academic Staff Committee (for academic staff).

Disciplinary Action - Should the Provost be asked to seek disciplinary action, or independently conclude that disciplinary action is warranted, discipline may not be imposed until additional procedural steps have been invoked. The following briefly describes the appropriate process for each employment classification and status. Each party or body who receives the matter from the Provost shall handle the matter in an efficient manner that, to the extent possible, protects the confidentiality of the involved parties.

1. Academic Staff: The Provost shall forward the decision to the Dean or Division Head for implementation pursuant to Wis. Admin. Code UWS sections applicable to academic staff and UWM Academic Staff Policies and Procedures.

2. University Staff and Graduate Assistants: The Provost shall refer the decision to the employee's immediate supervisor for implementation consistent with UWM policies and procedures.

3. Faculty: In no case shall discipline be imposed on a faculty member without prior review by the Faculty Rights and Responsibilities Committee. The Provost shall forward the decision to the University Committee in the form of a complaint pursuant to UWM Faculty Policies and Procedures 5.42 et seq.

4. Limited Term Employees and Student Employees: The Provost shall refer the decision to the employee's immediate supervisor for implementation.

The following further describes the disciplinary processes for faculty, academic staff, and university staff.

Faculty Discipline

Faculty Policies and Procedures can also be found at: <https://www4.uwm.edu>

5.21 Dismissal for Cause: Tenure Appointments

A faculty member who holds a tenure appointment as defined in 5.10 may be dismissed only by the Board of Regents and only for just cause and only after due notice and hearing.

5.22 Dismissal for Cause: Non-Tenure Appointments

(1) A faculty member having a probationary appointment as defined in 5.12 may be dismissed prior to the end of the term of appointment only by the Board of Regents and only for just cause and only after due notice and hearing.

(2) Non-renewal of a probationary appointment is not a dismissal for cause under the provisions of this section.

5.23 Dismissal for Cause Procedures

Dismissal proceedings are initiated by the Chancellor or his designated officer. Within a reasonable time after receipt by the Chancellor of a complaint against a faculty member, verified by the complainant, which the Chancellor deems substantial and which, if true, might lead to dismissal under 5.21 or 5.22, the Chancellor conducts an investigation. If the investigation appears to support the complaint, the Chancellor offers to discuss the matter informally with the faculty member. If the faculty member refuses to discuss the matter or it is not resolved by discussion, the Chancellor prepares written charges, and causes the same to be served upon the faculty member personally or by certified mail.

5.24 Just Cause

A faculty member is entitled to enjoy and exercise all rights and privileges of a United States citizen, and the rights and privileges of academic freedom as they are generally understood in the academic community. This policy shall be observed in determining whether just cause for dismissal exists. The burden of proof of the existence of just cause for dismissal is on the administration.

*per Wis. Admin. Code UWS § 4.06(1)(am) for complaints involving sexual harassment, sexual assault,

dating violence, domestic violence, or stalking, the standard of proof shall be a preponderance of the evidence

5.25 Fair Hearing

The faculty member addresses a written request for a hearing to the chairperson of the Dismissal Hearing Committee. A fair hearing includes:

(1) Service of notice of hearing with a specific charge in writing at least twenty (20) working days prior to the hearing.

(2) A right to the names of witnesses and of access to documentary evidence upon the basis on which dismissal is sought. Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

(3) A right to be heard in his/her own defense by all bodies passing judgment.

(4) A right to counsel or other representative and to offer witnesses.

(5) A right to confront and cross-examine witnesses against a faculty member.

(6) A stenographic record of all hearings and transcripts thereof, at no cost to the faculty member.

(7) A finding of just cause based on clear preponderance of the evidence.

(8) Findings of fact and a decision based on the hearing record.

(9) The admissibility of evidence is governed by Wis. Stats. 227.45. The burden of proof of the existence of just cause for dismissal is on the administration.

5.26 Dismissal Hearing Committee

The Dismissal Hearing Committee conducts the hearing in compliance with 5.25. This hearing is a closed hearing unless the person concerned requests a public hearing. The Dismissal Hearing Committee consists of: The chairperson of each of the executive committees of the faculty divisional committees and the chairperson of the Codification Committee. Should any member of the Dismissal Hearing Committee be disqualified, the committee of which such person is chairperson shall designate from its membership a substitute, in consultation with the University Committee.

5.27 Recommendations: To the Chan-

cellor: To the Board of Regents

(1) The Dismissal Hearing Committee shall send to the Chancellor and to the faculty member concerned, as soon as practicable after conclusion of the hearing, a verbatim record of the testimony and a copy of its report, findings, and recommendations. The committee may determine that, while just cause for discipline exists, some sanction less severe than dismissal is more appropriate.

(2) Within twenty (20) working days after receipt of this material, the Chancellor shall review it and afford the faculty member an opportunity to discuss it. The Chancellor shall prepare a written recommendation within twenty (20) working days following the meeting with the faculty member, unless the proposed recommendation differs substantially from that of the committee.

(3) If the Chancellor's proposed recommendations differ substantially from those of the Dismissal Hearing Committee, the Chancellor shall promptly consult the Dismissal Hearing Committee and provide the committee with a reasonable opportunity for a written response prior to forwarding the recommendation.

(4) If the recommendation is for dismissal, the recommendations shall be submitted through the President of the University of Wisconsin System to the Board of Regents.

(5) A copy of the Dismissal Hearing Committee's report and the recommendations shall be forwarded through the President of the System to the Board of Regents along with the Chancellor's recommendation. A copy of the Chancellor's recommendation shall also be sent to the faculty member concerned and to the Dismissal Hearing Committee.

(6) Disciplinary action other than dismissal may be taken by the Chancellor, after affording the faculty member opportunity to be heard on the record, except that, upon written request by the faculty member, such action shall be submitted as a recommendation through the President of the System to the Board of Regents, together with a copy of the Dismissal Hearing Committee's report and recommendation.

5.28 Board of Regents Review

(1) If the Chancellor recommends dis-

missal, the Board of Regents shall review the record before the Dismissal Hearing Committee and provide an opportunity for filing exceptions to the recommendations of the Dismissal Hearing Committee or Chancellor, and for oral arguments, unless the Board of Regents decides to drop the charges against the faculty member without a hearing, or the faculty member elects to waive a hearing. This hearing shall be closed unless the faculty member requests an open hearing.

(2) If, after the hearing, the Board of Regents decides to take action different from the recommendations of the Dismissal Hearing Committee and/or the Chancellor, then before taking final action, the Board of Regents shall consult with the Dismissal Hearing Committee and/or the Chancellor, as appropriate.

(3) If the faculty member whose dismissal is sought does not request a hearing, the Board of Regents shall take appropriate action upon receipt of the statement of charges and recommendation of the Chancellor.

5.29 Suspension from Duties

Pending final decision as to dismissal, the faculty member shall not normally be relieved of duties; but if, after consultation with appropriate faculty committees, the Chancellor finds that substantial harm to the University may result if the faculty member continues in the position, the faculty member may be relieved immediately of duties, but on salary until the Board of Regents makes its decision as to dismissal. A decision by the Board of Regents ordering dismissal shall specify the effective date of dismissal.

The following are the policies and procedures for faculty discipline less than termination:

5.42 Disciplinary Procedure Exclusive Discipline shall be imposed on any faculty member pursuant to the procedure hereinafter provided, except that dismissal charges are subject to the provisions of 5.21 through 5.28.

5.43 Discipline Defined

Discipline may include, but is not limited to, the following proposed actions by an appropriate official of the Uni-

versity. Such actions shall be commensurate with the nature of the complaint:

- (1) An oral reprimand;
- (2) A written reprimand;
- (3) Temporary reassignment or other restrictions on duties for a period to be determined;
- (4) Temporary or permanent restriction of access to university property or services;
- (5) Reimbursement for damages to, destruction, or misappropriation of university property of services;
- (6) Reduction in salary or reduction of an increase in salary recommended by the department, other than for budgetary reasons;
- (7) Suspension without pay for a specified period of time.

Counseling and/or other rehabilitative intervention may be considered as an alternative or supplement to discipline.

5.44 Faculty Rights and Responsibilities Committee

(1) Membership

Seven (7) tenured members of the faculty, no more than two (2) of whom shall be from a single faculty division. No more than three (3) members shall be from a single school, college, or equivalent academic unit, and no more than one (1) member shall be from a single department in a departmentalized school or college. Members who have been elected to and have served a full three-year term are not eligible for re-election until two (2) years have elapsed. Members who are elected to a partial term are eligible for reelection.

(2) Nominations and Elections. Nominations for election to the committee shall be by the Nominations Committee and by the faculty in accordance with the regular procedures for elected faculty committees. Elections shall be conducted in the same manner as for other faculty committees.

(3) Chairperson In the spring semester, the committee shall elect a chairperson for the following year from among its continuing members. The decision shall be communicated to the Secretary of the University by April 15. The duties of the new chairperson will commence on the first day of the fall semester, except that the new chairperson may serve over the summer by agreement of the committee in the event that the

incumbent chairperson is unable to serve.

(4) Functions. Upon referral by the University Committee, pursuant to the provisions of s. UWS 6.01, Wis. Adm. Code, conducts fact-finding concerning allegations of misconduct, which may include alleged human rights violations, made against one or more faculty members or against a faculty body and makes recommendations to the Chancellor concerning disciplinary action or appropriate corrective non-disciplinary action. The Committee may consult informally with individuals concerning questions 29 which may lead to allegations of misconduct prior to the filing of formal complaints with the University Committee.

(5) Powers

a) The committee may dismiss the complaint, or refer it to the department or other equivalent administrative unit, or to the faculty member for disposition if the committee does not judge the allegation to be serious enough to warrant its further action.

b) Upon determination by the committee that misconduct of sufficient magnitude to warrant consideration of dismissal for cause might have occurred, the committee shall refer the matter without further consideration to the Chancellor.

c) When the Chancellor has brought dismissal charges against a faculty member against whom a complaint has been filed under 5.23 above, the provisions of 5.21 through 5.29 supersede, and any proceedings under 5.40 through 5.46 shall be suspended immediately.

5.45 Committee Procedures

(1) Notification The committee shall examine all complaints to determine whether a prima facie case exists. When a written complaint is lodged with the committee, the faculty member involved shall be notified. If the committee decides on any action other than dismissal of the complaint, the faculty member concerned shall be informed at once.

(2) Legal Counsel At the request of the committee the University shall provide it with legal counsel. 30 (3) Fair Hearing Whenever it is decided to utilize formal fact-finding procedures, the concerned faculty member shall

be assured of a fair hearing, including the right to present testimony or evidence in the faculty member's behalf, to cross-examine witnesses, and to be represented by any person of the faculty member's choice. The departmental executive committee shall be consulted, and shall have an opportunity to present evidence through its chairperson or other representative. The provisions for a fair hearing shall include:

- a) Service of notice of hearing with a specification of the complaint at least twenty (20) working days prior to the hearing.
- b) A right to the names of the parties bringing the complaints and of access to any documents which may be relevant to the complaint. Adjournments shall be granted to investigate evidence to which a valid claim of surprise is made.
- c) A right to be heard in his/her own defense by all bodies passing judgment.
- d) A right to counsel or other representative and to offer witnesses.
- e) A right to confront and cross-examine witnesses against him/her.
- f) An audio recording shall be made of the hearing. A copy of the recording shall be made available without cost, upon request, to the concerned faculty member.
- g) The admissibility of evidence is governed by Wis. Stats. 227.45.
- h) A finding of misconduct must be based on a clear preponderance of the evidence.
- i) Findings of fact and recommendations based on the hearing record.
- j) The right to either a public or a closed hearing at the discretion of the faculty member concerned.
- k) The right to prompt consideration and deliberation by the committee.

(4) Findings A finding of misconduct and recommendations for disciplinary action shall be reported only when at least five (5) members of the committee concur. When this condition is not met, a finding of no misconduct shall be reported. The vote shall be reported in any case. If a member disqualifies himself in a particular case, the University Committee shall name a replacement except when the disqualification occurs after the hearing has commenced.

(5) Transmittal of Findings The committee shall transmit its findings and recommendations in writing to the Chancellor and the faculty member involved within ten (10) working days after the conclusion of its proceedings.

(6) Further Jeopardy Prohibited Following the recommendations of the committee, the faculty member involved shall not be charged again for the same misconduct.

5.46 Objection(s) and Decision

(1) Filing of Objections Within ten (10) working days after receipt of the findings and recommendation of the committee, the faculty member or the complainant may file written objection(s) with the Chancellor.

(2) Objections Based on the Record Any objection(s) must be based on the record as developed at the hearing before the committee.

(3) Chancellor's Decision The Chancellor shall, as soon as practicable after the expiration of this 10-day period, render his/her decision and transmit such decision to the faculty member, the complainant and the committee.

5.47 Right of Appeal The decision by the Chancellor on the committee recommendation or on the complaint in the absence of committee recommendation shall be final, except that the Board of Regents, at its option, may grant a review on the record.

Academic Staff Discipline

Academic Staff Personnel Policy and Procedures (ASPP) can be found at: https://www4.uwm.edu/secu/policies/acad_staff/

109.01 Dismissal for Cause for Indefinite Academic Staff Appointments

A member of the academic staff holding an indefinite appointment may be dismissed only for just cause under UWS 11.01 through 11.10. The burden of proof resides with the University administration.

(a) Preparation of Charges. Pursuant to UWS 11.02, when the Chancellor receives an allegation against an academic staff member which appears to be substantial and, which if true, may lead to dismissal, he/she shall request that the appropriate dean or division head investigate the allegation. The dean or division head shall seek to

resolve the matter informally with the academic staff member and report the resolution to the Chancellor. If this discussion does not result in a resolution, the dean or division head shall prepare a written statement of specific charges not later than 15 working days of the request of the Chancellor. This deadline may be extended by written consent of the parties.

(b) Hearing. If an academic staff member requests a hearing of the charges under UWS 11.02, such hearing shall proceed under 11.04-11.07 and UWM Chapter 109.

(c) Time Limitations. The time limits stated in UWS 11.04 and 11.10 specified as a number of days shall be considered to be working days under these policies and procedures. Failure by the academic staff member to meet the time limits of UWS 11.04 shall constitute a waiver of the right to a hearing.

(d) Hearing Body. Pursuant to UWS 11.03, the Academic Staff Hearing and Appeals Committee (ASHAC) shall serve as the hearing body in cases of dismissal for cause. The hearing body may, on the motion of either party, disqualify any of its members by a majority vote. The vote on such motion shall be in open session. Any member of the hearing body who has heard a related grievance involving the academic staff member requesting the hearing shall be disqualified. If any of the members of the hearing body disqualify themselves or are disqualified, the committee shall select, by majority vote, an equal number of replacements from the list established in Article I, Section 2 (F) of the bylaws. The vote shall be in open session and results shall be binding.

(e) Legal Counsel. The Chancellor shall provide legal counsel for the hearing body. The functions of legal counsel shall be to advise the hearing body and to consult with them on legal matters. (f) Recommendations. The hearing body shall send a verbatim record (e.g., audio) of the testimony, a copy of its report, findings, and recommendations to the Chancellor and to the academic staff member concerned within 30 working days after the conclusion of a hearing. After reviewing the matter on record and considering written arguments if submitted by the parties, the Chancellor shall issue

a written decision pursuant to UWS 11.07 and 11.09 within 20 working days of receipt of the hearing body's recommendations. The decision of the Chancellor is final unless appealed to the UWS Board of Regents as provided in UWS 11.07 and 11.10.

*per Wis. Admin. Code UWS § 11.05(2) for complaints of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the standard of proof shall be a preponderance of the evidence.

109.02 Dismissal for Cause for Fixed-term or Probationary Academic Staff Appointments

A member of the academic staff holding a probationary appointment or a member of the academic staff holding a fixed-term appointment and having completed an initial specified period of time as provided for in UWM 104.02, may be dismissed prior to the end of the contract term only for just cause. Such dismissal shall proceed under UWS 11.11. If the dean or division head's dismissal decision is appealed, the proceeding shall be conducted in accordance with UWM 109.01(c)-(f).

*per Wis. Admin. Code UWS § 11.05(2) for complaints of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, the standard of proof shall be a preponderance of the evidence.

University Staff Discipline

In 2015, the University of Wisconsin transitioned those employees termed Classified Staff to a new employee category: University Staff. The University is in the process of editing all policies and procedures to reflect this new designation.

Discipline or dismissal of a University Staff member with an expectation of continued employment may be imposed only for just cause. "Just cause" means a standard that is applied to determine the appropriateness of a disciplinary action. The elements of determining whether just cause exists include:

- Whether the employee had notice of reasonable workplace expectations and the potential consequences if

those expectations were not met;

- Whether a full, fair and complete investigation was undertaken by the employer before discipline or discharge to determine whether the employee violated expectations;

- Whether the employer obtained substantial evidence of the employee's guilt;

- Whether workplace expectations were applied equitably and without discrimination; and

- Whether the degree of discipline imposed was reasonably related to the seriousness of the employee's offense and the employee's past record.

Sexual Violence Prevention

UWM continued in 2015 to offer a comprehensive approach to sexual violence programming at UWM. Consistent with the increased attention to sexual violence nationwide at colleges and universities, in 2015 UWM's Chancellor created the Task Force on Sexual Violence Prevention, Reporting and Response, which was co-chaired by the director of the Women's Resource Center, the director of Equity/Diversity Services, and a faculty member.

The Task Force was charged with advising on campus training and awareness-building needs, evaluating campus policies, and promoting a climate of safety and awareness. The Task Force's final report was issued in December 2015 and its recommendations are currently being implemented.

In 2015, UWM also received a grant from the Aurora Health Care Better Together Fund, which will support efforts to increase awareness of sexual violence, enhance sexual violence prevention, strengthen interdepartmental and inter-agency coordination efforts, and enhance and expand support and advocacy services for sexual violence survivors.

There is a range of well-established successful prevention programs at UWM which reaches students system-

atically starting prior to their arrival on campus. During on-campus, summer orientations sessions, ninety-five percent of incoming first year students participated in a "Healthy & Successful U" presentation by the Dean of Students, Norris Health Center Director, and a UWM Police Officer. Sexual violence prevention, reporting and response are central topics covered in the presentation and written materials distributed during the presentation.

Also during the summer orientation programs, UWM's online education program is introduced to both students and parents. Online alcohol and sexual violence education programs are frequently used as a primary prevention strategy to change the campus culture around alcohol use and sexual violence by providing all incoming students with a consistent and clear message, as well as empowering them with the information and skills necessary to make healthy decisions within the campus environment.

In 2015, major enhancements were made to the on-line training program called "Alcohol-Wise." These updates included a customized survey and a "Consent and Respect" training module. This module provided updated resource information, videos, interactive exercises, and additional sexual violence-related content, such as consent, rape, acquaintance rape, domestic violence, dating violence, sexual assault, stalking, healthy and abusive relationships, sexual health, and survivor support. Incoming first-year students are required to complete Alcohol-Wise prior to their arrival on campus. A follow-up component is administered to these students one month following the start of their first semester.

Once students arrive on campus, prevention efforts continue in many formats throughout the year. During Fall Welcome Week, UWM sponsored "The Sex and Drugs Show," which is an educational, interactive program with scenarios that focused on sexual violence prevention and bystander intervention. Approximately 400 students attended this program, which also involved peer health educators and sexual violence education.

In September 2015, UWM sponsored Campus Safety Week with coordinated prevention efforts taking place across campus and within departments. These programs were marketed to faculty, staff and students.

Peer health educators employed by Norris Health Center serve as role models for peers and are a constant and reliable source for information. The peer health educators helped coordinate five programs in 2015 related to sexual violence prevention and healthy relationships. These included three presentations within the residence halls, the 10th Annual UWM Campus and Communities United against Violence Resource Fair and the Safe Spring Break Event.

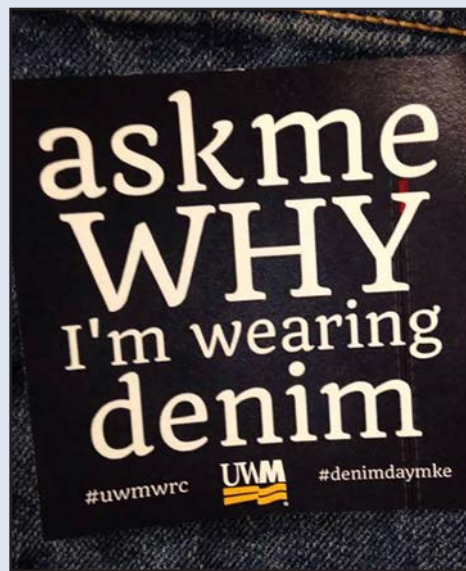
These events were offered in spring 2015 to faculty, staff, and students with approximately 300 participants at the Fair and 150 participants at the Safe Spring Break Event. Both events include a number of campus partners such as the Women's Resource Center, Dean of Students Office, UWMPD, the Office of Equity/Diversity Services and LGBT Resource Center.

Additional sexual violence prevention efforts occur throughout the year at major prevention events sponsored by the Norris Health Center including at flu clinics, women's health athletic events, and suicide prevention training.

Sexual Violence Education

At UWM, staff at the University Police Department, Norris Health Center, Women's Resource Center, University Housing, LGBT Resource Center, the Dean of Students Office, and the Office of Equity/Diversity Services, with colleagues from other departments, provide support services to students, serve on related committees and communicate regularly regarding sexual assault/harassment education and prevention.

The purpose of this cooperative approach is to provide coordinated, comprehensive services and programming, which are inclusive of diverse populations, reduce duplication of services,



increase ease of referrals, and achieve greater accuracy in the distribution of information about available resources and services. The following is a description of only some of the campus programs offered at UWM in support of developing an informed campus community and creating a campus climate free of violence, particularly sexual violence.

The University Police Department coordinates UWM's annual Campus Safety Week and offers sexual assault education and information programs to University students and employees upon request and at new student orientations each year. The University Police partner with the Women's Resource Center to offer self-defense workshops and training.

The Norris Health Center provides sexual assault education through counseling and outreach activities in collaboration with various departments on campus and agencies in the community. These include the UWM Campus and Communities United against Violence Resource Fair and Safe Spring Break event described above. The Resource Fair includes campus departments and community organizations that provide support services to survivors of sexual assault and domestic violence.

The Women's Resource Center (WRC) houses a free literature/brochure collection, which contains more than 50 titles related to sexual assault, sexual harassment, stalking and domestic violence/interpersonal relationship

violence, and has a lending library with over 100 topically-related books, DVDs and other materials that are available by loan to members of the UWM community.

The WRC offers workshops for students interested in developing their knowledge and improving their skills as peer responders to concerns of sexual assault, sexual harassment, stalking/cyber stalking and hate/bias and relationship violence, and the WRC publishes information about sexual assault and harassment on its website at: www.wrc.uwm.edu.

Additionally, WRC professional staff provides consultation services to colleagues across the institution who are working with students impacted by sexual violence. The WRC also coordinates UWM's Sexual Assault Awareness Month activities and sponsors a variety of campus-wide educational programs on these issues. In 2015, these included Denim Day and The Vagina Monologues.

Many of University Housing's educational efforts related to sexual violence occur simultaneously with education about the risks and consequences of alcohol and drug use. In addition to an extensive staff training program for professional and student staff, University Housing annually hosts entertainers (comedians and/or lecturers) who address the issue of alcohol and its relationship to consent.

During the spring of 2015, the Student Housing Administrative Council (SHAC), the student governance body within the residence halls, along with University Housing resident assistants provided programming related to healthy relationships. "Sex in an Envelope," "What's up with Getting Down," and "Sex Education" were each two-week programs with a variety of components such as themed bulletin boards and facilitated discussions that allowed residents to discuss their understanding and concerns and ask questions related to casual sex, safe practices of sex, and related topics. Approximately 250 students attended these events.

In November 2015, SHAC also sponsored an educational, week-long program called "Sex Week," that helped students understand their roles and responsibilities in engaging in healthy interpersonal relationships. Sexual consent is a topic that is addressed in multiple events during the week. Programs during Sex Week included "Sex in the Dark," a program facilitated by peers where sex and sexual health questions were asked while the lights were off, and "The Dating Doctor - Making Relationships Matter," was presented by David Coleman (<http://datingdoctor.com/>). The last program in the series was "Tool Shed," which was facilitated by a community sex educator who discussed different ways to say "no" and how to ask for consent. Approximately 525 students attended the three events during Sex Week.

University Housing continues to offer Thursday night programming called "Panthers After Dark." Panthers After Dark provides students a fun and safe alternative to going out and participating in high-risk behaviors, specifically, high-risk drinking that puts our students in unsafe situations. Approximately 200 students participated in the Panthers After Dark kick-off events in September, October and November 2015. Peer health educators also provided at the kickoff event materials discussing sexual assault prevention and consent.

Sex Offender Information

The State of Wisconsin maintains an official Sex Offender Registry web site at: <http://offender.doc.state.wi.us/>

public/. UWM will inform the campus if there is a change in how and where this data may be obtained. In 1997, the State of Wisconsin enacted the Sex Offender Registration and Community Notification Law. This law was created to monitor and track people convicted of sex crimes and to provide access to this information for police, victims and the general public.

The official web site is designed to enhance public safety by making the information contained in the Sex Offender Registry easily accessible to the public. It also serves to enhance public awareness about sexual violence in our communities and provide valuable information about the ways in which individuals and communities can protect themselves and those they love from acts of sexual violence.

As part of State of Wisconsin's Sex Offender Apprehension and Felony Enforcement (SAFE) Initiative, beginning on Dec. 1, 2005, the site displays the current reported residence address of registered sex offenders who are in the community. The State of Wisconsin encourages the public to notify the Wisconsin Sex Offender Registry of information on the web site believed to be inaccurate, as well as any information concerning the whereabouts of non-compliant registrants, through the SAFE Tip line toll free at (877) 234-0085 or at docsafetips@doc.state.wi.us. Information regarding registered sex offenders who are either enrolled or employed by the institution may be obtained by contacting the University Police.

Community Partners And Resources

Additional support and education related to sexual violence are also provided through relationships and connections to important community resources. Routinely these resources are highlighted in presentations to students, faculty, and staff and provided to survivors of sexual violence. These resources are also listed on the Women's Resource Center and Sexual Assault Response websites.

Local Resources

Sexual Assault Treatment
Center of Greater Milwaukee
414-219-5555 (24hr hotline)
www.aurorahealthcare.org/services/sexual-assault/satc.asp

The Healing Center
of Milwaukee
414-671-HEAL
www.thehealingcenter.org

The Milwaukee LGBT
Community Center
414-271-2656
www.mkelgbt.org

Sojourner Family Peace Center
414-933-2722 (24hr hotline)
www.familypeacecenter.org

National Resources

The National
Sexual Assault Hotline
800-656-HOPE

The Stalking Resource Center
(of the National Center for
Victims of Crime)
<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

Note: In the 2014 report, the categories of "campus" and "off-campus" incidents were clarified in order to present more accurate data. In previous reports, Clery definitions of "non-campus" and "public property" were included in the UW System report in the category "campus." However, these Clery definitions do not correspond to the UW System definitions of what constitutes a "campus" location. It is possible that apparent increases in the reported number of off-campus incidents at some UW institutions may be due to these changes in definition.

The term "campus" for the purposes of this report is any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes, such as a food or other retail vendor.

The term "off-campus" includes non-campus, public property, and other; the category of other includes any and all reports of sexual violence that occurred off-campus at any time in a student's life.

Explanation Of Terms

On Campus - UWM's main "Kenwood" campus bounded by Newport/Edgewood (north), Downer (east), Kenwood (south) and Cramer/Maryland (west). This includes residence halls. The Columbia St. Mary's property (Northwest Quadrant/NWQ) was acquired on Dec. 29, 2010.

Residence Halls - UWM's on-campus residence halls (Sandburg Residence Halls and Purin Hall).

Non-Campus - Any building or property owned or controlled by a student organization that is officially recognized by UWM, and buildings or property owned/controlled by UWM but off the Kenwood campus that are used in direct support of UWM's educational purposes and are frequently used by students. This includes, but is not limited to, the Alumni House, School of Continuing Education, the Saukville Field Station, the University Services and Research Building, the Capitol/Humboldt parking lot and non-campus residence halls (Kenilworth Square, RiverView and Cambridge Commons).

Public Property - Public property immediately adjacent to and accessible from the campus (e.g. roads surrounding or intersecting the campus, or sidewalks surrounding the campus). This includes the sidewalk across the street from the campus, but not public property beyond the sidewalk.

Separate Campus - A location owned or controlled by UWM but is not reasonably geographically contiguous with the main campus, has an organized program of study and has at least one person on site acting in an administrative capacity. Beginning in 2010, UWM's School of Freshwater Sciences ("SFS") met this definition. Crime statistics for SFS are reported separately. SFS is covered by all other UWM policies and procedures as outlined in this report. SFS does not have any residence halls. Beginning in 2012, UWM's Zilber School of Public Health ("SPH") was added as a separate campus, without residence halls, similar to SFS.

Hate Crimes - For this report, a "hate crime" is any criminal homicide, negligent manslaughter, non-forcible or forcible sex offense, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism OR any other crime involving bodily injury, that is reported to local police agencies or a campus security authority, where there is manifest evidence the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, gender identity, national origin, ethnicity, or disability.

Arrests - Persons processed by arrest, citation or summons for violations of the law.

Disciplinary Referrals - Referral of any person who is believed to have committed a violation of state law/regulation or local ordinance to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction. At UWM, this means referral to the Dean of Students Office and initiation of non-academic misconduct charges or referral to University Housing's Resident Behavior Process.

Homicide: Murder/Non-Negligent Manslaughter

	2013	2014	2015
On Campus Total	1	0	0
Residence Halls ¹	1	0	0
Non-Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Homicide: Negligent Manslaughter

	2013	2014	2015
On Campus Total	0	0	0
Residence Halls ¹	0	0	0
Non-Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Domestic Violence²

	2013	2014	2015
On Campus Total	4	2	1
Residence Halls ¹	1	1	0
Non-Campus	1	0	0
Public Property	0	0	4
<hr/>			
School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Dating Violence²

	2013	2014	2015
On Campus Total	3	3	1
Residence Halls ¹	2	2	1
Non-Campus	0	1	1
Public Property	0	0	0
<hr/>			
School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0
<hr/>			
School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Stalking²

	2013	2014	2015
On Campus Total	1	3	2
Residence Halls ¹	0	0	0
Non-Campus	0	0	0
Public Property	0	0	0

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Robbery

	2013	2014	2015
On Campus Total	0	0	1
Residence Halls ¹	0	0	0
Non-Campus	1	1	0
Public Property	1	0	2

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Aggravated Assault

	2013	2014	2015
On Campus Total	0	1	0
Residence Halls ¹	0	1	0
Non-Campus	1	0	0
Public Property	0	0	0

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Burglary

	2013	2014	2015
On Campus Total	15	33	10
Residence Halls ¹	8	32	6
Non-Campus	9	5	2
Public Property	0	0	0

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Motor Vehicle Theft

	2013	2014	2015
On Campus Total	0	1	0
Residence Halls ¹	0	0	0
Non-Campus	0	0	0
Public Property	2	0	4

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Arson

	2013	2014	2015
On Campus Total	1	0	1
Residence Halls ¹	0	0	0
Non-Campus	1	0	1
Public Property	0	0	0

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Liquor Law Arrests³

	2013	2014	2015
On Campus Total	111	0	0
Residence Halls ¹	87	0	0
Non-Campus	42	0	0
Public Property	33	0	0

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Disciplinary Referrals For Liquor Violations

	2013	2014	2015
On Campus Total	366	455	369
Residence Halls ¹	366	441	337
Non-Campus	141	227	286
Public Property	0	27	33

School of Freshwater Science			
On Campus	0	0	0
Public Property	0	0	0

School of Public Health			
On Campus	0	0	0
Public Property	0	0	0

Drug Law Arrests³

	2013	2014	2015
On Campus Total	14	19	16
Residence Halls ¹	10	14	9
Non-Campus	8	4	10
Public Property	10	0	2

School of Freshwater Science	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

School of Public Health	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

Disciplinary Referrals For Drug Violations

	2013	2014	2015
On Campus Total	161	186	125
Residence Halls ¹	120	150	120
Non-Campus	43	61	66
Public Property	0	1	1

School of Freshwater Science	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

School of Public Health	2013	2014	2015
On Campus	N/A	0	0
Public Property	N/A	0	0

Weapons Arrests

	2013	2014	2015
On Campus Total	2	2	1
Residence Halls ¹	1	1	0
Non-Campus	1	0	0
Public Property	0	0	0

School of Freshwater Science	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

School of Public Health	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

Disciplinary Referrals For Weapons Violations

	2013	2014	2015
On Campus Total	0	6	0
Residence Halls ¹	0	5	0
Non-Campus	0	3	0
Public Property	0	0	0

School of Freshwater Science	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

School of Public Health	2013	2014	2015
On Campus	0	0	0
Public Property	0	0	0

The Violence Against Women Act (VAWA) requires institutions to include gender identity and national origin to the hate crime statistics for incidents of bias. VAWA has also added domestic violence, dating violence, sexual assault and stalking as new categories for hate crimes.

Hate Crimes - TOTAL

2015		
	Bias	1
	Dating Violence	0
	Domestic Violence	0
	Stalking	0

2014		
	Bias	5
	Dating Violence	0
	Domestic Violence	0
	Stalking	0

2013		
	Bias	2
	Dating Violence	0
	Domestic Violence	0
	Stalking	0

Hate Crimes - Bias Category Breakdown

2015		
	Race	0
	Gender	0
	Religion	0
	Sexual Orientation	0
	Ethnicity/National Origin	1
	Disability	0

2014		
	Race	1
	Gender	0
	Religion	0
	Sexual Orientation	1
	Ethnicity/National Origin	3
	Disability	0

2013		
	Race	0
	Gender	0
	Religion	0
	Sexual Orientation	0
	Ethnicity/National Origin	1
	Disability	0

Hate Crimes - Secondary Category Breakdown

2015		
	Larceny/Theft	0
	Simple Assault	0
	Intimidation	0
	Destruction/Damage/Vandalism of Property	1

2014		
	Larceny/Theft	0
	Simple Assault	0
	Intimidation	0
	Destruction/Damage/Vandalism of Property	5

2013		
	Larceny/Theft	0
	Simple Assault	0
	Intimidation	0
	Destruction/Damage/Vandalism of Property	1

The Violence Against Women Act (VAWA) was amended on March 7, 2013, changing the reporting categories for Sex Offenses from forcible and non-forcible to Rape, Fondling, Statutory Rape and Incest. The numbers from 2013 are indicated below in their previous category, while the numbers from 2014 and 2015 are in the new categories.

Sex Offenses (Forcible)

	2013
On Campus Total	7
Residence Halls ¹	5
Non-Campus	1
Public Property	1

School of Freshwater Science	
On Campus	0
Public Property	0

School of Public Health	
On Campus	0
Public Property	0

Sex Offenses - Rape

	2014	2015
On Campus Total	8	3
Residence Halls ¹	5	3
Non-Campus	4	1
Public Property	0	0

School of Freshwater Science		
On Campus	0	0
Public Property	0	0

School of Public Health		
On Campus	0	0
Public Property	0	0

Sex Offenses - Fondling

	2014	2015
On Campus Total	4	1
Residence Halls ¹	4	1
Non-Campus	1	2
Public Property	0	0

School of Freshwater Science		
On Campus	0	0
Public Property	0	0

School of Public Health		
On Campus	0	0
Public Property	0	0

Sex Offenses: Non-Forcible

	2013
On Campus Total	0
Residence Halls ¹	0
Non-Campus	0
Public Property	0

School of Freshwater Science	
On Campus	0
Public Property	0

School of Public Health	
On Campus	0
Public Property	0

Sex Offenses - Statutory Rape

	2014	2015
On Campus Total	0	0
Residence Halls ¹	0	0
Non-Campus	0	0
Public Property	0	0

School of Freshwater Science		
On Campus	0	0
Public Property	0	0

School of Public Health		
On Campus	0	0
Public Property	0	0

Sex Offenses - Incest

	2014	2015
On Campus Total	0	0
Residence Halls ¹	0	0
Non-Campus	0	0
Public Property	0	0

School of Freshwater Science		
On Campus	0	0
Public Property	0	0

School of Public Health		
On Campus	0	0
Public Property	0	0

Statistical Footnotes

- 1 - Note that Residence Halls statistics are a subset of the On-Campus statistical category
- 2 - The Violence Against Women Act (VAWA) was amended on March 7, 2013, and became law on July 1, 2015. VAWA adds domestic violence, dating violence and stalking to the crime categories universities must track.
- 3 - Due to changes in Wisconsin Law in 2014, citations for drug or liquor law violations were counted as disciplinary referrals if no arrest or referral to the District Attorney's Office was made. 2012 and 2013 citations for drug or liquor law violations were originally reported as arrests, but were revised to reflect Wisconsin law.

Relevant Wisconsin Statutes

Statutory Information UW Systems Institutions Are Required By Wisconsin Statute § 36.11(22) To Provide Annually To Students

Please Note: This information was current as of March 19, 2008. To be certain one is using the most current version of a statute, please refer to the Revisor of Statutes web-page at: <http://www.legis.state.wi.us/rsb/stats.html>

Listing Of Statutes Information on Sexual Assault and Sexual Harassment for UW Students
Wis. Stat. § 36.11(22) - Student Orientation Programs at UW System Institutions

Defining Sexual Harassment in Wisconsin
Wis. Stat. § 111.32(13) - Definition of Sexual Harassment

Laws and Penalties For Sexual Assault Crimes In Wisconsin
Wis. Stat. § 940.225 - Sexual Assault
Wis. Stat. § 948.02 - Sexual Assault of a Child
Wis. Stat. § 948.025 - Engaging in Repeated Acts of Sexual Assault of the Same Child
Wis. Stat. § 940.22 - Sexual Exploitation by Therapist; Duty to Report
Wis. Stat. § 947.013 - Harassment

Rights of Victims and Witnesses of Crime in Wisconsin
Wis. Stat. § 950.01 - Legislative Intent
Wis. Stat. § 950.02 - Definitions
Wis. Stat. § 950.03 - Eligibility of Victims
Wis. Stat. § 950.04 - Basis Bill of Rights for Victims And Witnesses
Wis. Stat. § 950.055 - Child Victims and Witnesses; Rights and Services
Wis. Stat. § 950.06 - Reimbursement for Services
Wis. Stat. § 950.07 - Intergovernmental Cooperation
Wis. Stat. § 950.08 - Information and Mediation Services
Wis. Stat. § 950.09 - Crime Victims' Rights Board
Wis. Stat. § 950.095 - Confidentiality of Complaints
Wis. Stat. § 950.10 - Limitation on Liability; Grounds for Appeal
Wis. Stat. § 950.11 - Penalties

22) ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND SEXUAL HARASSMENT.

(a) The board shall direct each institution and college campus to:

1. Incorporate in its orientation program for newly entering students oral and written or electronic information on sexual assault and sexual harassment, as defined in s. 111.32 (13) , including information on sexual assault by acquaintances of the victims and on all of the following:

a. The legal definitions of, and penalties for, sexual assault under ss. 940.225 , 948.02 and 948.025 , sexual exploitation by a therapist under s. 940.22 and harassment under s. 947.013

b. Generally available national and state statistics, and campus statistics as compiled under par. (c) and as reported under par. (d) , on sexual assaults and on sexual assaults by acquaintances of the victims.

c. The rights of victims under ch. 950 and the services available at the institution or college campus and in the community to assist a student who is the victim of sexual assault or sexual harassment.

d. Protective behaviors, including methods of recognizing and avoiding sexual assault and sexual harassment and locations in the community where courses on protective behaviors are provided.

2. Annually supply to all students enrolled in the institution or college campus printed or electronic material that includes all of the information under par. (a)

(b) Annually, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) The report shall indicate the methods each institution and college campus have used to comply with par. (a)

(c) Any person employed at an institution who witnesses a sexual assault on campus or receives a report from a student enrolled in the institution that the student has been sexually assaulted shall report to the dean of students of the institution. The dean of students shall compile reports for the purpose of disseminating statistical information under par. (a) 1. b.

(d) Annually, each institution shall report to the office of justice assistance in the department of administration statistics on sexual assaults and on sexual assaults by acquaintances of the victims that occurred on

each campus of the institution in the previous year. The office of justice assistance shall include the statistics in appropriate crime reports published by the office.
Wis. Stat. § 111.32 (2004)

111.32. Definitions.
When used in this subchapter:
(13) "Sexual harassment" means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. "Sexual harassment" includes conduct directed by a person at another person of the same or opposite gender. "Unwelcome verbal or physical conduct of a sexual nature" includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employees work performance or to create an intimidating, hostile or offensive work environment.

Wis. Stat. § 940.225
940.225. Sexual assault

(1) FIRST DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class B felony:

(a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.

(b) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.

(c) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(2) SECOND DEGREE SEXUAL ASSAULT. Whoever does any of the following is guilty of a Class C felony:

(a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

(b) Has sexual contact or sexual intercourse with another person without con-

sent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.

(c) Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

(cm) Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

(d) Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

(f) Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.

(g) Is an employee of a facility or program under s. 940.295(2)(b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.

(h) Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

(i) Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

(j) Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685(1)(b) or 50.065(1)(c), and has sexual contact or sexual intercourse with a

client of the entity.

(3) **THIRD DEGREE SEXUAL ASSAULT.** Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5)(b)2. or 3. with a person without the consent of that person is guilty of a Class G felony.

(3m) **FOURTH DEGREE SEXUAL ASSAULT.** Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

(4) **CONSENT.** "Consent", as used in this section, means words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. Consent is not an issue in alleged violations of sub. (2)(c), (cm), (d), (g), (h), and (i). The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11(2):

(b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.

(c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

(5) **DEFINITIONS.** In this section:
(abm) "Client" means an individual who receives direct care or treatment services from an entity.

(acm) "Correctional institution" means a jail or correctional facility, as defined in s. 961.01(12m), a juvenile correctional facility, as defined in s. 938.02(10p), or a juvenile detention facility, as defined in s. 938.02(10r).

(ad) "Correctional staff member" means an individual who works at a correctional institution, including a volunteer.

(ag) "Inpatient facility" has the meaning designated in s. 51.01(10).

(ai) "Intoxicant" means any alcohol beverage, controlled substance, controlled substance analog, or other drug or any combination thereof.

(ak) "Nonclient resident" means an individual who resides, or is expected to reside, at an entity, who is not a client of the entity, and who has, or is expected to have, regular, direct contact with the clients of the entity.

(am) "Patient" means any person who

does any of the following:

1. Receives care or treatment from a facility or program under s. 940.295(2)(b), (c), (h) or (k), from an employee of a facility or program or from a person providing services under contract with a facility or program.

2. Arrives at a facility or program under s. 940.295(2)(b), (c), (h) or (k) for the purpose of receiving care or treatment from a facility or program under s. 940.295(2)(b), (c), (h) or (k), from an employee of a facility or program under s. 940.295(2)(b), (c), (h) or (k), or from a person providing services under contract with a facility or program under s. 940.295(2)(b), (c), (h) or (k).

(ar) "Resident" means any person who resides in a facility under s. 940.295(2)(b), (c), (h) or (k).

(b) "Sexual contact" means any of the following:

1. Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under s. 940.19(1):

a. Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts.

b. Intentional touching by the complainant, by the use of any body part or object, of the defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.

2. Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant's instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.

(c) "Sexual intercourse" includes the meaning assigned under s. 939.22(36) as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required.

(d) "State treatment facility" has the meaning designated in s. 51.01(15).

(6) MARRIAGE NOT A BAR TO PROSECUTION. A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

(7) DEATH OF VICTIM. This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse

Wis. Stat. § 948.02
948.02. Sexual assault of a child

(1) FIRST DEGREE SEXUAL ASSAULT. (a) In this subsection, "sexual intercourse" means vulvar penetration as well as cunnilingus, fellatio, or anal intercourse between persons or any intrusion of any inanimate object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required.

(b) Whoever has sexual intercourse with a person who has not attained the age of 12 years is guilty of a Class B felony.

(c) Whoever has sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony.

(d) Whoever has sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the actor is at least 18 years of age when the sexual contact occurs.

(e) Whoever has sexual contact with a person who has not attained the age of 13 years is guilty of a Class B felony.

(1) FIRST DEGREE SEXUAL ASSAULT. Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years is guilty of one of the following:

(a) If the sexual contact or sexual intercourse resulted in great bodily harm to the person, a Class A felony.

(b) If the sexual contact or sexual intercourse did not result in great bodily harm to the person, a Class B felony.

(2) SECOND DEGREE SEXUAL ASSAULT. Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of a Class C felony.

(3) FAILURE TO ACT. A person responsible for the welfare of a child who has not attained the age of 16 years is guilty of a Class F felony if that person has knowl-

edge that another person intends to have, is having or has had sexual intercourse or sexual contact with the child, is physically and emotionally capable of taking action which will prevent the intercourse or contact from taking place or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk that intercourse or contact may occur between the child and the other person or facilitates the intercourse or contact that does occur between the child and the other person.

(4) MARRIAGE NOT A BAR TO PROSECUTION. A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

(5) DEATH OF VICTIM. This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.

Wis. Stat. § 948.025
948.025. Engaging in repeated acts of sexual assault of the same child

<Text of subsec. (1), as affected by 2005 Act 430, §§ 5, 6>

(1) Whoever commits 3 or more violations under s. 948.02(1) or (2) within a specified period of time involving the same child is guilty of:

(a) A Class B felony if at least 3 of the violations were violations of s. 948.02(1)(b) or (c).

(ag) A Class B felony if at least 3 of the violations were violations of s. 948.02(1)(b), (c), or (d) but fewer than 3 of the violations were violations of s. 948.02(1)(b) or (c).

(ar) A Class B felony if at least 3 of the violations were violations of s. 948.02(1)(b), (c), (d), or (e) but fewer than 3 of the violations were violations of s. 948.02(1)(b), (c), or (d).

(b) A Class C felony if fewer than 3 of the violations were violations of s. 948.02(1). <Text of subsec. (1), as affected by 2005 Act 437, §§ 3, 4>

(1) Whoever commits 3 or more violations under s. 948.02(1) or (2) within a specified period of time involving the same child is guilty of:

(ag) A Class A felony if at least 3 of the violations were violations of s. 948.02(1)(a).

(ar) A Class B felony if fewer than 3 of the violations were violations of s. 948.02(1)(a) but at least 3 of the violations were violations of s. 948.02(1)(a) or (b).

(b) A Class C felony if fewer than 3 of the violations were violations of s. 948.02(1). <Text of subsec. (2), as affected by 2005 Act 430, §§ 7, 8>

(2)(a) If an action under sub. (1)(a) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1)(b) or (c) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02(1)(b) or (c).

(ag) If an action under sub. (1)(ag) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1)(b), (c), or (d) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02(1)(b), (c), or (d).

(ar) If an action under sub. (1)(ar) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1)(b), (c), (d), or (e) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02(1)(b), (c), (d), or (e).

(b) If an action under sub. (1)(b) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1) or (2) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02(1) or (2).

<Text of subsec. (2), as affected by 2005 Act 437, §§ 5, 6>

(2)(a) If an action under sub. (1)(ag) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1)(a) occurred within the specified period of time but need not agree on which acts constitute the requisite number.

(am) If an action under sub. (1)(ar) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1)(a) or (b) occurred within the specified period of time but need not agree on which acts constitute the requisite number.

(b) If an action under sub. (1)(b) is tried

to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. 948.02(1) or (2) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. 948.02(1) or (2).

(3) The state may not charge in the same action a defendant with a violation of this section and with a felony violation involving the same child under ch. 944 or a violation involving the same child under s. 948.02, 948.05, 948.06, 948.07, 948.075, 948.08, 948.10, 948.11, or 948.12, unless the other violation occurred outside of the time period applicable under sub. (1). This subsection does not prohibit a conviction for an included crime under s. 939.66 when the defendant is charged with a violation of this section.

Wis. Stat. § 940.22

940.22. Sexual exploitation by therapist; duty to report

(1) DEFINITIONS. In this section:

(a) "Department" means the department of regulation and licensing.

(b) "Physician" has the meaning designated in s. 448.01 (5)

(c) "Psychologist" means a person who practices psychology, as described in s. 455.01 (5)

(d) "Psychotherapy" has the meaning designated in s. 455.01 (6)

(e) "Record" means any document relating to the investigation, assessment and disposition of a report under this section.

(f) "Reporter" means a therapist who reports suspected sexual contact between his or her patient or client and another therapist.

(g) "Sexual contact" has the meaning designated in s. 940.225 (5) (b)

(h) "Subject" means the therapist named in a report or record as being suspected of having sexual contact with a patient or client or who has been determined to have engaged in sexual contact with a patient or client.

(i) "Therapist" means a physician, psychologist, social worker, marriage and family therapist, professional counselor, nurse, chemical dependency counselor, member of the clergy or other person, whether or not licensed or certified by the state, who performs or purports to perform psychotherapy.

(2) SEXUAL CONTACT PROHIBITED.

Any person who is or who holds himself or herself out to be a therapist and who intentionally has sexual contact with a patient or client during any ongoing therapist-patient or therapist-client relationship, regardless of whether it occurs during any treatment, consultation, interview or examination, is guilty of a Class F felony. Consent is not an issue in an action under this subsection.

(3) REPORTS OF SEXUAL CONTACT.

(a) If a therapist has reasonable cause to suspect that a patient or client he or she has seen in the course of professional duties is a victim of sexual contact by another therapist or a person who holds himself or herself out to be a therapist in violation of sub. (2), as soon thereafter as practicable the therapist shall ask the patient or client if he or she wants the therapist to make a report under this subsection. The therapist shall explain that the report need not identify the patient or client as the victim. If the patient or client wants the therapist to make the report, the patient or client shall provide the therapist with a written consent to the report and shall specify whether the patients or clients identity will be included in the report.

(b) Within 30 days after a patient or client consents under par. (a) to a report, the therapist shall report the suspicion to:

1. The department, if the reporter believes the subject of the report is licensed by the state. The department shall promptly communicate the information to the appropriate examining board or affiliated credentialing board.

2. The district attorney for the county in which the sexual contact is likely, in the opinion of the reporter, to have occurred, if subd. 1. is not applicable.

(c) A report under this subsection shall contain only information that is necessary to identify the reporter and subject and to express the suspicion that sexual contact has occurred in violation of sub. (2) The report shall not contain information as to the identity of the alleged victim of sexual contact unless the patient or client requests under par. (a) that this information be included.

(d) Whoever intentionally violates this subsection by failing to report as required under pars. (a) to (c) is guilty of a Class A misdemeanor.

(4) CONFIDENTIALITY OF REPORTS AND RECORDS.

(a) All reports and records made from reports under sub. (3) and maintained by the department, examining boards, affiliated credentialing boards, district attorneys and other persons, officials and institutions shall be confidential and are

exempt from disclosure under s. 19.35 (1) Information regarding the identity of a victim or alleged victim of sexual contact by a therapist shall not be disclosed by a reporter or by persons who have received or have access to a report or record unless disclosure is consented to in writing by the victim or alleged victim. The report of information under sub. (3) and the disclosure of a report or record under this subsection does not violate any persons responsibility for maintaining the confidentiality of patient health care records, as defined in s. 146.81 (4) and as required under s. 146.82 Reports and records may be disclosed only to appropriate staff of a district attorney or a law enforcement agency within this state for purposes of investigation or prosecution.

(b)

1. The department, a district attorney, an examining board or an affiliated credentialing board within this state may exchange information from a report or record on the same subject.

2. If the department receives 2 or more reports under sub. (3) regarding the same subject, the department shall communicate information from the reports to the appropriate district attorneys and may inform the applicable reporters that another report has been received regarding the same subject.

3. If a district attorney receives 2 or more reports under sub. (3) regarding the same subject, the district attorney may inform the applicable reporters that another report has been received regarding the same subject.

4. After reporters receive the information under subd. 2. or 3., they may inform the applicable patients or clients that another report was received regarding the same subject.

(c) A person to whom a report or record is disclosed under this subsection may not further disclose it, except to the persons and for the purposes specified in this section.

(d) Whoever intentionally violates this subsection, or permits or encourages the unauthorized dissemination or use of information contained in reports and records made under this section, is guilty of a Class A misdemeanor.

(5) IMMUNITY FROM LIABILITY.

Any person or institution participating in good faith in the making of a report or record under this section is immune from any civil or criminal liability that results by reason of the action. For the purpose of any civil or criminal action or proceeding, any person reporting under this section is

presumed to be acting in good faith. The immunity provided under this subsection does not apply to liability resulting from sexual contact by a therapist with a patient or client.

Wis. Stat. § 947.013
947.013. Harassment

(1) In this section:

(a) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

(b) "Credible threat" means a threat made with the intent and apparent ability to carry out the threat.

(c) "Personally identifiable information" has the meaning given in s. 19.62 (5)

(d) "Record" has the meaning given in s. 19.32 (2)

(1m) Whoever, with intent to harass or intimidate another person, does any of the following is subject to a Class B forfeiture:

(a) Strikes, shoves, kicks or otherwise subjects the person to physical contact or attempts or threatens to do the same.

(b) Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.

(1r) Whoever violates sub. (1m) under all of the following circumstances is guilty of a Class A misdemeanor:

(a) The act is accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm.

(b) The act occurs while the actor is subject to an order or injunction under s. 813.12 , 813.122 or 813.125 that prohibits or limits his or her contact with the victim.

(1t) Whoever violates sub. (1r) is guilty of a Class I felony if the person has a prior conviction under this subsection or sub. (1r) , (1v) , or (1x) or s. 940.32 (2) , (2e) , (2m) , or (3) involving the same victim and the present violation occurs within 7 years of the prior conviction.

(1v) Whoever violates sub. (1r) is guilty of a Class H felony if he or she intentionally gains access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation under sub. (1r)

(1x) Whoever violates sub. (1r) under all of the following circumstances is guilty of a Class H felony:

(a) The person has a prior conviction under sub. (1r) , (1t) or (1v) or this subsection or s. 940.32 (2) , (2e) , (2m) , or (3)

(b) The person intentionally gains access to a record in order to facilitate the current violation under sub. (1r)

(2) This section does not prohibit any person from participating in lawful conduct in labor disputes under s. 103.53

Wis. Stat. § 950.01
950.01. Legislative intent.

In recognition of the civic and moral duty of victims and witnesses of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of such citizen cooperation to state and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this state, the legislature declares its intent, in this chapter, to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended in this chapter to victims and witnesses of crime are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants.

Wis. Stat. § 950.02

950.02. Definitions - In this chapter:

(1) Except in sub. (3), "child" means a person who is less than 18 years of age.

(1m) "Crime" means an act committed in this state which, if committed by a competent adult, would constitute a crime, as defined in s. 939.12.

(1t) "Custodial agency" means any person authorized to arrest or take into actual physical custody an individual who is alleged to have committed a crime. "Custodial agency" includes a law enforcement agency, a sheriff, superintendent or other keeper of a jail and a person authorized to take custody of a juvenile under s. 938.19 or 938.20 (4).

(2) "Department" means the department of justice.

(2m) "District attorney" means any of the following:

(a) The district attorney or other person authorized to prosecute a criminal case or a delinquency proceeding under ch. 938.

(b) A person designated by a person specified in par. (a) to perform the district attorney's duties under this chapter.

(3) "Family member" means spouse, minor child, adult child, sibling, parent, or legal guardian.

(3m) "Law enforcement agency" has the meaning given in s. 165.83 (1)(b).

(4)(a) "Victim" means any of the following:

1. A person against whom a crime has been committed.

2. If the person specified in subd. 1. is a child, a parent, guardian or legal custodian of the child.

3. If a person specified in subd. 1. is physically or emotionally unable to exercise the rights granted under s. 950.04 or article I, section 9m, of the Wisconsin constitution, a person designated by the person specified in subd. 1. or a family member of the person specified in subd. 1.

4. If a person specified in subd. 1. is deceased, any of the following:

a. A family member of the person who is deceased.

b. A person who resided with the person who is deceased.

5. If a person specified in subd. 1. has been adjudicated incompetent in this state, the guardian of the person appointed for him or her.

(b) "Victim" does not include the person charged with or alleged to have committed the crime.

(4m) "Victim and witness office" means an organization or program that provides services for which the county receives reimbursement under this chapter.

(5) "Witness" means any person who has been or is expected to be summoned to testify for the prosecution, or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet been commenced.

Wis. Stat. § 950.03
950.03. Eligibility of victims

A victim has the rights and is eligible for the services under this chapter only if the crime has been reported to law enforcement authorities.

Wis. Stat. § 950.04
950.04. Basic bill of rights for victims and witnesses

(1v) RIGHTS OF VICTIMS. Victims of crimes have the following rights:

(a) To have his or her interest considered

when the court is deciding whether to grant a continuance in the case, as provided under ss. 938.315 (2) and 971.10 (3)(b)3.

(b) To attend court proceedings in the case, subject to ss. 906.15 and 938.299 (1). The court may require the victim to exercise his or her right under this paragraph using telephone or live audiovisual means, if available, if the victim is under arrest, incarcerated, imprisoned or otherwise detained by any law enforcement agency or is admitted or committed on an inpatient basis to a treatment facility under ch. 51,971 or 980, and the victim does not have a person specified in s. 950.02 (4) (a)3. to exercise the victim's right under this paragraph.

(bm) To be provided with appropriate intercession services to ensure that employers of victims will cooperate with the criminal justice process and the juvenile justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

(c) To be accompanied by a service representative, as provided under s. 895.45.

(d) To request an order for, and to be given the results of, testing to determine the presence of a communicable disease, as provided under ss. 938.296 or 968.38.

(dL) To not be the subject of a law enforcement officer's or district attorney's order, request, or suggestion that he or she submit to a test using a lie detector, as defined in s. 111.37(1)(b), if he or she claims to have been the victim of a sexual assault under s. 940.22(2), 940.225, 948.02(1) or (2), or 948.085, except as permitted under s. 968.265.

(e) To be provided a waiting area under ss. 938.2965 and 967.10.

(em) To have his or her interests considered by the court in determining whether to exclude persons from a preliminary hearing, as provided under s. 970.03 (4).

(f) To have the parole commission make a reasonable attempt to notify the victim of applications for parole, as provided under s. 304.06 (1).

(g) To have reasonable attempts made to notify the victim of hearings or court proceedings, as provided under ss. 302.113(9g) (g)2., 302.114(6), 938.27(4m) and (6), 938.273(2), 971.095(3) and 972.14(3) (b).

(gm) To have reasonable attempts made to notify the victim of petitions for sentence adjustment as provided under s. 973.195(1r)(d).

(i) To have, at his or her request, the opportunity to consult with intake workers, district attorneys and corporation counsel in cases under ch. 938, as provided under ss. 938.245 (1m), 938.265 and 938.32 (1)(am).

(j) To have, at his or her request, the opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction, as provided under s. 971.095 (2).

(k) To a speedy disposition of the case in which they are involved as a victim in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

(L) To have the district attorney or corporation counsel, whichever is applicable, make a reasonable attempt to contact the victim concerning the victim's right to make a statement, as provided under ss. 938.32 (1)(b) 2., 938.335 (3m)(b) and 972.14 (3)(b).

m) To provide statements concerning sentencing, disposition or parole, as provided under ss. 304.06 (1) (e), 938.32 (1) (b) 1. [s. 938.32 (1) (b) 1g.], 938.335 (3m) (a) [938.335 (3m) (ag)] and 972.14 (3) (a).

(n) To have direct input in the parole decision-making process, as provided by the rules promulgated under s. 304.06 (1) (em).

(nn) To attend parole interviews or hearings and make statements as provided under s. 304.06 (1)(eg).

(nt) To attend a hearing on a petition for modification of a bifurcated sentence and provide a statement concerning modification of the bifurcated sentence, as provided under s. 302.113(9g)(d).

(o) To have information concerning the impact of a delinquent act on the victim included in a court report under s. 938.33 and to have the person preparing the court report attempt to contact the victim, as provided under s. 938.331.

(p) To have the person preparing a presentence investigation under s. 972.15 make a reasonable attempt to contact the victim, as provided in s. 972.15 (2m).

(pm) To have the court provided with information pertaining to the economic, physical and psychological effect of the crime upon the victim and have the information considered by the court.

(q) To restitution, as provided under ss. 938.245 (2)(a)5., 938.32 (1t), 938.34 (5), 938.345, 943.212, 943.23 (6), 943.245, 943.51 and 973.20.

(qm) To recompense as provided under s. 969.13(5)(a).

(r) To a judgment for unpaid restitution, as provided under ss. 895.035 (2m) and 973.09 (3)(b).

(rm) To compensation, as provided under subch. I of ch. 949.

(s) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence, subject to s. 968.205. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, property subject to preservation under s. 968.205, and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.

(t) To receive information from law enforcement agencies, as provided under s. 950.08 (2g).

(u) To receive information from district attorneys, as provided under s. 950.08 (2r).

(um) To have district attorneys make a reasonable attempt to notify the victim under s. 971.17 (4m) regarding conditional releases under s. 971.17.

(v) To have the department of corrections make a reasonable attempt to notify the victim under s. 301.046(4) regarding community residential confinements, under s. 301.048(4m) regarding participation in the intensive sanctions program, under s. 301.38 regarding escapes from a Type 1 prison, under s. 301.46(3) regarding persons registered under s. 301.45, under s. 302.105 regarding release upon expiration of certain sentences, under s. 304.063 regarding extended supervision and parole releases, and under s. 938.51 regarding release or escape of a juvenile from correctional custody.

(vm) To have the appropriate clerk of court send the victim a copy of an inmate's petition for extended supervision and notification of the hearing on that petition under s. 302.114 (6).

(w) To have the department of corrections make a reasonable attempt to notify the victim under s. 303.068 (4m) regarding leave granted to qualified inmates under s. 303.068.

(x) To have the department of health and family services make a reasonable attempt to notify the victim under s. 971.17 (6m) regarding termination or discharge under s. 971.17 and under s. 51.37 (10) regarding home visits under s. 51.37 (10).

(xm) To have the department of health and family services make a reasonable attempt

to notify the victim under s. 980.11 regarding supervised release under s. 980.08 and discharge under s. 980.09 (4).

(y) To have reasonable attempts made to notify the victim concerning actions taken in a juvenile proceeding, as provided under ss. 938.24 (5m), 938.25 (2m), 938.312 and 938.346.

(yd) To have the appropriate clerk of court make a reasonable attempt to send the victim a copy of a motion made under s. 974.07(2) for post conviction deoxyribonucleic acid testing of certain evidence and notification of any hearing on that motion, as provided under s. 974.07(4).

(ym) To have the governor make a reasonable attempt to notify the victim of a pardon application, as provided under s. 304.09 (2) and (3).

(z) To make a written statement concerning pardon applications, as provided under s. 304.10 (2).

(zm) To request information from a district attorney concerning the disposition of a case involving a crime of which he or she was a victim, as provided under s. 971.095 (6).

(zx) To complain to the department of justice concerning the treatment of crime victims, as provided under s. 950.08 (3), and to request review by the crime victims rights board of the complaint, as provided under s. 950.09 (2).

(2w) RIGHTS OF WITNESSES. Witnesses of crimes have the following rights:

(a) To request information from the district attorney about the final disposition of the case.

(b) To be notified that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the person an unnecessary trip to court.

(c) To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available.

(d) To be informed of financial assistance and other social services available as a result of being a witness of a crime, including information on how to apply for the assistance and services.

(e) To be informed of the procedure to be followed in order to apply for and receive any witness fee to which they are entitled.

(f) To be provided a waiting area under ss. 938.2965 and 967.10.

(fm) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.

(g) To be provided with appropriate intercession services to ensure that employers of witnesses will cooperate with the criminal justice process and the juvenile justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

(h) To be entitled to a speedy disposition of the case in which they are involved as a witness in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

Wis. Stat. § 950.055
950.055. Child victims and witnesses; rights and services

(1) LEGISLATIVE INTENT. The legislature finds that it is necessary to provide child victims and witnesses with additional consideration and different treatment than that usually afforded to adults. The legislature intends, in this section, to provide these children with additional rights and protections during their involvement with the criminal justice or juvenile justice system. The legislature urges the news media to use restraint in revealing the identity of child victims or witnesses, especially in sensitive cases.

(2) ADDITIONAL SERVICES. In addition to all rights afforded to victims and witnesses under s. 950.04 and services provided under s. 950.06 (1m), counties are encouraged to provide the following additional services on behalf of children who are involved in criminal or delinquency proceedings as victims or witnesses:

(a) Explanations, in language understood by the child, of all legal proceedings in which the child will be involved.

(b) Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand proceedings and questions. The services may include providing assistance in determinations concerning the taking of depositions by audiovisual means under s. 908.08 or 967.04(7) and (8) and the duty to expedite proceedings under s. 971.105.

(c) Advice to the district attorney concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child.

(d) Information about and referrals to ap-

propriate social services programs to assist the child and the child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.

(3) PROGRAM RESPONSIBILITY. In each county, the county board is responsible for the provision of services under this section. A county may seek reimbursement for services provided under this section as part of its program plan submitted to the department under s. 950.06. To the extent possible, counties shall utilize volunteers and existing public resources for the provision of these services.

Wis. Stat. § 950.06
950.06. Reimbursement for services

(1m) To be eligible for reimbursement under this section for the provision of services to victims and witnesses, a county shall provide all of the following services to victims and witnesses:

(a) Court appearance notification services, including cancellation of appearances.

(b) Victim compensation and social services referrals, including witness fee collection, case-by-case referrals and public information.

(c) Escort and other transportation services related to the investigation or prosecution of the case, if necessary or advisable.

(d) Case progress notification services which may be combined with services under par. (a)

(dm) Assistance in providing the court with information pertaining to the economic, physical and psychological effect of the crime upon the victim of a felony.

(e) Employer intercession services.

(f) Expedited return of property services.

(g) Protection services.

(h) Family support services, including child and other dependent care services.

(i) Waiting facilities.

(2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriation under s. 20.455 (5) (k), (kk) and (kp) and, on a semiannu-

al basis, from the appropriations under s. 20.455 (5) (c) and (g)

(3) The county board shall provide for the implementation of the county's plan under sub. (4) Two or more counties may submit a joint plan under sub. (4)

(4) If the county seeks reimbursement under sub. (2) , the county board shall submit a program plan to the department for its approval. The county is eligible for reimbursement under sub. (2) only if the department has approved the plan. The program plan shall describe the level of services to victims and witnesses that the county intends to provide; the personnel or agencies responsible for related administrative programs and individual services; proposed staffing for the program; proposed education, training and experience requirements for program staff and the staff of agencies providing related administrative programs and individual services; the county's budget for implementing the program and other information the department determines to be necessary for its review. The plan shall provide that the district attorney, local law enforcement agencies and the courts shall make available to the person or agency responsible for administering the program all reports or files, except reports or files which are required by statute to be kept confidential, if the reports or files are required by the person or agency to carry out program responsibilities. Each year, the county board shall submit a report to the department on the operation of the plan, including the provision of services under sub. (1m)

(5) The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under sub. (2) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

Wis. Stat. § 950.07
950.07. Intergovernmental cooperation

The county board, district attorney, local law enforcement agencies, local social service agencies, victim and witness offices and courts shall all cooperate with each other to ensure that victims and witnesses of crimes receive the rights and services to which they are entitled under this chapter.

Wis. Stat. § 950.08
950.08. Information and mediation services

(1) DUTIES OF DEPARTMENT; TOLL-FREE TELEPHONE NUMBER.

The department shall maintain a toll-free telephone number to provide crime victims and witnesses with all of the following services:

(a) Information and referral to available services.

(b) Crisis counseling and emotional support.

(c) Assistance in securing resources and protection.

(2) DUTIES OF DEPARTMENT; GENERAL INFORMATIONAL PROGRAM.

The department shall provide an informational program to inform crime victims, the general public, criminal justice officials and related professionals about crime victim rights and services.

(2g) INFORMATION TO BE PROVIDED BY LAW ENFORCEMENT AGENCIES.

No later than 24 hours after a law enforcement agency has initial contact with a victim of a crime that the law enforcement agency is responsible for investigating, the law enforcement agency shall make a reasonable attempt to provide to the victim written information on all of the following:

(a) A list of the rights of victims under s. 950.04 (1v)

(b) The availability of compensation under ch. 949 and the address and telephone number at which to contact the department for information concerning compensation under ch. 949

(c) The address and telephone number of the intake worker, corporation counsel or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings under ss. 938.27 (4m) and (6) , 938.273 (2) , 938.299 (1) (am) and 938.335 (3m) (b) or ss. 971.095 (3) and 972.14 (3) (b) , whichever is applicable, and to request the opportunity to confer under ss. 938.245 (1m) , 938.265 or 938.32 (1) (am) or s. 971.095 (2) , whichever is applicable.

(d) The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the taking into custody or arrest of a suspect in connection with the crime of which he or she is a victim.

(e) The address and telephone number of the custodial agency that the victim may contact for information concerning release under s. 938.20 or 938.21 or ch. 969 , whichever is appropriate, of a person arrested or taken into custody for the crime of which he or she is a victim.

(f) Suggested procedures for the victim to follow if he or she is subject to threats or intimidation arising out of his or her cooperation with law enforcement and prosecution efforts relating to a crime of which he or she is a victim.

(g) The address and telephone number at which the victim may contact the department or any local agency that provides victim assistance in order to obtain further information about services available for victims, including medical services.

(2r) INFORMATION TO BE PROVIDED BY A DISTRICT ATTORNEY IN CRIMINAL CASES.

As soon as practicable, but in no event later than 10 days after the initial appearance under s. 970.01 or 24 hours before a preliminary examination under s. 970.03 , whichever is earlier, of a person charged with a crime in a court of criminal jurisdiction, a district attorney shall make a reasonable attempt to provide to each victim of the crime written information on all of the following:

(a) A brief statement of the procedure for prosecuting a crime.

(b) A list of the rights of victims under s. 950.04 (1v) and information about how to exercise those rights.

(c) The person or agency to notify if the victim changes his or her address and wants to continue to receive notices and services under s. 950.04 or 971.095 (3)

(d) The availability of compensation under ch. 949 , including information concerning eligibility for compensation and the procedure for applying for compensation.

(e) The person to contact for further information about a case involving the prosecution of a crime of which he or she is a victim.

(2s) INFORMATION CONCERNING JUVENILE CASES.

Notification of a victim of an act committed by a juvenile concerning the rights of victims under ch. 938 shall be provided as specified in s. 938.346

(3) DUTIES OF DEPARTMENT; MEDIATION.

The department may receive complaints, seek to mediate complaints and, with the consent of the involved parties, actually mediate complaints regarding the treatment of crime victims and witnesses by public officials, employees or agencies or under crime victim and witness assistance programs. The department may act as a liaison between crime victims or witnesses and others when seeking to mediate these

complaints and may request a written response regarding the complaint from the subject of a complaint. If asked by the department to provide a written response regarding a complaint, the subject of a complaint shall respond to the department's request within a reasonable time.

Wis. Stat. § 950.09
950.09. Crime victims' rights board

(1) In this section, "board" means the crime victims' rights board.

(2) At the request of one of the involved parties, the board may review a complaint made to the department under s. 950.08 (3) regarding a violation of the rights of a crime victim. A party may not request the board to review a complaint under this subsection until the department has completed its action on the complaint under s. 950.08 (3). In reviewing a complaint under this subsection, the board may not begin any investigation or take any action specified in pars. (a) to (d) until the board first determines that there is probable cause to believe that the subject of the complaint violated the rights of a crime victim. Based on its review of a complaint under this subsection, the board may do any of the following:

(a) Issue private and public reprimands of public officials, employees or agencies that violate the rights of crime victims provided under this chapter, ch. 938 and article I, section 9m, of the Wisconsin constitution

(b) Refer to the judicial commission a violation or alleged violation by a judge of the rights of crime victims provided under this chapter, ch. 938 and article I, section 9m, of the Wisconsin constitution

(c) Seek appropriate equitable relief on behalf of a victim if such relief is necessary to protect the rights of the victim. The board may not seek to appeal, reverse or modify a judgment of conviction or a sentence in a criminal case.

(d) Bring civil actions to assess a forfeiture under s. 950.11 Notwithstanding s. 778.06, an action or proposed action authorized under this paragraph may be settled for such sum as may be agreed upon between the parties. In settling actions or proposed actions, the board shall treat comparable situations in a comparable manner and shall assure that any settlement bears a reasonable relationship to the severity of the offense or alleged offense. Forfeiture actions brought by the board shall be brought in the circuit court for the county in which the violation is alleged to have occurred.

(3) In addition to its powers under sub. (2), the board may issue reports and recommendations concerning the securing and provision of crime victims' rights and services.

(4) Actions of the board are not subject to approval or review by the attorney general.

(5) The board shall promulgate rules establishing procedures for the exercise of its powers under this section.

Wis. Stat. § 950.095
950.095. Confidentiality of complaints
(1) (a) The records of the department relating to a complaint made under s. 950.08 (3) are confidential unless the subject of the complaint waives the right to confidentiality in writing to the department.

(am) Before a finding of probable cause under s. 950.09 (2), a complaint referred to the crime victims rights board under s. 950.09 (2) is confidential unless the subject of the complaint waives the right to confidentiality in writing to the crime victims rights board.

(b) If a complaint becomes known to the public before the completion of action by the department under s. 950.08 (3) or a finding of probable cause by the crime victims rights board under s. 950.09 (2), the department or the crime victims rights board, whichever is applicable, may issue statements in order to confirm that a complaint has been made or is being reviewed, to clarify the procedural aspects of actions taken under ss. 950.08 (3) and 950.09 (2), to explain the right of the subject of the complaint to respond to the complaint, to state that the subject of the complaint denies the allegations, if applicable, to state that action under ss. 950.08 (3) and 950.09 (2) has been completed and no basis for the complaint was found or to correct public misinformation.

(1m) In investigating a complaint made under s. 950.08 (3) or being reviewed under s. 950.09 (2), the department or the crime victims rights board, whichever is applicable, shall do all of the following:

(a) Act to avoid unnecessary embarrassment to and publicity for the subject of the complaint.

(b) Request any person contacted for information not to disclose that an investigation is being conducted or the nature of any inquiries made by the department or the crime victims rights board.

(2) This section does not preclude the de-

partment or the crime victims' rights board from doing any of the following:

(a) Informing the person who made the complaint of the outcome of any action by the department or review by the crime victims' rights board.

(b) Referring to the judicial commission information relating to alleged misconduct by or an alleged disability of a judge or court commissioner.

(c) Referring to an appropriate law enforcement authority information relating to possible criminal conduct or otherwise cooperating with a law enforcement authority in matters of mutual interest.

(d) Referring to an attorney disciplinary agency information relating to the possible misconduct or incapacity of an attorney or otherwise cooperating with an attorney disciplinary agency in matters of mutual interest.

(e) Disclosing to the chief justice or director of state courts information relating to matters affecting the administration of the courts.

Wis. Stat. § 950.10
950.10. Limitation on liability; grounds for appeal

(1) No cause of action for money damages may arise against the state, any political subdivision of the state or any employee or agent of the state or a political subdivision of the state for any act or omission in the performance of any power or duty under this chapter or under article I, section 9m, of the Wisconsin constitution or for any act or omission in the performance of any power or duty under ch. 938 relating to the rights of, services for or notices to victims.

(2) A failure to provide a right, service or notice to a victim under this chapter or ch. 938 or under article I, section 9m, of the Wisconsin constitution is not a ground for an appeal of a judgment of conviction or sentence and is not grounds for any court to reverse or modify a judgment of conviction or sentence.

Wis. Stat. § 950.11
950.11. Penalties

A public official, employee or agency that intentionally fails to provide a right specified under s. 950.04 (1v) to a victim of a crime may be subject to a forfeiture of not more than 1,000.

Appendix 1: Health Effects Of Drugs Other Than Alcohol

Marijuana and hashish can cause mild to severe anxiety or mild paranoia in sensitive users. Its use has been associated with short-term memory problems and can interfere with the learning of new material, as well as the performance of complex motor tasks.

Some research has associated long-term heavy use with increased risk for respiratory problems, decreased levels of sex hormones, the formation of precancerous cells in the lungs, impairment to the immune system and decreased cognitive function. Marijuana use may result in psychological dependence, and withdrawal symptoms have been observed in some heavy users. Furthermore, research has shown that marijuana use is associated with a decreased likelihood of continuous enrollment in college.

Cocaine and its freebase form, crack, are among the most potent of the stimulant drugs. These substances pose a high risk for addiction.

Immediate negative effects include restlessness, irritability, anxiety, and depressed mood. Snorting of these substances can cause serious damage to the nasal membranes and nasal septum. High doses or prolonged use can cause irritability, mood disturbances, paranoia and auditory hallucinations; prolonged use of crack may also result in particularly aggressive paranoid behavior. Medical complications can include disturbances in heart rhythm, heart attacks, chest pain, respiratory failure, strokes, and seizures.

Other stimulants with the potential for abuse and dependence include Ritalin, Adderall, amphetamine and methamphetamine (commonly referred to as crystal meth, or ice). Short-term effects can include anxiety, headaches, and increased heart rate and blood pressure.

In higher doses, there is risk for stroke, convulsions, and irregularities in the user's heart and respiration rates that can lead to death. Crushing and snorting stimulants and intravenous use greatly increase the risk for overdose. Large or prolonged doses can also

cause weight loss, paranoia, auditory and visual hallucinations, and delusions, as well as significant post-use depression. Methamphetamine use can also cause irreversible damage to the blood vessels in the brain, which can lead to strokes; it has been associated with long-term decreased functioning of the brain areas that regulate motor control and memory.

Narcotics include prescription pain relievers, such as Demerol and Oxycotin, as well as opiates, such as opium, morphine, heroin, and codeine. About half of those who use narcotics develop a tolerance and dependence to them. Tolerance can cause users to consume higher doses in order to achieve the desired effect, which can increase the chance of overdose.

Additionally, accidental overdose can result from the practice of inhaling drugs that are meant to be taken orally, as well as from different potency levels that might be found within illicit and unregulated forms. For narcotics taken intravenously, contamination of the drug and the use of unsterile needles can lead to infection and disease, including liver disease, hepatitis, tetanus, and HIV.

Depressants include substances that are typically prescribed as medications to relieve anxiety and induce sleep, such as Xanax, Ativan, Valium, and Ambien. These substances slow activity in the central nervous system and pose a risk if taken at higher dosages than prescribed.

Indeed, accidents or injuries can occur due to loss of coordination, slowed reaction time, fatigue, and impaired judgment. Moreover, depressants have a high potential for physical and psychological dependence. Tolerance can also develop, causing the user to need larger doses to achieve the desired effect, which can increase the chance of overdose and death.

Hallucinogens, such as LSD (acid), PCP, Psilocybin (magic mushrooms), mescaline, and peyote, can cause one's sense of direction, distance, time, sound, and visual perception to

become distorted. These effects can last up to 12 hours. Psychological risks of hallucinogen use can include significant anxiety, confusion, depression, paranoia, and loss of emotional control. Flashbacks, violent behavior, or behaviors resembling psychosis may also result from the use of hallucinogens and may precipitate significant mental health problems in emotionally vulnerable individuals.

Physical risks associated with the use of hallucinogens can include elevated heart rates and blood pressure, sleeplessness and tremors, decreased awareness of pain resulting in injury, convulsions, and coma.

GBH and Rohypnol are often referred to as "date rape drugs," because they can immobilize and cause unconsciousness in the user; in some cases, users describe a feeling of paralysis during which they could not move. Rohypnol can cause a type of amnesia in which the user may not remember what was said or done while under the influence of the drug.

Club drugs include the substances MDMA (ecstasy) and Ketamine. Ecstasy has been shown to cause long-term damage to nerve cells in the brain, which regulate emotion, memory, sleep, and pain. Some studies suggest that lasting negative effects may occur with experimental use of Ecstasy.

In higher doses, it can cause dehydration, dangerous increases in heart rate and body temperature, heart attacks, seizures, and death. Ketamine is a depressant that has dissociative properties. In low doses, it produces psychedelic effects, but in higher doses it can lead to lack of coordination, slurred speech, paranoia, aggressive behavior, heart attacks, strokes, coma, or death.

Steroid use is associated with higher risks for heart attacks, strokes, and liver problems. Steroid use may cause acne and hair loss, mood problems, hostility, aggression, and paranoia, and in men, it may result in potentially irreversible breast development and genital shrinking.

Annual Fire Safety Report

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution.

Sandburg Residence Halls • 3400 N. Maryland Ave., Milwaukee, WI 53211

Year	# of Fires	Cause	# of Injured Receiving Treatment	# of Deaths	Property Damage (\$)
2013	1	Student dumped a foil cup of ash from hookah into the garbage can, which caught fire.	0	0	\$250
2014	0	N/A	N/A	N/A	N/A
2015	0	N/A	N/A	N/A	N/A

Purin Hall • 2600 E. Kenwood Blvd., Milwaukee, WI 53211

Year	# of Fires	Cause	# of Injured Receiving Treatment	# of Deaths	Property Damage (\$)
2013	0	N/A	N/A	N/A	N/A
2014	0	N/A	N/A	N/A	N/A
2015	0	N/A	N/A	N/A	N/A

Kenilworth Square Apartments • 1915 E. Kenilworth Pl., Milwaukee, WI 53202

Year	# of Fires	Cause	# of Injured Receiving Treatment	# of Deaths	Property Damage (\$)
2013	0	N/A	N/A	N/A	N/A
2014	0	N/A	N/A	N/A	N/A
2015	0	N/A	N/A	N/A	N/A

Cambridge Commons • 2323 N. Cambridge Ave., Milwaukee, WI 53211

Year	# of Fires	Cause	# of Injured Receiving Treatment	# of Deaths	Property Damage (\$)
2013	0	N/A	N/A	N/A	N/A
2014	0	N/A	N/A	N/A	N/A
2015	0	N/A	N/A	N/A	N/A

RiverView Residence Hall • 2340 N. Commerce St., Milwaukee, WI 53212

Year	# of Fires	Cause	# of Injured Receiving Treatment	# of Deaths	Property Damage (\$)
2013	1	Student set fire to the paper towel dispenser in the RiverView Commons bathroom	0	0	\$61,000
2014	0	N/A	N/A	N/A	N/A
2015	1	Two students lit fliers on fire	0	0	\$5

Policies And Procedures Impacting Fire Safety

Fire Safety Systems In Student Housing

Sandburg Halls have the following fire safety systems currently in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and the University Police Department.
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.
- Residents with disabilities are accommodated according to their needs.

Note: Sandburg Halls are equipped with a fire alarm system that sounds independently in each tower.

Kenilworth Square Apartments have the following fire safety systems currently in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and the University Police Department.
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.

Residents with disabilities are accommodated according to their needs.

Purin Hall has the following fire safety systems currently in place:

- Fire alarm system with notification system throughout the entire building.

- Smoke alarms in each apartment.
- Egress corridors and stairwells are fire rated.
- Heat detectors in kitchen areas.
- Heat detectors in parking structure, boiler room, and generator room.

Cambridge Commons Residence Hall has the following fire safety systems currently in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and the University Police Department.
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.
- Residents with disabilities are accommodated according to their needs.

RiverView Residence Hall has the following fire safety systems currently in place:

- Complete automatic sprinkler system.
- Fire alarm system monitored by the UWM University Housing facilities staff and the University Police Department.
- Smoke detector in each resident room and each suite has an alarm and strobe light located in the hallway or common area within the suite or apartment.
- Egress corridors and stairwells are fire rated.

Policies On Portable Electrical Appliances, Smoking And Open Flames In Student Housing

On-campus housing facilities have prohibitions against the following activities:

- Smoking.
- Using lighted candles or other open flames devices.
- Cooking in unapproved areas (bedrooms) including use of toaster ovens and appliances with an open heating element. Microwaves are allowed in some areas.
- Use of space heaters, air conditioners.
- Ceiling fans, or auxiliary heating/cooling devices.
- Misuse of extension cords and power-strips.
- Tampering with or blocking any fire protection equipment.
- Possession of fireworks, live ammunition, flammable liquids and fuels, or other explosive or combustible materials.
- Use of halogen lamps or halogen bulbs, and any lamp with a plastic shade.
- Possession of hotplates, deep fryers, toasters, toaster ovens, waffle irons, soldering irons, or grills.

Additional information regarding fire safety within the residence halls is available on pages 18-19 of the University Housing Resident Handbook: https://pantherfile.uwm.edu/web/universityhousing/Forms/Contracts/2016/RH2015_WEB.pdf.

Student Housing Evacuation Procedures

The evacuation procedures are the same for all University Housing Facilities. University Housing's fire safety regulations are intended to prevent injuries to members of the University community and physical damage to facilities.

Rooms are inspected periodically, at random times, to assure compliance with University regulations. Because of the seriousness of the regulations that cover fire safety, University Housing imposes disciplinary action on the first offense. Such actions may include an educational and/or a disciplinary sanction (such as housing contract probation, contract termination (eviction from the residence halls), etc.).

In the event that an alarm is activated, the fire alarm will sound and the strobe lights will flash. Sandburg Halls, Cambridge Commons, Kenilworth Square, and RiverView Halls are each equipped with a public address system, and University Housing staff will provide instructions for the residents to follow in response to a fire alarm.

Residents should assume each alarm is genuine and respond according to directions given over the public address system. If the alarm is determined to be a false alarm, an "all clear" will be issued over the public address system. In the event of an actual fire emergency, residents will be instructed over the public address system to evacuate the building immediately. During an evacuation, residents must:

- Immediately evacuate the building using the nearest stairwell.
- If smoke or fumes are coming up the stairwell, a different stairwell should be used.
- Do not use the elevators. Depending on what activates the fire alarm, the elevators may go to the first floor and remain there.
- Once residents have exited the building, they must move as far away



as possible from the building to allow fire fighters access to the building.

- University Housing Staff will make clear announcements when the fire emergency has been resolved, and inform residents when it is safe to return to the building.

Fire Drills

In 2015, University housing facilities conducted 3 fire evacuation drills for all facilities and 1 fire evacuation drill for summer residents (Cambridge Commons and Sandburg Halls) and University Housing residential programs staff evaluated those drills in coordination with the Department of Safety & Assurances. The fire evacuation drills are conducted by activating each individual fire alarm system in each on-campus student housing facility. Two of the 4 drills occurred during the business day in buildings where there are office staff members, and the remainder occurred in the early evening hours when the majority of students were within the residence halls.

Elevator Use During Fires

When a fire alarm is sounded, elevators are programmed to go to the first floor of the building and remain locked out of normal service prevent building occupants from using the elevator during a fire. In the event of a fire or

Contacts

Associate Director of Housing/
Assistant Dean of Students
Sandburg Commons C134
(414) 229-6149

Residence Hall Addresses:
Cambridge Commons
2323 N. Cambridge Ave.
Milwaukee, WI 53211

Kenilworth Square Apartments
1915 E. Kenilworth Pl.
Milwaukee, WI 53202

Purin Hall
2600 E. Kenwood Blvd.
Milwaukee, WI 53211

RiverView Residence Hall
2340 N. Commerce St.
Milwaukee, WI 53212

Sandburg Residence Halls
3400 N. Maryland Ave.
Milwaukee, WI 53211

other emergency condition, the elevator can only be operated by trained firefighters.

Under no circumstances should anyone, other than a trained and experienced elevator technician, attempt to perform repairs to an elevator or its associated equipment, or attempt to rescue any entrapped passenger(s) unless a bona fide emergency, such as a risk to life or a fire, exists.

Under certain rare circumstances, when it is believed that a serious life/safety hazard exists, police or fire department personnel may access elevator shafts or cars using the proper procedures as outlined in ASME A17.4, "Emergency Evacuation of Passengers from Elevators."

Most campus elevators are equipped with emergency phones for the purpose of summoning aid for those stranded in a stalled elevator. Please identify yourself and the number from which you are calling. Identify the emergency, including type, location, injuries, and/or other known details to determine assistance needed. If possible, stay on the line until the dispatcher tells you that you can hang up.

Fire Preparedness

General

- Learn where emergency exits are located. All designated exits are clearly marked.
- Review the Emergency Evacuation Floor Plans for your building in advance of an emergency so that you are familiar with alternate routes in the event that your normal exit route is blocked by fire or smoke.
- Participate in fire drills. Fire drills are conducted to familiarize you with the sound of your building's fire alarm, the emergency exits which you may not normally use, and the procedures for calling the UWM Police.
- In case of fire evacuate through the nearest, safe stairwell. Do not use elevators.

If You Are Disabled

If you are disabled you should learn about fire safety, plan ahead for fire emergencies, and be aware of your

own capabilities and limitations. Look for "areas of refuge", like stair enclosures or the other side of corridor fire doors.

Most elevators are designed to stop operating when the alarm is sounding and are not safe during a fire. Sometimes it may be safer to stay in your room. Contact the Accessibility Resource Center (x6287; voice or TTY) or see our webpage on Emergency Evacuation of People with Disabilities for additional information.

Reporting Fires

Reporting of fires on the UWM campus occurs in several ways.

First, most fires are reported through automated smoke detector or rate-of-rise heat detector systems. Each campus building is served by an advanced automated fire detection system that sounds a local alarm and also sends an alarm to the campus 911 emergency system. The system dispatcher notifies the local fire department and sends law enforcement officers to the alarm location for further investigation. Automated sensors are located in rooms and hallways and also inside building ventilation ductwork.

Second, fires are reported by use of manual pull-boxes. The boxes, also connected to the advanced fire detection systems, activate the local alarm and send an alarm to the campus 911 emergency system.

Third, fires are reported by telephone and cellular phone calls to the campus 911 system. Users of campus telephones should dial 9-911 while cellular callers should dial (414) 229-9911 to reach the campus 911 dispatcher. The dispatcher contacts the local fire department and sends law enforcement officers to the alarm location for further investigation. Students should also report any fire in progress to a resident assistant (assigned by floor) or Housing security staff:

Sandburg and Purin Hall
Security Staff
414-229-6123

Cambridge Commons Security Staff
414-935-6900

RiverView Residence Hall
Security Staff
414-229-3595

Kenilworth Square Apartments
Security Staff
414-229-0512

Per federal law, the University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the UWM Police Department 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:

UWM Police Department
(non-emergency)
414-229-4627

Director of University Housing
414-229-4059

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

There is a reward for information leading the arrest of an arsonist. Causing a false alarm is punishable by a fine of \$5,000 and 5 years imprisonment. Vandalism of fire extinguishers, exit signs, and fire alarms robs you of your fire protection. Any person found responsible for these crimes will be prosecuted to the fullest extent of the law.

Plans For Future Improvements In Fire Safety

In 2014, University Housing upgraded half of the fire alarm doors at the common side entrances of all of the first and third floors in Sandburg Halls. As of 2015, all of the common side entrances of the first and third floors in Sandburg Halls were upgraded with replacement doors and handles. There are no current plans for future improvements in fire safety.