



2013 – 2014 CAMPUS SAFETY AND SECURITY REPORT

MESSAGE FROM THE DIRECTOR OF SECURITY

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, and is intended to disseminate important information to the campus community.

The primary mission of the Mitchell Community College Security Department is to provide for the safety and security of all members of the campus community—our students, faculty, staff and guests. The members of our department are committed to providing high quality public safety services and the prevention of criminal activity by working in partnership with the community members we serve and local law enforcement.

This publication is intended not only to communicate mandatory information, such as crime statistics and campus safety information to inform students, staff and potential employees, but also to assist prospective students and their families in the decision-making process of selecting a community college by describing the many ways in which we strive to keep this community safe.

We welcome and value your input, and thank you for your continued support.

David Heinmiller
Director of Safety and Security

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The Clery Act

In 1990, the Higher Education Act of 1965 (HEA) was amended to include the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542). This amendment required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998, the act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act in memory of Jeanne Clery, a university student who was killed in her dorm room in 1986. More commonly known as the Clery Act, this law requires colleges and universities to:

- Collect, classify and count crime reports and statistics
- Issue campus alerts
- Publish an annual security report
- Submit crime statistics to the Department of Education
- Maintain a daily crime log
- Disclose missing student notification procedures
- Provide fire safety information

Reporting Criminal Activities and Concerns

Security at Mitchell Community College is coordinated by:
Director of Security and Campus Operations (704-978-5444)
Vice President for Student Services (704-878-3281)

The Mitchell Community College Security staff is on duty during business hours to respond to emergency and non-emergency issues. In the event of an emergency situation, or if you perceive a situation to be dangerous, please call 911 immediately (9-911 from any campus extension). The Statesville or Mooresville police departments, Statesville or Mooresville fire departments, and county ambulance service are located within a mile of campus.

Anyone may report Mitchell policy violations or standards of behavior by completing an incident report form. This form is available on the Mitchell website or the Security Department. Forms are available in the Security offices at all campus locations. All incident reports are investigated and maintained by the Security Department. *Student Rights, Responsibilities and Judicial Procedures* are listed in the *Mitchell Community College Student Handbook*.

Campus Security Authorities

Although the reporting of criminal activity directly to the Mitchell Security Department is encouraged, crimes may also be reported to Campus Security Authorities (CSA).

CSAs are college officials who have responsibility for campus security or who have significant responsibility for student and campus activities. Campus Security Authorities are responsible for forwarding non-identifying information to the Mitchell Security Department for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges.

As defined under the Clery Act, CSAs include college Vice Presidents, deans and faculty advisors to student groups, and campus staff involved in disciplinary and judicial proceedings.

Please be aware that information forwarded by CSAs is for statistical purposes only. If you wish to have your case reviewed and investigated, you must file a report with the Mitchell Security Department. You may also wish to pursue criminal charges by reporting the crime directly to local law enforcement.

Voluntary/Confidential Reporting

If you are the victim of a crime and do not wish to pursue action within the College or criminal justice system, you are encouraged to consider filing a confidential report for purposes of inclusion in the annual disclosure of crime statistics. These types of reports can be made to the Mitchell Security Department or any Campus Security Authority. The information can enhance community safety by allowing the college to keep a more accurate record of crimes, helping to determine whether a pattern of crime exists, and alerting the campus to potential danger.

Security and Access to Campus Facilities

Most Mitchell facilities are open to the public during day and evening hours, Monday-Friday. On weekends and federal holidays, most Mitchell facilities are closed and locked, admitting only faculty, staff and/or others with proper authorization.

Mitchell provides several parking areas on or adjacent to our campuses. These lots are routinely patrolled during the day and evening business hours by Campus Security. The College strives to ensure adequate patrolling and lighting in these areas.

Anyone observing a safety or security concern in any Mitchell facility is encouraged to contact the campus security officer on duty. Efforts to ensure the safety and security of the Mitchell community are a top priority.

Campus Security

Campus security personnel are present on our campuses during days and evenings when classes are in session. They carry cell phones from which they can place or receive calls, coordinate campus alerts, and/or respond to campus emergencies. They are able to respond and place emergency calls to the Iredell County Emergency Operations Center or local police.

It is the duty of each of us to help keep our campus safe and to report violations of law or policy or suspicious activities to the appropriate personnel.

Alcohol and Illegal Drugs

Mitchell is responsible for maintaining a high standard in the classroom and in the activities outside the classroom. All College rules, regulations and guidelines must comply with state laws. The legal age in North Carolina for purchasing alcoholic beverages is 21.

All members of the campus community are expected to obey the law and be responsible for their conduct. Alcoholic beverages are not allowed on any Mitchell Community College property. The use of all tobacco products is also not allowed on College property.

Students are not to possess, use, manufacture, or traffic in any substance illegal under state or federal law or to use controlled substances illegally. Mitchell absolutely prohibits the use, consumption, sale, purchase, transfer or possession of any controlled substance by any member of the campus community in class or while in attendance at Mitchell sponsored activities.

In addition, students are strictly prohibited from being under the influence of alcohol or any controlled substance while attending Mitchell or sponsored training sessions or meetings. Legally prescribed medications are excluded from this prohibition and permitted only to the extent that the use of such medications does not adversely affect the student's safety and/or the safety of others. Any student who violates this policy shall be subject to disciplinary action, which may include referral for drug and alcohol counseling and/or treatment, up to and including expulsion.

Weapons Policy

It is the policy of Mitchell Community College to prohibit weapons from all college premises. (Reference Mitchell Weapons on Campus Policy 06-18.) For the purpose of this policy a weapon is defined by North Carolina State law as, but not limited to, any instrument, article, or substance which is specifically designed for and presently capable of causing death, incapacitation, or serious physical injury. Effective Oct. 1, 2013, the NC Legislature enacted a provision to allowed concealed handgun permit holders to secure their handgun in a locked container within their locked vehicle while on college campuses. Mitchell will enforce the guidance/restrictions of this law. Information on NC Firearms Laws can be found at www.ncdoj.com.

This policy does not apply to any sworn law enforcement officer having law enforcement jurisdiction where the campus is located or to any law enforcement officer who is mandated to carry a firearm at all times by departmental policy. In addition, any such law enforcement officer who will be carrying a weapon in a classroom pursuant to an exception to the campus weapons prohibition must also make the instructor of record aware of the circumstances in a timely manner.

Violation of this policy will result in disciplinary sanctions in addition to any criminal or civil sanctions imposed by law.

Timely Warnings/Notification Bulletin

In the event that a situation arises, either on or off campus, that may in the judgment of the director of security constitute an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued through, but not limited to, the College email system and/or its emergency notification system to students, faculty and staff.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the campus community and individuals, the Security Department may also post a notice on the College's website

Anyone with information warranting a timely warning should report the circumstances to Mitchell security officers by phone (cell) 704-880-2569, (office) 704-878-4367 or in person. The Security Department is located at 101 South Race Street in Statesville directly across the rear parking lot from the Main Building.

Emergency Notifications

Upon confirmation of a serious or emergency situation that poses an immediate threat to the health or safety of the campus community, a campus wide notice will be disseminated, unless issuing a notification will, in the judgment of the responding authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Events that qualify for emergency notifications include, but are not limited to, the following:

- Outbreak of a serious contagious illness
- Approaching tornado, hurricane or other extreme weather conditions
- Earthquake
- Gas leak
- Terrorist incident
- Armed intruder
- Bomb threat
- Civil unrest or rioting
- Explosion
- Nearby chemical or hazardous waste spill
- Aircraft crash
- Fire

The notification will be distributed as soon as possible under the following guidelines: Authority to activate a public notification will rest with the director of security. The director of security may designate agents with the authority to activate a notification. In situations when there is not time for consultation, the IT director may initiate a notification.

Sexual Assault

Victims of any sexual offense occurring on Mitchell Community College owned or controlled properties should immediately report the incident to the Security Department and law enforcement. The student will be informed of their option to notify proper law enforcement authorities and, if requested, College personnel will assist the student in doing so. It is critically important that a victim who is sexually assaulted:

- 1) Immediately seek medical attention.
- 2) Carefully preserve all physical evidence, and do not bathe or wash clothing.
- 3) Be willing to notify law enforcement officials of the assault and be willing to prosecute. Upon the student's request, Mitchell will make reasonable efforts to change a victim's academic schedule after an alleged sexual assault incident.

Regarding disciplinary action in cases involving sexual offenses, the accuser and the accused have the same opportunity of having others present during disciplinary proceedings. Both the accuser and the accused shall be informed of the outcome of any institutional disciplinary proceeding and any sanction that is imposed against the accused. Sanctions imposed upon final determination of an on-campus disciplinary

procedure regarding sexual assault, or other sexual offense (forcible or non-forcible) may include a formal warning, probation, suspension, or expulsion.

A list of registered sex offenders living in the Iredell County area or anywhere in North Carolina is available on the Internet through the Iredell County Sheriff's website at: <http://www.iredellsheriff.com> or the NC Attorney General's website sexoffender.ncdoj.gov.

Referral Services

Students who have been victims of a sexual offense, who have substance abuse problems, are victims of domestic violence, or are experiencing other personal or relational problems which may require counseling or assistance, should speak to a counselor in Student Services. Mitchell counselors may be able to assist students with concerns or may provide a referral to an off-campus resource for assistance.

- The Counseling Center on the Historic Main Campus is located in the Student Services Center (Suite 103) and can be reached by phone at 704-878-3242.
- The Counseling Center on the Mooresville Campus is located on the lower level of Building A and can be reached by phone at 704-978-5415.
- In the event of a mental health emergency, call 911.

Other qualified counseling professionals organizations can be found in the Yellow Pages of the telephone directory.

Lost and Found

The Security Department at the Historic Main Campus maintains found property for the campus. Contact us during business hours at 704-878-4367 to see if someone has turned in your lost item.

Disclosure of Campus Crime Statistics

Students, staff and/or faculty members may report criminal acts or other emergencies by contacting the Mitchell director of security (704-978-5444) or the local police department directly. Anonymous reports of criminal acts may be made by contacting the Mitchell director of security or the vice president for student services.

Records for crime statistics are compiled by the director of security from local law enforcement agencies near all Mitchell's campuses for the purpose of the following institutional data regarding crime statistics.

Offense Definitions

Per the Clery Act, crimes are classified based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR). For sex offenses only, the definitions used are from the FBI's National Incident-Based Reporting System (NIBRS) edition of the UCR. Hate crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. Although the law states that institutions must use the UCR for defining and classifying crimes, it doesn't require Clery Act crime reporting to meet all UCR standards.

Murder and Non-Negligent Manslaughter—the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter—the killing of another person through gross negligence.

Sex Offenses, Forcible—any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent.

There are four types of forcible sex offenses:

- **Forcible Rape** is the carnal knowledge of a person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
- **Forcible Sodomy** is oral or anal sexual intercourse with another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.
- **Forcible Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."

Sex Offenses, Non-forcible—incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:

- **Incest** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent. If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.

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

Aggravated Assault—an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary—the unlawful entry of a structure to commit a felony or a theft. The UCR classifies offenses locally known as burglary (any degree) as unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts at these offenses as burglary.

Motor Vehicle Theft—the theft or attempted theft of a motor vehicle.

Arson—any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes—any of the aforementioned offenses, larceny, simple assault, intimidation and vandalism reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Categories of bias are:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward and responsiveness to members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Ethnicity/national origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Liquor Law Violations—the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Drug Law Violations—the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use; the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

Weapons Law Violations—the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

Geographic Definitions

On Campus

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 to paragraph (1) of this definition, 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).

Non-campus Building or Property

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property

All public property (including thoroughfares, streets, sidewalks and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus.

Mitchell Community College Campuses for Clery Reporting are listed below:

Historic Main Campus

500 West Broad Street, Statesville, NC 28677

Phone: 704-878-3200

Mooresville Campus

219 North Academy Street, Mooresville, NC 28115

Phone: 704-663- 1923

**** Crime statistics are report in every September and cover the previous calendar year. Mitchell's last report was completed in September 2013, and reflects our required 2012 data.**

**Mitchell Community College Campus Crime Reporting
For Years 2010, 2011 & 2012**

Historic Main Campus - Statesville

Category	2010	2011	2012
Murder/Non-Neg. Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sex Offense	0	0	0
Non-Forcible Sex Offense	0	0	0
Statutory Rape	0	0	0
Incest	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	1	0	1
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Illegal Weapon Arrests	0	0	0
Hate Crimes (reported by specific offenses)	0	0	0
Disciplinary referral-Liquor Law	0	0	0
Disciplinary referral-Drug Law	0	0	0
Disciplinary referral-Illegal Weapons	0	0	0

Mooreville Campus - Mooreville

Category		2011	2012
Murder/Non-Neg. Manslaughter		0	0
Negligent Manslaughter		0	0
Forcible Sex Offense		0	0
Non-Forcible Sex Offense		0	0
Statutory Rape		0	0
Incest		0	0
Robbery		0	0
Aggravated Assault		0	0
Burglary		0	0
Motor Vehicle Theft		0	0
Arson		0	0
Liquor Law Arrests		0	0
Drug Law Arrests		0	0
Illegal Weapon Arrests		0	0
Hate Crimes (reported by specific offense)		0	0
Disciplinary referral-Liquor Law		0	0
Disciplinary referral-Drug Law		0	0
Disciplinary referral-Illegal Weapons		0	0