



CARTHAGE
COLLEGE

Promoting and Maintaining a Secure Environment

Carthage College is required by federal law to publish an Annual Security Report by Oct. 1 of each year. The most recent Annual Security Report is below.

**Compiled by the Dean of Students Office
Carthage College, Kenosha, Wisconsin, 53140-1994
Phone 262.551.5800/Fax 262.551.5989**

2022 Calendar Year

Published on September 29, 2023

FORWARD

Carthage is committed to maintaining a safe campus. This document presents the College policies and procedures designed to create and maintain a safe, collegial environment. The College believes that maintaining a safe campus results from an informed and educated community. The information herein promotes a safe living and working environment educating and informing members of the Carthage community about the nature and frequency of criminal acts on campus. This brochure is prepared and distributed in compliance with The Crime Awareness and Campus Security Act of 1990. Questions should be directed to the Dean of Students Office at Carthage. Similar to many other small, private colleges, Carthage generally has been free from the threat of many types of crimes. The College's location, unlike that of many larger and urban schools, is a component of campus safety. While violent crimes are infrequent, the institution and all members of the community must collectively accept responsibility to be aware of the potential for crime and to cooperate to reduce risks where they may exist. Beginning with campus awareness programs at the start of each academic year and continuing throughout the time that students are at Carthage, the professional staff of the Dean of Students Office is committed to educating the student body about personal safety. Educational programs occur in each residence hall and other campus buildings on a variety of social topics, including responsibilities of communal living, crime prevention, state and federal laws governing alcohol and drug possession, the pharmacological effects of alcohol and other drugs, and the procedures for reporting crimes.

REPORTING A CRIME

Carthage encourages all members of the community to report the occurrence or the suspected occurrence of criminal activity to professional staff of the College. Information Reports are available through all Residence Life staff members, Carthage Public Safety, and in the Dean of Students Office in the Todd Wehr Center. In a situation where a threat to personal safety exists or where time is of the essence, a verbal report should be made to any member of the Residence Life staff, Carthage Public Safety, or the Kenosha Police Department. Timely warning reports to members of the community will be made in the occurrence of crimes for which there is a reporting obligation. In a non-emergency or non-threatening situation, any member of the community may file an Information Report with any member of the Residence Life staff, Dean of Students staff and/or Carthage Public Safety. There are

no policies or procedures that allow victims or witnesses of a crime to report those crimes on an anonymous basis. The report of a violation of Carthage policy will be investigated according to the procedures set forth in the Student Community Code. Students are encouraged to report violations of law to the local police as well as to the Campus authorities. The Dean of Students Office makes the initial investigation of all Information Reports that may result in, or lead to, disciplinary action. The initial investigation and disciplinary decisions may be made on the evidence presented, despite the student's absence in cases where the student elects not to be present. Normally, a student will be notified of the alleged violations of policy and will be given 24 hours to respond to an initial investigation request. The time period for the investigation and the appeals process may be shortened to allow an expedient response near the end of an academic term or in a potentially dangerous situation. The Dean of Students and/or the Associate Dean of Students reserve the right at any time to immediately suspend a student from the campus, pending the conclusion of the conduct process. Following the investigation, the Dean of Students Office shall determine either that the accusation has no merit or that a violation has occurred and disciplinary proceedings are required. Sanctions for violations of policy will be consistent with the disciplinary procedures set forth in the Student Community Code.

PHONE NUMBERS

Carthage Public Safety	551-5911
Dean of Students Office	551-5800
Residence Life Staff	551-6169

Report all Crimes and violations of policy to the Dean of Students Office or to Carthage Public Safety.

CARTHAGE PUBLIC SAFETY

Carthage Public Safety, located on the Terrace level of Johnson Hall, can be contacted at extension 5911. The Public Safety office is staffed 24 hours per day. Public Safety Officers are trained to provide security and safety for the institution. Public Safety staff are not deputized law enforcement officers and do not have police arresting authority. Their functions include: assuring the safety of the community members on campus, making periodic inspection tours of buildings and grounds, guarding against fire, theft and illegal entry, enforcing traffic and parking regulations, and aiding in maintaining an orderly campus environment. Public Safety officers are authorized to ask students for identification and assistance in the course of carrying out their duties and expect students to comply. On behalf of the College, Public Safety maintains a working relationship with the Kenosha Police Department and the Kenosha County Sheriff's Department. Should situations warrant, Public Safety may ask for Police Department and Sheriff personnel to respond to problems on campus. Normal procedure is for these enforcement agencies to contact Public Safety before entering campus with the intent of investigating a situation or questioning a student. Carthage students, employees and guests are subject to all local, state, and federal laws, in addition to College policies set forth in the Carthage Student Community Code, & the Employee/Faculty Handbook.

Fire evacuation drills are performed each semester and building have signage for shelter in place for any indoor evacuation to a lower level.

TIMELY WARNINGS AND EMERGENCY RESPONSE

Carthage utilizes Everbridge as an emergency notification communication tool. New campus community members are invited to sign up and can update their contact number as needed. A test of the system occurs each semester.

Carthage will disseminate “timely warning” emergency notifications through Everbridge to the campus community about certain crimes that present a continuing threat to the campus community. “Timely warnings” per the Clery Act, the intent of emergency notifications is to warn of a criminal incident so that people will be enabled to protect themselves. The Clery Act requires Carthage to distribute timely warnings regarding certain crimes that occur within Carthage’s geography and represent a serious or continuing threat to the safety of students, faculty, and staff.

Determination on issuing a timely warning will include: where the crime occurred, the nature of the crime (serious/non-serious, violent/non-violent), the nature of the threat (general vs. limited vs. specific person), and whether or not there is a continuing danger to the community or continuing crime pattern.

The Everbridge system will notify the campus community via e-mail and text. Issuance of timely warnings will generally be initiated by the Director or Assistant Director of Public Safety in consultation with a duty staff person. A timely warning typically includes the following, unless issuing any of this information would risk compromising law enforcement efforts:

- The date and time or timeframe of the incident
- A brief description of the incident
- Information that will promote safety and resources
- Suspect description(s) when deemed appropriate and there is sufficient detail
- Information regarding any law enforcement agencies involved

The college will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Staff are available 24/7 to respond to student emergencies. The Office of Public Safety is staffed at all hours of the day. Professional Residence Life live on staff participate in a duty rotation. The Dean of Students, Associate Dean of Students, Director of Residence Life, and Assistant Director of Residence life participate in a duty rotation to provide support to those on campus via phone and to respond if needed to campus.

MISSING STUDENT NOTIFICATION PROCEDURES

In compliance with the Higher Education Re-authorization Act of 2008, the purpose of this policy is to provide the procedures for reporting, investigating and making emergency notifications regarding any resident students of Carthage College who are believed to be missing.

Any member of the Carthage community, including both employees and students, who is concerned that a member of the Carthage community is missing should contact the Dean of Students Office (262) 551-5800 or Carthage Public Safety (262) 551-5911, as soon as it is determined that the individual is missing as defined below.

In emergency situations the Kenosha Police Department should be contacted immediately by dialing 911 or (262) 656-1234.

For purposes of this policy, a student may be considered to be a “missing person” if the person’s absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the

missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

Any report of a missing student will be investigated by appropriate College personnel under the coordination of the Dean of Students Office and Carthage Public Safety. Further, the College will notify the Kenosha Police Department or other appropriate law enforcement agency no later than 24 hours after the time that such student has been determined to be missing.

Each resident, on or before checking into his/her assigned room has the option of identifying the name and contact number of the individual(s) who are a primary contact to be notified in case of an emergency or in the event that the resident is reported missing. In the event the resident is under the age of 18 and is not emancipated, the College is required to have the primary emergency contact be a custodial parent or guardian. The College will initiate the emergency contact provisions in accordance with each resident's designation no later than 24 hours after the student has been determined to be missing.

PROGRAMS DESIGNATED TO PREVENT CRIMES AND EDUCATE

The Office of Student Life, Public Safety, and Residence Life Staff sponsor educational and preventive programs to promote safety and the role of personal responsibility in crime prevention. Programs and safety features include:

- * personal safety and reducing the risk of becoming a victim
- * bystander intervention
- * guest registration policies and responsibilities
- * card scanners, door locks, and general safety features of the halls
- * responsibilities of Carthage Public Safety Officers & Residence Hall Staff
- * policies governing the reporting of crimes and investigation by the College

These programs are presented at the beginning of fall semester and in the orientation programs. They are also presented periodically during the semester, and information regarding these topics is always available from the Office of Student Life.

ACCESS TO BUILDINGS

The Carthage campus is closed to the public and to unregistered guests each day from 12:00 a.m. to 6:00 a.m. All entrance and exit doors of the residence halls are locked 24 hours-a-day. Access to the residence halls is limited to members of the Carthage community with valid ID cards and registered guests. Exterior doors of the halls are equipped with electronic scanners that read Carthage ID cards and unlock in response to properly encoded ID cards. All resident students have access to their own residence hall 24 hours a day and to all other halls from 7:00 a.m. to midnight. From 8:00 p.m. to midnight, Residence Life staff members are stationed at the desk in the lobby of each residence hall. All exterior doors of the halls are monitored from the lobby desk and the staff member is in telephone contact with the Carthage Public Safety Office. Campus Public Safety Officers and the Residence Life staff make rounds in the residence halls from 8:00 p.m. to 7:00 a.m. Guests should be registered by their student hosts in the Campus Public Safety Office (Johnson Hall, Terrace level). Listed below are the hours for campus buildings during the academic year.

Campbell Student Union

Sunday – Saturday 24 hours
Lower/1st floor
ID Access 12:00 am – 6:00 am

Hedberg Library

Monday – Thursday 7:30 am – 12:00 am
Friday 7:30 am – 8:00 pm
Saturday 9:00 am – 5:00 pm

2nd floor 6:00 am – 10:00 pm Sunday 12:00 pm – 12:00 am

Fritch Chapel

Sunday – Thursday 6:00 am – 10:00 pm
Friday – Saturday 6:00 am – 8:00 pm

Johnson Arts Center

Sunday – Thursday 7:00 am – 1:00 am
Friday – Saturday 7:00 am – 11:00 pm

Lentz Hall

Monday – Thursday 7:00 am – 10:30 pm
Friday 7:00 am – 8:00 pm
Saturday 7:00 am – 5:00 pm
Sunday 7:00 am – 8:30 pm

Todd Wehr Center

Sunday – Saturday 6:00 am – Midnight

Joan C. Potente Chapel

Sunday – Thursday 6:00 am – 10:00 pm
Friday – Saturday 6:00 am – 8:00 pm

Siebert Chapel

Sunday – Saturday 7:00 am – 10:00 pm

Straz Center

Monday – Thursday 7:00 am – Midnight
Friday 7:00 am – 11:00 pm
Saturday 7:00 am – 11:00 pm
Sunday 7:00 am – 12:00 am

N.E. Tarble Athletic and Recreation Center

Monday – Thursday 6:00 am – 11:00 pm
Friday 6:00 am – 9:00 pm
Saturday 8:00 am – 8:00 pm
Sunday 11:00 am – 11:00 pm

GENERAL SAFETY AND SECURITY POLICIES

Carthage Facilities staff regularly maintains campus lighting, landscaping, and exterior door functionality.

Carthage does not have any recognized Student Organizations locations off-campus. Any concerns of behavior at an off-campus location will be referred to local law enforcement.

ALCOHOL & OTHER DRUG ABUSE (AODA) POLICY

Carthage recognizes that students often need education and assistance because a person significant to them is affected by chemical dependency, or because they require support in their own decisions not to use or abuse alcohol and/or other drugs. Since chemical dependency frequently precedes AODA, Carthage wishes to provide education and assistance to any students displaying the signs of such harmful involvement. Chemical dependency is a serious illness that can be treated successfully if identified early, if appropriate referral to community agencies is made, and if adequate support is afforded those who are in the process of recovery. Carthage adheres to the laws of the State of Wisconsin regarding the consumption of alcohol, thereby recognizing that individuals under the age of 21 are not of legal drinking age. Given that the majority of the student body at Carthage is under the legal age for purposes of the possession or use of alcohol, the College policy accommodates that majority.

2022 Calendar Year – 40 reported alcohol and illegal drug incidents involving 75 students

2021 Calendar Year – 54 reported alcohol and illegal drug incidents involving 138 students

2020 Calendar Year – 66 reported alcohol and illegal drug incidents involving 207 students

Inappropriate public display of signs, posters, or other objects with references to alcohol, drugs, and accumulations of containers (i.e., bottles, cans, kegs, and boxes) are prohibited.

Student organizations are responsible for adhering to the Alcohol and Other Drug policy. In addition to individual student sanctions, organizations may be subject to a conduct process for hosting an event or promoting an environment that violates this policy.

All violations of Carthage policies or state and federal laws are subject to sanction under the community code. The students' rights and responsibilities outlined herein will be adhered to as the standard administrative practice regarding student discipline and students' rights. The entire campus community must assume the role of promoting and enforcing a sense of personal responsibility and exhibiting responsible behavior toward the consumption of alcohol and other drugs.

1. The possession, manufacture, sale, use, consumption or delivery of alcoholic beverages or controlled substances, or paraphernalia associated with the use of alcohol or other controlled substances by students on the campus of Carthage is prohibited (except; as noted in number 7, on following page). This paraphernalia includes but is not limited to: bottles and cans that contain or previously contained alcohol; bongs or devices used for drinking or smoking; "bar like" or game table structures, tappers, kegs, waste containers in excess of 5 gallons. The rule will be strictly enforced.

2. Use or possession of alcoholic beverages or controlled substance by students off campus is governed and controlled by the laws of the state and/or local law enforcement agencies. Carthage will cooperate with state and/or local law enforcement agencies and owners or proprietors of bars, taverns, restaurants, or other establishments to counteract known violations of College policy and state and local laws by students or student groups associated with the College.

3. Students in the presence of alcohol and/or other drugs, but not using will be subject to the same disciplinary action under the AODA policy. The college will also consider all individuals found in a public location where alcohol and/or other drugs is present to be in violation of AODA policy.

4. Undesirable conduct stemming from off-campus usage of AODA is subject to disciplinary action by the College, as outlined herein.

5. Any group or organization which permits undesirable conduct stemming from off-campus AODA usage is subject to disciplinary action by the College, as outlined herein.

6. The residence halls at Carthage shall be considered student Alcohol and Drug-free zones at all times. Likewise, WOH's Place shall be considered a student Alcohol and Drug-free zone at all times during the academic year. The College reserves the right to inspect any and all parcels brought onto campus, to confiscate alcoholic beverages or other controlled substances and the paraphernalia associated with the use of alcohol or other controlled substances, and initiate disciplinary procedures. Carthage respects each student's right to privacy, but reserves the right to inspect students' rooms and packages as outlined in the "Student Room Entry" section of this *Handbook*. Examples of probable cause are odor, loud noise, observable alcohol and/or other drugs, or other evidence of drug usage. In the event of an incident, all containers and paraphernalia previously outlined in this policy will be emptied and discarded.

7. The College reserves the right to serve alcoholic beverages, at its discretion, at events in the Todd

Wehr Center or elsewhere on or off campus (with the exceptions noted above) to individuals who are of legal drinking age. The College also reserves the right to monitor alcohol consumption by individuals at these events, and to take appropriate steps to assure the safety of all concerned. The College may invite students who are of legal drinking age to such events.

8. Students are not permitted to transport or consume alcohol, or other drugs, on College sponsored trips.

Sanctions for Alcohol Violations

1. Violations of Carthage AODA Policy will be considered cumulative during the entire period the student is enrolled as a Carthage student in determining disciplinary action for repeated violations of the policy.

2. Disciplinary action will be taken with regard to the use or abuse of controlled substances. A violation may result in a student's suspension or dismissal from Carthage. Local law enforcement agencies may be summoned, AODA assessment may be required, fines may be assessed, and action similar to other AODA violations may be imposed.

3. Disciplinary sanctions increase in their severity with repeated student infractions of the alcohol and other drug abuse policy. Disciplinary sanctions may also be increased in their severity with the presence of common sources of alcohol.

The following sanctions shall be employed:

a) First Offense - one point assessed; \$25 fine imposed, may be required to attend an AODA Workshop (failure to attend workshop will result in further disciplinary action), possible community services or educational assignment, and/or possible chemical use assessment/evaluation and/or treatment paid for by the student.

b) Second Offense - two points assessed; \$150 fine imposed; required to attend an AODA Workshop (failure to attend workshop will result in further disciplinary action), disciplinary probation and/or suspension, possible community service or educational assignment, possible disciplinary probation and/or suspension; and possible chemical dependence evaluation/assessment and/or treatment paid for by the student.

c) Third Offense - two points assessed; \$250 fine imposed and/or suspension/dismissal from the College (length dependent upon severity of accompanying offenses); mandatory chemical dependency evaluation/assessment and/or treatment paid for by the student; and possible community service.

d) Subsequent Violations of the AODA Policy - two points assessed; a \$350 fine imposed and suspension/expulsion from the College (length dependent on severity of accompanying offenses); recommendation for chemical dependency evaluation/assessment and/or treatment paid for by the student.

NOTE: Fines collected for violation of the alcohol policy are dedicated to alcohol abuse prevention and educational programming.

The AODA policy is also available in the Community Code. The Community Code is available at the Dean of Students Office or on-line at: <https://www.carthage.edu/current-students/community-code/>

EMPLOYEE DRUG- FREE SCHOOLS AND COMMUNITIES ACT

The unlawful possession, use, or distribution of illicit drugs and alcohol by employees of the College is strictly prohibited. Employees who violate these standards of conduct are subject to disciplinary sanctions. These sanctions may include but are not limited to termination of employment and referral for prosecution.

Carthage personnel have both a moral and legal obligation to meet the highest standards of ethical conduct, as they serve as an example to all Carthage students. As a condition of continued employment, Carthage may require a drug screen for identification of the use of illicit substances or participation in an appropriate rehabilitation program. Carthage College places great importance on eradicating drug and alcohol abuse. Therefore, Carthage strongly discourages the unauthorized or illegal use of drugs and alcohol by both students and employees.

To comply with federal law, all employees are required to notify the Director of Human Resources within five days after a conviction for any criminal drug statute. For employees working in connection with a federal grant, Carthage must report this conviction to the granting agency and impose an appropriate sanction or require the satisfactory participation in an appropriate rehabilitation program. An employee who fails to report such a conviction will be subject to immediate termination of employment.

Criminal sanctions

Not only does the violation of drug and alcohol abuse rules jeopardize your status as an employee, but you also may be charged criminally under local, state, or federal law for unlawful possession, use, or distribution of illicit drugs and alcohol. Criminal penalties are significant as fines, imprisonment, or both may be imposed. Although penalties are periodically revised, required minimum penalties, including mandatory imprisonment, are common.

Sanctions

Where an employee violates the terms of this policy, the employee shall be subject to sanctions, which include but are not limited to:

- Oral or written reprimand
- Unpaid suspension
- Participation in an appropriate drug or alcohol rehabilitation program
- Periodic screening for the use of illicit substances
- Termination of employment

Drug or Alcohol Abuse Counseling

Help is available for employees who are having problems with drugs or alcohol. Before disciplinary problems arise, an employee should consider counseling. A free and confidential meeting is available through the office of the Campus Pastor. Outside counseling services are also available free of charge through the College Employee Assistance Program (EAP). Please contact the Director of Human Resources for more information.

TITLE IX POLICY AND PROCEDURE

Statement of Policy

Carthage is committed to creating a safe, healthy, and non-discriminatory environment for all students, staff, faculty, and visitors that is free from all forms of sexual harassment. As part of this commitment, Carthage does not tolerate any form of sexual harassment, which includes Quid Pro Quo and Hostile Environment Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking as defined by the Clery Act.

Scope of Policy

The Title IX policy covers student-to-student sexual harassment, employee-to-student sexual harassment, and student-to-employee sexual harassment. This policy extends to behavior that occurs on campus, property owned or controlled by the College, or a Carthage educational program or activity off-campus within the United States.

Title IX Coordinators

Any community member who has concerns about gender discrimination, including any concerns pertaining to sexual harassment, is encouraged to contact one of Carthage's Title IX Coordinators. They can provide information, guidance, and other resources to address sexual harassment and gender discrimination. A Title IX Coordinator can discuss general concerns, respond to a report of sexual harassment, or answer questions about the disciplinary process for sexual misconduct. Carthage's Title IX Coordinators are:

- Annette Duncan (Title IX Coordinator)
262-551-5883 – aduncan@carthage.edu – Lentz Hall 208
- Abigail Hanna (Deputy Title IX Coordinator/Student Designee)
262-551-6450 – aheinrichs@carthage.edu – Lentz Hall 403
- Megan Jones (Deputy Title IX Coordinator/Athletics Designee)
262-551-5713 – mjones11@carthage.edu – TARC 2075
- Chris Grugel (Deputy Title IX Coordinator/Employee Designee)
262-551-6555 – cgrugel@carthage.edu – Hedberg Library 212

Legal Compliance

This policy is intended to comply with the following laws:

- Title IX of the Education Amendments of 1972
- The Violence Against Women Reauthorization Act of 2013
- The Federal Education Rights and Privacy Act
- The 2020 Title IX Regulation

Application of Policy

A person who commits sexual harassment will be subject to disciplinary action under this Policy. Carthage will consider the concerns and rights of all parties involved, and provide a prompt, fair, and impartial process from its initial investigation through its final determination. A person who engages in retaliation against a party who reports sexual harassment or participates in proceedings under this Policy will also be subject to discipline under this Policy.

Definitions

Sexual Harassment

Conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct. (Quid Pro Quo).
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's educational program or activity. (Hostile Environment)
- Sexual assault, dating violence, domestic violence, or stalking as defined by the Clery Act.

Consent

Affirmative words or conduct indicating the freely, willingly, and knowingly given agreement to have specific sexual contact. A person cannot consent if incapacitated by drugs or alcohol, coerced into submission, unconscious, or otherwise physically or mentally incapacitated. Consent to one form of sexual contact does not imply consent to other forms. An existing relationship, past relationship, or prior consent does not imply consent to future sexual contact.

Sexual Assault

Sexual contact with another person, without that person's consent. A person's use of alcohol or drugs is not a defense to a sexual assault.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interactions between the persons involved in the relationship. For the purpose of this definition, dating violence:

- (1) Includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (2) Does not include acts covered under the definition of domestic violence.

Domestic Violence

A felony or misdemeanor crime of violence committed by:

- (1) A current or former spouse or intimate partner of the victim;
- (2) A person with whom the victim shares a child in common;
- (3) A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (4) A person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- (5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. For the purpose of this definition:

- (1) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (2) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(3) Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.

Complainant

A person who has experienced an incident of sexual harassment.

Respondent

A person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Report

Information regarding an incident of sexual harassment that is shared with an employee.

Retaliation

Intimidation, threats, coercion, harassment, discrimination, or violence against a person for reporting an incident of sexual harassment, filing a written complaint, or participating in a Title IX proceeding.

Reporting

Carthage's primary concern is student safety. Any person who reports an incident of sexual harassment will not be subject to discipline for reasonable violations of Carthage's Community Code related to reports of sexual harassment made in good faith.

Reporting helps Carthage protect community members who might be at risk and allows Carthage to take steps to prevent the recurrence of sexual harassment.

Community members who believe that they or any other community member have experienced sexual harassment are strongly encouraged to make a report to a Title IX Coordinator. Community members can also report an incident of sexual harassment to the Dean of Students Office, Carthage Public Safety, Residence Life staff, the Health and Counseling Center, or to a Carthage faculty or staff member.

Community members can contact Carthage Public Safety or Residence Life professional staff to make a report outside of normal business hours.

In an emergency, community members should contact Campus Public Safety at 262-551-5911 or the police at 911.

Individuals who experience sexual harassment often need time and space to process what happened. The following confidential resources are available to community members who do not know how they want to proceed and who would like to speak to someone in confidence:

- Campus Pastor, 262-551-5812
- Health and Counseling Center, 262-551-5710

All Carthage faculty and staff must promptly forward any reasonable suspicion of sexual harassment to a Title IX Coordinator, and forward any reports of sexual harassment to a Title IX Coordinator. In addition, Carthage faculty and staff must, if safe to do so, intervene or stop any sexual harassment that they observe.

Upon receiving a report of an incident of sexual harassment, Carthage will follow these procedures:

- (1) Either a Residence Life or Carthage Public Safety staff member will contact the complainant, ensure their current environment is safe, address any immediate health or medical concerns, and forward the report to the Title IX Coordinator.
- (2) As soon as possible, the Title IX Coordinator will contact the complainant to discuss the incident of sexual harassment and obtain additional information about that incident.
- (3) The Title IX Coordinator will also:
 - Inform the complainant that they can report the incident of sexual harassment to local law enforcement authorities, receive the investigator's assistance in making such a report, or decline to make such a report.
 - Inform the complainant that they have the choice to file a written complaint and pursue a sexual harassment proceeding under this Policy, and that such a proceeding will occur independently of any criminal investigation and proceeding.
 - Provide written information about the importance of preserving evidence of an incident of sexual harassment.
 - Provide written information about remedies and protective measures available to the complainant.

Supportive Measures

Carthage is committed to protecting complainants from the time an incident is reported through its resolution. Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and are not unreasonably burdensome to the other party while designed to ensure equal educational access, protect the safety, and deter sexual harassment. Carthage offers the following protective measures:

- No Contact Order—Parties involved in a report may not contact each other.
- Class Reassignment—If parties share a course, alternative arrangements will be made for one party.
- Facility Bans—The respondent and complainant may not enter certain areas of campus when/where the other party resides or is employed.
- Counseling through Carthage's Health and Counseling Center.
- Academic support through the Dean of Students Office.
- Academic accommodations through the Dean of Students Office.
- Referral to Women and Children's Horizons or the Wisconsin Coalition Against Sexual Assault for additional counseling and support.
- Other—In addition to the protective measures listed above, Carthage will consider any other reasonable requests from the complainant for protective measures.

Confidentiality

Carthage is committed to maintaining the privacy of everyone involved in a report of sexual harassment. In every investigation, hearing, and appeal, Carthage will make every effort to protect the privacy of the parties while balancing the need to investigate the alleged sexual harassment.

Information related to a report of sexual harassment will be shared only with those Carthage employees who are involved with the investigation, hearing, or appeal. All Carthage employees who are involved in these processes have received training regarding the safeguarding of private information. Carthage

will not release information about an investigation, hearing, or appeal except as required or permitted by law or Carthage policy.

Students who wish to obtain confidential assistance through on-campus or off-campus resources without making a report to Carthage may do so by speaking with professionals who are obligated by law to maintain confidentiality. The *Resources section* of this policy identifies such professionals. As a reminder, students may seek confidential assistance on campus through the Health and Counseling Center or the Campus Pastor.

If Carthage receives a report of an incident sexual harassment, but the complainant requests that their identity remain confidential, or declines to participate in the conduct process, Carthage will balance the requests with its responsibility to provide a safe and non-discriminatory environment for all community members. Carthage will take all reasonable steps to investigate and respond to the report consistent with such requests, while acknowledging that its ability to investigate may be limited by such requests.

If a report of sexual harassment reveals an immediate threat to the Carthage community, Carthage may issue a notice to the community to protect the health or safety of the campus community. This notice will not contain any identifying information about the person who experienced sexual harassment. Immediate threats include, but are not limited to, allegations of sexual harassment that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the Carthage community.

Title IX Procedure

Carthage will use this procedure to investigate every formal complaint. If the formal complaint identifies an employee as the respondent, Carthage will follow the procedures in Carthage's Faculty Handbook or Employee Handbook, which are analogous to this procedure. Carthage will follow this procedure as closely as possible, being mindful that circumstances may limit its ability to investigate, conduct a hearing, and levy sanctions.

Procedural Definitions

Report

Information provided about possible sexual harassment.

Formal Complaint

A written accusation of sexual harassment provided to the Title IX Coordinator or deputy that will trigger a formal investigation in this process. A formal complaint must be signed by the complainant or Title IX representative.

Complainant

A person who has experienced sexual harassment.

Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Preponderance of Evidence

Under the preponderance standard, the burden of proof is met when the party with the burden convinces the decision-makers that there is a greater than 50 percent chance that the claim is true.

Hearing Panelists

Carthage faculty and staff members serve on hearing and appeals panels. Hearing panelists will receive annual training on the definition of sexual harassment, the scope of Carthage's educational programs and activities, how to conduct an investigation and grievance process, how to serve impartially, and on technology used during hearings. Faculty members are appointed by the Office of the Provost, and staff members are appointed by the Director of Human Resources.

Hearing Panel

Three hearing panelists who conduct the hearing on and decide the outcome of a formal complaint, including any sanctions against the respondent. Every hearing panel will have a chairperson who presides over the process. Every hearing panel will have at least one faculty member and one staff member. If possible, every hearing panel will have at least one male and one female member. If, because of bias or a conflict of interest, a hearing panelist cannot participate in a hearing panel, another hearing panelist will take their place.

Appeals Panel

Three hearing panelists who review appeals from a hearing panel's decision on a formal complaint. Every appeals panel will have a chairperson who presides over the process. Every appeals panel will have at least one faculty member and one staff member. If possible, every appeals panel will have at least one male and one female member. Hearing panelists who served on the hearing panel for a written complaint will not serve on the appeals panel for the same written complaint. If, because of bias or a conflict of interest, a hearing panelist cannot participate in an appeals panel, another hearing panelist will take their place.

Title IX Advisor

Both the complainant and the respondent may choose one advisor who may accompany them to any meetings, hearings, and appeals in the process. A Title IX advisor is only for a party's emotional support when filing a formal complaint and through the investigation process. An advisor may not communicate with or speak on behalf of the complainant or respondent with the Title IX representative or the investigators. At the hearing, the party's advisor will ask the other party and any witnesses all relevant questions and follow up questions, including those challenging credibility. If a party does not have an advisor, one will be assigned with no fee for the live hearing.

Investigator

Carthage employees who investigate formal complaints of sexual harassment. If, because of bias or a conflict of interest, a party can request a different investigator at the notice of formal complaint. Contact information for the Dean of Students Office is listed in the Resources section of this Policy. Anyone who acts as an investigator will receive annual training on the definition of sexual harassment, the scope of Carthage's educational programs and activities, conducting an investigation that protects the safety of complainant(s) and assumes the innocence of the respondent(s).

Procedure

Carthage prefers to receive reports, take statements, hold meetings, and conduct hearings in person. However, extenuating circumstances, such as breaks between terms or the unavailability of certain parties, may require parties or witnesses to appear and communicate by telephone, video chat, or similar methods. At the request of the complainant or the respondent, and for good cause, meetings or hearings may be conducted with the complainant and the respondent in separate rooms. Complainants and respondents are treated equitably through the process.

Records

After the conclusion of the investigation and before any hearing, either the complainant or the respondent may review any information that will be used at the hearing, including any information gathered during the investigation that will not be used at the hearing. The investigators will notify parties in writing when the investigative summary is available and students will have 10 days to review prior to a live hearing.

Time Frame

Carthage expects investigations, hearings, and appeals will occur in a reasonably prompt time frame. Extenuating circumstances, such as breaks between terms or the unavailability of key parties, may cause delays. At any point, either the complainant or the respondent may request an extension of any dates or deadlines by writing to the investigators or hearing chair, who will notify both parties of any such extension in writing.

Investigation & Hearing

- Upon the filing of a formal complaint, the investigator will notify the respondent of the formal complaint, inform them of their rights and resources, and allow inspection of the formal complaint. The respondent may submit a written rebuttal as soon as possible after inspecting the formal complaint. Respondent(s) are presumed innocent until a determination by the hearing panel.
- The investigator will then review the written complaint and the respondent's rebuttal and investigate the parties' claims. The investigator may request statements from the parties or witnesses and may meet with witnesses, the complainant, and the respondent. The investigator will periodically update the complainant and the respondent regarding the progress of the investigation.
- Once the investigator has completed the investigation summary, they will inform the complainant and respondent so they may review and submit a response. After both parties have reviewed or 10 days have elapsed, the investigation summary will be sent to the hearing panel and a hearing will be scheduled.
- At that hearing, both the complainant and the respondent will have the opportunity to present evidence about the formal complaint. The hearing can include statements from the parties, questioning of the parties, questioning of witnesses, and presentation of documentary or physical evidence. The hearing panel will control the hearing and have sole discretion regarding the presentation of evidence.
- During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow up questions, including those challenging credibility. If a party does not have an advisor at the hearing, the institution will provide one, specifically for the purposes of conducting cross-examination on behalf of that party. Before any party or witness answers a question, the panel chair must first determine if the question is relevant. If the question is determined irrelevant, the panel chair must explain the decision at that time.
- After the hearing, the hearing panel will determine, by a preponderance of the evidence, whether the respondent violated the sexual harassment policy. If the hearing panel determines that the respondent

committed sexual harassment, the hearing panel will also assess an appropriate sanction against the respondent.

- The hearing panel chair will notify the Associate Dean of Students/Director of Student Conduct of the hearing panel's decision, its rationale, and any sanction in a written hearing summary. The Associate Dean of Students/Director of Student Conduct will then communicate the hearing panel's decision to the complainant and respondent and notify both parties of their rights to appeal in writing. If the parties do not appeal within three days of receiving notification, the hearing panel's decision is final.

Records

An audio, audiovisual recording or transcript of the hearing will be created and is available for the parties to review.

Appeals

Either the complainant or the respondent may appeal the hearing panel's decision within three days of receiving notification. A party may only appeal based upon one of the following grounds:

- New evidence that was not reasonably available at the time and that could affect the outcome of the matter.
- Procedural irregularity that affected the outcome of the matter.
- Bias or conflict of interest for or against complainants or respondents generally or the individual complainant or respondent, and that bias or conflict-affected the outcome.

The appealing party must submit a written statement to the Associate Dean of Students/Director of Student Conduct that requests and sets forth the basis of the appeal. The non-appealing party will be notified in writing when an appeal is filed. The Associate Dean of Students/Director of Student Conduct will convene an appeal panel. The appeal panel may do any of the following:

- Affirm the hearing panel's decision.
- Amend the original sanction.
- Require a new hearing and decision.

The appeals panel chair will notify the Associate Dean of Students/Director of Student Conduct of the panel's decision and rationale in a written summary. The Associate Dean of Students/Director of Student Conduct will communicate the outcome of the appeal and the rationale to the complainant and respondent in writing simultaneously.

The decision of an appeals panel is final.

Sanction

The penalty assessed against any respondent found responsible for violating the sexual harassment policy will include one or more of the listed sanctions:

- No Contact Order — The respondent may not contact the complainant.
- Probation — Any further violation of Carthage’s policies may result in immediate removal from the residence halls, suspension, or dismissal.
- Removal from Housing — The respondent will be removed from on-campus housing at Carthage and relocated to another or an off-campus residence.
- Ban from College Facilities — The respondent may not enter certain areas of campus or use certain campus services.
- Activity Restrictions — Restrictions may be placed on the respondent’s ability to participate in college activities (e.g. co-curricular, extra-curricular, or campus events such as athletic competitions, theater performances, speakers, or more.)
- Suspension — The respondent is dismissed as a student for a specified time (typically no less than the remainder of an academic term and could be years). Suspension can be a specific duration or indefinite and subject to later reconsideration. Unless otherwise specified, the suspension includes a ban from campus until the date the respondent is eligible for re-application.
- Expulsion — The respondent is permanently dismissed from Carthage. Unless otherwise specified, dismissal includes a ban from campus and no eligibility to return to Carthage.

Confidential Resources

The staff in the Health and Counseling Center and Center for Faith and Spirituality are confidential resources and are not obligated to report information to Title IX staff.

Health and Counseling Center
TWC
262-551-5710
health@carthage.edu

Center for Faith and Spirituality
Chapel
262-551-5810

Carthage also partners with Women and Children’s Horizons which provides advocate services. They can be reached on campus at 262-551-5745 or saadvocate@wchkenosha.org or anytime at 800-853-3503.

Educational Programs

The College presents information about the prevention and awareness of sexual harassment to all new students and faculty during their respective orientations, which includes:

- (A) An explanation and review of this sexual harassment policy;
- (B) A description of safe and positive options for bystander intervention; and

(C) Information about risk reduction.

The Dean of Students Office and Student Conduct have contracted with Vector to provide an online sexual assault prevention education course to all new students.

Ongoing education regarding sexual misconduct and Title IX topics is provided by the Health & Counseling Center, the Title IX committee and Student Conduct. These programs may be presented in classes, on residence hall floors, or for organizations. The content of these programs are tailored to the particular group or audience.

WISCONSIN STATE STATUTES AND CRIME INFORMATION

The Clery Act and Violence Against Women Act mandate that Carthage College provides domestic violence, dating violence, sexual assault, stalking and consent definitions applicable in its jurisdiction. It is important for Carthage community members to understand how these offenses are defined by law and to be aware of the penalties.

Sexual Assault – Wis. Stat. 940-225

First Degree Sexual Assault

Whoever does any of the following is guilty of a Class B felony. A person who commits a Class B felony can be imprisoned for up to 60 years:

- Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm.
- 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 to reasonably believe it to be a dangerous weapon.
- 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.

Second Degree Sexual Assault

Whoever does any of the following is guilty of a Class C felony. The penalty for a Class C felony is a fine of up to \$100,000 and/or imprisonment for up to 40 years.

- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- Has 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.
- Has sexual contact or sexual intercourse with a person who suffers from mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such conditions.
- 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.
- Has sexual contact or sexual intercourse with another person who the defendant knows is unconscious.
- 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.
- 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 the program.

- 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.
- 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.
- Is a licensee, employee, or non-client 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.

Third Degree Sexual Assault

Whoever has sexual intercourse with a person without consent of that person is guilty of a Class G felony. A person who commits a Class G felony can be fined not more than \$25,000 and/or imprisoned not more than 10 years.

Fourth Degree Sexual Assault

Whoever has sexual contact with a person without the consent of that person is guilty of a class A misdemeanor. A person who commits a Class A misdemeanor can be fined up to \$10,000 and/or imprisoned for up to 9 months in the county jail.

Note on Sexual Assault

Marriage is not a defense to sexual assault. A person may be prosecuted for assaulting his or her spouse. (Wis. Stat. 940.225 (6))

Consent – Wis. Stat. 940.225(4)

“Consent” 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. The following persons are presumed incapable of consent, but the presumption may be rebutted by competent evidence: 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.

Note on Consent

A person under 16 years of age is incapable of consent as a matter of law. Teens 16 and 17 years old can legally consent to sexual contact; however, they are deemed incapable of consenting to sexual intercourse as a matter of law. People who have a mental illness or deficiency, and people who are unconscious or physically unable to communicate, are assumed to be incapable of consent, but that assumption can be challenged in court.

Sexual Contact – Wis. Stat. S.940.225(5) (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:

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.

3. 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 Intercourse – Wis. Stat. s. 940.225(5) (b)

“Sexual intercourse” includes the meaning assigned under s. 939.22 (36) (requiring only vulvar penetration and not emission) 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.

Domestic Abuse – Wis. Stat. s. 813.12(1) (am)

“Domestic abuse” means any of the following engaged in by an adult family member or an 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 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.

1. Intentional infliction of physical pain, physical injury or illness.

2. Intentional impairment of physical condition.

3. A violation of s. 940.225 (1), (2) or (3). (Sexual assault)

4. A violation of s. 940.32. (Stalking)

5. A violation of s. 943.01, involving property that belongs to the individual. (Damage to property)

6. A threat to engage in the conduct under sub. 1., 2., 3., 4., or 5. (See 1-5 above)

b. “Family member” means a spouse, a parent, a child or a person related by blood or adoption to another person.

c. “Household member” means a person currently or formerly residing in a place of abode with another person.

cg. “Reasonable grounds” means more likely than not that a specific event has occurred or will occur.

cj. “Regular and direct contact” means face-to-face physical proximity to an individual that is planned, scheduled, expected, or periodic.

d. “Tribal court” means a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin.

e. “Tribal order or injunction” means a temporary restraining order or injunction issued by a tribal court under a tribal domestic abuse ordinance adopted in conformity with this section.

ag. “Dating relationship” means 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. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the

relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

Note on Domestic Abuse

Under Wisconsin law, dating abuse is considered a form of domestic abuse.

Stalking – Wis. Stat. s. 940.32

1. In this section:

a. “Course of conduct” means a series of 2 or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

1. Maintaining a visual or physical proximity to the victim.
2. Approaching or confronting the victim.
3. Appearing at the victim’s workplace or contacting the victim’s employer or coworkers.
4. Appearing at the victim’s home or contacting the victim’s neighbors.
5. Entering property owned, leased, or occupied by the victim.
6. Contacting the victim by telephone or causing the victim’s telephone or any other person’s telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
- 6m. Photographing videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim’s family or household or an employer, coworker, or friend of the victim.
8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
9. Delivering an object to a member of the victim’s family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
10. Causing a person to engage in any of the acts described in subs. 1 to 9.

2. Whoever meets all of the following criteria is guilty of a Class I felony:

- a. The actor intentionally engages 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.
- b. 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.
- c. 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.

2e. Whoever meets all of the following criteria is guilty of a Class I felony:

- a. After having been convicted of sexual assault under s. 940.225 (sexual assault), 948.02 (sexual assault of a child), 948.025 (repeated acts of sexual

assault to the same child), or 948.085 (sexual assault of a child placed in substitute care) or a domestic abuse offense, the actor engages in any of the acts listed in sub. (1) (a) 1. to 10. (see above) if

b. the act is directed at the victim of the sexual assault or the domestic abuse offense.

c. The actor knows or should know that the act 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.

d. The actor's act causes the specific person to suffer serious emotional distress or induces 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.

2m. Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:

a. The actor has a previous conviction for a violent crime as defined in s.

939.632(1)(e)1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x) (harassment).

b. The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

c. The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation.

d. The person violates s. 968.31 (1) (interception and disclosure of wire, electronic or oral communications) or 968.34 (1) (use of pen register or trap and trace device) in order to facilitate the violation.

e. The victim is under the age of 18 years at the time of the violation.

3. Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:

a. The act results in bodily harm to the victim or a member of the victim's family or household.

b. The actor has a previous conviction for a violent crime defined in s. 939.632(1)(e)1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x) (harassment), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

c. The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.

3m. A prosecutor need not show that a victim received or will receive treatment from a mental health professional in order to prove that the victim suffered serious emotional distress under sub. (2) (c) or (2e) (c).

CRIME DEFINITIONS

The definitions that follow are in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program.

Murder/Non-Negligent Manslaughter - The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter - The killing of another person through gross negligence.

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.

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.

Burglary-The unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft-The theft or attempted theft of a motor vehicle.

Hate Crimes-A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of Clery, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

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.

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

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

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

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

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

THE 2022 CRIME STATISTICS AT CARTHAGE

The table below presents a summary of criminal acts reported on the Carthage campus for the period of January 1, 2022 to December 31, 2022. The offenses listed were reported to Public Safety and/or the Dean of Students Office for investigation and action. The Carthage campus traditionally has been free of criminal threat to members of the community.

Carthage will disclose to the alleged victim (or next of kin) of a crim of violence (listed below) the report on the results of any disciplinary proceeding.

OFFENSES REPORTED AT CARTHAGE

Crimes Reported						
	2022		2021		2020	
OFFENSE (Reported By Hierarchy)	Total	Hate Crimes	Total	Hate Crimes	Total	Hate Crimes
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	5	0	5	0	3	0
Fondling	0	0	1	0	4	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	1	0	1	0	1	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson			0	0	0	0
Hate Crime Reports-Clery Act Reports	1	1	1	1	3	3

Crimes Reported						
	2022		2021		2020	
VAWA OFFENSES	Total	Hate Crimes	Total	Hate Crimes	Total	Hate Crimes
Domestic Violence	0	0	0	0	0	0
Dating Violence	1	0	2	0	2	0
Stalking	1	0	0	0	0	0

Arrests			
Offense	2022 Total	2021 Total	2020 Total
Liquor Law	0	0	0
Drug Law	0	0	3
Illegal Weapons	0	0	0

Disciplinary Referrals			
Offense	2022 Total	2021 Total	2020 Total
Alcohol	47	97	144
Drugs	28	41	60
Weapons Possession	0	0	0