# Montana State University Mark and Robyn Jones College of Nursing 2025 Annual Security Report

### Kalispell, Missoula, Great Falls, and Billings Campuses

### This annual report contains information for the 2024-2025 academic year and statistical information for calendar years 2024, 2023, and 2022.

## Dean Sarah ShannonFrom the Dean of the College of Nursing

Thank you for taking the time to review MSU’s Mark and Robyn Jones College of Nursing (MRJCON) Separate Campuses Annual Security and Fire Safety Report for Kalispell, Missoula, Great Falls, and Billings Campuses.

The MRJCON has five campuses, with one being located on the MSU (Bozeman) campus. Under the Clery definition, the four additional campuses which are spread across Montana are considered “separate campuses.” Therefore, this report will address only those four separate campuses. The Bozeman campus Clery statistics are included in the MSU Annual Security and Fire Safety Report (ASFSR) at [www.montana.edu/clery/reports/asr/](http://www.montana.edu/clery/reports/asr/).

In this report you will find important information on how and where to report criminal activity and campus violations, along with how our separate campus security and police departments respond after receiving such reports.

MSU’s MRJCON Separate Campuses Annual Security Report is published in compliance with the requirements in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which was signed into law in 1990. Listed in this report are the statistics for the various “Clery” crimes that have been reported to MSU during the last three calendar years. All members of the MRJCON campus communities at Kalispell, Great Falls, Missoula and Billings receive an email at the beginning of every academic year with the exact web address for this online report, and hard copies are available upon request through the MRJCON Dean’s Office located in Anna Pearl Sherrick Hall on the MSU Bozeman Campus or by contacting the Department Heads in Kalispell, Great Falls, Missoula or Billings.

Our goal every year is to ensure the highest levels of safety and security for our separate MRJCON campuses, and we are always seeking ways to improve the services and programs we offer. After you read the MSU MRJCON Separate Campuses Annual Security Report, we would welcome any feedback or comments.

#### – Dean Sarah Shannon, Mark and Robyn Jones College of Nursing

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## Locations & Geography

### Mark and Robyn Jones College of Nursing (MRJCON) Separate Campuses

All MSU policy statements contained in this report apply to all MRJCON students, regardless of campus, unless otherwise indicated.

The specific geography for each MRJCON campus is defined below:

### Kalispell

Locatedin the Medical Arts Building located at 210 Sunny View Lane, Suite 5 on the Logan Health Medical Center campus, with classrooms and labs located in the basement of the Medical Arts Building.

### Great Falls

Located on the lower level of the Benefis Building #31, 400 15th Ave. S., Suite 106, which is across from Benefis West.

### Missoula

Located on the campus of the University of Montana in North Corbin Hall at 32 Campus Drive.

### Billings

Located in the Apsaruke Building on MSU-Billings campus.

## Equal Opportunity, Non-Discrimination and Harassment Policy

Montana State University’s campuses are committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran’s status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation. Such an environment is necessary to a healthy learning, working, and living atmosphere because discrimination and harassment undermine human dignity and the positive connection among all people at our university. Please direct any inquiries regarding MSU’s Equal Opportunity, Non-Discrimination and Harassment policy or procedures to the Director of Campus Civil Rights at [civilrights@montana.edu](mailto:civilrights@montana.edu).

## Reporting Authorities

The MSU Mark and Robyn Jones College of Nursing (MRJCON) has locations on four separate campuses across the State of Montana with four different reporting authorities who interact with private security, campus police department, and local police department in each location:

In each instance in the report below, these four separate campuses will be addressed by the city they are in, consistently in the same order throughout the report:

* **Kalispell:** Logan Health Medical Center Security works with Kalispell Police Department.
* **Great Falls:** Benefis Health System Security works with Great Falls Police Department.
* **Missoula:** University of Montana Police works with Missoula Police Department.
* **Billings**: MSU-Billings Police work with Billings Police Department.

## SAFETY

### Kalispell: Logan Health Medical Center Security.

### Great Falls: Benefis Health System Security.

Two of the MRJCON campuses are housed on medical campuses: Kalispell at the Logan Health Medical Center and Great Falls on the Benefis Health System campus. At both campuses, security is available 24 x 7 by private security hired by the hospitals, Logan Health Medical Center Security and Benefis Health System Security. Both agencies’ authority extends to the medical campus. They work in collaboration with the local Kalispell and Great Falls Police Departments to provide security.

### Missoula: University of Montana Police Department (UMPD)

The University of Montana Police Department (UMPD) is responsible for law enforcement on the University of Montana Mountain Campus including the River Campus, and Missoula College West. Its jurisdiction extends within a mile of each campus’s boundaries for university-related activities. This jurisdiction includes the Missoula MRJCON Campus. The authority for UMPD is derived from Montana Code Annotated, Section 20-25-321. UMPD is housed in Building 32, Campus Drive (Physical Plant), directly east of the Washington-Grizzly Stadium.

UMPD provides continuous security and law enforcement protection to the University community, 24 hours a day, 365 days a year. Police services are provided with access to assistance from the adjacent local law enforcement agencies, municipal fire, and emergency medical services.

UMPD staffs a detective who is embedded with the Missoula City Police Department’s Special Victims Unit, a bicycle patrol, explosive detection K9 officer, and a Community Liaison Officer for residence halls. Residence halls and the Villages (University Villages and Lewis and Clark Village) are also assigned an Area Officer to work closely with resident students and staff.

The mission of the University of Montana Police Department is to work in partnership with the campus community to provide the most professional, effective public safety services possible. All of this must be done in an environment that is conducive to learning

### Billings: MSU-Billings Police Department (MSUBPD)

Under Montana Code Annotated 20-25-321, the Board of Regents has empowered the MSU Billings Chancellor to establish a Police Department for MSU Billings. Since the MRJCON campus in Billings is on the MSU Billings campus, the MSUB PD has jurisdiction on the MRJCON Billings campus. The MSU Billings Chief of Police/Safety Director is responsible for the management of the University Police Department and reports directly to the Vice Chancellor for Administration and Finance. However, all public safety services are closely coordinated with other key University administrators as well as local officials.

The department provides other services to the University community, which include fire safety, parking enforcement, emergency management, fire code inspections, building safety, security, and workplace safety. The department is committed to upholding a community-oriented policing philosophy, maintaining a belief in treating people with professionalism and courtesy. University Police officers train to assist victims of bias crimes (incidents related to race, religion, or sexual orientation), sexual violence (including acquaintance rape and stranger rape), and domestic violence. Officers participate in Crisis Intervention Training, where they learn and practice techniques for providing service to persons suffering mental illness, the emotionally disturbed, and those with chemical dependencies.

The University Police provide 24/7, year-round security and law enforcement protection to the MSU Billings community. Services are provided with access to municipal fire and emergency medical services. University Police patrol two campuses within the City of Billings: MSUB University Campus at 1500 University Drive and MSUB City College at 3803 Central Avenue.

## Working Relationship with Local, State, and Federal Law Enforcement Agencies Kalispell: Logan Health Medical Center Security Great Falls: Benefis Health System Security

Two of our MRJCON campuses are housed on medical campuses: Kalispell on Logan Health Medical Center and Great Falls on the Benefis Health System campus. At both campuses, security is available 24 x 7 by private security, Logan Health Medical Center Security and Benefis Health System Security. Both agencies’ authority extends to the medical campus. Both security departments maintain a strong working relationship as they work in collaboration with the local Kalispell and Great Falls Police Departments to provide security.

There are no written agreements or memorandums of understanding concerning the investigation of criminal incidents between MSU and the Kalispell and Great Falls Police Departments or hospital security.

### Missoula: University of Montana Police Department

UMPD maintains Memorandums of Understanding (MOUs) with three other law enforcement agencies: the Missoula Police Department (MPD), the Missoula County Sheriff’s Office (MCSO), and the Montana Highway Patrol (MHP). Under these MOUs, UMPD may request assistance for aid from any of these agencies during the response or investigation of a call for service. The MOUs allow UMPD to enforce vehicle and traffic laws within the boundaries of the campus or on streets and alleys contiguous to campus. UMPD assumes first jurisdiction and responsibility for all felony crimes occurring on campus, except for felony drug crimes, which are referred to Missoula’s High Intensity Drug Task Force. UMPD assumes first jurisdiction on all misdemeanors occurring on university property and will provide mutual aid and support to the Missoula Police Department on request as available.

In addition to working with the Missoula Police Department, the Missoula County Sheriff’s Office, and the Montana Highway Patrol, UMPD works with several other local, state, and federal law enforcement agencies on incidents that occur on the main UM campus or other UM properties. These properties include the Missoula College West Campus, Bitterroot College in Hamilton, the Flathead Lake Biological Station Campus near Polson, and several other research facilities and land parcels. Additional law enforcement agencies include the U.S. Forest Service Law Enforcement (USFS), the Hamilton Police Department (HPD), the Lake County Sheriff’s Office (LCSO) and the Confederated Tribal Police Department (CTPD).

Aside from the MOU the UMPD has with the Missoula Police Department, the Missoula County Sheriff’s Office and the Montana Highway Patrol, the UMPD has no MOUs with other law enforcement agencies.

### Billings: MSU-Billings Police Department

Pursuant to MCA 20-25-321 and MCA 7-32-303, MSU Billings maintains a Memorandum of Understanding and Agreement with the City of Billings that extends the jurisdiction of University Police Officers throughout the city of Billings and within a 5-mile radius of city limits. Under this agreement, University Police Officers may enforce Billings Municipal Ordinances, traffic laws, and all criminal codes found within Montana Code Annotated. Under the MOU, university officers are also able to issue citations within their patrol jurisdiction for parking violations as defined by state or municipal laws. It is agreed that University Police will assume first jurisdiction on all University-related property for events sponsored by the University. University Police officers will provide mutual aid and support to Billings Police on request, as available. The University Police Department maintains a close working relationship with Billings Police, Yellowstone County Sheriff’s Office, and the Federal Bureau of Investigation, the local Probation and Parole office, and other agencies within the criminal justice system. University Police maintain direct radio contact with Billings Police to ensure officer safety, as well as effective coordination during emergency situations. An additional formal written agreement outlines the University Police involvement with the enforcement of alcohol laws within Yellowstone County. Montana State University Billings does not have a Memorandum of Understanding with Billings Police or any other agency regarding the investigation of criminal incidents.

## Role, Authority, and Training

### Kalispell and Great Falls

Logan Health Medical Center Security and Benefis Health System Security are both private security firms contracted by the hospital to provide security for the hospital campus. They are contacted in the event of an emergency, but if the threat requires more than simply asking someone to leave the property or detaining them, the security will immediately call 911 and request assistance. Security Officers have the authority to enforce hospital policies. Security Officers can detain suspects until police arrival but have no power of arrest.

### Missoula

#### University of Montana Police Department

All UM police officers receive training and state certification at the Montana Law Enforcement Academy and subscribe to the Montana Public Safety Officer Standards and Training (POST) (https://dojmt.gov/post/),enabling them to enforce Federal, State, and Local laws on university properties including the MRJCON Missoula Campus. All university police are also responsible for enforcing university policies.

UM officers are defined as peace officers under Title 20, Chapter 25, Part 3 of the Montana Code Annotated and are fully empowered by the state. Specifically, under 20-25-321. As peace officers, UMPD officers have the same authority to detain and arrest as Missoula City Police Officers, Missoula County Sheriff’s Deputies, or any other law enforcement agency in the state of Montana.

The UM police officers have the power to make arrests and the authority to enforce state, local and federal laws. The patrol jurisdiction of security officers is limited to any buildings or properties owned or controlled by the University of Montana.

### Billings

#### MSU-Billings Police Department

MSU Billings Police Department has jurisdiction over the MRJCON Billings Campus. MSU Billings Police Officers are certified Peace Officers for the State of Montana and sworn to all the responsibilities and powers of a Peace Officer in Montana, including the duty to maintain public order and the power to arrest. The MSUB police officers have the authority to enforce state, local and federal laws.

All sworn officers are graduates of an accredited Police Academy and professional and formal education is stressed for all officers. Most officers hold a B.A. degree or are working towards a degree. All University Police 911 Dispatchers are trained and certified by the State of Montana. The Director is the University Police Chief and is responsible for the management of the UPD and reports directly to the Vice President of Finance and Administration. However, all public safety services are closely coordinated with other key university administrators as well as local officials.

## REPORTING CRIMES AND OTHER EMERGENCIES

### Crime or Emergency Reporting

Crime is a reality at Montana State University’s MRJCON campuses, and preventing crime is everyone’s responsibility on campus. Unreported crime is a criminal’s greatest ally. All members of the MSU MRJCON community and all visitors are encouraged to report potential criminal activity, suspicious behavior, and any emergencies accurately and promptly on campus and on public property running through or immediately adjacent to the campus. If you suspect a criminal act has taken place, MSU highly encourages accurate and prompt reporting.

### MSU Mark and Robyn Jones College of Nursing Campuses:

#### Kalispell Nursing Campus

Emergency: 911

Kalispell Police Department Non-Emergency: 406-758-7780

Logan Health Medical Center Security: 406-751-5300

Department Head: Cathlyn “Kaki” Mendius 406-751-6969

#### Great Falls Nursing Campus

Emergency: 911

Great Falls Police Department Non-Emergency: 406-455-8599

Great Falls Benefis Health System Security: 406-727-7688

Department Head: Dr. Susan Luparell 406-994-4459

#### Missoula Nursing Campus

Emergency: 911 or 406-243-4000

University of Montana Police Non-Emergency: 406-243-6131

Department Head: Dr. Tracey Koch 406-994-5609

#### Billings Nursing Campus

Emergency: 911 or 406-657-2222

MSU-Billings Police Non-Emergency: 406-657-2147

Department Head: Debbie Fischer 406-657-1770

For all campuses, non-emergency crimes may be reported to MSU Bozeman Police Department who will work with local authorities to determine jurisdiction.

Suspicion of crime does not require proof. If you suspect a crime has been committed or is being committed, call the appropriate number above or the local police department immediately. Make a difference, call. Only concerned citizens can prevent crime.

If you are a victim or witness to a crime: Report the incident immediately to the University Police or local police department. If you can, gather pertinent information, such as sex, race, hair color, length and texture, body size, clothing description, scars and other noticeable characteristics, modes of travel, type/color of vehicle and license information.

Suspicious persons: If you see anyone acting suspiciously, call 911. Do not approach the individual yourself. Report the type of suspicious behavior and the location. Relay pertinent information concerning the involved person including age, sex, dress, vehicle description and direction of travel.

Bomb threats: If you receive a bomb threat, it is important to obtain as much information as possible from the caller. Things to ask are: (1) location of bomb, (2) time of explosion, and (3) type of bomb.

Make mental notes about the caller’s voice, and background noises which you may hear. Call 911 immediately. Do not panic. The University Police will search the area, notify trained personnel, and notify emergency services. The University Police, in conjunction with the building supervisor and administration, will determine if evacuation is necessary.

**What to Report**: When calling the Police Department to report an incident, please provide the following information:

* Your name (optional)
* Location of incident
* Type of incident
* Description of suspect, vehicles or other pertinent information
* Return telephone number (optional)

Members of the MSU community are encouraged to report crime and emergencies accurately and promptly to the appropriate Police or Security Department listed above, based on the location of the incident, and the appropriate local police agencies, including when the victim of a crime elects to, or is unable to, make such a report.

## Voluntary Confidential Reporting – General Crime

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report.

With your permission, the MSU University Police Chief (or designee) can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime regarding a particular location, method, or assailant; and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. If you wish to make a confidential report, MSU offers the Silent Witness Program to anyone who has witnessed, or knows about, a crime committed on campus. You are welcome to send an email to switness@montana.edu with information you feel may be useful in keeping your campus safe and secure. Silent Witness reporting is also available on the SafeCats app. You should provide the information as described earlier.

## Security/Local Police and University Police Response to Reported Crimes

### Kalispell and Great Falls

The local Police Department or local security will respond to reports of crime against persons and all property owned, controlled, leased, or operated by these campuses.

Reports of criminal activity received by the local police or security department occurring outside of its jurisdiction will be referred to the appropriate city or county law enforcement agency.

### Missoula: UMPD

UMPD will respond to reports of crime against persons and all property owned, controlled, leased, or operated by the University of Montana (including the geography of the MRJCON Missoula campus) within their jurisdiction on a 24-hour basis, 365 days a year. UM dispatchers can instantly dispatch University Police, and Missoula Fire and Emergency Medical Services, and if needed, will request assistance from the Missoula Police Department (MPD) the Missoula County Sheriff’s Office (MCSO), and/or the Montana Highway Patrol. Allied agencies will respond to reports of crime on campuses outside UMPD’s main jurisdiction. These agency responses are dispatched through the 911 system.

### Billings: MSUBPD

The University Police Department will respond to reports of crime on all property owned, controlled, leased, or operated by Montana State University Billings (including the geography of the MRJCON Billings Campus), which includes rental properties within a one-mile radius of the University campus. Police office staff answer incoming calls from 8am-5pm weekdays. Calls between 5:01pm and 7:59am Monday through Friday and all calls on weekends and university holidays are forwarded from the department’s landlines to a cell phone carried by the on-duty officer. Officers can be reached through the (406) 657-2147 and (406) 657-2222 numbers 24 hours a day, seven days a week. If a call is placed to 911, the City of Billings/Yellowstone County Communication Center dispatch can instantly contact the University Police through their department-issued police radios.

All reports of criminal activity occurring within the jurisdiction of the University Police Department will be investigated. Reports of criminal activity received by the University Police occurring outside of its jurisdiction will be referred to the appropriate city or county law enforcement agency.

## CAMPUS SECURITY AUTHORITIES (CSAs)

CSAs at each MRJCON campus include the Department Heads. The Department Heads, as the designated CSAs, are required to report any Clery Crime. Reporting is completed online at www. montana.edu/clery using the CSA Reporting Form. Crimes reported to any CSA will be included in the annual crime statistics found later in this report. In addition, CSAs at the MRJCON Missoula and Billings campus must also report Clery Crimes to those campus’ UPD departments.

### The MRJCON Four Campuses CSAs (Department Head) are:

#### Kalispell Nursing Campus

Cathlyn “Kaki” Mendius, Department Head: 406-751-6969

#### Great Falls Nursing Campus

#### Dr. Susan Luparell, Department Head: 406-994-4459 Missoula Nursing Campus

Dr. Tracey Koch, Department Head: 406-994-5609-

#### Billings Nursing Campus

Debbie Fischer, Department Head: 406-657-1770

MSU officially designates the following two offices as locations where campus community members should report crimes:

* Campus Civil Rights (406-994-2042, 2nd floor of the Swingle Building, or civilrights@montana.edu)
* University Police (406-994-2121, 101 Huffman Building)

Students and employees can report criminal offenses to the above designated Campus Security Authorities for the purpose of making timely warning reports and annual statistical disclosure. Under the Clery Act, MSU must designate certain individuals as CSAs.

As explained above, students, employees, and visitors are encouraged to promptly report crimes to the University Police Department or Campus Civil Rights. However, students may contact any CSA for appropriate assistance in reporting crimes.

Confidentiality of crime reports made to CSAs cannot be promised. Clery requires statistical reporting, but CSAs are also reporters under the requirements of Title IX and University policy and as such may not be able to maintain confidentiality. There may be instances where the University must act regardless of the wishes of the complainant or reporting party. Nevertheless, in such cases MSU will take care to protect identities to the extent allowed by the circumstances and law.

## Identification of CSAs and Annual Training

Montana State officials responsible for overseeing Clery practices meet annually- or upon the receipt of new guidance- to update a centrally maintained CSA list in the Dean of Students’ Office. Further, MSU staff members who are identified as Senior CSAs help to provide updated information regarding new CSAs or those who have left Montana State on a regular basis.

Identified CSAs are offered training through two means:

1. Online Training.
2. In-person training with an on-campus Clery expert from the Dean of Students or similar office/delegate on campus;
3. Dedicated campus web page providing an overview of CSA responsibilities and a link to the Department of Education training video.

Additionally, a web page is maintained and updated throughout the year that hosts information on CSA trainings, including presentations they can browse and other relevant Clery information. Once a CSA has completed training, the centrally maintained CSA list is updated to indicate training completion.

## 

## Pastoral and Professional Counselors

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics.

According to the Clery Act, professional mental health counselors who are appropriately credentialed and hired by Montana State University to serve exclusively in a counseling role are not considered CSAs. As a matter of policy, the University encourages our professional mental health counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

#### Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

MSU does not have any Pastoral Counselors that work at the institution currently.

#### Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community, and who is functioning within the scope of their license or certification.

## CAMPUS SAFETY AND SECURITY PROGRAMS & RESOURCES

Educational Programs concerning security awareness, personal safety, and crime prevention, including the prevention of sexual assault, (including rape, fondling, incest and statutory rape) and personal safety techniques are offered by a variety of groups and individuals on campus each year, including UPD, Dean of Students, Office of Emergency Management (OEM), Safety and Risk Management (SRM), Campus Civil Rights (CCR), Counseling & Psychological Services, University Student Housing and others.

Each year, MSU offers crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others.

The UPD provides safety and security education through numerous presentations to on-campus groups and other presentations upon request.  The Student Wellness Office offers outreach and presentations upon request for residence halls, fraternity and sorority life and student groups on topics related to risk reduction/harm reduction, Alcohol, Tobacco and Other Drugs (ATOD); and healthy relationships.

Safety and Risk Management provides safety and compliance training free of charge to University employees; including workplace safety, occupational health & safety, and laboratory training courses.

Programs and presentations available annually include:

* AED/CPR/First Aid Training
* Fire extinguisher Training
* Chemical Safety Training
* E-Scrap Computer & Electronic Recycling
* Ice Gripper Program (MSU employees)
* Alcohol awareness
* Drug awareness
* Crime Prevention covering crimes such as rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual intercourse without consent, relationship violence, privacy in communications, and stalking
* Run, Hide, Fight - Active shooter protocol
* Workplace violence protocols
* New Employee Orientation
* Internet Safety and Security
* Facility Intruder Awareness for Secure Facilities
* International Student Orientation
* Property security
* Personal safety
* Bicycle safety
* Identity theft
* CCR educational presentations on bystander intervention and interpersonal violence prevention
* Student Wellness classroom instruction based on self and administrative referral for individuals dealing with alcohol & drug-related issues
* Others upon request
* Students living in residence halls are provided with security brochures at check-in. University Student Housing staff regularly address residence hall safety and security rules and precautions, and personal safety considerations with all residents at floor and hall meetings. Safety and security rules and guidance are provided in the University Student Housing Handbook.

## SafeCats App

All individuals associated with an MRJCON Campus have access to the SafeCats Safety App. The SafeCats is a safety tool that allows the user to contact police, learn about actions to take in an emergency, share their location, and report as a silent witness in a single mobile application. The SafeCats app is available for both Android and Apple cellular phones and is available free of charge.

## Automated External Defibrillators (AEDS)

MSU initiated the Public Access Defibrillator Program in 2004 because of due diligence and the expectation an organization MSU’s size would have AED’s available to the public.

#### MRJCON Campus AEDs:

* Kalispell: The AED is in the hospital next door to the building.
* Great Falls: There is an AED in the reception area.
* Missoula: There is an AED on the second floor of North Corbin Hall.
* Billings: There is one AED in the adjacent McDonald building on the third floor.

## Crime Statistics

Crime statistics can be found later in this report and can also be accessed on the Montana State University Police website located at: <http://www.montana.edu/police/crime-statistics.html>

## Campus Daily Crime Logs

### Kalispell

The Kalispell campus does not maintain a daily crime log because this campus does not have a security department.

### Great Falls

The Great Falls campus does not maintain a daily crime log because this campus does not have a security department.

### Missoula

The MRJCON campus in Missoula does not maintain a daily crime log.

The UMPD maintains a Daily Crime Log which is available to the public for review, at the [CPSA] Office in the Facilities Services Building, Room 136, from 8 a.m.– 5 p.m. Monday through Friday, excluding holidays. A version may of the Daily Crime Log is also available online at: <https://www.umt.edu/police/crime-log/>

### Billings

The MRJCON campus in Billings does not maintain a daily crime log.

MSU Billings PD maintains a Daily Crime Log which is available to the public for review. It is accessible at the MSU Billings PD Office located on the first level of the Poly Drive Parking Garage, located between the intersections of North 27th Street and North 29th Street on Poly Drive from 8 a.m.– 5 p.m. Monday through Friday, excluding holidays.

## MSU CARE Program

As a result of growing national trends on college campuses of mental health issues and the increase in unsafe behaviors leading to harm or death, Montana State University has created the Campus Assessment, Response and Evaluation (CARE) Program. In order to promote the safety and wellness of the University, the CARE Program addresses behaviors that are disruptive or concerning and may include mental health and/or safety issues.

The MSU CARE Program is comprised of two teams, the Behavior Intervention Team (BIT) and the Campus Assessment, Response and Evaluation Team. The BIT focuses on working with students who present a higher risk to themselves or the community. The CARE team works with students who need intervention but do not present a risk to harm self or others.

BIT is a multi-disciplinary team composed of members from the Office of the Dean of Students, University Police, Counseling and Psychological Services, Student Health Partners, Residence Life, Campus Civil Rights, and the Office of Disability. This team maintains responsibility for discussing, assessing, and responding to reports of individuals who are demonstrating disruptive or concerning behaviors that can or have become dangerous. The BIT is designed to be a centralized entity that is proactive in providing swift, coordinated, caring, and developmental intervention to members of the campus community prior to crisis.

The CARE team is also a multidisciplinary team composed of members from the Office of the Dean of Students, Counseling and Psychological Services, University Advising Services, Disability Services, Athletics, and Residence Life. This team maintains responsibility for discussing, assessing and responding to reports of individuals who are struggling but that never reaches a level where there is a concern for danger to self or others. Examples of a CARE case would be a student who lost a family member, or a student who stopped taking their psychotropic medications and was having adverse reactions. The CARE team is designed to be a centralized entity that is proactive in providing swift, coordinated, caring, and developmental intervention to members of the campus community as they are experiencing personal or emotional hardship.

### What if I am Concerned About Someone?

A person of concern is any individual who demonstrates disruptive or problematic behavior, expresses personal difficulties, exhibits mental or emotional instability, or otherwise causes another member of the campus community to feel apprehension for their safety or for the safety of the person of concern.

To report a concern, visit: <https://www.montana.edu/deanofstudents/care/> or submit a CARE report using the SafeCats app.

### Guidelines for Intervention

You can have a profound effect on students when you openly acknowledge that you are aware of their distress, are concerned about their welfare, and are willing to help them explore options. Whenever possible, we encourage you to speak directly and honestly to students if you sense academic or personal distress.

1. Request to see the student in private. This should help minimize embarrassment and defensiveness. Show respect for the student.
2. Briefly share your observations and perceptions of the student’s situation. Express your concerns directly and honestly.
3. Listen carefully. Try to see the issues from the student’s point of view without agreeing or disagreeing.
4. Attempt to identify the problem. Is the student connected with any ongoing resources? You can help by exploring options to deal with the concern.
5. Acknowledge inappropriate or strange behavior. Comment on what you observe without sounding judgmental.
6. Flexibility in administering established policies may allow an alienated student to respond more effectively to your concerns.

Involvement in intervention is appropriate based on the level of comfort with the student. Individuals are encouraged to refer the student to the appropriate resources throughout the process. Remember to work **with** the student and not **for** the student. Do not become more involved than time or skill permits.

## Student Conduct Program

The student conduct process at MSU is not intended to punish students; rather, it exists to challenge those whose behavior is not in accordance with our policies and to foster a better understanding of the expectations that exists for members of our academic community. Most conduct cases at MSU are resolved through administrative meetings. These are one-on-one conversations between the student and a Conduct Officer.

During an administrative meeting, the Conduct Officer will provide the student an opportunity to share their account of the incident, view incident reports and/or other written documentation, ask follow-up questions, and discuss potential outcomes (sanctions) if the student is found responsible for violating the Code of Student Conduct (Code). The primary focus of these meetings is to determine what happened and if a violation took place, assist the student in understanding the impact of their behavior, and provide a space for the student to begin reflecting on how to learn from the incident.

If it is determined that a violation of the Code occurred, and that the student is responsible, most administrative meetings conclude with an administrative agreement in which the student agrees to take responsibility for their involvement in the incident and to complete a sanction or set of sanctions that will help them learn from the incident.

### Student Conduct Hearings

The conduct process also includes a more formal route for resolving conduct cases called a conduct hearing. A conduct hearing is utilized if an administrative agreement cannot be reached, if the severity of the incident or the student’s conduct history warrants a more in-depth adjudication process, or if the student chooses to participate in a hearing instead of first meeting with a Conduct Officer. The procedures and guidelines for conduct hearings are detailed in the Code of Student Conduct.

### Student Conduct Sanctions

Sanctions are intended to improve the students’ moral and ethical decision-making and to help them learn more about what is expected as members of our community. In determining a sanction, the Conduct Officer will rely on the Common Sanctioning Guidelines but may also consider the student’s present and past disciplinary record, including Residence Hall disciplinary record, the nature of the offense, the severity of any damage, injury, or harm resulting from the violation, and other factors relevant to the case.

Additionally, more than one sanction may be assigned upon the completion of a hearing or proposed by a conduct officer. In cases where students fail to demonstrate an understanding of established conduct standards or pose a threat to the continuing safety of the academic community, the conduct officer may determine that the student should no longer share in the privilege of being a student member of MSU’s academic community.

#### (HEOA) Notification to Victims of Crimes of Violence

MSU will disclose upon written request the results of any disciplinary proceeding, conducted by such institution, to the alleged victim of a crime of violence or a non-forcible sex offense against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this disclosure.

Disclosure of the results of a proceeding to the charging student and the charged student in compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

## Additional Campus Safety & Security Programs

### Faculty Programming

The Office of the Dean of Students offers an annual Faculty Excellence Workshop on dealing with disruptive and at-risk students. In addition, training regarding how to deal with suicidal or disruptive students is conducted (or offered) for department heads and academic advisors in all colleges and academic departments during each academic year.

### Emergency Green Light Telephones

#### Missoula

Emergency Green Light Telephones

There are 17 green light emergency phones located throughout the Mountain Campus with a direct connection to UMPD. These phones have green lights above them and are labeled “Emergency.” Additional green light emergency phones are located at University Villages, Lewis & Clark Village, the Dornblaser Park-N-Ride, and Missoula College West Campus. Additional tan emergency phones are mounted to the outside walls of residence halls and other campus buildings.

No dialing is required with emergency phones. Simply push the button and UMPD dispatch will answer. When these phones are activated, dispatch will send a UMPD officer to that location. The caller should try to tell the dispatcher the problem and stay on the line unless the caller’s safety is in danger. If a caller is unable to communicate with the dispatcher, a university police officer will still respond to the location. A detailed map of emergency telephone locations can be found here: <https://www.umt.edu/police/docs/emergencyphones.pdf>.

## SECURITY AND ACCESS TO CAMPUS FACILITIES

### Kalispell

Logan Health Medical Center Security controls access. The staff and faculty use a coded keypad. The building is secured by security and is open Monday through Friday from 7 a.m. to 5 p.m.

This campus does not have Residence Halls.

Logan Health Medical Center Security conduct routine patrols of campus buildings to evaluate and monitor security related matters.

### Great Falls

Benefis Health System Security (MRJCON campus is on the Benefis West Campus) secures the three external doors Monday through Friday. All faculty and staff have keys to the external building doors and the main internal MRJCON doors. The building is open Monday through Friday from 7 a.m. to 6 p.m. and is secured by Benefis Health System Security.

This campus does not have Residence Halls.

Benefis Health System Security conduct routine patrols of campus buildings to evaluate and monitor security related matters.

### Missoula

UM’s Mountain Campus is open to the public. Academic buildings are open 7 AM to 8 PM Monday through Friday and on weekends as needed. Administrative buildings are typically open to the campus community and the public from 8 AM to 5 PM Monday through Friday.

UMPD monitors the issuance of keys and access to buildings. Access to classrooms and laboratories is limited to those who work and study in those areas. Access to any building after hours is limited to those who have been issued keys or granted electronic access.

The University Center and the Mansfield Library are open to the public during scheduled hours. UM also hosts art, music, cultural, and sporting events at various venues open to the public.

#### In addition, the University has adopted the following additional security practices

* Rules that require exterior building doors are not propped open when the doors are locked.
* The right to prohibit, limit, or otherwise restrict access to or use of its buildings, facilities, or other property as may be necessary to provide for the orderly conduct of the University’s educational, research, and service programs and the safety and security of the campus property, students, employees, and guests.
* Substantial outdoor lighting installations which help deter criminal behavior and enhance security; lighting is routinely patrolled to identify outages and periodically assessed to assure effectiveness.
* UMPD officers patrol campus property 24 hours a day, 365 days a year.
* A policy requiring background checks for new employees; potential employees with criminal backgrounds may be denied employment to protect the campus community.

### Billings

Campus buildings (non-residence) are normally open and accessible to campus community members, as well as guests and visitors, from 8:00 AM until 5:00 PM (closing times may vary) Monday through Friday. Buildings may also be open for scheduled weekend classes and special events, but they are locked at all other times.

In addition, the University has adopted the following additional security practices:

1. Exterior building doors will not be propped open when the doors are locked.
2. The university reserves the right to prohibit, limit, or restrict access to its buildings, facilities, or other property.
3. The use of substantial outdoor lighting installations helps to deter criminal behavior and enhance security. Lighting is routinely patrolled to identify outages and periodically assessed to assure effectiveness.
4. University Police Officers patrol the University and City College campuses 24 hours a day.
5. Montana State University Billings requires background checks for all employees that work with students; potential employees with criminal backgrounds may be denied employment to protect the campus community.

MSUB utilizes Closed Circuit Television (CCTV) monitors installed in a variety of locations throughout the University. These cameras are intended to prevent, detect, and record events that violate University regulations and municipal, state, or federal laws. Refer to University Police Policy 107.5. Security in buildings is primarily maintained by the individual Building Manager. Access is controlled through a master key system managed by Facilities Services. Some buildings are equipped with a U-Card electronic access system managed by the Facilities Services locksmith. This key system provides access with written supervisory approval.

## MAINTENANCE OF CAMPUS FACILITIES

### Kalispell

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Logan Health Medical Center Security regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to either the Department Head or Private Security.

### Great Falls

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Benefis Medical Security regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to either the Department Head or Private Security.

### Missoula

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UM PD regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to either the Department Head or UM PD.

### Billings

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. UPD regularly patrols campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. Other members of the University community are helpful when they report equipment problems to either the Department Head or UM PD.

## TIMELY WARNINGS & EMERGENCY NOTIFICATION

These processes differ on each of our four separate MRJCON campuses.

MRJCON campuses use two types of notification processes to warn the campus community in the event of an emergency or public safety risk. The two types of notifications are Emergency Notifications and Timely Warnings. MSU will issue Timely Warnings and/or Emergency Notifications to the campus community as needed and as required by the Clery Act.

Timely warnings are issued in the event a violent crime that represents a serious or continuing threat to the campus community has occurred.

Emergency Notifications are issued during emergencies or critical incidents that pose an immediate threat to the health and safety of the campus community.

Consistent with the requirements of the Clery Act, MSU (or its partners at UM and Billings) will “immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to contain the emergency.

## Timely Warning Notifications

### Kalispell and Great Falls

These campuses are located on medical campuses. Timely Warnings are distributed by the campus CSA, or if not available a designee, who will consult with the MSU Chief of Police and/or the MRJCON Dean (or designee) on an as needed basis.

Once an incident that may require a Timely Warning notification has been reported to the CSA, the CSA will contact the MSU Chief of Police or designee immediately.

In consultation with other campus administrators (including but not limited to the Dean of Students, Legal Counsel, Director of Campus Civil Rights & Title IX Coordinator, and the Emergency Management Director) the Chief of Police or MRJCON Dean will determine whether the criteria for issuing a Timely Warning have been met, and if so, a Timely Warning will be issued.

### The following three conditions should be met prior to issuing a Timely Warning

1. One of the following statutorily designated crimes (Clery crime) is reported to UPD:

* Criminal homicide – Including murder and non-negligent manslaughter, and manslaughter by negligence.
* Sex offenses – Including rape, fondling, incest, and statutory rape.
* Robbery.
* Aggravated assault – Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by UPD and after consultation with the County Attorney.
* Burglary and/or motor vehicle theft – In general, Timely Warnings will not be issued for single incidents. A Timely Warning may be distributed if a series of incidents poses a continuing threat to the MSU community.
* Arson.
* Hate crimes.
* Domestic violence, dating violence, or stalking.
* Arrests and referrals for drug, alcohol, and weapons law violations.

1. The reported crime occurred at a Clery-reportable location (Clery geography), which is defined as any of the following:
   * On campus.
   * On public property within or immediately adjacent to and accessible from the campus boundaries.
   * In a non-campus building or property. Non-campus locations are described as property that is owned or controlled by MSU, used for educational purposes, and frequently used by students.
2. The reported crime presents a serious or continuing threat to MSU students, faculty, and staff, as determined at MSU’s discretion. Factors for determining whether an incident poses a serious or continuing threat include:
   * Whether the suspect has been apprehended.
   * Timeliness of the reported crime to the CSA.
   * Whether a pattern of crimes exists that places MSU students or employees at risk of becoming victims of a similar crime.

Timely Warnings will be distributed by the campus CSA. They will be distributed to the students, faculty and staff at the impacted MRJCON campus as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Timely Warnings will typically include information such as a brief statement of the incident, physical description of any suspect(s), appropriate safety tips, and other relevant, available information.

Timely Warnings are typically written by the Chief of Police (or designee) in consultation with the University Communications News Director (or designee) as time permits. Timely Warnings will be distributed by the campus CSA or designee via email to @montana.edu accounts for MSU MRJCON students, faculty, and staff on the impacted campus with the subject line including the words “Timely Warning.” For a list of past Timely Warnings, Emergency Notifications, and Public Safety Advisories, visit the website: <https://www.montana.edu/police/crimealert.html>

### Missoula

Timely Warnings are sent to MRJCON students, staff and faculty on the Missoula Campus by the UMPD through their Timely Warning alert system. Once a Clery Crime that may require a timely warning is reported to a CSA, the CSA will contact MSU Chief of Police or designee. The Chief of Police or designee will contact UMPD to discuss and determine if a timely warning is necessary.

MRJCON students and staff on the Missoula campus will register for the UMPD Emergency Notification system at the beginning of each semester. The Department Head or designee will be responsible for ensuring all students and staff are registered. Individuals who wish to opt out of the system or who wish to learn more about the system should visit: <https://www.umt.edu/safety/personal-safety/default.php>

### Billings

Timely Warnings are sent to MRJCON students, staff and faculty on the Billings Campus by the MSUBPD through their Timely Warning system. Once a Clery Crime that may require a timely warning is reported to a CSA, the CSA will contact the MSUBPD to determine if a timely warning is necessary. MSU UPD is available to assist if necessary.

MRJCON students, staff, and faculty on the Billings campus will be registered for the MSUB Emergency Notification system at the beginning of each semester. The Department Head or designee is responsible for confirming students, staff and faculty are registered in the system. Individuals who wish to opt out of the system or who wish to learn more about the system should visit: <https://www.msubillings.edu/ens/index.htm>.

## Emergency Notification

### Kalispell and Great Falls

Montana State University is committed to protecting the lives, safety, and welfare of its campus and community members. When an emergency occurs on campus, MSU strives to provide students, faculty and staff with the critical information needed to protect themselves.

Students, faculty and staff must ensure all contact information registered with the campus is always accurate and up to date.

Individuals can report emergencies occurring at Kalispell MRJCON and Great Falls MRJCON by calling 911.

In the event of an emergency, MSU will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the MSU MRJCON community. MSU will, upon confirmation of an ongoing significant emergency or dangerous situation that poses an imminent threat to the safety of campus community members, immediately issue Emergency Notifications to the campus community.

### CONFIRMATION OF AN EMERGENCY OR DANGEROUS SITUATION

* Reports of emergency or dangerous situations can originate from various sources including:
* Reports from first responders
* Reports from established warning points
* Reports from other campus departments
* Reports from citizens through 911

The campus CSA, or designee, will confirm if there is a significant emergency or dangerous situation on campus. Confirmation will include direct communication with local police, hospital security and MSU UPD when appropriate. Confirmation means MSU officials have verified that a significant emergency or dangerous situation is occurring or may soon occur on the campus that involves an immediate threat to the health or safety of students or employees.

MRJCON campuses may issue Emergency Notifications about emergencies or dangerous situations that occur in the broader community if the CSA determines that such notifications provide helpful or relevant information to the campus population. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following situations are examples that may warrant an Emergency Notification after confirmation.

* Active shooter
* Hostage/barricade situation
* Riot
* Suspicious package
* Suspicious death
* Structural damage to a university-owned or -controlled facility
* Biological threat (anthrax, etc.)
* Gas leak
* Bomb/explosives (threat)
* Communicable disease outbreak
* Severe weather
* Natural disaster
* Hazardous materials incident
* Structure fires

If the campus CSA or designee in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Kalispell MRJCON or Great Falls MRJCON community, the CSA (or designee) will initiate the Emergency Notification. If time allows, the CSA (or designee) will collaborate with the MSU Police Department and Media Relations to determine the content of the message and will use some or all the systems described below to communicate the threat to the Kalispell MRJCON or Great Falls MRJCON Community.

MSU officials shall use their best, reasonable judgment in all other situations to determine whether an Emergency Notification is warranted. Situations that may create business, academic or research interruptions, but do not pose a health or safety risk, may also generate an Emergency Notification.

MRJCON CSA (or designee) will facilitate notifications about such situations, in coordination with the Dean of the College and MSU UPD, as appropriate. Examples of such situations include:

* Temporary building closures
* Power outages
* Network outages

MSU will, without delay, and considering the safety of the community, determine the content of the Emergency Notification and initiate the Emergency Notification process, unless the Emergency Notification will, in the professional judgment of responsible authorities:

* Compromise efforts to assist the victim or victims
* Compromise efforts to contain, respond to, or otherwise mitigate the emergency, such as compromising the efforts of first responders

Notification will be made by using some or all of the following methods depending on the type of emergency: email, text, fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person communication. If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

This section was established with the following assumptions:

* Utilization of multiple notification methods is needed, as no single notification method will reach everyone, everywhere, every time.
* One hundred percent delivery of notification to each member of the campus population cannot be guaranteed.
* Other information sources outside the institution’s control may generate erroneous or conflicting information (i.e., affiliated and unaffiliated social media sites, word of mouth).
* Regular testing of notification systems is required to ensure proper functionality and operator skill.
* Notification systems must account for communication impairments. Several notifications are considered passive notifications requiring an action by recipients. Some recipients will not take this action and, therefore, not all recipients will receive notifications during the desired timeframe.
* It is the responsibility of campus members that are registered for the notification system to maintain updated contact information.
* Several notification methods rely on the functionality of third-party vendors that are outside of the institution’s control (i.e., cellphone service providers, electricity).

Follow-up information will be distributed using some or all the identified communication systems (except fire alarm).

The local Police Department and/or local media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

### Missoula

Individuals can report emergencies occurring at Missoula MRJCON by calling 911.

Emergency Notifications are sent to MRJCON students, staff, and employees on the Missoula Campus by the UMPD through the UM emergency notice system. When a CSA becomes aware of an event requiring emergency notification, the CSA will contact MSU Chief of Police or designee. The Chief of Police or designee will contact UMPD to discuss and determine if an emergency notification is necessary.

MRJCON students and staff on the Missoula campus will be registered for the UMPD Emergency Notification system at the beginning of each semester by the Department Head or designee. Individuals who wish to opt out of the system should visit: <https://www.umt.edu/safety/personal-safety/>

For more details about how UMPD manages timely warnings, please visit: [Annual Campus Security and Fire Safety Report](https://www.umt.edu/clery/acsfsr/default.php): <https://www.umt.edu/clery/acsfsr/>

### Billings

Individuals can report emergencies occurring at Billings MRJCON by calling 911.

Emergency Notifications are sent to MRJCON students, staff and faculty on the Billings Campus by the MSUBPD through their Emergency Notification system. When a CSA becomes aware of an event requiring emergency notification, the CSA will contact MSUB Chief of Police or designee. MSU UPD Chief is also available to assist with this communication.

MRJCON students, staff, and faculty on the Billings campus will be registered for the MSUB Emergency Notification system at the beginning of each semester. The Department Head or designee is responsible for confirming students, staff and faculty are registered in the system. Individuals who wish to opt out of the system or who wish to learn more about the system should visit: [https://www.msubillings.edu/ens/](https://www.msubillings.edu/ens/index.htm)

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

These processes differ on each of our four separate MRJCON campuses.

### Kalispell and Great Falls

Kalispell and Great Falls campuses will follow the evacuation and emergency procedures developed in partnership with the local security departments and maintain an Emergency Response Plan that outlines responsibilities of campus units during emergencies.

Each campus is responsible for developing emergency response and continuity of operations plans for their areas and staff.

Emergencies occurring on campus should be reported to the local police department by calling 911.

At the beginning of each semester, each campus will ensure that evacuation and emergency procedures are distributed (this may be via email, posted in common areas, or another manner as determined by the CSA) to students, faculty and staff. The information will include the evacuation routes and information on how students and staff will be notified of an emergency.

Campus security is responsible for conducting tests of the fire alarms as the owners of the system. Department Head will document when the MRJCON campus is involved in a test which will include the description of the exercise, the date and time of the exercise and whether it was announced or unannounced.

### Missoula

Emergencies will be communicated with the MRJCON campus via the UM Emergency Communication System. MSU UPD will consult with the UMPD when an emergency on MRJCON campus is reported to them by the CSA.

UM is responsible for testing their emergency notification system (in conjunction with other emergency agencies) and the building specific equipment such as fire alarms and beacons. To learn more about how UM maintains and tests their systems, visit the UM emergency preparedness website at: <http://www.umt.edu/emergency>.

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### Billings

Emergencies will be communicated with the MRJCON campus via the MSU Billings Emergency Communication System. MSU UPD will consult with the MSUB PD when an emergency on MRJCON campus is reported to them by the CSA.

MSU Billings is responsible for testing the emergency notification system in the Apsaruke Building leased by MRJCON on the Billings campus.

MSUB established an Emergency Response Plan. Key components of the plan are contained in the University Police Emergency Procedures page. These individual Emergency Procedures have been compiled to benefit the MSU Billings community in the event of potential life-threatening emergencies. The delineated procedures are intended to provide basic step-by-step responses to specific types of emergency or disaster situations.

In conjunction with other emergency agencies, MSUB will test its emergency response and evacuation procedures on at least an annual basis through scheduled drills, exercises, and appropriate follow through activities designed to assess and evaluate the emergency plans and capabilities. MSUB will test evacuation procedures in the Apsaruke Building. The tests may be announced or unannounced. The tests will be documented by MSUB, including a description of the exercise, the date, time, and whether it is announced or unannounced.

More information about MSU Billings Safety and Emergency Preparedness can be found at [MSUB Police Services - Safety and Emergency Preparedness](https://www.msubillings.edu/police/ep-msub_safety.htm#:~:text=MSU%20Billings%20has%20comprehensive%20emergency%20management%20plan%20for,held%20in%20regards%20to%20Emergency%20management%20and%20Planning.)

## General Information about Evacuation Preparedness for All MRJCON Campuses

### General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify the Police or dial 911.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform Kalispell Regional Medical Security or Benefis Health System Security or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

### Shelter-in-Place Procedures – What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

### Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

### How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, Logan Health Medical Center Security or Benefis Health System Security, other MRJCON employees, Local PD, or other authorities utilizing the University’s emergency communications tools.

### How to “Shelter–in-Place”

No matter where you are, the basic steps of shelter-in-place will remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:

* An interior room,
* Above ground level; and
* Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.

1. Shut and lock all windows (tighter seal) and close exterior doors.
2. Turn off air conditioners, heaters, and fans.
3. Close vents to ventilation systems as you are able. MRJCON staff will turn off the ventilation as quickly as possible.)
4. Make a list of the people with you and ask someone (faculty, or other staff) to call the list in to Logan Health Medical Center Security or Benefis Health System Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
5. Turn on a radio or TV and listen for further instructions.
6. Make yourself comfortable.

## POLICIES AND PROGRAMS ADDRESSING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

Montana State University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act and Title IX regulations) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community.

Under the University’s [Equal Opportunity, Non-Discrimination and Harassment](http://www.montana.edu/equity/policies/index.html) Policy, the definition of Sexual Harassment includes sexual assault, dating violence, domestic violence, and stalking.

MSU recognizes that these issues can impact anyone regardless of sex, gender, gender identity, gender expression, or sexual orientation. Campus services are available to anyone who experiences these crimes.

Throughout this section, the term “victim” will refer to anyone who experiences a Clery-covered crime. MSU recognizes that individuals may use various terms to describe themselves and their experiences.

### Definitions

MSU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Under the Clery Act and Violence Against Women Act (VAWA), these crimes are defined as follows:

### Domestic Violence is:

A felony or misdemeanor crime of violence committed by:

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

### 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.

1. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship.
2. For the purposes of this definition –
   1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   2. Dating violence does not include acts covered under the definition of domestic violence.

### Sexual Assault is:

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

### Stalking is:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
   1. Fear for the person’s safety or the safety of others; or
   2. Suffer substantial emotional distress
2. For the purpose of this definition-

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

MSU and the Montana criminal law definitions vary slightly from the Clery Act definitions. The following are the definitions from MSU policy.

### Sexual Assault is:

1. Non-consensual touching, or coercing or forcing another to touch a person’s intimate body parts (defined as genital area, groin, inner thigh, or breast);
2. Penetration, no matter how slight, of a person’s vagina or anus, by any body part or object, or oral penetration by a sex organ of another person without consent; or
3. Sexual intercourse between persons who are related to each other to the degree they cannot marry under state law.

### Dating Violence is:

1. violence,
2. committed by a person,
3. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
   1. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
   2. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   3. Dating violence does not include acts covered under the definition of domestic violence.

### Domestic Violence is:

1. violence,
2. committed by a current or former spouse or intimate partner of the Complainant, or
3. by a person with whom the Complainant shares a child in common, or
4. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
5. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Montana, or
6. by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of Montana.

To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

### Stalking is:

1. engaging in a course of conduct,
2. directed at a specific person that
   1. would cause a reasonable person to fear for the person’s safety, or
   2. the safety of others; or
   3. Suffer substantial emotional distress.
3. For the purposes of this definition—
   1. Course of conduct means two or more acts, including, but not limited to,
   2. acts in which the Respondent 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.
   3. Reasonable person means a reasonable person under similar circumstances
   4. and with similar identities to the Complainant.
   5. Substantial emotional distress means significant mental suffering or
   6. anguish that may but does not necessarily require medical or other professional treatment or counseling.

### Consent

Montana State University defines “consent” to decide if the University’s Policy prohibiting sexual assault has been violated. Consent is defined by University Policy as follows:

Consent is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used, there is no consent.  If a person is mentally or physically incapacitated, under the statutory age of consent, or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption or being asleep or unconscious. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim.  Silence does not necessarily constitute consent.  Past consent to sexual activities does not imply ongoing future consent.  Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

Montana defines “consent” as words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact.

## Prohibited Retaliation

Retaliation is prohibited by MSU policy and federal law. Any retaliation against any person for making a report or complaint, responding to a report or complaint, testifying, assisting, participating, or refusing to participate in an investigation, proceeding, or hearing falls under this Policy and the applicable procedure. Retaliation is subject to the process and sanctions as defined in the Equal Opportunity, Non- Discrimination and Harassment Policy.   Reporting Dating Violence, Domestic Violence, Sexual Assault, and Stalking

MSU takes seriously reports of sexual assault, stalking, dating violence, and domestic violence. Campus Civil Rights (CCR) or The University Police Department (UPD) are the preferred receivers of these reports. If domestic violence, dating violence, sexual assault, or stalking are reported to the University, CCR or UPD will provide written notifications to students and employees explaining a victim’s rights and options, including:

* Procedures to follow (how to preserve evidence, where to report)
* Information about confidentiality
* Counseling and victim advocacy and mental health resources, both on and off-campus
* Contact and information for local and university law enforcement
* Information on how to request supportive and protective measures
* Supportive and protective measures are available, including academic adjustments such as extensions of deadlines, living adjustments, protective orders and modifications of work or class schedules, campus escort services, changes to housing, leaves of absence, safety planning, and other similar measures.
* Information regarding legal assistance, Visa and Immigration Assistance, and Student Financial Aid
* Process for institutional disciplinary procedures

### Victims have the right to:

* Pursue action through both MSU’s Equal Opportunity, Nondiscrimination and Harassment Policy and the criminal process
* Pursue action only through MSU’s process
* Pursue action only through the criminal process
* Report to the police and decline to pursue further action by law enforcement
* Seek support and protective measures regardless of whether they choose to report to law enforcement or file a formal complaint
* Seek confidential support on campus through Counseling and Psychological Services or off-campus through confidential resources listed below
* Report to Campus Civil Rights and decline to pursue further action
* Report anonymously
* Do none of the above (victims are still encouraged to seek support)

### Required Reporting by MSU Employees

To enable MSU to prevent and respond effectively to instances of sex discrimination and sexual harassment, including domestic violence, dating violence, sexual assault, and stalking, all University employees must promptly (generally within 24 hours) report information they have about Discrimination based on sex and sexual harassment, as defined by this Policy, involving students to the Title IX Coordinator.

Confidential employees, professionals permitted to maintain legal or statutory confidentiality, are not required to report but may be required to provide de-identified statistics annually. Victims who are also required reporters are not required to report to MSU about their experiences.

Once a report is received, the victim will be provided with information about their rights, options, and resources.

Students, faculty, and staff are encouraged to report to the offices described below if they experience one of these issues or know of someone who is a victim.

### Reports to MSU’s Title IX Coordinator and Campus Civil Rights

Title IX of the Education Amendments of 1972 is a federal civil rights law prohibiting discrimination in educational programs based on actual or perceived sex, gender, and sexual orientation. Campus Civil Rights is the University office responsible for coordinating the University's compliance with Title IX and other federal and state laws prohibiting discrimination based on a protected class. The Office responds to sex discrimination and sexual harassment complaints, including Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Anyone can report potential discrimination or violence concerns to the Title IX Coordinator. These reports are not confidential but are private student records protected under federal privacy law (FERPA). Reporting to the Title IX Coordinator does not mean a person is obligated to pursue formal action or speak with law enforcement. Those who report to the Title IX Coordinator will be made aware of their rights, options, and resources and will receive supportive and protective measures as reasonable and necessary to help the person be safe and continue to be successful at MSU.

Reports can be made by phone, e-mail, online, or in person.

**Kyleen Breslin**   
Managing Director of Campus Civil Rights and Title IX Coordinator   
2nd Floor, Swingle Building   
406-994-1568   
[civilrights@montana.edu](mailto:civilrights@montana.edu)    
[www.montana.edu/civilrights](http://www.montana.edu/civilrights)

### Reports to Law Enforcement

MSU encourages accurate and prompt reporting of all crimes to the University Police Department (UPD) and local law enforcement when the victim elects, when there is an obligation under state law, or when there is an emergency. Although MSU strongly encourages all members of its community to report domestic violence, dating violence, sexual assault, and stalking to law enforcement, it is the victim’s choice whether to make such a report, and victims have the right to decline involvement with the police.

Certain offenses, such as sexual intercourse without consent, sexual assault, domestic and dating violence, and stalking are crimes under Montana law. UPD officials are available 24 hours a day to help respond to reports of these crimes. MSU encourages reporting to the police as soon as possible, but a report can be made later if a victim chooses not to report immediately. At UPD, a victim can meet with a detective or officer to learn more about their options, the process, the people involved and make an informed decision on pursuing criminal charges. If requested, University officials, such as Campus Civil Rights staff, are available to assist victims in reporting to UPD or other law enforcement agencies.

In addition to reporting to the University, anyone can make a report to law enforcement at the following non-emergency numbers:

* University Police: 406-994-2121
* Bozeman Police Department: 406-582-2000
* Gallatin County Sheriff’s Department: 406-582-2100

To make a report, an individual may call or schedule an interview regarding their experience. For more information about reporting to UPD, please see [www.montana.edu/police](http://www.montana.edu/police). In an emergency, please dial 9-1-1.

### Anonymous Reporting

Victims and bystanders can make reports anonymously. MSU employees designated as mandatory reporters may not make anonymous reports about matters they have a duty to report.

MSU’s ability to investigate an anonymous report may be limited unless sufficient information is furnished to enable MSU to conduct a meaningful and fair investigation. An anonymous reporter’s identity may be discovered during an investigation.

Reports can be made anonymously to CCR by calling 406-994-1568, to UPD via the Silent Witness Program: [switness@montana.edu](mailto:switness@montana.edu), or by filling out a MUS System Anonymous report at <https://secure.ethicspoint.com/domain/media/en/gui/74116/index.html>.

## Resources

Several resources available from MSU and in the community provide support to victims of dating or domestic violence, sexual assault, and stalking.

### MSU Resources

#### Counseling and Psychological Services

Talking with a counselor can be important in learning about available options and helping the recovery process. MSU Counseling and Psychological Services offers free, confidential counseling to eligible students and is open to faculty and staff for crisis intervention and risk assessment in emergencies. They can provide this service in both remote and in-person options.

MRJCON Students can opt into using the Bozeman Campus Counseling and Psychological services as well as the Student Health services for a fee. MRJCON students interested in telehealth services through MSU Bozeman Counseling and Psychological Services may contact CPS for an intake appointment by calling 406-994-4531 or visiting: [www.montana.edu/counseling/appointment-explain.html](http://www.montana.edu/counseling/appointment-explain.html)

**Counseling and Psychological Services**   
Student Wellness Center   
950 W. Grant   
(406) 994-4531    
[www.montana.edu/counseling](http://www.montana.edu/counseling)

MRJCON students on the Billings campus can pay the MSU- Billings health fee to access mental health services at the MSU-Billings Student Health Services.

**MSU Billings Student Health Services**  
2nd Floor Petro Hall, 406-657-2153  
[www.msubillings.edu/studenthealth/](http://www.msubillings.edu/studenthealth/)

MRJCON students in Missoula can pay University of Montana health fees and access mental health services at the University of Montana Curry Health Center

**UM Curry Health Center**   
Curry Health Building, 406-243-4711  
<https://www.umt.edu/curry-health-center/counseling/>

MSU students in Great Falls can reach out to Great Falls Mental Health Triage Services who can connect them with an available provider within 24 hours.

**Great Falls Mental Health Triage Services** – 406-272-1086

#### Student Health Services

Regardless of the length of time since an assault, health care providers recommend a clinical visit to assess sexually transmitted infections (including HIV), pregnancy risk, and physical injuries. Services are available to eligible MSU students and their spouses/domestic partners. There is no charge for a clinical visit. A student’s insurance may cover lab tests, x-rays, and pharmaceutical charges. Morning-after contraception is available. Student Health Partners does not perform medical forensic exams. These exams are only performed at the Bozeman Health Hospital Emergency Room.

**Student Health Services**  
Student Wellness Center   
950 W. Grant Street   
https://www.montana.edu/wellness/student-health-services/

#### Campus Civil Rights

Campus Civil Rights office and the Title IX Coordinator are not confidential resources. Nevertheless, Campus Civil Rights and the Title IX Coordinator will make every effort to respect and safeguard the privacy of the individuals involved in reporting or otherwise participating in Discrimination Grievance Procedures. Privacy means that reports will only be shared with limited individuals who need to know for assessment, implementation of Supportive and Protective measures, and investigation and resolution of a formal complaint, and to the extent required by law or court order.

Students can meet with an Advocate from Campus Civil Rights to receive support, resources, and referral information to Crisis and other campus resources. They can also talk with an Advocate about their options for supportive and protective measures, as well as options for resolution through the Discrimination and Harassment procedure.

**Campus Civil Rights**  
2nd Floor of Swingle Building  
406-994-1568  
[CivilRights@montana.edu](mailto:CivilRights@montana.edu)  
[www.montana.edu/civilrights](http://www.montana.edu/civilrights)

#### ASMSU Legal Services

The Associated Students of Montana State University (ASMSU) in Bozeman, Montana, have partnered with Cromwell Law, PLLC, to offer students affordable legal services.  An attorney can help you resolve your legal problem for a minimal fee, saving you time, energy, and money. ASMSU Legal services can provide legal advice on various issues or concerns. Most cases involve alcohol and drug-related criminal charges, landlord-tenant, business and non-profit, family law, and immigration issues, but this is not a comprehensive list of all their legal services.  Students are welcome to make an appointment concerning a legal problem that is not listed. MRJCON students can access ASMSU Legal Services remotely upon request.

**ASMSU Legal Services**  
221 Strand Union Building (406) 994-2933  
[asmsulegalservices.org](https://asmsulegalservices.org/)

### Community Resources

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include:

* <http://www.rainn.org> – Rape, Abuse and Incest National Network
* <https://www.justice.gov/ovw/sexual-assault> - Department of Justice
* <http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights.

#### The Help Center

The Help Center is the confidential community crisis line for sexual assault victims and those struggling with suicide and mental health concerns. The Help Center also provides counseling and advocacy services. The Help Center can provide telehealth confidential counseling, and their crisis line is available to anyone in the state of Montana.

**Help Center and Sexual Assault Counseling Center**  
421 E. Peach St., Bozeman, MT (406) 586-3333   
[bozemanhelpcenter.org](http://www.bozemanhelpcenter.org)

#### HAVEN

HAVEN is Bozeman’s domestic violence shelter and provides 24-hour crisis support and advocacy for all domestic violence survivors. In addition to emergency shelter and crisis support, HAVEN provides support groups, individual counseling, and legal advocacy. A HAVEN Legal Advocate is housed at the Law and Justice Center in Bozeman and can help victims obtain protective orders, including court accompaniment. Haven’s 24-hour crisis line is available to anyone in the state of Montana and Haven can also provide telehealth counseling appointments. Haven’s Legal Advocates serve survivors in Gallatin County.

**HAVEN**  
132 Pond Row, Bozeman  
24/7 Helpline: (406) 586-4111  
[havenmt.org](http://havenmt.org)

### Kalispell Community Resources

#### Abbie Shelter

Abbie Shelter supports survivors of sexual and domestic violence. Abbie Shelter provides shelter, counseling, crisis support, and legal assistance to survivors in Kalispell and Flathead County.

**Abbie Shelter**  
24/7 Helpline: (406) 752-7273  
[abbieshelter.org](https://www.abbieshelter.org/)

#### Logan Health Medical Center Emergency Room

Logan Health Medical Center Emergency Room is the only hospital in Kalispell where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana’s Forensic Rape Examination Payment Program.

**Logan Health**310 Sunnyview LnKalispell, MT 59901  
[logan.org](https://logan.org/)

### Great Falls Community Resources

#### YWCA

YWCAsupports survivors of domestic violence and sexual assault. They provide shelter, counseling, crisis support, and legal assistance to survivors in Great Falls and Cascade County.

**YWCA**  
Contact line: (406) 452-1315  
[ywcagreatfalls.org/contact/](https://ywcagreatfalls.org/contact/)

#### Benefis Health System Emergency Room

Benefis Health System Emergency Room is the only hospital in Great Falls where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana’s Forensic Rape Examination Payment Program.

**Benefis Emergency Room**1101 26th ST SGreat Falls, MT 59405

### Missoula Community Resources

#### The YWCA in Missoula

The YWCA in Missoula provides support to survivors of domestic and sexual violence and human trafficking. YWCA provides shelter, counseling, and crisis support to survivors in Missoula or Missoula County.

**YWCA**  
24/7 Helpline: (800) 438-7858  
[ywcamissoula.org/services/domestic-sexual-violence/](https://www.ywcamissoula.org/services/domestic-sexual-violence/)

#### Blue Mountain Clinic

Blue Mountain Clinic provides patient-centered, family practice and primary care services to the local community through a choice-based perspective.

**Blue Mountain Clinic** Contact line: (406) 721-1646  
 https://www.bluemountainclinic.org/

#### The Emergency Room at Providence Clinic in Missoula

The Emergency Room at Providence Clinic in Missoula is the hospital where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana’s Forensic Rape Examination Payment Program.

**Providence St. Patrick Hospital**  
500 W Broadway St,  
Missoula, MT 59802

### Billings Community Resources

#### The YWCA in Billings

The YWCA in Billings provides support to survivors of domestic and sexual violence and human trafficking. YWCA provides secure emergency shelter, crisis support, and hospital accompaniment during forensic rape exams. The YWCA in Billings supports survivors in Yellowstone County and all neighboring counties and reservations.

**YWCA**  
24/7 Helpline: (406) 245-4472  
24/7 Textline: (406) 702-0229

<https://www.ywcabillings.org/emergency-services/>

#### Billings Clinic Emergency Room

Billings Clinic Emergency Room is the only hospital in Billings where anyone can obtain a medical forensic exam. Victims may request an exam and forensic evidence collection at no cost and without having to file a police report. The costs of the evidence collection will be covered as part of Montana’s Forensic Rape Examination Payment Program.

**Billings Clinic**801 North 29th StreetBillings, MT 59101

### Legal & Other Assistance in Montana

* American Civil Liberties Union (ACLU) (406) 443-8590
* Citizens' Advocate Hotline (800) 332-2272 [www.citizensadvocate.mt.gov](http://www.citizensadvocate.mt.gov/)
* Human Rights Bureau (800) 542-0807
* Lawyers Referral Services (MT State Bar Assn.) (406) 449-6577
* Montana Legal Services-low income (civil; no criminal) (800) 666-6899
* State Auditor/Insurance Commissioner (Auto insurance questions) (800) 332-6148 - [www.sao.mt.gov](http://www.sao.mt.gov/)
* Victims Assistance/Legal Advocacy (406) 582-2038
* Office of Public Defender: If you have a misdemeanor, you can ask the judge for a public defender if you face jail time and are indigent (have no money). (406) 582-2450
* Other helpful websites:
  + [www.montanalawhelp.org](http://www.montanalawhelp.org);
  + <https://courts.mt.gov/> (Montana civil legal forms & areas of MT law)

### Visa and Immigration Assistance

The Department of Justice Clearinghouse or an Attorney can provide assistance in the application process for a Visa. This website can provide more information: https://www.justice.gov/eoir/recognition-accreditation-roster-reports

## Required Reporting by MSU Employees

To enable MSU to respond effectively and to stop instances of sex discrimination and sexual harassment, including domestic violence, dating violence, sexual assault, and stalking, all University employees must promptly (within 24 hours) report information they have about Discrimination based on sex and sexual harassment, as defined by this Policy, involving students to the Title IX Coordinator.

Employees hired by the University to work under a license or statutory privilege under Montana law that provides for confidentiality are not required to report but may be required to provide de-identified statistics annually. Victims who are also required reporters are not required to report to MSU about their own experiences.

Once a report is received, the victim will be provided with information from CCR to ensure the victim is aware of their rights, options, and resources.

Students, faculty, and staff are encouraged to report to the offices described below if they experience one of these issues or know of someone who is a victim.

### MSU’s Title IX Coordinator and Campus Civil Rights

Title IX of the Education Amendments of 1972 is a federal civil rights law prohibiting discrimination in educational programs based on actual or perceived sex, gender, and sexual orientation. Campus Civil Rights is the University office responsible for coordinating the University's compliance with Title IX and other federal and state laws prohibiting discrimination based on a protected class. The Office responds to sex discrimination and sexual harassment complaints, including Domestic Violence, Dating Violence, Sexual Assault, and Stalking. Anyone can report potential discrimination or violence concerns to the Title IX Coordinator. These reports are not confidential but are private student records protected under federal privacy law (FERPA). Reporting to the Title IX Coordinator does not mean a person is obligated to pursue formal action or speak with law enforcement. Those who report to the Title IX Coordinator will be made aware of their rights, options, and resources and will receive supportive and protective measures as reasonable and necessary to help the person be safe and continue to be successful at MSU.

Reports can be made by phone, e-mail, online, or in person.

**Kyleen Breslin**  
Managing Director of Campus Civil Rights and Title IX Coordinator  
2nd Floor, Swingle Building  
406-994-2042  
[civilrights@montana.edu](mailto:civilrights@montana.edu)   
[www.montana.edu/civilrights](http://www.montana.edu/civilrights)

## Reporting to Law Enforcement

MSU encourages accurate and prompt reporting of all crimes to the University Police Department (UPD) and local law enforcement when the victim elects to, when there is an obligation under state law, or when there is an emergency. Although MSU strongly encourages all members of its community to report domestic violence, dating violence, sexual assault, and stalking to law enforcement, it is the victim’s choice whether to make such a report, and victims have the right to decline involvement with the police. If the victim desires to report the matter to law enforcement, MSU will assist the victim in making a report.

Certain offenses such as sexual intercourse without consent, sexual assault, domestic and dating violence, and stalking are crimes under Montana law. UPD officials are available 24 hours a day to help respond to reports of these crimes. MSU encourages reporting to the police as soon as possible, but a report can be made later if a student chooses not to report immediately. At UPD, a student can meet a detective or officer to learn more about their options, the process, the people involved and make an informed decision on pursuing criminal charges. If requested, University officials, such as Campus Civil Rights staff, are available to assist students in reporting to UPD or other law enforcement agencies.

In addition to reporting to the University, anyone can make a report to law enforcement at the following non-emergency numbers:

Kalispell Police: (406) 758-7780  
Flathead County Sheriff’s Department: (406) 758-5610

Great Falls Police: (406) 727-7688   
Cascade County Sheriff’s Department: (406) 454-6820

Missoula Police: (406) 552-6300  
Missoula County Sheriff’s Department: (406) 258-3452  
University of Montana Police Department 406-243-6131

Billings Police: (406) 657-8200  
MSU Billings University Police: (406) 657-2147  
Yellowstone County Sheriff’s Department: (406) 256-2929

To make a report, an individual may call and report the crime or may schedule a time to conduct an interview regarding their experience. For more information about reporting to UPD, please see <http://www.montana.edu/police>. In an emergency, please dial 9-1-1.

### Anonymous Reporting

Victims and bystanders (but not employees required to report) can make reports anonymously. MSU may be limited in investigating an anonymous report unless sufficient information is furnished to enable MSU to conduct a meaningful and fair investigation. An anonymous reporter’s identity may be discovered during an investigation.

Reports can be made anonymously to Campus Civil Rights by calling 406-994-2042, to UPD via the Silent Witness Program: [switness@montana.edu](mailto:switness@montana.edu), or by filling out a MUS System Anonymous report at <https://secure.ethicspoint.com/domain/media/en/gui/74116/index.html>.

### Amnesty Policy

The University strongly encourages reporting discrimination and harassment. Therefore, students who provide information about discrimination, harassment, dating violence, domestic violence, or stalking involving students will not be disciplined by the University for any violation of the University’s drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

## What To Do If You Are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

There is no right or wrong way to respond if you are a victim of domestic violence, dating violence, sexual assault, or stalking. What happened is not your fault. The following are options you can consider.

If you are a friend supporting a victim, support their decisions and try not to tell them what to do. Find ways to help them make decisions for themselves.

### Seek Medical Attention

After an incident of sexual assault, dating, or domestic violence, you should consider seeking medical attention as soon as possible to treat any injury, get screened for sexually transmitted infections, pregnancy, or seek the medical collection of evidence.

The following locations offer physical evidence recovery kit collection and access to forensic nurse examiners and sexual assault nurse practitioners.

**Billings Clinic**  
801 North 29th Street  
Billings, MT 59101

**Benefis Emergency Room**  
1101 26th ST S  
Great Falls, MT 59405

**Logan Health**  
310 Sunnyview Ln  
Kalispell, MT 59901

**Providence St. Patrick Hospital**  
500 W Broadway St,  
Missoula, MT 59802

Sexual Assault Nurse Examiners (SANE) are forensic nurses who may be available to conduct a forensic examination. There is no cost to have a Sexual Assault Forensic Examination completed, and completing the examination does not require filing a police report or taking criminal action.

In the State of Montana, evidence may be collected and held for a year, even if you choose not to make a report to law enforcement. University Health Partners are available for a wellness check but cannot do forensic exams.

### Preserve Evidence

Evidence may assist in proving a criminal offense occurred, demonstrating that a campus policy was violated, or obtaining an Order of Protection. Evidence can include pictures of injuries, social media posts, text messages, emails, or other related evidence items.

In cases of sexual assault, medical forensic evidence may be collected within 120 hours of the assault by a specially trained SANE nurse. You may request an exam and forensic evidence collection at no cost and without having to file a police report. In Montana, evidence may be collected and held for a year even if you choose not to make a report to law enforcement.

Things to keep in mind before an examination by a Sexual Assault Nurse Examiner:

* If possible, it is best not to use the bathroom, shower, change clothing, brush hair, smoke, brush teeth, or clean up the area where the assault occurred; this can help to preserve the perpetrator’s DNA.
* If you change clothes, put all clothing worn during the assault in a paper bag (no plastic bags).

## Assistance for Victims

### No Contact Orders and Supportive and Protective Measures

An Order of Protection is a civil court order designed to stop violent and harassing behavior by limiting the conduct and contact with the abuser. The University cannot apply to the Court system for an Order of Protection. Individuals seeking an Order of Protection must apply directly for these services themselves.

The law governing Orders of Protection in Montana is Chapter 40, Part 21. MCA § 40-15-201 sets forth the procedure for requesting a Temporary Order of Protection. Within 20 days of a Temporary Order of Protection issuance, a hearing must be held to determine if there is reasonable cause for the order to be continued, amended, or made permanent. See MCA § 40-15-202. The victim is required to apply directly for these services through the City Court, Justice Court, or District Court. Assistance applying for an Order of Protection may be sought from HAVEN Legal Advocacy Office.  Victim Services and the Self-Help Law Center in the Gallatin County Law and Justice Center may also be available to assist.

The University may issue a mutual no-contact order, if deemed appropriate or at the request of an involved party. If the University receives a report that such a mutual no-contact order has been violated, the University will initiate appropriate disciplinary proceedings and impose sanctions if responsibility is found for the violation of the order. To obtain a no-contact order related to an incident of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, please reach out to Campus Civil Rights.

### Range of Supportive and Protective Measures Available for Victims

Supportive and protective measures are available to the individual who experienced the behavior regardless of whether they report the crime to a law enforcement agency or wish to file a formal complaint.

University offices will work cooperatively to assist the victim in implementing reasonable supportive and protective measures at the victim’s request and to the extent of the victim’s cooperation and consent.

Supportive and protective measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, safety planning, referrals to on and off-campus services, trainings, mutual restrictions on contact, and other similar measures.

Examples of a course-related adjustment may include transferring to a different section of a class, withdraw, or the option to take a class at another time depending on availability. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may consist of changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To Request and receive supportive and protective measures, a victim should contact Campus Civil Rights at 406-994-1568, [civilrights@montana.edu](mailto:OIE@montana.edu); you may also make requests in person in Montana Hall 311. You may request assistance by making a brief statement about what you have experienced and request the changes that you believe would be helpful to remain safe and successful in your campus environment. Upon receipt, CCR will determine if the request is reasonable and work to implement the interim measures.

### Directory Information

Victims may request that directory information on file with the University be withheld by request to either Campus Civil Rights (406-994-2042 or [civilrights@montana.edu](mailto:oie@montana.edu)) or to the Registrar, Tony Campeau (406-994-1972 or [registrar@montana.edu](mailto:registrar@montana.edu)).

Regardless of whether a victim has opted out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as private and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as private any accommodations or protective measures provided to the victim to the extent that maintaining such privacy would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued based on a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## University Response

Reported allegations of domestic violence, dating violence, sexual assault or stalking will first be considered for processing through the University’s [Equal Opportunity, Non-Discrimination and Harassment Policy](https://www.montana.edu/policy/onemsu/discrimination/NonDiscrimination_Harassment_2025-05-07.html) and appropriate procedures. This Policy and related procedures guide the University’s response to dating violence, domestic violence, sexual assault, and stalking incidents. MSU has designated Campus Civil Rights (CCR) to oversee the University’s compliance with state and federal civil rights laws, including laws covering dating violence, domestic violence, sexual assault, and stalking.

Cases of Alleged dating violence, domestic violence, sexual assault, or stalking that fall outside of the jurisdiction of the Title IX procedures will be referred to either the Student Conduct process, or Human Resources for adjudication. The Title IX coordinator will make such referrals to the appropriate process and will appoint someone from CCR to assist the case through the designated process if necessary.

In addressing all complaints, the University will take all reasonable permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees.

In determining the severity of sanctions or corrective actions, factors such as the frequency and severity of the offense and any history of past discriminatory, harassing, or retaliatory conduct are relevant. A finding of discrimination, harassment that creates a hostile environment or results in tangible employment or educational action, or sexual violence may be cause for disciplinary action up to and including the discharge of employees and the expulsion of students, in accordance with applicable University policies and procedures and collective bargaining agreements.

If a student or employee make a report of domestic violence, dating violence, sexual assault, or stalking to the university, the university will do the following:

* Provide a written explanation of Rights and options. Including what the student can do if they have been sexually harassed, Options for reporting, resources both on and off campus, and steps that can be taken in preserving evidence.
* The institution will assess immediate safety needs for the complainant.
* The institution will provide information on how the student can apply for a Protective Order
* If requested, the institution will assist the complainant in contacting the local police department to make a criminal report.
* Implement supportive and protective measures, if reasonable, appropriate and at the request of the complainant.
* If deemed appropriate, the institution will invoke the [Restricting Access to University Property](https://www.montana.edu/policy/facility_use/facuse1200.html) policy.

### Adjudication of Violations

The University’s Discrimination Grievance Procedures provide for a prompt, fair, and impartial investigation and resolution process of alleged violations of the university policy prohibiting domestic violence, dating violence, sexual assault, and stalking.  Furthermore, it is the practice to provide:

1. The Complainant and the Respondent will have timely notice for meetings at which the Complainant, Respondent, or both, may be present.
2. The Complainant, the Respondent, and appropriate officials will have timely and equal access to any information used during investigations.
3. The institutional disciplinary procedures will not be conducted by officials with a conflict of interest or bias for or against the Complainant or the Respondent. These officials receive annual training in VAWA and the Adjudication of VAWA Crimes.
4. The Complainant and the Respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor for either the Complainant or the Respondent in any meeting or institutional proceeding. Please note, however, the role of the advisor is limited to providing advice to the individuals, cross-examination during a Title IX hearing, and may not speak freely on their behalf.
5. The Complainant and the Respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any formal investigation; and
6. Where an appeal is permitted under the applicable policy, the Complainant and the Respondent will be notified simultaneously in writing of the procedures for the Respondent and the Complainant to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the Complainant and the Respondent will be notified simultaneously in writing of any change to the result before it becomes final and of the final result once the appeal is resolved.

### Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Three policies exist for adjudicating reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking.

* [Equal Opportunity, Non-Discrimination and Harassment Policy](https://www.montana.edu/policy/onemsu/discrimination/NonDiscrimination_Harassment_2025-05-07.html)
* MSU Student Code of Conduct
* MSU Human Resources Performance Management and Progressive Discipline Policy

These procedures apply to Employees (Faculty/Staff), Students, and Guests.

### How to File a Complaint

The individual who experienced the behavior may initiate a complaint by reporting to Campus Civil Rights.  The incident will first be reviewed under the MSU Discrimination, Harassment and Retaliation policy for jurisdiction.  If jurisdiction exists, this office will work with the Complainant to determine what course of action they would like to take under the appropriate policy. In most cases, the decision is up to the individual who experienced the behavior. The policies and procedures documents may be accessed at:

* <https://www.montana.edu/policy/onemsu/discrimination/NonDiscrimination_Harassment_2025-05-07.html>

### How the University Determines Whether This Policy Will Be Used

Each report Campus Civil Rights receives is reviewed for jurisdiction and an immediate health and safety risk for campus. If the Managing Director of Campus Civil Rights determines that the Office does not have jurisdiction to pursue a Complaint under Equal Opportunity, Non-Discrimination and Harassment Policy, the complainant will be referred to either the Dean of Students for adjudication under the Student Code of Conduct or Human Resources for adjudication under the appropriate HR Policy. Regardless of which policy is used in addressing VAWA cases the appropriate steps will be followed.

### Steps in the Disciplinary Process

In general, the procedural steps in addressing cases of Sexual Assault, Dating Violence, Domestic Violence, and Stalking include the following:

1. Upon receipt of a report of prohibited conduct, Campus Civil Rights will offer the person who experienced the behaviors supportive and protective measures and invite the person to meet with a staff member to discuss the options available to the person and the process for filing a complaint or violation.
2. If the Complainant wishes to proceed with a complaint, staff will notify Respondent(s) of the allegations contained in the complaint or violation and the complainant will be provided with information about procedures and resources.  Once notified, the investigator will conduct an investigation. Prior to the completion of the investigation, the parties will be provided an opportunity to review the evidence collected.  Both parties are permitted to have an advisor of choice throughout the process.
3. Upon completion of the investigation, a Hearing Officer or a Hearing Board will preside over a live hearing at which each party will present witnesses and engage in cross-examination as allowed under the policy and will be advised by an advisor of their choosing or, if they have no advisor, one will be appointed by the University.
4. Following the conclusion of the Hearing, the Hearing Officer or Hearing Board will issue a written determination regarding responsibility using a preponderance of the evidence standard of proof.  If applicable, the determination will include the sanctions to be imposed on the Respondent.
5. Each party has the right to appeal the determination of responsibility to the appropriate appellate officer.

### Anticipated Timelines

The University makes every effort to complete the investigative process promptly while adhering to the required time frames established in the policy and the parties' schedules. The process also allows for timeframe extensions if either party requests and has reasonable cause for the delay.  Other reasonable delays may include complex investigations involving multiple witnesses or other reasonable delays in availability. The University will do its best to complete an investigation and make a determination within 160 days of receiving the report.

### Decision-Making Process

Generally, upon receipt of a Formal Complaint, the decision-making process will follow the process described in section 4 above.

### Standard of Evidence

The standard of evidence is preponderance of the evidence in the adjudication process.

### Possible Sanctions

Student will be held accountable under the Code of Student Conduct. Sanctions for students mater in VAWA cases are: Expulsion, Suspension for one, two, three, or four semesters, educational sanctions, including alcohol or drug education, meeting with the Allen Yarnell Center for Student Success, educational papers, reflection papers, sexual violence or anger management courses, or counseling, Conduct Probation/Suspension Warning for one, two, three, or four semesters or for tenure, University Conduct Warning Reprimand, Restitution, Student housing sanctions, including warnings, housing probation for one, two, three, or four semesters, or for tenure, restriction of privileges to any housing or dining facilities, removal from the floor, removal from housing, Community service hours, Loss of privileges for University items, including Recreation facilities and activities, parking, or Bobcat Athletic events, Trespass from specific University buildings or the entire campus, Transcript hold, delay or revoke the conferral of a degree, Permanent No Contact, Removal from specific courses or activities,

Employee matters will be referred to Human Resources, Academic units or the Provost. Sanctions for Employee maters in VAWA cases include: Involuntary Termination, Termination of employment, restriction from employment, mandatory training, job transfer or reassignment, cancellation of leave, last chance agreement, Letter of Warning, Letter of Expectation, Leave with Pay, Leave Without Pay, Restitution, Disciplinary Remand, Trespass from all of campus, part of campus, and/or campus affiliated properties, and progressive disciplines as deemed appropriate.

## MSU’S Education and Outreach

Montana State University prohibits the crimes of domestic violence, dating violence, Sexual assault, and stalking (as defined by the Clery Act and Title IX regulations). The University provides a range of campaigns, strategies, and initiatives to promote awareness of rights and resources and reduce crimes of interpersonal violence including rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence.

Educational programs are offered to raise awareness for all incoming students and new employees. Students participate in educational programming prior to being a new student at MSU and throughout an incoming student’s first semester. Employees attend New Employee Orientation during their first month at MSU which contains an introduction to CCR and are required to complete an online Title IX and Mandatory Reporting Training.

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that: Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming also consists of ongoing awareness and prevention campaigns for students and employees. Programs and campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, risk reduction practices and bystander intervention), and discuss institutional policies as well as the Montana state law definitions of domestic violence, dating violence, sexual assault, stalking, and the Montana state law definition of consent in reference to sexual activity. The program provides the institution’s definition of consent and includes a statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act), as well as how to receive support if such an event has impacted you.

A description of safe and positive options for bystander intervention is also provided. Bystander intervention are options that an individual or individuals may carry out to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying and taking safe and effective intervention options.

Programs offer information on risk reduction that strives to empower victims, recognize warning signals, avoid potential attacks, and do so without victim-blaming approaches.

The programming also includes information regarding:

* Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
* How the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
* Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
* Options for available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
* Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document).

In 2024 there were 109 separate presentations to various groups around campus. This included primary prevention presentations and ongoing educational opportunities with presentations to class groups, departments, fraternity groups, workshops, athletes, new employees, campus clubs, university student housing, and many others. A full list of training that has groups, topics covered, and dates, can be requested through Campus Civil Rights.

MSU offices directly involved in these programs include Campus Civil Rights, Human Resources, University Student Housing, Intercollegiate Athletics, Office of the Dean of Students, University Police Department, Women’s Center, Student Commons and the Faculty Center for Excellence, and Student Wellness.

### MSU’s Primary and Ongoing Prevention and Awareness Programs

#### Student Online Required Training

1. Previous Student Online Required Training – All students are required to take an online follow up training before registering for their second semester on-campus. Through fall semester of 2024, MSU used the Sexual Assault Prevention online course for Undergraduates/Graduate (SAPU/SAPYAL) Program in conjunction with alcohol.edu from Vector Solutions. This online training was mandated for all incoming new undergraduate and graduate students. SAPU/SAPYAL covers the topics of sexual assault, domestic violence, stalking, bystander engagement, risk reduction, and campus resources.
2. Current Student Online Required Training - Starting in the summer and fall of 2025, we have switched to the Montana University System (MUS) provided online course, “Thriving Together.” This training addresses campus safety topics such as sexual assault prevention, substance use prevention, hazing, and mental health issues, including strategies to address these issues in healthy ways.

#### Employee Online Mandatory Reporter Training

Campus Civil Rights in partnership with UniversityCompliance facilitated online training related to mandatory reporting of sex discrimination and sexual harassment, including, dating violence, domestic violence, and stalking. All employees of MSU are required to complete the training on a biannual basis. New employees must complete the training within 45 days of employment. The training covers definitions, reporting requirements, response to reports, and campus and community resources. Campus Civil Rights will continue this Education programming. Violence Prevention Workshop

A five-hour workshop marketed to all MSU students, faculty, and staff offered within the first six weeks of the Fall semester and offered on demand in the Spring. Participants engage in interactive learning focusing on the primary prevention technique of bystander intervention. Consent is defined and discussed within the workshop. Additional topics include gender stereotypes, causes of violence, and how to support a survivor of sexual violence. The workshop is advertised across campus for students, faculty, and staff.  

## Faculty and Staff Trainings

#### New Employee Orientation (Staff)

Every new employee of MSU is required to attend a half-day New Employee Orientation. Campus Civil Rights (CCR) presents information about discrimination and harassment, sexual assault prevention, and available resources.

#### New Faculty Orientation

All new faculty at MSU are required to attend a New Faculty Orientation. CCR presents information about discrimination and harassment, sexual assault prevention, and available resources.

#### Educational outreach and safety presentations

The following receive prevention and education training throughout the year: residence hall supervisors; fraternity and sorority organizations; student-athletes; student orientation leaders; and faculty and staff groups and organizations. Connecting with these groups is a long-standing tradition. The professional staff in charge of these student groups reach out to Campus Civil Rights and request a presentation.

### Awareness Campaigns

**Sack Lunch Seminars** – the MSU Women’s Center facilitates regular seminars on issues related to violence prevention, gender equity, and intersectional identity, among other topics.

**Resource Fairs –** MSU Student Success organizes a resource fair that happens in both the fall and the spring semesters. These events are for all campus resources including Campus Civil Rights. The tabling event is used to promote upcoming events and activities regarding violence prevention and bystander intervention.

### Passive Programming

#### Social Media Campaign

CCR posts information and educational posts on Facebook and Instagram weekly throughout the year. Each month has a different topic focused on violence prevention and other Civil Rights topics.

#### Posters, Flyers, and Magnets

Campus Civil Rights and the Women’s Center work in conjunction to create posters and flyers focused on bringing awareness to sexual violence, relationship violence, stalking, and harassment. These posters and flyers are hung in the Student Union every semester and throughout the Residence Halls. Electronic posters are placed into the cycle on television screens throughout campus buildings.

#### Tabling Events

Campus Civil Rightsregularly attend tabling events for new and potential students on campus. Information on preventing sexual violence on campus is provided. Events include Orientation fairs, Catapalooza, Fall and Spring Wellness fair, Coffee Corner, Destress Fest, and Student Information fairs, faculty and staff orientation fairs.

#### Fraternity Engagement

Each semester fraternities are required to schedule and attend a presentation from the Campus Civil Rights in order to host events with alcohol. in 2024, Campus Civil Rights worked with Fraternities on a partnership to create a Promotional Sticker for all of Fraternity and Sorority Life. The sticker included the promotion of affirmative consent. 

Bystander Engagement

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention. Techniques taught at MSU include the 5 D’s: Direct, Distract, Delegate, Document, and Delay. Students are taught each technique and practice using these techniques in scenarios within the prevention training. Students are encouraged to be mindful of safety when using any bystander intervention technique.

* Direct intervention focuses on students identifying an unsafe situation and intervening in a straightforward manner to prevent violence.
* Distract intervention allows students to intervene by distracting individuals involved in a situation and refocusing on an alternative.
* Delegate intervention encourages students to find assistance in intervening, including calling 911 as needed.
* Delay intervention reminds students to keep themselves safe and not cause additional violence. They also may use this technique to support a survivor by connecting them with appropriate resources if they have experienced or are experiencing violence.
* Documentation involves either recording or taking notes of an instance of harassment.

Bystanders play a critical role in the prevention of sexual and relationship violence. We want to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911.

* Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
* Confront people who seclude, hit on, try to make out with, or have sex with incapacitated people.
* Speak up when someone discusses plans to take sexual advantage of another person.
* Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
* Refer people to on or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

## MSU Sexual and Violent Offenders List (Montana State Sex Offender Registry)

The federal Campus Crimes Prevention Act, enacted on October 28, 2000, requires:

1. Registered sex offenders to provide notice, as required under State law, of each institution of higher education where they are employed or enrolled.
2. States must make this information available to a law enforcement agency where the institution of higher education is located.
3. Institutions of higher education must advise the campus community where the information on registered sex offenders can be obtained.

The MSU Police Department has a website that lists individuals who are registered with the Montana Department of Justice as sexual or violent offenders and who are affiliated with the institution. Updates to the MSU Sexual or Violence Offender List are made regularly and throughout the year.

To search the sexual or violent offender registry maintained by the state please visit: <https://app.doj.mt.gov/apps/svow/search.aspx>. This resource will provide names, registered addresses and pictures of registrants.

## MSU Campus Policies on Alcohol and Other Drugs

MRJCON students and employees are bound by the MSU Campus Alcohol and Drug Policy. This policy prohibits unlawful possession, consumption, use or distribution of illicit drugs and alcohol by students and employees on campus property. Students and employees found in violation are subject to discipline under the Student Code of Conduct or the Workplace Expectations and Conduct: Drug, Alcohol, and Tobacco Free Workplace policy. In addition to disciplinary sanctions by the university, students and employees who violate this policy may also be subject to federal, state, and local laws that may result in imprisonment, fines, and loss of federal benefits for conviction of alcohol and drug-related offenses.

In compliance with the Drug Free Schools and Communities Act, Montana State University publishes information regarding the University’s prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for MSU students and employees. A complete description of these topics, as provided in the University’s annual notification to students and employees, is available online at: <https://www.montana.edu/legalcounsel/compliance/DFSCA.html>

## Preparation of the MRJCON Annual Disclosure of Clery Crime Statistics

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the Kalispell and Great Falls Police Department, The University of Montana and MSU-Billings Campus Police Departments, and Campus Security Authorities (CSAs). For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to the Kalispell and Great Falls Police Department, The University of Montana and MSU-Billings Campus Police Departments, and Campus Security Authorities (CSAs).

All the statistics are gathered, compiled, and reported to the University community via this report, which is published by the College of Nursing and submitted to the MSU Dean of Students. The MSU Dean of Students submits the annual crime statistics published in this Report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the Department of Education’s website, and hard copies of this report are available at the MRJCON Dean’s Office in Anna Pearl Sherrick Hall on the MSU Bozeman Campus or by contacting the Department Head in Kalispell, Great Falls, Missoula or Billings.

Under the Clery Act, Montana State University’s College of Nursing is required to report annual crime statistics showing reported occurrences of specific types of crime on their four nursing campuses for the benefit of current/prospective students and current/prospective employees.

Crimes reported under the Silent Witness Program are included in the annual disclosure of crime statistics. CCR Student Resource Advocates and other staff report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All CCR staff will inform those whom they are advising that these confidential reports will be made. The CCR staff will not disclose any identifying information without the written consent of the client.

Statistics pertaining to referrals for disciplinary action reflect those incidents of alcohol, drugs, and weapons violations that were referred to the Dean of Students and the Directors of Residence Life for student disciplinary action.

MSU UPD has requested the information for public property and non-campus buildings or property within the jurisdiction of each agency related to the MRJCON campuses; However, the agencies have officially confirmed that they are not able to provide this data.

## MSU MRJCON Crime Statistics: Clery Data

The following crime statistics are for selected crimes that have been reported to appropriate and corresponding police agencies or to campus security authorities based on our MSU MRJCON Clery geography. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

## Kalispell MRJCON Campus

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Criminal Offenses  (Reported by Hierarchy) | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Murder/Non-Negligent Manslaughter | 2022 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2023 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Manslaughter by Negligence | 2022 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2023 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Rape | 2022 | 0 | 0 | 0 | 0 |
| Rape | 2023 | 0 | 0 | 0 | 0 |
| Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Fondling | 2022 | 0 | 0 | 0 | 0 |
| Fondling | 2023 | 0 | 0 | 0 | 0 |
| Fondling | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Incest | 2022 | 0 | 0 | 0 | 0 |
| Incest | 2023 | 0 | 0 | 0 | 0 |
| Incest | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Statutory Rape | 2022 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2023 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Robbery | 2022 | 0 | 0 | 0 | 0 |
| Robbery | 2023 | 0 | 0 | 0 | 0 |
| Robbery | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Aggravated Assault | 2022 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2023 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Burglary | 2022 | 0 | 0 | 0 | 0 |
| Burglary | 2023 | 0 | 0 | 0 | 0 |
| Burglary | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Motor Vehicle Theft | 2022 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2023 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Arson | 2022 | 0 | 0 | 0 | 0 |
| Arson | 2023 | 0 | 0 | 0 | 0 |
| Arson | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| VAWA Offenses | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Domestic Violence | 2022 | 0 | 0 | 0 | 0 |
| Domestic Violence | 2023 | 0 | 0 | 0 | 0 |
| Domestic Violence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Dating Violence | 2022 | 0 | 0 | 0 | 0 |
| Dating Violence | 2023 | 0 | 0 | 0 | 0 |
| Dating Violence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Stalking | 2022 | 0 | 0 | 0 | 0 |
| Stalking | 2023 | 0 | 0 | 0 | 0 |
| Stalking | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Arrests | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Disciplinary Referrals | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2024 | 0 | 0 | 0 | 0 |

### Unfounded Crimes and Hate Crimes

No unfounded crimes and no hate crimes during these reporting periods.

## Great Falls MRJCON Campus

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Criminal Offenses  (Reported by Hierarchy) | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Murder/Non-Negligent Manslaughter | 2022 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2023 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Manslaughter by Negligence | 2022 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2023 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Rape | 2022 | 0 | 0 | 0 | 0 |
| Rape | 2023 | 0 | 0 | 0 | 0 |
| Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Fondling | 2022 | 0 | 0 | 0 | 0 |
| Fondling | 2023 | 0 | 0 | 0 | 0 |
| Fondling | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Incest | 2022 | 0 | 0 | 0 | 0 |
| Incest | 2023 | 0 | 0 | 0 | 0 |
| Incest | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Statutory Rape | 2022 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2023 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Robbery | 2022 | 0 | 0 | 0 | 0 |
| Robbery | 2022 | 0 | 0 | 0 | 0 |
| Robbery | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Aggravated Assault | 2022 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2023 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2024 | 0 | 0 | 0 | 0 |
| Burglary | 2021 | 0 | 0 | 0 | 0 |
| Burglary | 2022 | 0 | 0 | 0 | 0 |
| Burglary | 2023 | 0 | 0 | 0 | 0 |
| Burglary | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Motor Vehicle Theft | 2022 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2023 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Arson | 2022 | 0 | 0 | 0 | 0 |
| Arson | 2023 | 0 | 0 | 0 | 0 |
| Arson | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| VAWA Offenses | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property | |
| Domestic Violence | 2022 | 0 | 0 | 0 | | 0 |
| Domestic Violence | 2023 | 0 | 0 | 0 | | 0 |
| Domestic Violence | 2024 | 0 | 0 | 0 | | 0 |
|  |  |  |  |  | |  |
| Dating Violence | 2022 | 0 | 0 | 0 | | 0 |
| Dating Violence | 2023 | 0 | 0 | 0 | | 0 |
| Dating Violence | 2024 | 0 | 0 | 0 | | 0 |
|  |  |  |  |  | |  |
| Stalking | 2022 | 0 | 0 | 0 | | 0 |
| Stalking | 2023 | 0 | 0 | 0 | | 0 |
| Stalking | 2024 | 0 | 0 | 0 | | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Arrests | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Disciplinary Referrals | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2024 | 0 | 0 | 0 | 0 |

### Unfounded Crimes and Hate Crimes

No unfounded crimes and no hate crimes during these reporting periods.

## Missoula MRJCON Campus

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Criminal Offenses  (Reported by Hierarchy) | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
|  |  |  |  |  |  |
| Murder/Non-Negligent Manslaughter | 2022 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2023 | 0 | 0 | 0 | 0 |
| Murder/Non0Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Manslaughter by Negligence | 2022 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2023 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Rape | 2022 | 0 | 0 | 0 | 0 |
| Rape | 2023 | 0 | 0 | 0 | 0 |
| Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Fondling | 2022 | 0 | 0 | 0 | 0 |
| Fondling | 2023 | 0 | 0 | 0 | 0 |
| Fondling | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Incest | 2022 | 0 | 0 | 0 | 0 |
| Incest | 2023 | 0 | 0 | 0 | 0 |
| Incest | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Statutory Rape | 2022 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2023 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Robbery | 2022 | 0 | 0 | 0 | 0 |
| Robbery | 2023 | 0 | 0 | 0 | 0 |
| Robbery | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Aggravated Assault | 2022 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2023 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Burglary | 2022 | 0 | 0 | 0 | 0 |
| Burglary | 2023 | 0 | 0 | 0 | 0 |
| Burglary | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Motor Vehicle Theft | 2022 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2023 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Arson | 2022 | 0 | 0 | 0 | 0 |
| Arson | 2023 | 0 | 0 | 0 | 0 |
| Arson | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| VAWA Offenses | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
|  |  |  |  |  |  |
| Domestic Violence | 2022 | 0 | 0 | 0 | 0 |
| Domestic Violence | 2023 | 0 | 0 | 0 | 0 |
| Domestic Violence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Dating Violence | 2022 | 0 | 0 | 0 | 0 |
| Dating Violence | 2023 | 0 | 0 | 0 | 0 |
| Dating Violence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Stalking | 2022 | 0 | 0 | 0 | 0 |
| Stalking | 2023 | 0 | 0 | 0 | 0 |
| Stalking | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Arrests | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Disciplinary Referrals | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Weapon Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2024 | 0 | 0 | 0 | 0 |

### Unfounded Crimes and Hate Crimes

No unfounded crimes and no hate crimes during these reporting periods.

## Billings MRJCON Campus

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Criminal Offenses  (Reported by Hierarchy) | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Murder/Non-Negligent Manslaughter | 2022 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2023 | 0 | 0 | 0 | 0 |
| Murder/Non-Negligent Manslaughter | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Manslaughter by Negligence | 2022 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2023 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Rape | 2022 | 0 | 0 | 0 | 0 |
| Rape | 2023 | 0 | 0 | 0 | 0 |
| Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Fondling | 2022 | 0 | 0 | 0 | 0 |
| Fondling | 2023 | 0 | 0 | 0 | 0 |
| Fondling | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Incest | 2022 | 0 | 0 | 0 | 0 |
| Incest | 2023 | 0 | 0 | 0 | 0 |
| Incest | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Statutory Rape | 2022 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2023 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Robbery | 2022 | 0 | 0 | 0 | 0 |
| Robbery | 2023 | 0 | 0 | 0 | 0 |
| Robbery | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Aggravated Assault | 2022 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2023 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Burglary | 2022 | 0 | 0 | 0 | 0 |
| Burglary | 2023 | 0 | 0 | 0 | 0 |
| Burglary | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Motor Vehicle Theft | 2022 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2023 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Arson | 2022 | 0 | 0 | 0 | 0 |
| Arson | 2023 | 0 | 0 | 0 | 0 |
| Arson | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| VAWA Offenses | Year | On-Campus | On-Campus Student Housing | | Non-Campus | Public Property |
| Domestic Violence | 2022 | 0 | | 0 | 0 | 0 |
| Domestic Violence | 2023 | 0 | | 0 | 0 | 0 |
| Domestic Violence | 2024 | 0 | | 0 | 0 | 0 |
|  |  |  | |  |  |  |
| Dating Violence | 2022 | 0 | | 0 | 0 | 0 |
| Dating Violence | 2023 | 0 | | 0 | 0 | 0 |
| Dating Violence | 2024 | 0 | | 0 | 0 | 0 |
|  |  |  | |  |  |  |
| Stalking | 2022 | 0 | | 0 | 0 | 0 |
| Stalking | 2023 | 0 | | 0 | 0 | 0 |
| Stalking | 2024 | 0 | | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Arrests | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Arrests | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Arrests | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | 2024 | 0 | 0 | 0 | 0 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Disciplinary Referrals | Year | On-Campus | On-Campus Student Housing | Non-Campus | Public Property |
| Weapons Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Weapons Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Drug Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Drug Law Violations | 2024 | 0 | 0 | 0 | 0 |
|  |  |  |  |  |  |
| Liquor Law Violations | 2022 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2023 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 2024 | 0 | 0 | 0 | 0 |

### Unfounded Crimes and Hate Crimes

No unfounded crimes and no hate crimes during these reporting periods.

## 

## CRIME DEFINITIONS (State and Federal)

## Definition of Crime Categories Under Federal Law

### Criminal Offenses

**Criminal Offenses** are defined as outlined by the U.S. Department of Justice, FBI National Incident-Based Reporting System. For the purposes of complying with the requirements of 34 CFR 668.41, and incident meeting these definitions is considered a crime for the purpose of Clery Act reporting.

1. **Murder & Non-Negligent Manslaughter**: The willful (non- negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is classified as murder and non- negligent manslaughter.

**Manslaughter by Negligence:** Is defined as the killing of another person through negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Manslaughter by Negligence.

**Sexual Assault**: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident- Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”

**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 or physical incapacity. (Because there is no penetration in fondling, this offense will not convert to the SRS as Rape)

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

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

**Robbery**: The taking, or attempted taking, of anything of value from one person by another, in which the offender uses force or the threat of violence.

**Aggravated Assault**: Aggravated assault is 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 into a building or other structure with the intent to commit a felony or a theft.

**Motor-Vehicle Theft**: The theft or attempted theft of a motor vehicle, including automobiles, trucks, motorcycles, and mopeds.

**Arson**: The 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.

**Domestic Violence**: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that persons acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**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; and, where the existence of such a relationship shall be determined by the victim with consideration of the following factors: (1) The length of the relationship, (2) The type of relationship, (3) The frequency of the interaction between the persons involved in the relationship.

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

\* Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

\* Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**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; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned offenses.

\* Drunkenness and driving under the influence are not included in this definition.

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

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

### Categories of Prejudice

Hate Crime is defined as a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

Murder and Non-negligent manslaughter

Sex Offense

Robbery

Aggravated Assault

Burglary

Motor Vehicle Theft

Arson

Destruction/Damage/Vandalism to Property

Intimidation

Larceny/Theft

Simple Assault

#### Hate Crime Bias

Race

Gender

Religion

National Origin

Sexual Orientation

Gender Identity

Ethnicity

Disability

### Definition of Crime Categories Under Montana Law

The terms Domestic Violence, Dating Violence, Sexual Assault, Stalking and Consent are defined in the applicable jurisdiction as outlined by [Montana Code Annotated (MCA) 2021, Title 45. Crimes, Chapter 5. Offenses Against the Person, Part 5. Sexual Crimes](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0050/sections_index.html).

1. Domestic Violence: The state of Montana uses the term “Partner or Family Member Assault (PFMA)” to define what constitutes Domestic Violence in Montana, which is defined as follows: Montana Code Annotated (MCA) 45-5-206. Partner or Family Member Assault. (1) A person commits the offense of partner or family member assault if the person: (a) purposely or knowingly causes bodily injury to a partner or family member; (b) negligently causes bodily injury to a partner or family member with a weapon; or (c) purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.

Dating Violence: The state of Montana does not have a definition of dating violence.

Sexual Assault: The state of Montana defines sexual assault as follows: Montana Code Annotated (MCA) 40- 15-116. Definitions: As used in 40-15-115 through 40-15-121, the following definitions apply: (5) “Sexual assault” means sexual assault as defined in 45-5-502, sexual intercourse without consent as defined in 45-5-503, incest as defined in 45-5-507, or sexual abuse of children as defined in 45-5- 625.

#### 45-5-206. Partner or family member assault:

1. A person commits the offense of partner or family member assault if the person:
   1. purposely or knowingly causes bodily injury to a partner or family member;
   2. negligently causes bodily injury to a partner or family member with a weapon; or
   3. purposely or knowingly causes reasonable apprehension of bodily injury in a partner or family member.

For the purposes of Title 40, chapter 15, [45-5-231](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0310/0450-0050-0020-0310.html) through [45-5-234](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0340/0450-0050-0020-0340.html), [46-6-311](https://leg.mt.gov/bills/mca/title_0460/chapter_0060/part_0030/section_0110/0460-0060-0030-0110.html), and this section, the following definitions apply:

* 1. "Family member" means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household.
  2. "Partners" means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship.

An offender convicted of partner or family member assault shall be fined an amount not less than $100 or more than $1,000 and be imprisoned in the county jail for a term not to exceed 1 year or not less than 24 hours for a first offense.

* 1. An offender convicted of a second offense under this section shall be fined not less than $300 or more than $1,000 and be imprisoned in the county jail not less than 72 hours or more than 1 year.
  2. Upon a first or second conviction, the offender may be ordered into misdemeanor probation as provided in [46-23-1005](https://leg.mt.gov/bills/mca/title_0460/chapter_0230/part_0100/section_0050/0460-0230-0100-0050.html).
  3. On a third or subsequent conviction for partner or family member assault, the offender shall be fined not less than $500 and not more than $50,000 and be imprisoned for a term not less than 30 days and not more than 5 years. If the term of imprisonment does not exceed 1 year, the person shall be imprisoned in the county jail. If the term of imprisonment exceeds 1 year, the person shall be imprisoned in the state prison.
  4. If the offense was committed within the vision or hearing of a minor, the judge shall consider the minor's presence as a factor at the time of sentencing.

For the purpose of determining the number of convictions under this section, a conviction means:

* 1. a conviction, as defined in [45-2-101](https://leg.mt.gov/bills/mca/title_0450/chapter_0020/part_0010/section_0010/0450-0020-0010-0010.html), under this section;
  2. a conviction for domestic abuse under this section;
  3. a conviction for a violation of a statute similar to this section in another state;
  4. if the offender was a partner or family member of the victim, a conviction for aggravated assault under [45-5-202](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0020/0450-0050-0020-0020.html) or assault with a weapon under [45-5-213](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0130/0450-0050-0020-0130.html);
  5. a conviction for strangulation of a partner or family member under [45-5-215](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0150/0450-0050-0020-0150.html);
  6. a conviction in another state for an offense related to domestic violence between partners or family members, as those terms are defined in this section, regardless of what the offense is named or whether it is misdemeanor or felony, if the offense involves conduct similar to conduct that is prohibited under [45-5-202](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0020/0450-0050-0020-0020.html), [45-5-213](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0130/0450-0050-0020-0130.html), or this section; or
  7. a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or in another state for a violation of a statute similar to this section, which forfeiture has not been vacated.

An offender convicted of partner or family member assault is required to pay for and complete a counseling assessment with a focus on violence, controlling behavior, dangerousness, and chemical dependency. An investigative criminal justice report, as defined in [45-5-231](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0310/0450-0050-0020-0310.html), must be copied and sent to the offender intervention program, as defined in [45-5-231](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0310/0450-0050-0020-0310.html), to assist the counseling provider in properly assessing the offender's need for counseling and treatment. Counseling providers shall take all required precautions to ensure the confidentiality of the report. If the report contains confidential information relating to the victim's location or not related to the charged offense, that information must be deleted from the report prior to being sent to the offender intervention program.

The offender shall complete all recommendations for counseling, referrals, attendance at psychoeducational groups, or treatment, including any indicated chemical dependency treatment, made by the counseling provider. The counseling provider must be approved by the court. The counseling must include a preliminary assessment for counseling, as defined in [45-5-231](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0310/0450-0050-0020-0310.html). The offender shall complete a minimum of 40 hours of counseling. The counseling may include attendance at psychoeducational groups, as defined in [45-5-231](https://leg.mt.gov/bills/mca/title_0450/chapter_0050/part_0020/section_0310/0450-0050-0020-0310.html), in addition to the assessment. The preliminary assessment and counseling that holds the offender accountable for the offender's violent or controlling behavior must meet the standards established pursuant to [44-7-210](https://leg.mt.gov/bills/mca/title_0440/chapter_0070/part_0020/section_0100/0440-0070-0020-0100.html) and be:

* 1. (i) with a person licensed under Title 37, chapter 17, 22, or 23;
  2. (ii) with a professional person as defined in [53-21-102](https://leg.mt.gov/bills/mca/title_0530/chapter_0210/part_0010/section_0020/0530-0210-0010-0020.html); or
  3. (iii) in a specialized domestic violence intervention program.

The minimum counseling and attendance at psychoeducational groups provided in subsection (4)(b) must be directed to the violent or controlling conduct of the offender. Other issues indicated by the assessment may be addressed in additional counseling beyond the minimum 40 hours. Subsection (4)(b) does not prohibit the placement of the offender in other appropriate treatment if the court determines that there is no available treatment program directed to the violent or controlling conduct of the offender.

In addition to any sentence imposed under subsections (3) and (4), after determining the financial resources and future ability of the offender to pay restitution as provided for in [46-18-242](https://leg.mt.gov/bills/mca/title_0460/chapter_0180/part_0020/section_0420/0460-0180-0020-0420.html), the court shall require the offender, if able, to pay the victim's reasonable actual medical, housing, wage loss, and counseling costs.

In addition to the requirements of subsection (5), if financially able, the offender must be ordered to pay for the costs of the offender's probation, if probation is ordered by the court.

The court may prohibit an offender convicted under this section from possession or use of the firearm used in the assault. The court may enforce [45-8-323](https://leg.mt.gov/bills/mca/title_0450/chapter_0080/part_0030/section_0230/0450-0080-0030-0230.html) if a firearm was used in the assault.

The court shall provide an offender with a written copy of the offender's sentence at the time of sentencing or within 2 weeks of sentencing if the copy is sent electronically or by mail.

#### 45-5-502. Sexual assault:

1. A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault.
   1. On a first conviction for sexual assault, the offender shall be fined an amount not to exceed $500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.
   2. On a second conviction for sexual assault, the offender shall be fined an amount not to exceed $1,000 or be imprisoned in the county jail for a term not to exceed 1 year, or both.
   3. On a third and subsequent conviction for sexual assault, the offender shall be fined an amount not to exceed $10,000 or be imprisoned for a term not to exceed 5 years, or both.

If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual assault, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years, unless the judge makes a written finding that there is good cause to impose a term of less than 4 years and imposes a term of less than 4 years, or more than 100 years and may be fined not more than $50,000.

An act “in the course of committing sexual assault” includes an attempt to commit the offense or flight after the attempt or commission.

* 1. Subject to subsections (5)(b) and (5)(f), consent is ineffective under this section if the victim is:
     1. incarcerated in an adult or juvenile correctional, detention, or treatment facility or is on probation or parole and the perpetrator is an employee, contractor, or volunteer of the supervising authority and has supervisory or disciplinary authority over the victim, unless the act is part of a lawful search;
     2. less than 14 years old and the offender is 3 or more years older than the victim;
     3. receiving services from a youth care facility, as defined in 52-2-602, and the perpetrator;
        1. has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
        2. is an employee, contractor, or volunteer of the youth care facility; or
     4. admitted to a mental health facility, as defined in 53-21-102, is admitted to a community-based facility or a residential facility, as those terms are defined in 53- 20-102, or is receiving community-based services, as defined in 53-20-102, and the perpetrator:
        1. has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
        2. is an employee, contractor, or volunteer of the facility or community-based service.

a program participant, as defined in [52-2-802](https://leg.mt.gov/bills/mca/title_0520/chapter_0020/part_0080/section_0020/0520-0020-0080-0020.html), in a private alternative adolescent residential or outdoor program, pursuant to Title 52, chapter 2, part 8, and the perpetrator is a person associated with the program, as defined in [52-2-802](https://leg.mt.gov/bills/mca/title_0520/chapter_0020/part_0080/section_0020/0520-0020-0080-0020.html);

* + 1. the victim is a client receiving psychotherapy services and the perpetrator:
       1. is providing or purporting to provide psychotherapy services to the victim; or
       2. is an employee, contractor, or volunteer of a facility that provides or purports to provide psychotherapy services to the victim and the perpetrator has supervisory or disciplinary authority over the victim; or
    2. a student of an elementary, middle, junior high, or high school, whether public or nonpublic, and the perpetrator is not a student of an elementary, middle, junior high, or high school and is an employee, contractor, or volunteer of any school who has ever had instructional, supervisory, disciplinary, or other authority over the student in a school setting.

Subsection (5)(a)(i) does not apply if one of the parties is on probation or parole and the other party is a probation or parole officer of the supervising authority and the parties are married to each other.

Subsections (5)(a)(iii) and (5)(a)(iv) do not apply if the individuals are married to each other and one of the individuals involved is a patient in or resident of a facility, is a recipient of community-based services, or is receiving services from a youth care facility and the other individual is an employee, contractor, or volunteer of the facility or community-based service.

#### 45-5-220 Stalking – exemption – penalty.

1. A person commits the offense of stalking if the person purposely or knowingly engages in a course of conduct directed at a specific person and knows or should know that the course of conduct would cause a reasonable person to:
   1. fear for the person's own safety or the safety of a third person; or
   2. suffer other substantial emotional distress.

For the purposes of this section, the following definitions apply:

* 1. "Course of conduct" means two or more acts, including but not limited to acts in which the offender directly or indirectly, by any action, method, communication, or physical or electronic devices or means, follows, monitors, observes, surveils, threatens, harasses, or intimidates a person or interferes with a person's property.
  2. "Reasonable person" means a reasonable person under similar circumstances as the victim. This is an objective standard.
  3. "Substantial emotional distress" means significant mental suffering or distress that may but does not necessarily require medical or other professional treatment or counseling.

This section does not apply to a constitutionally protected activity.

Except as provided in subsection (4)(b), for the first offense, a person convicted of stalking shall be imprisoned in the county jail for a term not to exceed 1 year or fined an amount not to exceed $1,000, or both.

* 1. For a second or subsequent offense within 20 years or for a first offense when the offender violated any order of protection, when the offender used force or a weapon or threatened to use force or a weapon, or when the victim is a minor and the offender is at least 5 years older than the victim, the offender shall be imprisoned in the state prison for a term not to exceed 5 years or fined an amount not to exceed $10,000, or both.
  2. A person convicted of stalking may be sentenced to pay all medical, counseling, and other costs incurred by or on behalf of the victim as a result of the offense.

Upon presentation of credible evidence of violation of this section, an order may be granted, as set forth in Title 40, chapter 15, restraining a person from engaging in the activity described in subsection (1).

For the purpose of determining the number of convictions under this section, "conviction" means:

* 1. a conviction, as defined in [45-2-101](https://leg.mt.gov/bills/mca/title_0450/chapter_0020/part_0010/section_0010/0450-0020-0010-0010.html), in this state;
  2. a conviction for a violation of a statute similar to this section in another state; or
  3. a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or another state for a violation of a statute similar to this section, which forfeiture has not been vacated.

Attempts by the accused person to contact or follow the stalked person after the accused person has been given actual notice that the stalked person does not want to be contacted or followed constitutes prima facie evidence that the accused person purposely or knowingly followed, harassed, threatened, or intimidated the stalked person.

#### Consent

The State of Montana defines consent, in relation to sexual activity, with reference to sexual assault, in the applicable jurisdiction (Montana Code Annotated (MCA) 2021, (45-5-501), as follows:

1. The term “consent” means words or overt actions indicating a freely given agreement to have sexual intercourse or sexual contact and is further defined but not limited by the following:
   1. an expression of lack of consent through words or conduct means there is no consent or that consent has been withdrawn;
   2. a current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue does not constitute consent; and
   3. lack of consent may be inferred based on all of the surrounding circumstances and must be considered in determining whether a person gave consent.

Subject to subsections (1)(c) and (1)(d), the victim is incapable of consent because the victim is:

* 1. mentally defective or incapacitated; physically helpless; overcome by deception, coercion, or surprise; less than 16 years old;
  2. As used in subsection (a), the term “force” means:
     1. the infliction, attempted infliction or threatened infliction of bodily injury or the commission of a forcible felony by the offender; or
     2. the threat of substantial retaliatory action that caused the victim to reasonably believe that the offender has the ability to execute the threat.