

LANGSTON UNIVERSITY – TULSA CAMPUS

ANNUAL CRIME REPORT

2022



**Langston University – Tulsa Campus**  
**ANNUAL CRIME REPORT**

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**INTRODUCTION:** To the Langston University -Tulsa community,

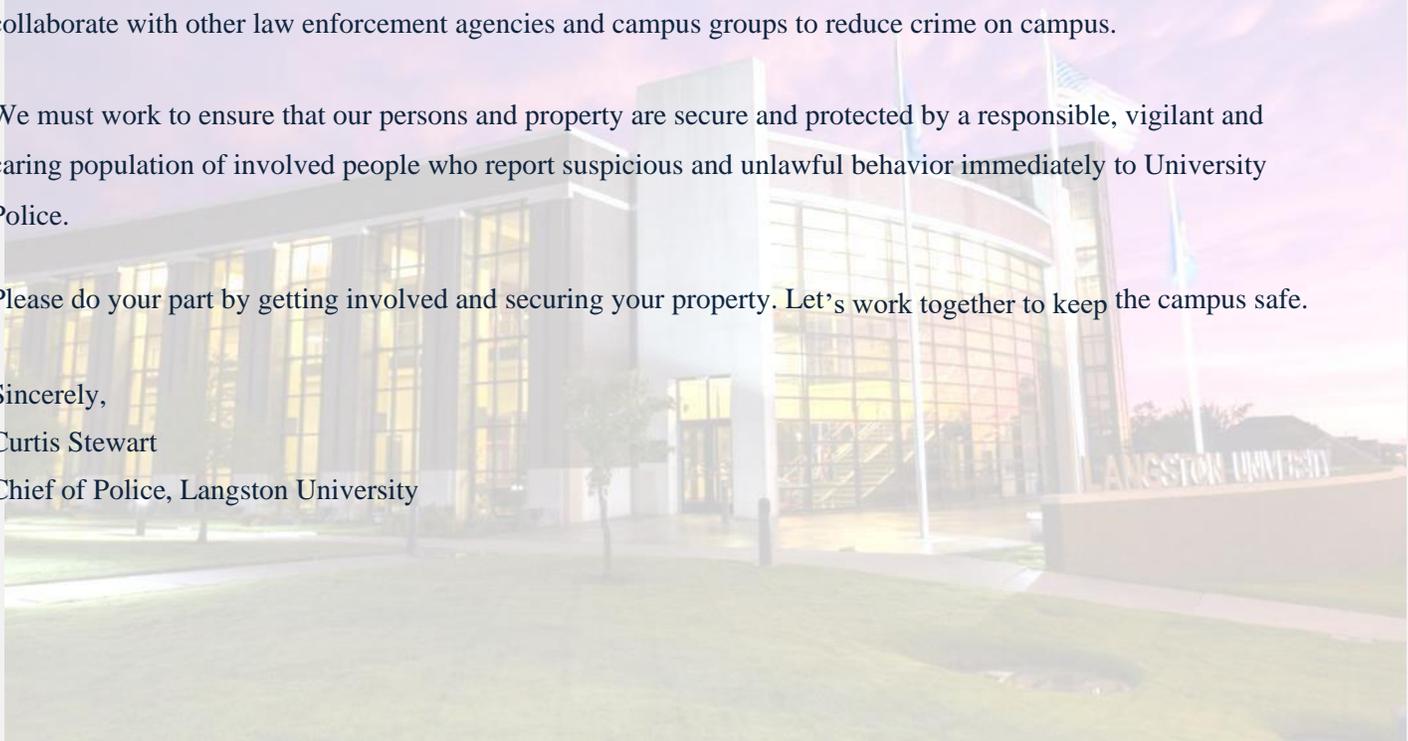
Thank you for taking the time to read this publication. It is packed with helpful information about safety and security on our campus. The LU-Tulsa University Police Department is a professional, full-service law enforcement agency with responsibility to provide police services to all areas of our campus community. We are committed to establishing a partnership with the community to address safety concerns, reduce crime and improve quality-of-life issues.

This report is part of our on-going effort to inform you of the safety programs and services available to the university community, the crimes that are reported to our police, and the steps you can take to maintain a safe and secure campus. It also is provided as our compliance document as called for under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as required by the Higher Education Opportunity Act. We take the commission of crimes against our students, faculty, staff and visitors personally and aggressively investigate reported crimes. We also collaborate with other law enforcement agencies and campus groups to reduce crime on campus.

We must work to ensure that our persons and property are secure and protected by a responsible, vigilant and caring population of involved people who report suspicious and unlawful behavior immediately to University Police.

Please do your part by getting involved and securing your property. Let's work together to keep the campus safe.

Sincerely,  
Curtis Stewart  
Chief of Police, Langston University



## **NOTICE OF AVAILABILITY OF ANNUAL SECURITY REPORT**

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

Copies of this report may be obtained by visiting the Langston University Police Department website at <http://www.langston.edu/about-us/administration/campus-police>.

A copy of this Report can also be obtained in person by contacting Langston University Police – Tulsa or by seeing the attendant at the front office.

## **CAMPUS SECURITY AUTHORITIES**

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

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

## **DESIGNATED CAMPUS SECURITY AUTHORITIES**

The following individuals are designated campus security authorities:

Dr. Dytisha Davis  
Executive Director, LU-Tulsa  
918-877-8140  
[dytisha.davis@langston.edu](mailto:dytisha.davis@langston.edu)

Curtis Stewart  
Chief of Police, Langston University  
405-466-3601 [luchief@langston.edu](mailto:luchief@langston.edu)

## CAMPUS POLICE DEPARTMENT

The Langston University Police Department have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If a University student commits minor offenses involving University rules and regulations, the campus police may also refer the individual to the disciplinary division of Student Affairs.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police and joint investigative efforts with investigators from LU and the city police are deployed to solve these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted at the District Court of Tulsa County.

Campus Police personnel work closely with local, state, and federal police agencies and have direct radio communication with the City of Tulsa Police Department.

By mutual agreement with state and federal agencies, The Langston University Police Department maintains an NLETS terminal (National Law Enforcement Telecommunications Network). Through this system police personnel can access the National Crime Information Computer system as well as the Oklahoma Law Enforcement Telecommunications System. These computer databases are used for accessing criminal history data, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

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

## WORKING RELATIONSHIP WITH OTHER LAW ENFORCEMENT AGENCIES

Langston University recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the University. All persons on the campus are subject to these laws and rules at all times. Local law enforcement officers are welcome to patrol the campus to assist the Langston University Police Department in deterring crime. All law enforcement agencies are expected to check in with the Langston University Police Department when on campus. Langston University Police Department is recognized by the State of Oklahoma as a law enforcement agency (Oklahoma State Statute 74, Section 1978, Subsection 360.11 et seq.).

While there are no written agreements in place with other law enforcement agencies, Langston University works closely with local law enforcement. All members of the Langston University Police Department are police officers with law enforcement and arrest authority on campus.

Langston University relies on the telephone or two-way radio to contact the county emergency dispatch center for fire and emergency medical needs. Instances where state police resources are needed are determined jointly between the Chief of Police and other Langston University officials. Crimes committed at off-campus facilities under the control of Langston University will be disclosed if they come to the attention of LUPD.

## TIMELY WARNING POLICY

The Langston University Police Department carefully reviews all reports of criminal activity and, when appropriate, warns the LU community of serious crimes or threats occurring on or near campus. Timely Warning notifications will be issued for incidents involving violent crimes, crimes against persons, and serious threats to

property when the threat is ongoing or continuing. Timely warnings also may be issued for other crimes as deemed necessary.

Upon completion of reviewing all information, the Langston University Police Department via The Office of the President may provide warnings to the LU community. Depending on the nature and level of the threat, multiple forms of communication may be used to disseminate timely warnings. These may be sent via voicemail, or electronically to campus email accounts, through LU's social media platforms and the Rave system. Timely warnings will be made as soon as is safely practical.

The purpose of timely warnings is to provide the Langston University community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to:

Curtis Stewart  
Chief of Police, Langston University  
PO Box 269  
Langston, OK 73050  
405-466-3601  
luchief@langston.edu

Dr. Dytisha Davis  
Executive Director, LU-Tulsa  
918-877-8140  
dytisha.davis@langston.edu

## **DAILY CRIME LOG**

A daily crime log is available for review 24 hours a day at 405466-3366. The information in the crimelog typically includes the case number, classification, date reported, date occurred, time occurred, general location and disposition of each crime. It does not include names of the parties involved.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES STATEMENT**

When evacuating your building or work area:

Stay calm and do not rush or panic.

Safely stop your work. Gather your personal belongings, only if it is safe to do so.

(Reminder: take your prescription medications with you if at all possible it may be hours before you are allowed back into the building).

Wait for instructions from emergency responders.

Do not re-enter the building or work area until you have been instructed to do so by emergency responders.

## **NOTIFICATION TO UNIVERSITY COMMUNITY ABOUT AN IMMEDIATE THREAT**

If the Langston University Police Department 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 Langston University community, the Langston University

Police and/or Executive Director or her designee will utilize some or all of the systems described under the Timely Warning Policy (located at page 6) to communicate the threat to the Langston University community or appropriate segment of the community if the threat is limited to a particular building or segment of the population. The Langston University Police

Department without delay – and taking into account the safety of the community – determines the content of the notification and initiates the notification system unless issuing a notification will, in the judgment of the responsible authorities (including the Langston University Tulsa campus Executive Director or her designee, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

## **MEDICAL EMERGENCIES**

Steps to take in a medical emergency:

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

## **CAMPUS WIDE EMERGENCY RESPONSE**

The purpose of this policy is to establish emergency response procedures for Langston University - Tulsa, as required by the Higher Education Opportunity Act of 2008. This policy applies to all students and employees of Langston University – Tulsa.

In the event of a campus emergency, Langston University may use a variety of tools to communicate to the campus and the public. Depending on the nature of the emergency, LU may use all or some of the following:

- Text and Voice Alerts — The Rave system is available to all campus faculty, staff, and students. You can register your phone to receive a text message and/or voicemail through your Lion account at <https://www.getrave.com/login/langston>
- PA System — Various campus buildings have PA systems that can alert those in the building of an emergency situation and provide response details.
- University Group Email — The University may send “urgent” e-mails to the entire campus providing notification and directions during an emergency.
- Social Media — LU will use Facebook, Twitter, Instagram and other social media tools to provide updates on campus closures or emergency situations.
- Local Media — The LU Office of Public Relations works with local media — radio, television, and newspapers — to help announce and update campus closures or emergency situations.
- Weather Radios — Various offices across campus have weather radios that provide the latest in severe weather information.

The Langston University Police Department via The Office of the President is typically who delivers emergency information to university administration. Upon considering this information, administration develops the messages and activates appropriate communications.

In emergency situations where immediate action is required, Langston University Police Department may activate sirens and employ other tools.

## CRIME PREVENTION

Crime prevention is defined as the anticipation, recognition, and appraisal of a crime risk, and the initiation of some action to remove or reduce that risk. Many campuses around the country investigate and make public the nature and quantity of crimes, as well as how crimes are investigated. Langston University subscribes to that approach and further believes that the public should know how active the Langston University Police Department are in crime prevention and detection. LU has experienced success at reducing and preventing crime. Some of the notable efforts are:

- Emergency 911 dialing
- Parking lot foot patrol by uniformed officers
- Burglar alarms in key areas
- Crime prevention seminars and presentations conducted each semester with staff and student groups
- Crime prevention pamphlets provided to students and employees

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. University personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations, and community organizations.

The Langston University Police Department encourages the accurate and prompt reporting of criminal incidents, no matter how insignificant or small. Victims are encouraged to assist in police investigations and the subsequent filing and prosecution of criminal charges. Through these measures, LU will become a safer community.

## PERSONAL SAFETY

The following precautions provide guidance.

### General Precautions and Crime Prevention Tips:

1. Program the Langston University Police Department's phone number into your cell phone. Report any suspicious activity to the Langston University Police Department immediately.
2. Never take personal safety for granted. Always be aware of your surroundings.
3. Try to avoid walking alone at night.
4. Limit your alcohol consumption and leave social functions that get too loud or too crowded, or that have too many people drinking excessively. Remember to call the Langston University Police Department or the Tulsa Police Department for help at the first sign of trouble.
5. Use lighted walkways and thoroughfares, even if it means going out of your way.
  
6. Carry only small amounts of cash and keep purses, backpacks and money belts close to the body.
7. Do not struggle if someone attempts to take your property.
8. Never leave valuables (wallets, purses, books, calculators, laptops, etc.) unattended.
9. Carry your keys at all times and do not lend them to anyone.
10. Lock up bicycles and motorcycles. Lock doors and close windows when leaving your car.
11. Remember to lock the doors at your residence. Be certain that your door is locked to your residence when you go to sleep, and keep windows closed and locked when you are not at home.

12. Do not leave valuables in your car, especially if they can be easily noticed.
13. Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
14. Inventory your personal property and insure it appropriately with personal insurance coverage.

### **At home or in an apartment building:**

1. Keep your room door locked when you are sleeping.
2. Never let unauthorized persons come into your residence. Always ask to see proper identification.
3. Never prop open inside or outside doors.
4. Do not hide keys outside your room or apartment. Do not put your name or address on your key rings.
5. Avoid working or studying alone in a campus building.
6. Never dress in front of a window. Close blinds or curtains after dark.
7. If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder. Try to get accurate description of the intruder and call the police.
8. Any suspicious activity should be reported to the Langston University Police Department immediately.

### **When driving:**

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

10. Call ahead when driving to your home or apartment late at night and have someone watch you walk from your car to
11. Limit distractions such as cellphones.

### **While walking or jogging:**

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

### **NATURAL DISASTERS**

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

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

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

The Tulsa Emergency Management office uses electronic sirens and tests them every Wednesday at 12:00pm weather permitting.

#### **Tornado Precautions:**

1. If you are in the warning area, seek shelter immediately.
2. If you are in a vehicle, get out and seek shelter in a sturdy building. If a building is not available, a depression such as a ditch or ravine offers some protection, but be alert for flash floods.
3. Do not open windows. This can actually increase damage to the building. Stay away from windows and exterior doors.
4. Basements, interior hallways on the lower floors and small interior rooms on the lower floors offer the best shelter.
5. Do not attempt to turn utilities on or off.
6. Report injuries and damage to the Langston University Police Department at 405-466-3366. After the all clear, leave badly damaged buildings and do not attempt to return unless directed to do so by emergency personnel

## SEX OFFENDER REGISTRY

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

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

Information on any sex offender who works for, attends, or lives on property owned by Langston University can be found at the Tulsa Police Department's "OffenderWatch" website:

[http://www.communitynotification.com/cap\\_main.php?office=5637](http://www.communitynotification.com/cap_main.php?office=5637) or at the following locations:

### Langston University Police Department

PO Box 269  
Langston, OK 73050  
405-466-3366

### Tulsa Police Department

600 Civic Center  
Tulsa, OK 74103  
(918) 596-9184  
<https://www.tulsapolice.org/offenders/sexoffenders-search.aspx>

### Tulsa County Sheriff's Office

500 S. Denver Ave.  
Tulsa, OK 74103  
(918) 596-5601  
<http://www.icrimewatch.net/index.php?AgencyID=54435>

## CRIME REPORTING

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

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

To report a crime in progress, dial 911, or call (918) 877-8100 when off-campus or using a cell phone.

## **CONFIDENTIAL CRIME REPORTING**

Confidential reporting of crimes is allowed at Langston University - Tulsa. If you are a victim of a crime and do not wish to pursue action within the university or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of the LUPD 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, determine where there is a pattern of crime involving 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.

## **CRIMES DISCLOSED TO A PASTORAL OR MENTAL HEALTH COUNSELOR**

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

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

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

Note that the pastoral counselor or mental health counselor are not required to report the crime to Langston University police for purposes of including the incident in the annual crime statistics. However, pastoral counselors and mental health counselors, when they deem appropriate, are encouraged to inform the person they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

## **CRIMES IN PROGRESS**

To report a crime in progress, a person, victim or witness can dial 911, or call one of the listed police phone numbers provided on page 20. Any reporting method will stimulate the response of police, fire, ambulance or other first responders. In addition, the victim of a serious crime can request support personnel, such as ministers and rape crisis or domestic violence counselors, during or after reporting the incident.

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

Prompt reporting of criminal activity to the police enables a quick response, a timely warning, and a safer campus for everyone. If you are the victim of a crime or a witness to one, you should do the following:

1. Call the police immediately: Dial 911 for emergencies or call (918) 877-8100.
2. Obtain a description: Attempt to obtain a description of the offender(s), including gender, age, race, hair, clothing and distinguishing features. Also attempt to obtain a description and license number of any vehicle(s) involved. Note the direction of travel of any offender(s) or vehicle(s) and report these to the police.
3. Preserve the crime scene: Do not touch any items involved in the incident. Close off the area of the incident, and do not allow anyone in the crime area until police arrive.

## CRIME DISCLOSURE

Langston University policies and procedures require the publication of annual crime statistics. Included in this report are crimes reported to the Langston University Police Department and other campus officials, including University Counseling Services and Student Conduct Services, and local law enforcement. Crime statistics are obtained from Tulsa Police Department and the Langston University Police Department.

The tables on Appendix B (Campus Crime Report) comply with the Clery Act.

The crime and arrest statistics reported are those that occurred within the jurisdictional boundaries of campus. They do not include off-campus private housing, located within the Tulsa Police jurisdiction. Crimes occurring on public property immediately adjacent to campus are also reported when available. Crime statistics concerning other locations are available at the Tulsa Police Department.

## DEFINITION OF TERMS FOR STATISTICAL CHARTS

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

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

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

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

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

## CRIME DEFINITIONS

The following definitions are those used in the Uniform Crime Reporting System of the United States Department of Justice's Federal Bureau of Investigation.

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

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

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

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

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

- Current or former spouse or intimate partner of the victim,
- Person with whom the victim shares a child in common,
- Person who is cohabitating with or has cohabited with the victim as a spouse or intimate partner,
- Person similarly situated to a spouse of the victim under the domestic or family violence laws of Oklahoma; or
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Oklahoma.

Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.

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

**Hate Crimes:** A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this definition, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Larceny:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another without use of force or violence. It includes shoplifting; picking pockets, purse snatching, thefts from motor vehicles including parts and accessories, bicycle and computer thefts.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle by someone other than the registered owner.

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

**Negligent Manslaughter:** The killing of another person through gross negligence.

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

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

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

- **Rape** means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** means the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** means non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** means non-forcible sexual intercourse with a person who is under the statutory age of consent (Age 16.)

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

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, 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.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as:

Manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing Deadly weapons to minors; and all attempts to commit any of the aforementioned. Langston University policy prohibits deadly weapons on campus with limited exceptions.

## CRIME STATISTICS

See Appendix B

## **OBTAINING REPORTS**

To request a copy of a report or ask other related questions, contact the Langston University Police Department at 405-466-3366.

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

Langston University will, upon written request, disclose to the alleged victim of a crime of violence, or a nonforcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense,

Langston University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

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

## **OFF-CAMPUS CRIME**

If the Tulsa Police Department is contacted about criminal activity occurring off-campus involving a member of the Langston University community, the Tulsa Police Department may notify the Langston University Police Department. However, there is no official policy requiring such notification. Individuals in these cases may be subject to arrest by Tulsa Police Department and subject to Langston University judicial proceedings through the Office of Dean of Students.

## **ACCESS TO CAMPUS FACILITIES**

The Langston University - Tulsa campus is open to the public from 8:00 a.m. – 11:00 p.m. Monday thru Friday.

Langston University - Tulsa has no on-campus housing or residential life.

## **MAINTENANCE OF CAMPUS FACILITIES**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Langston University Police officers regularly patrol and report malfunctioning lights and other unsafe physical conditions to Physical Plant for correction. Other members of the Langston University community are helpful when they report equipment problems to the Langston University Police Department or Physical Plant at (405) 466-3454.

## **ALCOHOL AND DRUG POLICIES**

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

As set forth in federal, state, and local laws the rules and regulations of Langston University which prohibit the unlawful possession, use or distribution of illicit drugs, and alcohol by students and employees in buildings, facilities, grounds, or other property owned and/or controlled by the University or as part of University activities.

**Note:** Under Langston University regulations, 3.2 beer and other alcoholic beverages are NOT allowed in Langston University housing or apartments located on Langston University property no matter your age.

Drug and alcohol laws are vigorously enforced on the Langston University campus. Violators are subject to criminal prosecution in the District Court of Tulsa County. The enforcement techniques can range from plain view violations to long-term undercover investigations by local, state, and federal agents and agencies.

The University Counseling Center and Employee Assistance Program offer counseling and rehabilitation programs for students and employees, respectively. Should these programs not meet your needs, there are other programs offered in the community or nearby cities that may better address your needs. A various number of such programs are listed in the Langston University Dangerous Drugs and Alcohol Abuse pamphlet at the Counseling and Health Services office on the Langston campus in University Women, Room 110.

### ALCOHOL AND DRUG ABUSE EDUCATION PROGRAMS

Langston University seeks to encourage and sustain an academic environment that respects individual freedoms and promotes the health, safety, and welfare of its students, faculty, staff, and visitors. These participants are expected to know and follow the applicable laws and all University rules and regulations. Each person is responsible for his/her behavior.

Langston University complies with the Drug-Free Schools and Communities Act Amendments of 1989. This act requires that Langston University certify it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in order to remain eligible for federal financial assistance. As set forth in local, state, and federal laws, and the rules and regulations of the University, Langston University prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees in buildings, facilities, grounds, or other property owned and/or controlled by the University or as part of University activities. With limited exceptions, beer and alcohol are not allowed on campus. Since July 1, 2000, students who are convicted of an offense involving the sale or possession of a controlled substance may become ineligible for federal student aid. For the University's complete drug and alcohol policy regarding the Drug-Free School and Communities Act, request the Langston University Student Rights and Responsibilities Governing Student Behavior, Langston University Drug and Alcohol Policy, or the LU Dangers of Drugs and Alcohol Abuse pamphlets.

Any student or employee of the University who has violated this prohibition shall be subject to disciplinary action including, but not limited to, suspension, expulsion, termination of employment, referral for prosecution and/or completion, at the individual's expense, of an appropriate rehabilitation program. Any disciplinary action shall be taken in accordance with applicable policies of the University.

### LOST AND FOUND

The Langston University Police Department Lost and Found is located at the front desk of Langston University – Tulsa campus. After a certain period of time, all buildings and officers are encouraged to forward any found items to the Langston University Police Department to maintain a central location for persons seeking lost property.

To make an inquiry about lost and found property, please call (918) 877-8100.

### DISCIPLINARY PROCEEDINGS

Anyone can report any instances of sexual harassment and sexual violence, and sexual violence, dating violence, domestic violence, and stalking, as well as other crimes or violations of the Student Code of Conduct, to Dean of Students in Student Success Center, Room 210, at 405-466-3445, or at [jabusby@langston.edu](mailto:jabusby@langston.edu). A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident.

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

Langston University strongly encourages individuals to report any instance of sexual harassment and sexual violence to Langston University Title IX and Law Enforcement/Police. Students can decline to notify the Langston University Police Department if they so choose.

## STUDENT CONDUCT PROCESS

The University reserves the right to hold students responsible for offenses committed either on or off-campus when such offenses affect the general welfare of other students and/or the general welfare of the University community. The following process is used for all instances of misconduct, including sexual violence, dating violence, domestic violence, and stalking.

The responsibility for the campus student conduct system is delegated from the Board of Regents for Langston University to the Dean of Students through the President. The Dean of Students will further delegate authority to the Student Conduct Hearing Board and Residential Life and Housing Services to review the students' conduct. The goal is to resolve cases by the lowest appropriate authority for maximum educational benefit.

### A. Student Conduct Procedures

The following information is provided to inform students of the procedures in place at Langston University for resolving alleged violations of Langston University regulations. The procedures are designed to allow for factfinding and decision-making in the context of the University educational community. The objective is to provide procedures that balance the rights of the individual with the legitimate interests of the University and community.

#### 1. Complaints:

- a. Any member of the Langston University community (faculty, staff or student) or any person who is unaffiliated with the University who knows of an alleged violation of the Student Code of Conduct may file a complaint against a student alleging that a violation of the Student Code of Conduct has occurred. The University may itself initiate a complaint.
- b. Such complaint should be filed with the Division of Student Affairs as soon as possible but within 180 calendar days (not Langston University business days) of the alleged violation. A late complaint may be accepted with the approval of the Dean of Students or their designee.
- c. The complaint must be submitted in writing and signed by the complainant(s), or submitted via approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.
- d. Complaints may be initiated for incidents where concurrent criminal charges are pending. The University may adjudicate incidents without regard to either pending civil litigation or criminal prosecution. Langston University conducts proceedings may proceed before, during or after court proceedings.

**2. Interim Suspension:** In cases where student health or safety is reasonably believed to be significantly jeopardized, the Dean of Students, in consultation with the President of Langston University or his/her designee, may suspend a student for the period of time required to allow a thorough investigation and opportunity for a hearing. Students who are so suspended are not permitted on any Langston University campus or in University buildings, facilities or activities at any time for any reason during the period of the interim suspension unless otherwise permitted in writing by the Dean of Students.

If the conduct or behavior of a student residing in University housing is determined by the Director of Residential Life and Housing Services, or the Dean of Students to be a threat to self or others, the ability to live in the University housing may be immediately suspended for a brief period of time pending the outcome of a hearing. During an interim housing suspension, the student is immediately removed from the University housing and is not to re-enter any campus University housing until a hearing is held and a decision regarding the pending complaint has been made.

**3. Evidentiary Standard:** In order for a student to be found responsible, the information must support a determination that it is more likely than not that a violation of the Student Code of Conduct occurred. Hearsay evidence may be considered but will be weighed accordingly.

**4. Disposition of Allegations:** The University conduct process is administered through the Division of Student Affairs. Alleged violations of Langston University regulations are referred to a Hearing Panel.

In instances where a student has been convicted of a felony through the criminal process or the University believes they have enough information that would make it more likely than not a violation of the Student Code of Conduct has occurred the University may file a complaint against the alleged student without the cooperation from the victim.

## **B. Student Rights in Conduct Process**

The University views the conduct process as an educational experience that can promote growth in personal understanding of one's role as a member of an educational community and one's rights, responsibilities and privileges therein.

During a conduct process, both the respondent and the complainant have the rights to:

1. A written notice of the alleged violation(s);
2. An explanation of the student conduct process upon request;
3. Have no violation assumed;
4. A timely hearing;
5. Be accompanied by an advisor during the conduct process. In matters not involving possible suspension or expulsion, the advisor is limited to advising the student and may not present information, question relevant parties or make statements during the proceedings;
6. Have access to the information and documents to be presented at the hearing in advance.
7. Be present during the entire proceeding, except during deliberation;
8. The respondent and complainant can question any party or witness present, either directly or indirectly, at the discretion of Hearing Panel Chair;
9. Present material witnesses (those with firsthand knowledge of the incident). The respondent and complainant are responsible for contacting and arranging for the attendance of their witnesses in all cases;
10. The respondent will receive a written notification of the outcome of the hearing; the complainant can receive written notification of the outcome of the hearing when permitted by federal law;
11. An avenue for appeal from the hearing.

## **C. Hearing Panel Hearing**

Hearing procedures are provided for allegations against a student where suspension or expulsion from the University is possible if they are found responsible, and for student discrimination grievances.

The Hearing Panel option may not be available during dead week, final examinations, breaks or other periods. If feasible for the Hearing Panel, a hearing will proceed during these times. Additionally, a Hearing Panel may not be available when the Dean of Students determines that appearing before the panel poses a threat to the physical welfare of panel members or witness(es).

The Hearing Panel shall be selected from the Student Conduct Committee, which is comprised of a minimum of five (5) faculty members nominated by the Faculty Senate, five (5) staff members nominated by the Departmental Chairs, and five (5) students appointed by the president of the Student Government Association.

A Hearing Panel shall consist of five (5) disinterested members — two (2) faculty members, two (2) students and one (1) staff member selected by the Division of Student Affairs. In instances where two (2) students are not available the hearing will proceed with one (1) student representative and a second staff representative. A faculty member will serve as chairperson. A list of panel members will be available three (3) days in advance of the hearing. Before the hearing, alternate Hearing Panel members may be seated to be available in case of conflicts.

If an attorney accompanies the respondent or the complainant at the hearing, the University will have an attorney present. The University's attorney will serve as a non-voting advisor to the Hearing Panel. The advisor may participate directly to the same extent as the student could. Such direct participation is a privilege, which, if abused, may be withdrawn by the Chair of the Hearing Panel. If the privilege is withdrawn, the advisor may continue to advise the student. However, if the advisor fails to act in accordance with hearing procedure, the Chair of the hearing panel may bar the advisor from the hearing. The student must notify the Division of Student Affairs at least two (2) University working days in advance of the hearing if accompanied by an attorney. In such cases, the University may have an attorney in attendance.

In cases of sexual harassment, sexual misconduct, discrimination, and/or when the University conducts an investigation, the Langston University Title IX investigator(s) will present an investigation report as part of the hearing proceedings. The investigator will present the report and answer questions. The role of the investigator is to serve as an unbiased party conducting a thorough investigation of all allegations of sexual harassment or sexual misconduct. The investigation report is a compilation of facts, not a verbatim report, and is not appealable or rebuttable.

## **1. Pre-Hearing Procedures**

The members of the Hearing Panel will be selected by the Division of Student Affairs based on their availability.

The Division of Student Affairs will prepare and send a written notice to the respondent and the complainant at least three (3) days before the hearing. The notice will be delivered in person, sent electronically to the Langston University email address(es) of record, or sent via certified mail to the student's last known address of record as filed with the Registrar's Office and will include:

- a. The date, time, place, and nature of the hearing;
- b. Reference to the section(s) of the Student Code of Conduct involved;
- c. A brief explanation of the alleged violation(s) including the approximate date, time and place where the alleged violation(s) occurred;
- d. Names of witnesses, if known;
- e. The right to be accompanied by an advisor during the conduct process. In matters not involving possible suspension or expulsion, the advisor is limited to advising the student and may not present information, question relevant parties, or make statements during the proceedings.

A staff member from the Division of Student Affairs will be available to meet with the complainant and the respondent, separately, to discuss and explain the hearing procedure and answer questions.

## **2. 24 -Hours in Advance of the Hearing**

- a. The respondent and the complainant will provide to the Division of Student Affairs copies of documents to be presented at the hearing and the names of witnesses who will be called.
- b. It is the responsibility of each student to notify witnesses of the date, time and location of the hearing.
- c. The respondent and the complainant have the right to have access to documents to be presented at the hearing, by prior appointment.

### 3. Hearing Procedures

The hearing provides a forum where all the information and documents can be presented, where questions can be asked of all parties, and where the Hearing Panel can deliberate and decide on the standard of "more likely than not" that a violation of the Student Code of Conduct, did or did not, occur. Formal rules of process, procedure and technical rules of evidence, such as are applied in criminal or civil court, are not used in student conduct proceedings. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to the student or the University may result.

If the Hearing Panel concludes that a violation did occur, the Hearing Panel decides what conduct action is appropriate.

To protect the privacy of all parties and in accordance with FERPA (Family Educational Rights and Privacy Act), hearings will be closed.

The respondent and complainant can present witnesses, who may be questioned by the Hearing Panel. Questioning by the complainant or the respondent is permitted so long as it is not threatening or harassing.

In the case of sexual harassment and sexual misconduct, the Hearing Panel may, in its discretion, exclude evidence of the complainant's sexual history with respondent from discussion during the hearing. The past sexual history of the complainant with persons other than the respondent is irrelevant.

The hearing (excluding the deliberations) will be audio recorded. The recordings are the property of Langston University. Others will not be allowed to make a recording of any type. The University is not responsible for equipment malfunctions. Requests to review audio recordings may be made to the Division of Student Affairs.

If the respondent or complainant elects not to appear for the hearing, the hearing will be held in his/her absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing.

Material witnesses will be present during the introductory comments of the hearing, including the honesty statement, at which point they will be excused until time to give their testimony. Witnesses will be excused upon completion of testimony and questioning, but they may be asked to remain available for recall. The complainant and respondent remain throughout the hearing.

At the conclusion of the hearing, all parties will be dismissed except for the Hearing Panel so they may deliberate and reach a decision.

Conduct history is not relevant in determining responsibility but can be used as information in determining an appropriate sanction. A student's conduct history will be available to the Hearing Panel if the respondent is found responsible.

The order of presentation at the hearing will be as follows:

- a. The opening statement provided by the Hearing Panel Chair.
- b. The complainant may present an opening statement.
- c. The respondent may present an opening statement.
- d. If relevant, the Title IX investigator(s) will present the investigation report and answer related questions in cases of sexual harassment, sexual misconduct, discrimination, or when the University has conducted an investigation.
- e. The complainant will present information and call witnesses.
- f. The respondent will present information and call witnesses.
- g. At the conclusion of each witness(s) statement, the witness may be questioned by the Hearing Panel, the respondent, and the complainant either directly or indirectly.
- h. The complainant may make a closing statement.
- i. The respondent may make a closing statement.
- j. All parties are dismissed for Hearing Panel deliberation.

The Hearing Panel may accommodate concerns for the personal safety, well-being, or fears of confronting the complainant, respondent, or other witnesses. Procedures or the hearing environment may be modified as determined by the Dean of Students.

#### 4. Hearing Panel Deliberations and Decision

The Hearing Panel will deliberate and, by majority vote determine whether it is more likely than not that a violation(s) of the Student Code of Conduct did or did not occur as alleged.

- a. The panel may find that the information presented was not sufficient to establish a finding of responsibility for a violation(s) of the Student Code of Conduct and dismiss the case.
- b. The panel may find that the information presented was sufficient to affirm the allegations and impose a sanction appropriate with the violation(s).

The Hearing Panel decision will be communicated in writing to the Division of Student Affairs, which will notify the respondent, and if appropriate, the complainant in writing within two days.

The notification letter will include findings of fact, sanction(s) imposed (if any) and the rationale for the decision. The notification letter will be delivered in person, sent electronically to the student's Langston University email address and/or sent by certified mail to the student's last known address of record as filed with the Registrar's Office. The notification letter will also be available for pick up in the Division of Student Affairs, Student Success Center Suite 210, within three days of the hearing.

In compliance with Department of Education requirements in cases of sexual violence, sexual harassment or physical violence, the complainant will be notified of the outcome at the same time as the respondent. In other violations, the complainant will not be notified of the outcome.

#### D. Complainant Notification

Complainants are entitled to know about the results of proceedings involving alleged crimes of violence or nonforcible sex offenses, as defined by FERPA. Both the respondent and complainant will be notified in writing of the results of any hearing involving alleged crimes of violence or non-forcible sex offenses.

Complainants who have an alleged a sexual assault, dating violence, domestic violence, or stalking will be provided with notification in writing of the final outcome of the conduct hearing against the alleged perpetrator, as required by the Campus Security Act.

#### PENALTIES FOR VIOLATION OF UNIVERSITY REGULATIONS

Although not intended to be inclusive, the following are possible sanctions that may be imposed, either singularly or in combination for a student if a violation of the Student Code is found. During a Student Conduct Meeting, the student and the conduct officer will work together to develop an Action Plan to aid the student in their ethical, personal and intellectual development.

1. **Written warning** is an official written notice that the student has violated Langston University policies and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.
2. **Restriction** is a limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent the University, or denial of participation in extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events, student organizations/clubs/associations, leadership positions within housing or fraternities/sororities or other organizations). Students must apply to reinstate the privilege by submitting documentation to the Division of Student Affairs demonstrating their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.

3. **Educational and Behavioral Change Requirements** are assigned as an opportunity for personal development and can include, but is not limited to, attending alcohol education, a reflection essay, community service, seeking academic counseling, decision-making class, and other relevant educational opportunities.

4. **Class Removal** occurs when a student is dropped from a class or moved to another section of a class. Faculty members, in consultation with the Dean of Students, reserve the right to interim suspend a student from class pending a hearing for alleged violations of the Student Code of Conduct occurring in the classroom that substantially interferes with teaching or other students' ability to learn.

5. **No Contact Order** is an absolute prohibition from contact with the specified person(s) in any form whatsoever, including but not limited to, contact with said individual(s) in person, by phone, electronically, or contact through another person. A "No Contact Order" may be implemented as an interim measure for issues regarding sexual violence or other Title IX issues. Violating a "No Contact Order" may result in suspension from the University.

6. **Restitution** is compensation for the damage caused to the University or any person's property on campus. This is not a fine but rather a repayment for labor costs and/or value of property destroyed, damaged, consumed, or stolen.

7. **University housing Status Change:** The following sanctions may include:

- a. **Restrictions** on visitation to specified buildings or all University housing.
- b. **Reassignment** to another University housing facility as determined by Residential Life & Housing Services staff.
- c. **Suspension** from a University housing facility for a specified period of time, after which the student is eligible to return. Conditions for returning may be specified.
- d. **Removal** from living in or visiting any Langston University housing facility.

8. **Conduct Probation** is a specified period of time during which the student is placed on formal notice that he/she is not in good standing with the University and that further violations of Langston University regulations will subject him/her to suspension or expulsion from the University.

9. **Conduct Suspension** is the exclusion from enrollment in classes and other privileges or activities for a definite period of time not to exceed three years and until the conditions, which are outlined in the hearing outcome letter, are met. Students who are suspended from Langston University are not permitted on any campus or in University buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise permitted by the Division of Student Affairs. Notation on the transcript is not made; however, a record of the action is maintained in the student's record in the Registrar's Office. If a transcript is requested during the period of suspension, a letter will be sent with the transcript to the requesting party/ Langston University stating the student is under suspension for conduct reasons. Only unofficial transcripts will be released to the student directly. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

10. **Deferred Suspension** is suspension involving alcohol or drug offenses that may be deferred pending acceptance into a substance abuse counseling program. Students who are accepted into the program must successfully complete the program to remain in school. Failure to complete the program will result in suspension from the University. Notation on the transcript is not made; however, a record of the action is maintained in the student's record in the Registrar's Office for the duration of the deferment. If a transcript is requested during the period of deferment, a letter will be sent with the transcript to the requesting party/ Langston University stating the student is under deferred suspension for conduct reasons. Only unofficial transcripts will be released to the student directly.

11. **Conduct Expulsion** is termination of student status for an indefinite period. The conditions of readmission, if any, shall be stated in the hearing outcome letter. Students who are expelled from Langston University are not permitted on campus or in University buildings, facilities or activities at any time for any reason, unless otherwise permitted by the Dean of Students. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record in the Registrar's Office. If a transcript is requested during the period of expulsion, a letter will be sent with the transcript to the requesting party/ Langston University stating the student has been expelled for conduct reasons. Only unofficial transcripts will be released to the student directly.

Expulsion becomes a permanent part of a student's conduct record. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

### **A. Parental Notification**

Langston University reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of nondependent students who are under the age of 21 of alcohol and/or other drug violations. Administrators when permitted by FERPA or consent of the student may also utilize parental notification discretionarily.

### **B. Failure to Complete Conduct Sanctions or Comply with Conduct Office Requests**

All students, as members of the Langston University community, are expected to comply with conduct sanctions within the timeframe specified by the Division of Student Affairs. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and an enrollment hold, which is a "hold" on enrollment privileges. This hold can prevent the adding or dropping of classes or enrollment for subsequent terms. Cancellation of enrollment occurs when a previous enrollment hold has been cleared with the condition that the enrollment will be canceled for failure to meet the conditions of the clearance. If canceled, the refund of tuition or fees will be subject to the University's normal withdrawal policy. A graduation hold is a hold on a student's participation in graduation exercises and diploma for failure to respond to a request to meet with the Dean of Students or his/her designee, or for noncompliance with conduct sanctions. The Dean of Students may recommend a graduation hold.

### **C. Implementation of Sanctions**

Conduct actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or if the individual voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include:

- 1) When an interim suspension has been invoked by the Dean of Students or his/her designee; and/or
- 2) To protect the health or safety of students on the campus.

## **SEX OFFENSES, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

### **Educational Programming**

Langston University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined in the "Definitions" section on Pages 11-13.

Langston University prohibits any form of sexual misconduct, sexual harassment, dating violence, domestic violence and/or stalking as defined in the Crime Definition section on Page 14, and as defined under Oklahoma law, set forth in the attached Appendix A. Langston University via the Director of Counseling, and the Langston University Police offer programs aimed at the prevention of such offenses. Langston University students are provided online resources for domestic violence awareness, dating violence and sexual assault victims. Accordingly, both individual and group counseling is available to students along with sexual assault treatment and domestic violence intervention. Furthermore, information for victims of domestic and sexual assault and/or abuse is available at the Langston University Police Department. Ongoing prevention and campaign methods include university students and employees receiving email blasts, social media posts, posters and notices on bulletin boards, and receiving information and literature at student fair events and other campus events, pertaining to sexual assault, domestic violence, dating violence, and stalking victims. These offenses are violations of state criminal law as well as the University's Student Code of Conduct. Off-campus resources are also made available upon request.

Langston University further prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as defined under Oklahoma law, outlined in the attached Appendix A.

## Victim Information

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

## Definition of Effective Consent and Consent

**Effective Consent** is informed, freely and actively given, using mutually understandable words or actions that indicate a willingness to participate in mutually agreed upon sexual activity. Initiators of sexual activity are responsible for obtaining effective consent. Silence or passivity is not effective consent. The use of intimidation, coercion, threats, force or violence negates any consent obtained. Consent is not effective if obtained from an individual who is incapable of giving consent due to lack of consciousness, age, mental disability or incapacitation due to ingestion of drugs or alcohol.

This definition of consent is the exclusive definition used in the Student Code of Conduct. It is also used for Title IX purposes throughout the University.

**Consent** means the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter, which can be revoked at any time. Consent cannot be:

1. Given by an individual who:
  - a. Is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
  - b. Is under duress, threat, coercion or force; or
2. Inferred under circumstances in which consent is not clear including, but not limited to:
  - a. The absence of an individual saying “no” or “stop,” or
  - b. The existence of a prior or current relationship or sexual activity. 21 Okla. Stat. § 113, (effective on June 6, 2016).

## What to do if you are a Victim of Sexual Violence

- a. If you are not safe and need immediate help, call the police. If the incident happened on campus, call the Langston University Police Department at (918) 877-8100. If the incident occurred elsewhere in Tulsa, call the Tulsa Police Department at 918-596-9168 or by dialing 911. If the incident happened anywhere else, call the law enforcement agency that has jurisdiction in the location where it occurred.
- b. Do what you need to do to feel safe. Go to a safe place or contact someone with whom you are comfortable. You can call the Domestic Violence Intervention Services at (918) 743-5763 to get advice and discuss options for how to proceed.
- c. Do not shower, bathe, douche, change or destroy clothes, eat, drink, smoke, chew gum, take any medications or straighten the room or place of the incident. Preserving evidence is critical for criminal prosecution. Although you may not want to prosecute immediately after the incident, that choice will

not be available without credible evidence. The evidence collected can also be useful in the campus conduct process.

- d. Go to the Hillcrest Medical Center to receive care for any physical injuries that may have occurred. While in the emergency room, treatment will be provided for sexually transmitted diseases and to prevent pregnancy. Hillcrest Medical Center has a SANE nurse and victim advocates available 24 hours a day.
- e. If you call the Domestic Violence Intervention Services at (918) 743-5763, a sexual assault nurse examiner (SANE), a police officer and a rape volunteer advocate will be sent to the exam site.
- f. Upon arrival at Hillcrest Medical Center, you will be taken to a private exam area. The nurse, advocate and police officer will be directed to this same location. You will be examined to treat any injuries and to gather evidence.
- g. The rape advocate will support you throughout the entire exam, which will be performed by the nurse. The advocate will provide a packet of written materials that contain information about common reactions to rape; follow-up medical needs and support services.

## **Bystander Information**

Be an intervener! Stop these incidents before they occur, and talk to your friends about it so that they will intervene as well! The Bystander Effect predicts that people are less likely to help others when there are more people around a potentially dangerous situation. There are many reasons people might not step up to intervene in these situations. First, here is the thought process someone needs to have before making a conscious decision to intervene:

### **1. Notice a critical situation**

Bystanders first must notice the incident-taking place. It's important to become attune to what situations may be risky. For example, if you're at a party, and you see someone stumbling as they're being led into a different room or your friend has a partner that is very controlling. These are potentially dangerous situations that need attention. However, sometimes it can be hard to recognize them as dangerous if you're unsure of what's happening.

### **2. Recognize that situation as problematic**

By "problematic," we mean a situation wherein there is a risk of sexual or domestic violence occurring in the near future.

### **3. Develop a feeling of personal responsibility to do something**

It has been found that often, people believe that someone else will help in a situation where there are many people around. This is especially true if you do not directly know the potential victim. However, it is important to realize that others may also be thinking the same thing. If you're unsure if you should do something, ask a friend what they think -- it might be the case that they've been thinking the same thing.

### **4. Believe you have the skills and knowledge to intervene**

There are a number of different techniques that someone can use to intervene in a risky situation. See listed options below. There is always something you can do to help, even if it is just to pick up your phone and call the police. Further, by reading this information and requesting a presentation to become officially trained in Bystander Intervention, you are much more likely to help those around you.

### **5. Consciously decide to help**

The choice to intervene is an intentional decision reached through this process.

There are many thoughts that might interrupt this process. Think about whether or not you have ever thought of any of the following reasons or heard others describe these thoughts.

### **Pluralistic Ignorance**

“Nobody else thinks this is a problem...” Many times, people think that no else thinks the situation is a problem because no one is stepping in to stop it. So, many people may internally disagree with a situation, but outwardly do nothing.

### **Embarrassment**

“I don’t want to embarrass myself...” Often, people are afraid of embarrassing themselves or those involved in the situation. This is a very legitimate fear, but it is important to weigh the consequences of a potentially embarrassing moment with the consequences of experiencing sexual violence or other harmful situations.

### **Diffusion of Responsibility**

“Someone else will take care of that...” Shockingly, research shows that the more people there are witnessing a potentially dangerous situation, the less likely it is that anyone individual will intervene because people assume that someone else will take care of it.

### **Fear of Getting Hurt**

“What if I get hurt trying to help...” This is a very legitimate fear that we want you to consider. We always, always, always want you to consider your personal safety before intervening. However, there is always something you can do to help, even if it is simply calling the police. You can read below to find out more about safe ways to intervene.

### **On and Off -Campus Resources**

Sexual violence, dating violence, domestic violence, and stalking can be very emotionally disruptive, and it takes time to come to terms with such a major stress. In addition to the support that may be found in family and friends, the following agencies and departments can serve as resources for you.

It is important to be aware that different individuals who you may contact for assistance following an incident may have different responsibilities regarding confidentiality, depending on their position. Under state law, some individuals can assure the victim of confidentiality, including counselors and certified victims’ advocates. In general, however, any other

Institution employee cannot guarantee complete confidentiality, unless specifically provided by law. As is the case with all colleges and universities, Langston University must balance the needs of the individual victim with an obligation to protect the safety and well-being of the community at large.

Written information will be provided to students/employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both within the institution and in the community.

### **Victim Advocate - Confidential Reporting Option**

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

Victim Advocate  
Domestic Violence Intervention Services  
4300 S. Harvard Ave  
Tulsa, OK 74135  
(918) 508-2712

## Counseling Resources- Confidential Reporting Options

### **Langston University Counseling and Health Services**

University Women Room 110  
405-466-3401

### **Domestic Violence Intervention Services**

4300 S. Harvard Ave  
Tulsa, OK 74135  
(918) 508-2712

## Other Local Services Available To Victims- Non-Confidential Reporting Options



**Langston University Police Department**

P.O. Box 269  
Langston, OK 73050  
(405) 466-3366

**Tulsa Police Department**

600 Civic Center, Suite 303  
Tulsa, OK 74103  
(918) 596-9222

**Langston University Student Conduct Office**

**Dean of Students**

Mr. Joshua Busby  
Student Success Center Suite 210  
P.O. Box 775  
Langston, OK 73050  
(405) 466-3445

**Langston University Title IX Coordinator**

Theresa (Graves) Powell  
Office of the President Room 102 Page Hall  
P.O. Box 907  
Langston, OK 73050  
(405) 466-3201

**Medical Services**

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

**Hillcrest Medical Center (off-campus)**

1120 S. Utica Ave.  
Tulsa, OK 74104  
(918) 579-1000

**Interim Measures**

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

- a. Assistance in Reporting: Student Conduct can assist you in filing a complaint with the institution conduct process and the appropriate law enforcement agencies against the student(s) who caused harm.
- b. No Contact Order: Student Conduct can put in place a No Contact Order between the complainant and the respondent, which would prohibit contact between both parties through any means of communication, as well as not having others make contact on their behalf.
- c. Emergency Protective Order: Student Conduct can assist you in filing for an Emergency Protective Order in court with Domestic Violence Intervention Services at (918) 743-5763. This is a court-ordered petition that prohibits contact between the complainant and respondent.

- d. Safety Measures: Student Conduct can coordinate any reasonable arrangements that are necessary for your ongoing safety. This includes transportation arrangements or providing an escort.
- e. Academic Arrangements: Student Conduct can assist in adjusting your academic schedule or that of the accused as well as assist in providing access to academic support services.
- f. Other Interim Measures: Student Conduct can coordinate any reasonable arrangements to address the effects of the sexual violence on you, including connecting you with counseling, health care or academic support resources.

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

## Reporting

All forms of sexual violence, dating violence, domestic violence and stalking should be reported, no matter the severity. Langston University's primary concern is safety. Therefore, individuals should not be deterred in reporting even if the use of alcohol or other drugs was involved.

When a student or employee reports that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether on or off-campus, the institution will provide a written explanation of the student's or employee's rights and options. University officials will assist victims in reporting to law enforcement if the victim so chooses; however, the victim has the right to decline to notify law enforcement.

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

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

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

## **A. Confidential Reporting Options**

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

### **Professional Counselors**

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

This would include counselors who work in Langston University Health Clinic on campus.

### **Victim Advocate**

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

### **University Health Providers**

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

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

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

## **B. Non-Confidential Reporting Options**

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

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the institution's response to the report. A responsible employee should not share information about the victim to law enforcement. A "responsible employee" is an employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or whom a student could reasonably believe has this authority or duty. Examples include but are not limited to faculty members, advisors, employees in student services offices and anyone in a supervisory role.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the institution will investigate the alleged sexual violence, end any sexual violence, prevent the sexual violence from reoccurring, and educate on sexual violence.

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

### **Requests for Confidentiality from a Non-Confidential Reporter**

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

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

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

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

- The increased risk that the alleged respondent will commit additional acts of sexual or other violence, such as:
- Whether there have been other sexual violence complaints about the same alleged respondent; • Whether the alleged respondent has a history of arrests or records from a prior school indicating a history of violence;
- Whether the alleged respondent threatened further sexual violence or other violence against the victim or others;
- Whether the sexual violence was committed by multiple respondents;
- Whether the sexual violence was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether the institution possesses other means to obtain relevant information of the sexual violence (e.g., security cameras or personnel, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

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

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

### **Reporting to the Police**

Langston University strongly encourages individuals to report sexual violence, dating violence, domestic violence, stalking, and any other criminal offenses to the police. This does not commit you to prosecute but will allow the gathering of

information and evidence. The information and evidence preserve future options regarding criminal prosecution, institution conduct actions and/or civil actions against the perpetrator.

If the incident happened on campus, it can be reported to the Langston University Police Department at 918877-8100. If the incident occurred elsewhere in Tulsa, it can be reported to the Tulsa Police Department at 219 E. Main St. Tulsa, OK 73104 or at 405-231-2121. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred.

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

## **Report to Student Conduct**

Anyone can report any instances of sexual violence, dating violence, domestic violence and stalking to Student Conduct at PO Box 776, Langston, OK or at (405) 466-3445. A complaint should be filed as soon as possible, preferably within 180 calendar days of the incident. Students who are victims of sexual violence, dating violence, domestic violence and stalking should attempt to find a safe location and contact either of the following: 24- hour Crisis Hotline (405) 466-3400, Langston University Police (405) 466-3366, Tulsa Police Department (918) 877-8100 or dial 9-1-1.

If either the victim or the accused is a student, the incident will be addressed through the Student Conduct process once a complaint is filed (i.e. LU Title IX / LUPD). Additionally, as stated above, Langston University strongly encourages individuals to report any instance of sexual violence, dating violence, domestic violence, or stalking to Langston University Title IX, or to Law Enforcement/Police.

An alleged victim of sexual misconduct is encouraged to report act(s) of sexual misconduct/violence to the Langston University Police Department or campus administrators. When reported, notice to a university official of sexual misconduct will be taken seriously. Formal reporting means information will be shared only with individuals who need to know such as investigators, witnesses, and the accused individual. Alleged victims of sexual misconduct usually have two avenues to consider in reporting sexual misconduct. These options are not mutually exclusive. The first offers an administrative process and the second a criminal process.

1. An alleged victim who wishes to have his or her case reviewed administratively, within the University should contact Langston University Title IX. The staff will explain Langston University procedures.
2. An alleged victim who wishes to have his or her case handled criminally should contact the LUPD. Staff from the Office of the Dean of Students and/or Langston University Title IX will accompany an accusing student through this process as requested. Contact the Dean of Students Office or Langston University Title IX for further information.

### **Next Steps after you have filed a complaint**

You will be notified of receipt of your complaint.

University staff will investigate.

This investigation will include:

- Meeting with the complainant
- Meeting with the accused of the sexual misconduct
- Reviewing any documentary evidence

The Dean of Students will determine if a student conduct hearing is possible. If the University proceeds with a student conduct hearing, the complainant and the accused will be notified of the hearing date.

The Dean of Students or Title IX Coordinator will be available to review the hearing process to the complainant and the accused. The hearing committee must decide on the “preponderance of the evidence,” which means the committee must decide the likelihood a violation occurred.

### **Missing Student / Person Notification:**

If you are aware a student is missing, a report should be made immediately to the Langston University Police Department. Any report to a University official indicating that a student who resides in on campus housing is missing shall be referred immediately to the Langston University Police Department, and an investigation shall be conducted. If the initial investigation determines that the student is missing the following persons shall be notified:

- 1) A confidential contact person designated by the student, Students have the option of identifying a person of their choice to be contacted in the specific case they are determined missing, Student can choose to identify the same person as their general emergency contact or identify different person who is more likely to know their whereabouts if determined missing (for example a roommate, close friend or an in town relative might be more familiar with your daily movements than an out of town family or friends). The person you designate, and their contact information shall be considered confidential and is only to be accessed by University officials after the student has been reported missing.
- 2) The Student's custodial parent(s) or legal guardian(s), if the student is under 18 and not an emancipated minor.
- 3) Local law enforcement authorities. The Langston University Police Department will work with other law enforcement agencies, if necessary, once a student is determined to be missing, Langston University officials may elect to notify additional persons determined to be appropriate with the Family Education Rights and Privacy Act. 20 ss 1232(g).

## **CONTACT INFORMATION**

### **Langston University Police Department**

P.O. Box 269  
Langston, OK 73050  
(405) 466-3366  
luchief@langston.edu

### **Langston University Counseling and Health Center**

University Women, Room 110  
Langston University Main Campus  
(405) 466-3401  
(405) 466-3400 (24 - Hour Hotline)  
(405) 255-2716 (SAM)

### **Langston University Student Conduct**

Mr. Joshua Busby  
Student Success Center Suite 210  
P.O. Box 775  
Langston, OK 73050 (405)  
466-3445  
jabusby@langston.edu

**Langston University Title IX Coordinator**

Theresa (Graves) Powell

Office of the President Room 102 – Page Hall

P.O. Box 907

Langston, OK 73050

tdgraves@langston.edu

**Domestic Violence Intervention Services**

4300 S. Harvard Ave

Tulsa, OK 74135

(918) 508-2712

**Hillcrest Medical Center**

1120 S. Utica Ave.

Tulsa, OK 74104

(918) 579-1000



## APPENDIX A Definitions under Oklahoma law:

### ***Consent:***

The term “consent” means the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter that can be revoked at any time. Consent cannot be:

1. Given by an individual who:
  - a. Is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
  - b. Is under duress, threat, coercion or force; or
2. Inferred when consent is not clear including, but not limited to:
  - a. The absence of an individual saying “no” or “stop,” or
  - b. The existence of a prior or current relationship or sexual activity.

21 Okla. Stat. § 113 (effective on June 6, 2016).

***Dating violence*** is not defined by the state of Oklahoma; however, violence against a person with whom the perpetrator is in a dating relationship is considered domestic violence, defined below. A ***dating relationship*** is defined as: an intimate association, primarily characterized by affectionate or sexual involvement. For purposes of this act, a casual acquaintance or ordinary fraternization between persons in a business or social context shall not constitute a dating relationship.

22 Okla. Stat. § 60.1.

***Domestic violence*** is not defined in Oklahoma law. However, the criminal definition of ***domestic abuse*** is defined as: Any act of physical harm, or the threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor or minor child who is currently or was previously an intimate partner or family or household member. “Family or household members” means: (a) parents, including grandparents, stepparents, adoptive parents and foster parents, (b) children, including grandchildren, stepchildren, adopted children and foster children, and (c) persons otherwise related by blood or marriage living in the same household. “Intimate partner” means: (a) current or former spouses, (b) persons who are or were in a dating relationship, (c) persons who are the biological parents of the same child, regardless of their marital status or whether they have lived together at any time, and (d) persons who currently or formerly lived together in an intimate way, primarily characterized by affectionate or

sexual involvement. A sexual relationship may be an indicator that a person is an intimate partner but is never a necessary condition.

21 Okla. Stat. § 644.

***Sexual assault:***

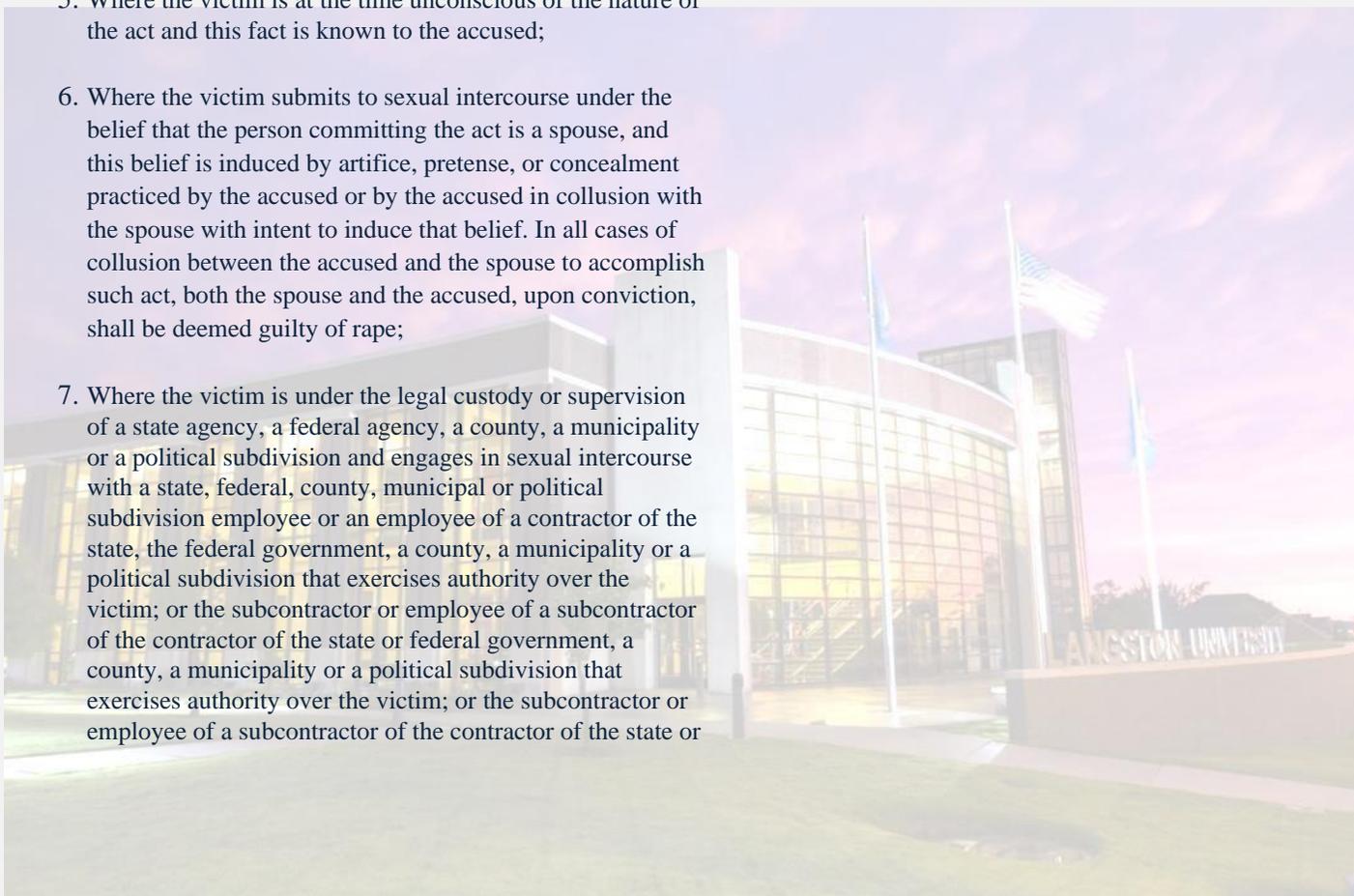
- a. Rape, or rape by instrumentation, as defined in Sections 1111, 1111.1 and 1114 of [Title 21], or
- b. Forcible sodomy, as defined in Section 888 of [Title 21].

21 Okla. Stat. § 142.20.

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

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

1. Where the victim is under sixteen (16) years of age;
2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privacy of the accused as a means of forcing the victim to submit;
5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim; or the subcontractor or employee of a subcontractor of the contractor of the state or



federal government, a county, a municipality or a political subdivision that exercises authority over the victim;

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

1. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant.

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

21 Okla. Stat. § 1111

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

Rape by instrumentation is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime. Provided, further, that at least one of the circumstances described in Section 1111 of this title has been met; further, where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of

law with a foster parent or foster parent applicant. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

21 Okla. Stat. § 1111.1.

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

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

B. The crime of forcible sodomy shall include:

1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; or

2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or

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

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

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

6. Sodomy committed upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused; or

1. Sodomy committed upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit.
2. Sodomy committed upon a person who is at least sixteen (16) years of age but less than eighteen (18) years of age by a person responsible for the child's health, safety or welfare. "Person responsible for a child's health, safety or welfare" shall include, but not be limited to: (a) a parent, (b) a legal guardian, (c) a custodian, (d) a foster parent, (e) a person eighteen (18) years of age or older with whom the child's parent cohabitates, (f) any other adult residing in the home of the child, (g) an agent or employee of a public or private residential home, institution, facility or day treatment program as defined in section 175.2 of Title 10 of the Oklahoma Statutes, or (h) an owner, operator or employee of a child care facility, as defined by Section 402 of Title 10 of the Oklahoma Statutes.

21 Okla. Stat. § 888 (effective June 6, 2016).

**Stalking:**

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

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

2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested, upon conviction, shall be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment

F. For purposes of this section:

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

2. "Course of conduct" means a pattern of conduct composed of a series of two (2) or more separate acts over a period, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct";

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

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

- a. Following or appearing within sight of that individual,
- b. Approaching or confronting that individual in a public place or on private property,
- c. Appearing at the workplace or residence of that individual,
- d. Entering onto or remaining on property owned, leased, or occupied by that individual,

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- The background of the page is a photograph of a modern university building with large glass windows, illuminated from within. The sky is a mix of purple and pink, suggesting sunset or sunrise. In the foreground, there is a sign that reads "ANGSTROM UNIVERSITY" and several flagpoles with flags flying.
- e. Contacting that individual by telephone,
  - f. Sending mail or electronic communications to that individual, and
  - g. Placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and

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

6. “Following” shall include the tracking of the movement or location of an individual through the use of a Global Positioning System (GPS) device or other monitoring device by a person, or person who acts on behalf of another, without the consent of the individual whose movement or location is being tracked; provided, this shall not apply to the lawful use of a GPS device or other monitoring device or to the use by a new or used motor vehicle dealer or motor vehicle creditor of a GPS device or other monitoring technology, including a device containing technology used to remotely disable the ignition of a motor vehicle, in connection with lawful action after default of the terms of a motor vehicle credit sale, loan or lease, and with the express written consent of the owner or lessee of the motor vehicle.

21 Okla. Stat. § 1173.





**NOTES:**

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