



## **2022 Annual Security Report**

**September 23, 2022**

# 2020 Annual Security Report

## Table of Contents

|  |    |
|--|----|
| Introduction .....   | 2  |
| Notice of Nondiscrimination.....   | 2  |
| Crime Prevention Tips .....  | 3  |
| Campus Access and Security.....  | 4  |
| Law Enforcement Statement .....  | 5  |
| Reporting Emergencies.....   | 5  |
| General Evacuation Procedures .....                                      | 5  |
| Fire Safety .....  | 6  |
| Campus Crime Log .....   | 6  |
| Timely Warning .....   | 6  |
| Emergency Notification .....   | 6  |
| Sexual Harassment Policy and Violence Against Women Act .....            | 7  |
| Sexual Harassment and Violence Against Women Prevention Programming .... | 7  |
| Procedures to Follow in the Event of a Sexual Assault .....              | 8  |
| Institutional Responses to a Reported Sexual Assault .....               | 8  |
| Sex Offender Registry .....  | 8  |
| Drug Free Schools & Communities Policy .....                             | 9  |
| Drug and Alcohol Abuse Policy and Education Programs .....               | 9  |
| Clery Act Definitions .....  | 10 |
| Rules for Calculating Reported Statistics .....                          | 13 |
| Crime Statistics.....  | 18 |
| AUM Emergency Contact List .....   | 22 |
| APPENDIX (Ohio State Laws and Title IX Resources).....                   | 23 |

## INTRODUCTION

The federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, 20 U.S.C. § 1092 (more commonly referred to as the Clery Act), requires all postsecondary educational institutions participating in federal Title IV student financial assistance programs to disclose certain crime statistics, safety related policies and procedures, fire safety information, and fire statistics in an annual security report (ASR). The Clery Act mandates that institutions publish their ASRs by October 1<sup>st</sup> each year.

Each year, each of the campuses of Antioch University (Antioch or the University) prepares this report in compliance with the Clery Act. Antioch assembles statistics and relevant information to this report based on its own records, communications with local law enforcement, and information from various campus security authorities. In preparing its ASR, Antioch follows its Clery Act Policy 3.309, [http://aura.antioch.edu/policies\\_300\\_3x3/](http://aura.antioch.edu/policies_300_3x3/), which is incorporated by reference.

Following is the Annual Security Report for Antioch University Midwest (AUM), which can also be found [www.antioch.edu/securityreport](http://www.antioch.edu/securityreport).

AUM distributes electronic notice of availability of this report to all current students, faculty, and staff by mass e-mail by October 1<sup>st</sup> of each year. In that same email, AUM advises that students, faculty, and staff may request a paper copy of the report, free of charge, by contacting the Chancellor's office. Employees hired after October 1 each year are advised of how to obtain the report during their employment orientations.

Every member of the Antioch community has an interest in the maintenance of an environment conducive to learning in which students, staff, and faculty feel safe and secure in their pursuit of academic excellence. Following is the 2020 Campus Security Policies and 2017-2019 Crime Statistics, which contains important information related to the safety and well-being of our Antioch community. We encourage all to review this report and to use it as a resource guide during your study or employment with us. Thank you for being part of or considering our community as the next part of your journey, and best wishes for a healthy and productive experience at Antioch.

## NOTICE OF NON-DISCRIMINATION

Antioch is proud to foster an environment in which all individuals are treated with respect and dignity. Antioch is fully committed to equal opportunity and affirmative action in all aspects of employment and student service. All employment decisions at Antioch are made based on job-related criteria and merit without regard to the individual's legally protected status.

It is the policy of the University not to discriminate against and to provide equal employment opportunity to all qualified persons without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status,

sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or any other protected classification. It is the policy of the University to analyze employment process to further the principles of equal opportunity employment.

This policy applies to all employment practices, including, but not limited to, recruitment selection, promotion, transfer, compensation, training and development, demotion, and separation. This policy is intended to be consistent with the provisions of applicable State and Federal laws and University policies.

## **ABOUT ANTIOCH UNIVERSITY MIDWEST**

Antioch University Midwest (AUM) is one of the five campuses of Antioch University, an institution proud of serving adult learners and their specific needs. Antioch University is a multi-campus university of more than 4,000 students who study at the Antioch University Midwest campus in Yellow Springs, OH, and at campuses in Seattle, Santa Barbara, Los Angeles, and Keene, New Hampshire, online and around the world.

Antioch University Midwest is located at 900 Dayton Street in Yellow Springs, Ohio, about twenty-five minutes from the Dayton area, and about ten minutes from Springfield. The Midwest campus is a commuter campus, and students do not reside on campus.

Much campus crime throughout the country originates in on-campus residence halls. Because Antioch does not host students in dormitories, it has no dormitory-related crime to report, and, as reflected in our relevant crime statistics, relatively few incidents overall to report. This year we are proud that we had zero instances of crime to report.

## **Crime Prevention Tips**

### **Personal Security**

- Personal security is something that every individual must take seriously. These guidelines are by no means all-inclusive and are not intended to supplant other effective safety measures you may already be using. Use these guidelines to reduce your vulnerability.
- Stay alert to your surroundings, trust your instincts, and take appropriate action if you feel that something may be wrong.

### **Safety & Security**

- Be alert to suspicious persons in your area. If anything appears to be not quite right, contact the Campus Safety Officer or Building Security.
- Be aware of how to use the campus telephone system to contact emergency personnel. AUM's phone system requires dialing 9 for an outside line (e.g. 9-911).
- Never leave belongings unattended even for a few minutes.
- Never agree to watch belongings for strangers or allow them to leave them in your area.
- Note the location of emergency fire exits, pull stations, and fire extinguishers near you.

- Never attach facility keys to any item that can identify the school. Then if your keys are lost away from campus, they cannot be traced back to the premises. If keys are lost or misplaced, notify the Campus Services Center immediately.
- Remember: The safety and security of the AUM campus is everyone's responsibility.

### **Avoid Confrontations**

- Don't allow yourself to be drawn into arguments or shouting matches with coworkers, fellow students, or the public. Walk away from confrontations before they escalate.
- Contact the Campus Safety Officer or Building Security for assistance when needed.

### **Protect Your Things**

- Keep all personal belongings such as backpacks, briefcases, or purses close to you.
- If you leave the area, even for only a short time, secure personal items in a locked drawer or cabinet, or take them with you.
- Close and lock office doors when you leave, even if you are only leaving for a short time period.

### **After Hours Safety**

- At night, or when there are few people around, always walk to your car with someone else.
- Request an escort to your car from Building Security at any time.
- If you suspect that a crime has taken place, do not investigate. Get to a safe place, call 911 to report the crime, and inform the Campus Safety Officer and/or Building Security.

### **Campus Access and Security**

The AUM campus regular hours of operation are 9:00 a.m. – 5:00 p.m. Monday through Friday, during hours of operation, the AUM campus is open to students, employees, and guests.

During non-business hours, access to all AUM facilities is by key. The AUM campus is continuously monitored by security video cameras.

Emergencies may necessitate changes or alterations to any posted schedules.

As AUM has no residential facilities, we do not maintain a missing student notification policy, nor are we required to have separate policies regarding access to campus residences.

AUM maintains security and access of the facility by clearing the pathways and parking lots of snow and debris, monitoring the lighting of the parking lots, and ensuring the operation of the "blue-light" emergency phones at the building's north entrance and in the parking lot that enable a caller to issue an immediate call for assistance to the Yellow Springs Police Department.

## **Reporting a Crime and Law Enforcement Statement**

AUM personnel, contractors, and building security do not have arrest authority. All AUM faculty, staff and students are encouraged to report suspicious activity to their supervisor, their instructor, Building Security, and/or the Front Desk. Criminal incidents are referred to the Yellow Springs Police Department, who have jurisdiction on campus. AUM faculty, staff, and students who are victims and/or witnesses to a crime are encouraged to immediately report the crime to the Yellow Springs Police Department.

Antioch University's Law Enforcement Statement and Cooperation Policy 3.307 can be found here: [http://aura.antioch.edu/policies\\_300\\_3x/1/](http://aura.antioch.edu/policies_300_3x/1/)

Any suspicious activity or persons seen in the parking lots or loitering around vehicles or inside the Antioch University Midwest building should be reported to the Yellow Springs Police Department at (937) 767-7202.

## **Voluntary Reporting and Confidentiality**

If you are a victim of or witness to any crime on or near the Antioch University Midwest campus, you are obligated to report the incident promptly to the Campus Safety Officer. While every effort will be made at to keep information confidential upon request, particularly regarding a reporter's identity, AUM cannot always hold information about crimes in confidence. With such information, the University can keep accurate records of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method, or assailant, take measures to reduce the risk of crime, and alert the campus community to potential danger.

## **Reporting Emergencies**

Anyone discovering, or having information related to, an emergency situation, regardless of type or size, shall immediately call 911 (9-911 from a campus phone). When calling 911, stay calm, carefully explain the problem and location to the dispatcher, and follow all instructions of 911 personnel. Do not hang up the phone until expressly told to do so by 911 personnel (unless immediate evacuation is imperative). After reporting the emergency to 911, call the AUM Main Line, 937-769-1800, and inform the AUM Campus Safety Officer of the situation.

## **Emergency Response and General Evacuation Procedures**

In the event that it becomes necessary to evacuate the facility, the building alarm system will be activated. All open magnetized doors will release and close, and elevators will return to the first floor, open, and go out of service. However, a backup generator powers the main lobby elevator, which should remain operable in most emergencies. The building's notification system consists of very loud, short rings accompanied by white strobe lights for the hearing-impaired.

During an evacuation, all AUM students, faculty, staff and visitors shall immediately cease all activity and proceed carefully and quickly to the nearest exit. During a building evacuation, elevators are not to be used. All AUM evacuees are to assemble in the Safe Refuge Area, which is the north end of the parking lot, the small lot adjacent to the entrance.

All AUM students, faculty, staff, and visitors are instructed to be accounted for and to remain at the Safe Refuge Area until the "All Clear" is given by Public Authorities, AUM Administration, or Building Management. Do not enter vehicles and attempt to leave the parking area. This action will result in delaying the incoming emergency apparatus. If there is to be a long delay in reentering the building, the Fire or Police Department will set up traffic control to facilitate departure in a controlled manner.

### **Fire Safety**

Any employee, student, or visitor who becomes aware of a fire on campus shall immediately activate a manual fire alarm pull station to sound the building alarm system. All building occupants are instructed to evacuate the building when the fire alarm is activated.

Building occupants are **not** expected to fight a fire. If an individual chooses to attempt to extinguish a fire, they should do so with extreme caution, and must delegate someone to sound the fire alarm and call 911 (or 9-911 from a campus phone) to begin the evacuation process. If the fire cannot be easily extinguished, all occupants must evacuate to the Safe Refuge Area.

In accordance with Antioch University's Non-smoking Environment policy 4.507 ([http://aura.antioch.edu/policies\\_400\\_5x/2/](http://aura.antioch.edu/policies_400_5x/2/)), Antioch University Midwest is a smoke-free campus and does not permit open flames on campus except in designated catering areas.

### **Tornado Information**

The hallway of the first floor of the north end of the building, between rooms A146 and A133, has been designated a Tornado Safe Zone. In the event of a tornado warning, all individuals currently in the building will be directed to proceed to this hallway for maximum protection. Individuals will be notified when it is safe to leave this zone.

### **Campus Crime Log**

The Antioch University Midwest (AUM) Facilities Department maintains a log of reported incidents and crimes. A log for the most recent 60 days is open to public review during regular business hours. Log information beyond 60 days will be made available within two working days of a request.

### **Timely Warning**

Antioch University will provide timely warnings concerning the occurrence of any Clery Act reportable crime or other event that poses a continuing and ongoing threat to the AUM community. The decision to issue a timely warning is made on a case-by-case basis considering the available facts

(including whether the incident is a serious or continuing threat to the community and whether the warning may compromise law enforcement efforts). A timely warning may include a brief description of the incident and any suspect(s), the date, time, and location of the incident, and suggested precautions. The purpose of the timely warning is to minimize health and safety risks to the Antioch Community.

### **Emergency Notification**

The Chancellor or designee will determine if a serious crime, natural disaster, or other emergency poses an immediate threat to the health and/or safety of students and/or employees. If there is such a threat, AUM will immediately notify those who may be affected by the situation. The Chancellor or designee will, without delay, determine the contents of the notification and who will be so notified. If the Chancellor or designee determines that immediate notification would significantly compromise the response or assistance efforts, the Chancellor or designee may delay notification. In all other instances, the Chancellor or designee will immediately activate the notification system.

AUM uses the following systems for communicating information quickly to the campus community: University email; emergency text message; overhead public address system; website; and in-person notification. Some or all of these methods of communication may be used in the event of an immediate threat to students and/or employees.

AUM will test the emergency response and evacuation procedures on at least an annual basis using announced or unannounced tests. For each test, a description of the exercise, date, time, and whether it was announced or not will be documented.

Antioch University's Emergency Response and Evacuation Policy 3.305 can be found here: [http://aura.antioch.edu/policies\\_300\\_3x/2/](http://aura.antioch.edu/policies_300_3x/2/).

### **Sexual Harassment Policy and Violence Against Women Act**

Antioch University strives to foster an academic and work environment that is free from sexual discrimination, sexual harassment and sexual violence. The Title IX Sex Discrimination, Sexual Harassment and Sexual Violence Policy, Policy 4.607 ([http://aura.antioch.edu/policies\\_400\\_6x/12/](http://aura.antioch.edu/policies_400_6x/12/)), provides a comprehensive approach to these issues, including prevention, amelioration of possible effects, investigation, disciplinary proceedings, and the prohibition of retaliatory action. The Title IX Policy provides a full description of the rights of students and employees regarding these issues.

In addition, under the Violence Against Women Act, 42 U.S.C. 13701, Antioch University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, all of which are defined according to the law of the applicable jurisdiction. Upon request, Antioch University provides to a student or employee who reports having been a victim of domestic violence, dating violence, sexual assault or stalking, whether on or off campus, an explanation of the student or employee's rights and options, including possible sanctions and the procedures to be followed (including the importance of preserving evidence.)



## **Sexual Harassment and Violence Against Women Prevention Programming**

AUM educates the community about sexual harassment identification and prevention through regular programs sponsored by the University's Human Resource Department.

Additionally, local resources exist to assist and support victims of sexual assault. These include:

- Clark County Victim Witness Division, 31 Limestone Street, Springfield, OH 45502. (937) 521-1791
- Fairborn and Beavercreek Victim Assistance Program, 1148 Kauffman Avenue, Fairborn, OH 45324. (937) 754-3047
- Greene County Victim Witness Program, 61 Greene Street, 2<sup>nd</sup> floor, Xenia, OH 45385. (937) 562-5087
- Montgomery County Victim Witness Program, 41 North Perry Street, Suite 212, Dayton, OH 45422. (937) 225-5623
- Combined Health District of Montgomery County, 1323 West Third Street, Dayton, OH 45402. (937) 225-4023. <http://phdmc.org/>

## **Procedures to Follow in the Event of a Sexual Assault**

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain the necessary medical treatment. Antioch University advocates that a victim of sexual assault report the incident as soon as possible. Time is a critical factor for evidence collection and preservation.

An assault should be reported directly to a University officer or to staff, who will assist the victim in reporting the assault to the Campus Safety Officer.

## **Institutional Responses to a Reported Sexual Assault**

When a sexual assault victim contacts the Campus Safety Officer, the Yellow Springs Police Department will be notified as well. The victim of a sexual assault may choose for an investigation to be pursued through the criminal justice system. The Yellow Springs Police Department will guide the victim through the available options.

University disciplinary proceedings are detailed in the Antioch University policy on Sex Discrimination, Sexual Harassment and Sexual Violence Policy, Policy 4.607 ([http://aura.antioch.edu/policies\\_400\\_6x/12](http://aura.antioch.edu/policies_400_6x/12)).

Student victims have the option to request interim measures, such as changing their academic schedule, after an alleged sexual assault.

## **Sex Offender Registry**

Upon release from prison, individuals convicted of sex crimes may be required to register with law enforcement agencies (under laws referred to as “Megan’s Laws”). If registered sex offenders are enrolled or employed at a postsecondary institution, the offenders must provide this information to the state. The state then provides the information to law enforcement authorities in the jurisdiction where the institution is located.

In addition, a list of all registered sex offenders in the vicinity of Antioch University Midwest may be accessed through the following link:

<http://www.icrimewatch.net/index.php?AgencyID=55149>

Antioch University Midwest’s street address is 900 Dayton Street, Yellow Springs, OH 45387.

For the National Sex Offender Public Website (NSOPW) maintained by the U.S. Department of Justice, visit <http://www.nsopw.gov/en-US>

## **Drug Free Schools and Communities Policy**

Antioch University is committed to the development and maintenance of an educational and workplace environment in compliance with the Drug-Free Schools and Communities Act of 1989 and the Drug-Free Workplace Act of 1988, and does not permit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or at any of its activities. Please see the Drug Free Schools and Communities Policy 4.505 at ([http://aura.antioch.edu/policies\\_400\\_5x/1/](http://aura.antioch.edu/policies_400_5x/1/)). The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. State and federal legal penalties for illegal use of alcohol and drugs are delineated in the attachments to the Drug Free Schools and Communities Policy. A violation of any law regarding drugs and/or alcohol is also a violation of the Student Conduct Policy 6.103 ([http://aura.antioch.edu/policies\\_600\\_1x/2/](http://aura.antioch.edu/policies_600_1x/2/)) and will be treated as a separate disciplinary matter by the University.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under the age of 21 in a public place or a place open to the public is illegal. It is also a violation of policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Such laws are strictly enforced by Antioch University and by the Yellow Springs Police Department. Violators may be subject to criminal prosecution, fines and imprisonment. In addition, individuals, organizations or groups violating state or federal law or Antioch policy will be subject to sanctions by the University, up to and including withdrawal from the University or termination of employment.

## **Drug and Alcohol Abuse Policy and Education Programs**

Antioch University also provides resources for students and employees with substance abuse issues. Insurance policies available to employees of Antioch University include coverage for drug and alcohol abuse. All benefit-eligible employees, including those who do not participate in University insurance plans, are eligible for support for substance abuse through the institution's Employee Assistance Program (EAP). Please contact the Antioch University Benefits Coordinator in the Human Resources department at (937) 769-1361 for more information on the University's insurance policies and for details regarding the EAP.

Some local resources available for support, education and rehabilitation for substance abuse include:

- The Community Network, 452 W. Market Street, Xenia, OH 45385. (937) 376-8700
- Hope Spot, Greene County Community Recovery Center, 335 East Market Street, Xenia, OH. Email: [thehopespot@outlook.com](mailto:thehopespot@outlook.com) Phone: [937-352-6367](tel:937-352-6367)
- McKinley Hall, Springfield, OH 45505. (937) 382-5322
- The Turning Point, Miami Valley Hospital, 725 S. Ludlow St., Dayton, OH 45409. (937) 208-4673.

## **CLERY ACT GEOGRAPHY DEFINITIONS**

The following definitions apply to the geographical locations of incidents disclosed in the crime statistics tables contained in this report:

*On-campus:* Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes; and any building or property that is within or reasonably contiguous to the property described above in this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

*Public Property:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

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

## **CLERY ACT/VAWA CRIME DEFINITIONS**

The following definitions apply to the incidents of crime disclosed in the crime statistics tables contained in this report:

## Clery Act Felony Definitions

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

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

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

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

*Burglary:* The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

*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.

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

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

## Clery Act Sex Offenses Definitions

The following sex offenses fall with the definition of “sexual assault” under the Clery Act.

*Rape:* The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

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

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

## Arrest And Referrals For Discipline For Violations Of Liquor, Drug, And Weapons Laws<sup>1</sup>

Liquor Law Violations: The violation of state and local municipal laws and 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.)

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

Drug Law Violations: Violations of federal, 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

Under the Clery Act, a hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reported:

- Race
- Religion
- Sexual Orientation
- Gender
- Gender Identity
- Ethnicity
- National Origin

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<sup>1</sup> Under Clery, an arrest is defined as the processing of a person by arrest, citation, or summons. A referral for disciplinary action is defined as the referral of any person to an institution official who institutes a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Disciplinary action occurs where an official receiving the information initiates a disciplinary action, a record of the action is kept, and the action may, but not need have to, result in a sanction. Disciplinary actions may be initiated in both informal and formal manners and can include an interview or a simple, initial review of names submitted to an institutional official. An incident involving both an arrest and a referral for discipline is counted only as an arrest.

- Disability

For *Clery Act* purposes, Hate Crimes include any of the following offenses that are motivated by bias:

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

### **Violence Against Women Reauthorization Act (Vawa) Crimes**

The Violence Against Women Reauthorization Act of 2017 requires that institutions report incidents of sexual assault, domestic and dating violence (also known as ‘intimate partner violence’) and stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law definitions of the same crimes.

### **Federal Definitions**

*Domestic Violence*: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who-

- (A) is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
- (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- (C) shares a child in common with the victim; or
- (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

**Dating Violence:** The term “dating violence” means violence committed by a person –

- (A) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - (i) The length of the relationship
  - (ii) The type of relationship
  - (iii) The frequency of the interactions between the persons involved in the relationship.

**Stalking:** A course of conduct<sup>2</sup> directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or suffer substantial emotional distress.<sup>3</sup>

## **RULES FOR CALCULATING STATISTICS DISCLOSED IN THE ANNUAL SECURITY REPORT**

The Clery Act groups crimes into the following categories in descending order of severity: Part I Crimes (felonies); Part II Crimes (arrests and referrals for discipline for violations of weapons, drug, and liquor laws); Part III Crimes (hate crimes); and Part IV Crimes (crimes added to the scope of the Clery Act pursuant to the Violence Against Women Reauthorization Act of 2017 (“VAWA”). Offense groupings must be reported in separate statistics grids (with the exception of hate crime statistics, which may be published in narrative format).

The Clery Act’s “hierarchy rule” applies to calculation of statistics concerning incidents in which multiple offenses are reported to have occurred within a single event. The rule requires that institutions count only the most serious offense where more than one Clery Act offense has occurred, subject to certain exceptions described below.

### **Part I Crimes** (Felony Offenses)

The Clery Act requires disclosure of statistics concerning the reported occurrence of any of the crimes listed below in order of severity.

1. Criminal homicide:
  - a. Murder and non-negligent manslaughter
  - b. Manslaughter by negligence
2. Sex offenses:
  - a. Rape
  - b. Fondling
  - c. Incest
  - d. Statutory rape

3. Robbery
4. Aggravated assault
5. Burglar
6. Motor vehicle
7. Arson

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<sup>2</sup> “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, follows, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

<sup>3</sup> “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.



## **Part II Crimes** (Arrests/ Referrals for Discipline – Weapons, Drug, and Liquor Offenses<sup>4</sup>)

1. Weapons law arrests
2. Drug law arrests
3. Liquor law arrests
4. Weapons law referral for discipline
5. Drug law referral for discipline
6. Liquor law referral for discipline

## **Part III Crimes** (Hate Crimes)

Under the *Clery Act*, a “hate crime” is a criminal offense committed against a person or property which is motivated (in whole or in part), by the offender’s bias. For Clery purposes, “hate crimes” include any *Clery Act* felony under Part I to the extent such crimes manifest evidence of bias. “Hate crimes” also include four additional misdemeanor offenses.

### **Part I Felonies Subject to Hate Crime Counting Requirements**

1. Criminal homicide:
  - a. Murder and non-negligent manslaughter
  - b. Manslaughter by negligence
2. Sex offenses:
  - a. Rape
  - b. Fondling
  - c. Incest
  - d. Statutory rape
3. Robbery
4. Aggravated assault
5. Burglary
6. Motor vehicle theft
7. Arson

### **Additional Misdemeanor Offenses Subject to Hate Crime Counting Requirements**

8. Larceny – theft
9. Simple assault

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<sup>4</sup> Under Clery, an “arrest” is defined as the processing of a person by arrest, citation, or summons. A “referral for disciplinary action” is defined as the referral of any person to an institution official who institutes a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Disciplinary action occurs where an official receiving the information initiates a disciplinary action, a record of the action is kept, and the action may, but not need have to, result in a sanction. Disciplinary actions may be initiated in both informal and formal manners and can include an interview or a simple, initial review of names submitted to an institutional official. An incident involving both an arrest and a referral for discipline is counted only as an arrest.

10. Intimidation
11. Destruction, damage or vandalism of property

#### **Part IV Crimes** (VAWA Offenses)

1. Domestic violence
2. Dating Violence
3. Stalking

#### **CALCULATING STATISTICS SUBJECT TO THE HIERARCHY RULE**

Some single incidents involve multiple Clery Act offenses, and often, a determination of which offense to disclose in the ASR's statistics grids is made simply based on where the offense lies in the hierarchy. For example, if a student under the legal drinking age is arrested on campus while in possession of a stolen motor vehicle and an alcoholic beverage, the institution is required to disclose only the motor vehicle theft because it is the more serious crime according to the hierarchy rule. However, in some instances involving multiple offenses, the hierarchy rule will not apply. Some counting requirements and examples are provided below to provide context for statistics in the ASR's statistics grids.

- **Arson** is always counted, regardless of whether is more or less severe than any other Clery Act offense in the same incident. (For example, if someone commits arson during a burglary, then the institution must record a statistic in both the arson and burglary categories, thus appearing to reflect two separate incidents, but really only documenting one event.)
- **Murder/non-negligent manslaughter** and **negligent manslaughter** statistics are calculated based on the number of victims in a single incident. (For example, if two people are murdered in the same incident at the same time, or die due to the gross negligence of another person, then the institution must record two statistics in the murder category – one statistic for each victim.)
- Any incident involving both a **murder/non-negligent manslaughter** and either a **robbery, burglary, aggravated assault, or motor vehicle theft** must be recorded as one statistic in the murder/non-negligent manslaughter category. (Robbery, burglary, aggravated assault, and motor vehicle theft are subsumed within the murder/non-negligent manslaughter category. However, **arson, sexual assault, hate crimes, and Part IV VAWA** crimes are not subsumed by any other category and therefore must be reported in addition to another Clery offense involved in the same incident.)
- **Sex offenses (rape, fondling, incest, and statutory rape)** are always counted, even where they also involve a murder or non-negligent manslaughter.

- Crimes less severe than **sex offenses (rape, fondling, incest, and statutory rape)** are not counted unless the less severe crime is one of dating violence, domestic violence, or stalking, or unless it is a hate crime misdemeanor (larceny – theft; simple assault; intimidation; or destruction, damage or vandalism of property).
- **Robbery** statistics are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. (For example, if one offender robs three individuals at gunpoint at the same time and while in the same place, the institution must record one statistic in the robbery category.)
- **Aggravated assault** statistics are calculated based on the number of victims involved in a single incident. (For example, if two people are assaulted with a weapon during the same incident, then the institution must record two statistics in the non-negligent manslaughter category – one statistic for each victim.)
- **Burglary** statistics generally are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. Various rooms within an academic building are considered to be under the control of a single entity. Therefore, the burglary of a single academic building is counted as one offense, regardless of the number of offices or other spaces from which items may have been stolen, unless the various rooms were burglarized within different time frames. In that case, each burglary separated by time would be recorded as separate statistic in the burglary category.
- Part I felony crimes committed on the basis of a prohibited bias (*i.e.* “**hate**”) are always counted twice – once in the Part I felony crime grid, and once separately in the hate crimes grid/narrative. In the event a single incident involves multiple Part I offenses based on bias, the hierarchy rule does not apply to disclosure of statistics in the hate crimes grid/narrative, and all Part I offenses must be reported separately. (For example, if an incident involves both an aggravated assault and motor vehicle theft based on bias, the institution must record statistics in both the aggravated assault and motor vehicle theft categories in the hate crimes grid/narrative. However, only the aggravated assault would be disclosed in the Part I grid based on the hierarchy rule.)
- The four Part III misdemeanor **hate crimes** (larceny – theft; simple assault; intimidation; or destruction, damage or vandalism of property) are *only* reported in the hate crime grid/narrative.
- Part IV **VAWA crimes (domestic violence, dating violence, and stalking)** are reported in a separate grid. If any **Part I** felony incident also involves a Part IV **VAWA** incident, then both incidents are reported – the felony crime is reported in the Part I grid, and the VAWA crime is reported in the Part **IV** grid.

- In the event a Part IV **VAWA** offense might be classified as both “domestic violence” and “dating violence”, the incident is reported as one of “domestic violence.”
- In the event a Part IV **VAWA** offense involves **stalking** together with domestic or dating violence, both the stalking and domestic/dating violence are reported separately. One statistic must be recorded in the stalking category, and one statistic must be recorded separately in the domestic/dating violence category.
- Where an incident involves both an **arrest and a referral for discipline** for a weapon, liquor or drug law violation, only the arrest is recorded.
- Where an **arrest or referral for discipline** is made in response to a Part II incident involving more than one offense (for example, unlawful possession of drugs *and* liquor), only one statistic is recorded. The DOE Clery Handbook does not offer guidance on a hierarchy for Part II offenses. For purposes of this report, in the event of such an incident, statistics will be recorded according to the following order: (1) weapons, (2) drugs, and (3) alcohol, unless circumstances suggest alternative reporting is more appropriate. (For example, if a student arrested for serving a large volume of liquor to underage students one night, and at the time of the arrest police discover a very small amount of marijuana on the student’s person, then the incident is reported as one statistic reflecting an arrest for violation of liquor laws because the relative severity of the liquor offense outweighs that of the drug offense).
- **Stalking** is counted uniquely under VAWA.
  - When recording a stalking report, an institution is required to record a crime statistic only once for the calendar year in which the course of conduct was reported to a local police agency or campus security authority.
  - If the course of conduct involves the same parties and continues in a subsequent year, then the stalking must also be recorded for the subsequent year as well.

An institution must record each report of stalking as occurring at only the first location within the institution’s Clery geography in which the perpetrator engages in the stalking or a victim first becomes aware of the stalking. Therefore, a report of stalking must be reported in an institution’s ASR if it meets the definition of stalking even though the stalking course of conduct does not occur on the institution’s campus or in or on any of its other Clery geography.

## CRIME STATISTICS

See the following summary for Crime Statistics for the Antioch University Midwest campus for calendar years 2019-2021\*:

\* Antioch University Midwest does not maintain residential facilities or non-campus buildings.

\* Hate Crimes: Category of bias reflected with offence reported. Categories of bias include: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

#### Criminal Offenses – On-campus

|                                   | 2019 | 2020 | 2021 |
|-----------------------------------|------|------|------|
| Murder/Non-negligent Manslaughter | 0    | 0    | 0    |
| Manslaughter by negligence        | 0    | 0    | 0    |
| Rape                              | 0    | 0    | 0    |
| Fondling                          | 0    | 0    | 0    |
| Incest                            | 0    | 0    | 0    |
| Statutory Rape                    | 0    | 0    | 0    |
| Robbery                           | 0    | 0    | 0    |
| Aggravated Assault                | 0    | 0    | 0    |
| Burglary                          | 0    | 0    | 0    |
| Motor Vehicle Theft               | 0    | 0    | 0    |
| Arson                             | 0    | 0    | 0    |

#### Criminal Offenses – Noncampus

|                                   | 2019 | 2020 | 2021 |
|-----------------------------------|------|------|------|
| Murder/Non-negligent Manslaughter | 0    | 0    | 0    |
| Manslaughter by negligence        | 0    | 0    | 0    |
| Rape                              | 0    | 0    | 0    |
| Fondling                          | 0    | 0    | 0    |
| Incest                            | 0    | 0    | 0    |
| Statutory Rape                    | 0    | 0    | 0    |
| Robbery                           | 0    | 0    | 0    |
| Aggravated Assault                | 0    | 0    | 0    |
| Burglary                          | 0    | 0    | 0    |
| Motor Vehicle Theft               | 0    | 0    | 0    |
| Arson                             | 0    | 0    | 0    |

Criminal Offenses – Public Property

|  | 2019 | 2020 | 2021 |
|--|------|------|------|
| Murder/Non-negligent<br>Manslaughter         | 0    | 0    | 0    |
| Manslaughter by Negligence                   | 0    | 0    | 0    |
| Rape   | 0    | 2    | 0    |
| Fondling                                     | 0    | 0    | 0    |
| Incest                                       | 0    | 0    | 0    |
| Statutory Rape                               | 0    | 0    | 0    |
| Robbery                                      | 0    | 1    | 0    |
| Aggravated Assault                           | 0    | 2    | 5    |
| Burglary                                     | 0    | 3    | 9    |
| Motor Vehicle Theft                          | 0    | 3    | 0    |
| Arson  | 0    | 0    | 0    |
| Simple Assault                               | 0    | 0    | 36   |
| Assault-Larceny                              | 0    | 0    | 22   |
| Intimidation                                 | 0    | 0    | 0    |
| Destruction/damage/ vandalism<br>of property | 0    | 0    | 3    |

### Hate Crimes – On-campus

|  | 2019 | 2020 | 2021 |
|--|------|------|------|
| Murder/Non-negligent Manslaughter        | 0    | 0    | 0    |
| Manslaughter by Negligence               | 0    | 0    | 0    |
| Rape                                     | 0    | 0    | 0    |
| Fondling                                 | 0    | 0    | 0    |
| Incest                                   | 0    | 0    | 0    |
| Statutory Rape                           | 0    | 0    | 0    |
| Robbery                                  | 0    | 0    | 0    |
| Aggravated Assault                       | 0    | 0    | 0    |
| Burglary                                 | 0    | 0    | 0    |
| Motor Vehicle Theft                      | 0    | 0    | 0    |
| Arson                                    | 0    | 0    | 0    |
| Simple assault                           | 0    | 0    | 0    |
| Larceny-theft                            | 0    | 0    | 0    |
| Intimidation                             | 0    | 0    | 0    |
| Destruction/damage/vandalism of property | 0    | 0    | 0    |

### Hate Crimes – Noncampus

|  | 2019 | 2020 | 2021 |
|--|------|------|------|
| Murder/Non-negligent Manslaughter        | 0    | 0    | 0    |
| Manslaughter by Negligence               | 0    | 0    | 0    |
| Rape                                     | 0    | 0    | 0    |
| Fondling                                 | 0    | 0    | 0    |
| Incest                                   | 0    | 0    | 0    |
| Statutory Rape                           | 0    | 0    | 0    |
| Robbery                                  | 0    | 0    | 0    |
| Aggravated Assault                       | 0    | 0    | 0    |
| Burglary                                 | 0    | 0    | 0    |
| Motor Vehicle Theft                      | 0    | 0    | 0    |
| Arson                                    | 0    | 0    | 0    |
| Simple assault                           | 0    | 0    | 0    |
| Larceny-theft                            | 0    | 0    | 0    |
| Intimidation                             | 0    | 0    | 0    |
| Destruction/damage/vandalism of property | 0    | 0    | 0    |

### Hate Crimes – Public Property

|  | 2019 | 2020 | 2021 |
|--|------|------|------|
| Murder/Non-negligent                         | 0    | 0    | 0    |
| Manslaughter                                 |      |      |      |
| Manslaughter by Negligence                   | 0    | 0    | 0    |
| Rape   | 0    | 0    | 0    |
| Fondling                                     | 0    | 0    | 0    |
| Incest                                       | 0    | 0    | 0    |
| Statutory Rape                               | 0    | 0    | 0    |
| Robbery                                      | 0    | 0    | 0    |
| Aggravated Assault                           | 0    | 0    | 0    |
| Burglary                                     | 0    | 0    | 0    |
| Motor Vehicle Theft                          | 0    | 0    | 0    |
| Arson  | 0    | 0    | 0    |
| Simple assault                               | 0    | 0    | 0    |
| Larceny-theft                                | 0    | 0    | 0    |
| Intimidation                                 | 0    | 0    | 0    |
| Destruction/damage/<br>vandalism of property | 0    | 0    | 0    |

### VAWA Offenses – On-campus

|                   | 2019 | 2020 | 2021 |
|-------------------|------|------|------|
| Domestic Violence | 0    | 0    | 0    |
| Dating Violence   | 0    | 0    | 0    |
| Stalking          | 0    | 0    | 0    |

### VAWA Offenses – Noncampus

|                   | 2019 | 2020 | 2021 |
|-------------------|------|------|------|
| Domestic Violence | 0    | 0    | 0    |
| Dating Violence   | 0    | 0    | 0    |
| Stalking          | 0    | 0    | 0    |

### VAWA Offenses – Public Property

|                   | 2019 | 2020 | 2021 |
|-------------------|------|------|------|
| Domestic Violence | 0    | 0    | 0    |
| Dating Violence   | 0    | 0    | 0    |
| Stalking          | 0    | 0    | 0    |



Arrests – On-campus

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Arrests – Noncampus

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Arrests – Public Property

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Disciplinary Actions – On-campus

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Disciplinary Actions – Noncampus

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Disciplinary Actions – Public Property

|                       | 2019 | 2020 | 2021 |
|-----------------------|------|------|------|
| Liquor law violations | 0    | 0    | 0    |
| Drug abuse violations | 0    | 0    | 0    |
| Weapons possessions   | 0    | 0    | 0    |

Fires – Summary

|             | 2019 | 2020 | 2021 |
|-------------|------|------|------|
| Main Campus | 0    | 0    | 0    |

Unfounded Crimes

|  | 2019 | 2020 | 2021 |
|--|------|------|------|
|  | 0    | 0    | 0    |

**AUM Emergency Contact List**

|                                  |                          |
|----------------------------------|--------------------------|
| Police/Fire/Paramedics           | 9-911                    |
| Yellow Springs Police Department | 937-767-7202             |
| AUM Internal Emergency Extension | 937-769-1800 (main line) |
| Campus Security Officer          | 937-430-0130             |
| Campus Safety Officer            | 937-769-1863             |

**APPENDIX – Ohio Title IX Resources**

*Deputy Title IX Coordinator for AUM, Graduate School of Leadership and Change and AU Online:*

| Name        | Telephone Number | Mailing Address                                 | E-mail Address   |
|-------------|------------------|---|--|
| Karen Crist | 937-769-1335     | 900 Dayton Street<br>Yellow Springs, Ohio 45387 | <a href="mailto:Kcrist@antioch.edu">Kcrist@antioch.edu</a> |

### ***Campus Resources***

#### ***Confidential Resources***

- Antioch Midwest does not have professional or religious on campus counseling resources.

#### ***Non-Confidential Resources***

- Maria Judith Rodriguez, Vice Chancellor of Human Resources, (937) 769-1336, [mjrodriguez@antioch.edu](mailto:mjrodriguez@antioch.edu)  
Mailing address: Antioch University, 900 Dayton Street, Yellow Springs, OH 45387
- Mary Granger, University Counsel, (603) 410-7693, [mgranger@antioch.edu](mailto:mgranger@antioch.edu)

### ***Noncampus Resources***

#### ***Emergency Resources***

- Yellow Springs Police Department, 911 (emergency) or (937) 767-7206 (non-emergency)

#### ***Medical Resources***

- Soin Medical Center, (937) 702-4000
- Miami Valley Hospital, (937) 208-8000
- Springfield Regional Medical Center, (937) 532-1000

### ***Additional Support Resources***

- Clark County Victim Witness Division, (937) 521-1791  
50 East Columbia Street, Springfield, OH 45501
- Ohio Alliance to End Sexual Violence, (888) 886-8388
- Family Violence Prevention Center for Greene County, (937) 426-2334
- Fairborn and Beavercreek Victim Assistance Program, (937) 754-3047  
1148 Kauffman Avenue, Fairborn, OH 45324
- Greene County Victim Witness Program, (937) 562-5087  
61 Greene Street, 2nd floor, Xenia, OH 45385
- Montgomery County Victim Witness Program, (937) 225-5623  
41 North Perry Street, Suite 212, Dayton, OH 45422
- Combined Health District of Montgomery County, (937) 496-6626  
1323 West Third Street, Dayton, OH 45407, <http://phdmc.org/>
- National Domestic Violence Hotline, (800) 799-7233
- National Sexual Assault Hotline (800) 656-4673

### **OHIO LEGAL DEFINITIONS**

The following is a summary of the definitions applicable to Title IX offenses (sexual assault, dating violence, domestic violence, and stalking) under Ohio law.

#### ***“Consent”***

Ohio law does not expressly define consent with respect to sexual conduct. However, Ohio law holds that consent is absent in the following situations:

- the victim’s judgment or control is substantially impaired as a result of an accused’s administration of a drug, intoxicant, or controlled substance to the victim, whether surreptitiously, by force, or by threat of force or deception;
- the victim lacks the ability to assess the nature of or to control her or his own conduct;
- the victim is coerced;
- the offender uses force or threat of force;
- the victim is unaware that the alleged act is being committed (*e.g.* the victim is unconscious at the time); or

the victim's ability to consent is substantially impaired because of a mental or physical condition or due to advanced age.<sup>5</sup>

### *"Sexual Assault"*

Ohio state law does not define the term "sexual assault." However, the following are examples of specific offenses under Ohio law that may fall under the broader categories of "sex assault":

"Rape" is defined as engaging in sexual conduct with another who is not the spouse of the offender or who is the spouse of the offender but is living separate and apart from the offender, when any of the following apply:

- the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception;
- the other person is less than thirteen years of age, whether or not the offender knows the age of the other person;
- the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the other person's ability to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age;<sup>6</sup> or
- the offender purposely compels the other person to submit by force or threat of force.<sup>7</sup>

"Sexual Battery" is defined as engaging in sexual conduct with another not the spouse of the offender when any of the following apply:

- the offender knowingly coerces the other person to submit by any means that would prevent resistance by a person of ordinary resolution;
- the offender knows that the other person's ability to appraise the nature of or control the other person's own conduct is substantially impaired;
- the offender knows that the other person submits because the other person is unaware that the act is being committed;

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<sup>5</sup> This is not an exhaustive list, but rather is offered as an example of some situations in which Ohio law states that consent cannot be granted as a legal matter.

<sup>6</sup> The complete text of Ohio Revised Code, §2907.02(A)(1) is available at <http://codes.ohio.gov/orc/2907.02>.

<sup>7</sup> The complete text of Ohio Revised Code, §2907.02(A)(2) is available at <http://codes.ohio.gov/orc/2907.02>.

- the offender knows that the other person submits because the other person mistakenly identifies the offender as the other person's spouse;
- the offender is the other person's natural or adoptive parent, or a stepparent, or guardian, custodian, or person *in loco parentis* of the other person;
- the other person is in custody of law or a patient in a hospital or other institution, and the offender has supervisory or disciplinary authority over the person;
- the offender is a teacher, administrator, coach, or other person in authority employed by or serving in a school for which the state board of education prescribes minimum standards pursuant to division (D) of section [3301.07](#) of the Revised Code, the other person is enrolled in or attends that school, and the offender is not enrolled in and does not attend that school;
- the offender is a teacher, administrator, coach, or other person in authority employed by or serving in an institution of higher education, and the other person is a minor who is enrolled in or attends that institution;
- the other person is a minor, and the offender is the other person's athletic or other type of coach, is the other person's instructor, is the leader of a scouting troop of which the other person is a member, or is a person with temporary or occasional disciplinary control over the other person;
- the offender is a mental health professional, the other person is a mental health client or patient of the offender, and the offender induces the other person to submit by falsely representing to the other person that the sexual conduct is necessary for mental health treatment purposes;
- the other person is confined in a detention facility, and the offender is an employee of that detention facility;
- the other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric; or
- the other person is a minor, the offender is a peace officer, and the offender is more than two years older than the other person.<sup>8</sup>

"Unlawful Sexual Conduct with a Minor" is defined as engaging in sexual conduct with another person who is not the spouse of the offender when the offender knows the other person is thirteen years of age or older, but less than sixteen years of age, or the offender is reckless in that regard.<sup>9</sup>

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<sup>8</sup> The complete text of Ohio Revised Code, §2907.03 is available at <http://codes.ohio.gov/orc/2907.03>.

<sup>9</sup> The complete text of Ohio Revised Code, §2907.04 is available at <http://codes.ohio.gov/orc/2907.04>.

“Gross Sexual Imposition” is defined as having sexual contact with another not the spouse of the offender; causing another person who is not the spouse of the offender to have sexual contact with the offender; or causing two or more other persons to have sexual contact when any of the following applies:

- the offender purposely compels the other person, or one of the other persons, to submit by force or threat of force;
- for the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception;
- the offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person’s consent for the purpose of any kind of medical or dental examination, treatment, or surgery;
- the other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person;
- the ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age; or
- knowingly touching the genitalia of another when the touching is not through clothing and the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.<sup>10</sup>

“Sexual Imposition” is defined as having sexual contact with another not the spouse of the offender; causing another not the spouse of the offender to have sexual contact with the offender; or causing two or more other persons to have sexual contact when any of the following applies:

- the offender purposely compels the other person, or one of the other persons, to submit by force or threat of force;
- for the purpose of preventing resistance, the offender substantially impairs the judgment or control of the other person or of one of the other persons by

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<sup>10</sup>

The complete text of Ohio Revised Code, §2907.05 is available at <http://codes.ohio.gov/orc/2907.05>.

administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception;

- the offender knows that the judgment or control of the other person or of one of the other persons is substantially impaired as a result of the influence of any drug or intoxicant administered to the other person with the other person's consent for the purpose of any kind of medical or dental examination, treatment, or surgery;
- the other person, or one of the other persons, is less than thirteen years of age, whether or not the offender knows the age of that person;
- the ability of the other person to resist or consent or the ability of one of the other persons to resist or consent is substantially impaired because of a mental or physical condition or because of advanced age, and the offender knows or has reasonable cause to believe that the ability to resist or consent of the other person or of one of the other persons is substantially impaired because of a mental or physical condition or because of advanced age; or
- the knowing touching of the genitalia of another when the touching is not through clothing and the other person is less than twelve years of age, whether or not the offender knows the age of that person, and the touching is done with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.<sup>11</sup>

#### *"Domestic Violence"*

"Domestic Violence" is defined as knowingly or recklessly causing or attempting to cause physical harm to a family or household member; or by threat of force, knowingly causing a family or household member to believe that the offender will cause imminent physical harm to the family or household member.<sup>12</sup>

For purposes of this definition, the term "family or household member" means any of the following: "Family or household member" means any of the following when such person is residing with or has resided with the offender: a spouse, a person living as a spouse, or a former spouse of the offender; a parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender; a parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender; or the natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

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<sup>11</sup> The complete text of Ohio Revised Code, §2907.06 is available at <http://codes.ohio.gov/orc/2907.06>.

<sup>12</sup> The complete text of Ohio Revised Code § 2919.25 is available at <http://codes.ohio.gov/orc/2919.25>.



For purposes of this definition, the term “person living as a spouse” means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

### *“Dating Violence”*

Ohio state law does not specifically address “dating violence” outside the context of public secondary education mandates not applicable to Antioch University. However the following definitions of assault-related crimes are provided as a resource to the Antioch community. “Felony Assault” is defined as knowingly causing serious physical harm to another or to another's unborn; causing or attempting to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance; knowingly engaging in sexual conduct with another person where the offender has knowledge that they have testified positive as a carrier of a virus that causes acquired immunodeficiency syndrome without disclosing that knowledge to the other person; engaging in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome; or engaging in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.<sup>13</sup>

“Aggravated Assault” is defined as knowingly causing, while under the influence of sudden passion or in a sudden fit of rage brought on by serious provocation occasioned by a victim that is reasonably sufficient to incite the person into using deadly force, serious physical harm to another or to another’s unborn; or causing or attempting to cause physical harm to another or to another’s unborn by means of a deadly weapon or dangerous ordnance.<sup>14</sup>

“Assault” is defined as knowingly causing or attempting to cause physical harm to another or to another’s unborn; or recklessly causing serious physical harm to another or to another’s unborn.<sup>15</sup>

“Negligent Assault” is defined as negligently, by means of a deadly weapon or dangerous ordnance as defined in section [2923.11](#) of the Revised Code, causing physical harm to another or to another’s unborn.<sup>16</sup>

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<sup>13</sup> The complete text of Ohio Revised Code §2903.11 is available at <http://codes.ohio.gov/orc/2903.11>.

<sup>14</sup> The complete text of Ohio Revised Code §2903.12 is available at <http://codes.ohio.gov/orc/2903.12>.

<sup>15</sup> The complete text of Ohio Revised Code §2903.13 is available at <http://codes.ohio.gov/orc/2903.13>.

<sup>16</sup> The complete text of Ohio Revised Code §2903.14 is available at <http://codes.ohio.gov/orc/2903.14>.

### *“Stalking”*

Ohio state law does not contain a statutory definition of the term “stalking.” However, it does prohibit “menacing by stalking” and provides as follows:<sup>17</sup>

- No person, by engaging in a pattern of conduct, shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.
- No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to engage in the behavior prohibited above.
- No person, with a sexual motivation, shall engage in any of the conduct described in the foregoing paragraphs.

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The complete text of Ohio Revised Code, §2903.211 is available at <http://codes.ohio.gov/orc/2903.211>.