



BAY MILLS
Community College

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Hours: Mon-Fri 8-4:30pm | 1.906.248.3354

ANNUAL SECURITY REPORT



2022

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INTRODUCTION

Message from the College President



Duane A. Bedell
BMCC President

Bay Mills Community College (BMCC), and its Board of Regents, are committed to providing a safe, non-discriminatory, and harassment-free educational and working environment for all its members, including students, faculty, administrators, staff, and visitors. Safety is our number one priority.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act was enacted to ensure students are well informed about campus security and provide a safe environment in which to learn.

BMCC prepared and published this 2022 Annual Security Report to comply with the Clery Act. This report contains three (3) years of statistics for certain crimes that have occurred on campus, in or on off-campus buildings, or property owned by BMCC and public property within or immediately adjacent to the campus. This report also contains campus safety information, such as emergency response and preparedness, crime prevention, and crime reporting. Finally, this report discusses compliance with the Drug-Free Schools and Communities Act.

Campus safety is a combined responsibility of the entire BMCC community. Accordingly, we encourage everyone to create and maintain a safe and secure educational campus environment by being active, knowledgeable participants in their safety and that of others.

Read this report and all of its helpful information. Stay alert and informed. Report all suspicious activity and offensive behavior to our staff or faculty. Your active response will help keep our campus safe!!!

We wish you the best in your time here at Bay Mills Community College!

Sincerely,

Duane A. Bedell
President

THE CLERY ACT

The Clery Act is a federal law requiring colleges and universities to disclose timely and annual information about campus crime and security policies. All public and private post-secondary educational institutions participating in federal student aid programs must comply with the Act.

Congress named the Clery Act after Jeanne Clery who was raped and murdered in her Lehigh University residence hall in 1986 at the age of 19. Jeanne's parents lobbied Congress to enact the law when they discovered the University had not notified Lehigh students about 38 violent on-campus crimes over the prior three years. Congress amended the Clery Act several times:

- 1992, it added that schools must give victims of campus sexual assault certain fundamental rights.
- 1998 expanded reporting requirements.
- 2000 and 2008 added registered sex offender notification, campus emergency response, and protection of crime victims, "whistleblowers," and others from retaliation.
- 2013, the Violence Against Women Reauthorization Act (VAWA) required reporting incidents of stalking, domestic violence, and dating violence.

How the Report is Disseminated

The Clery Act requires BMCC to notify the campus community of the availability of this report no later than October 1, 2022. BMCC sends an annual email notification to all students and employees with the report attached. Students can also request a hard copy from the Title IX Coordinator's office, Room 256, in the Michael C. Parish Administration Building or download it from the [College's Right To Know Website](#).

BMCC notifies prospective students about the report in a letter as part of the admissions process. In addition, BMCC advises prospective employees about the report on the posted position announcements.

QUICK REFERENCE RESOURCES

EMERGENCY SERVICES
DIAL 9-1-1
FOR POLICE, FIRE, OR MEDICAL EMERGENCIES

| SAFETY AND SECURITY | | | |
|---|-----------------------|---|----------------------------------|
| Bay Mills Police Department | | Bay Mills Emergency Connection-Ambulance | |
| Emergency | 911 | Emergency | 911 |
| Non-Emergency | (906) 248-3244 | Non-Emergency | (906) 248-2021 |
| Fire Department | | | |
| Fire Department | | Bay Mills Water | (906) 248-8179 |
| Emergency | 911 | | |
| Non-Emergency | | Bay Mills Public Works | (906) 248-8170 |
| Superior Township | (906) 248-3312 | | |
| Bay Mills Township | (906) 437-3473 | | |
| DTE Gas Leak Emergencies | | | |
| DTE Gas Leak Emergencies | (800) 947-5000 | Cloverland Electric | 1-800-562-4953 (906) 635-6800 |
| Michigan Road Conditions | (800) 381-8477 | BMCC Maintenance | (906) 248-3354 |
| COMMUNITY AND HEALTH-RELATED RESOURCES | | | |
| Bay Mills Tribal Court | | (906) 248-8810 | |
| Bay Mills Tribal Court Victim Services Coordinator | | (906) 248-8821 | |
| Bay Mills Tribal Court Journey to Healing Advocate | | (906) 248-8820 | |
| Bay Mills Behavioral Health Services | | (906) 248-5527 | |
| Strong Hearts Native Helpline | | (844) 762-8483 | |
| Uniting Three Fires Against Violence | | (906) 253-9775 | |
| Community Social Service Referral Line | | 211 | |
| Diane Pepler Resource Center 24 Hour Hotline | | (906) 635-0566 | |
| Hiawatha Behavioral Crisis Line 24 Hour | | (800) 839-9443 | |
| War Memorial Hospital | | (906) 635-4460 | |
| NATIONAL HOTLINE RESOURCES | | | |
| National Domestic Violence Hotline | | (800) 799-7233 | |
| SAMHSA's National Hotline Substance Abuse 24 hrs. day | | (800) 662-4357 | |
| Poison Control Hotline | | (800) 222-1222 | |
| Suicide & Crisis Lifeline | | 988 | |

CLERY ACT REQUIRED CRIME STATISTICS

The Crime Statistic Tables

The crime statistics presented in the tables are the total number of crimes or suspected crimes occurring at the specified locations and reported to either College or local law enforcement officials during the calendar year (January 1 through December 31).

Crimes are classified and calculated based on records of calls for service, complaints, and investigations. Therefore, the crime statistics disclose only reported offenses, are counted once, and without names of the victims or perpetrators. Crime statistics for all colleges and universities can be found ope.ed.gov/security.

The Clery Act mandated using the Federal Bureau of Investigation's (F.B.I.'s) Uniform Crime Reporting Handbook for crime classification. Hate crimes are classified using the F.B.I.'s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. The definitions for sex offenses are from the F.B.I.'s National Incident-Based Reporting System.

Crime Definitions

Aggravated assault is an unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by 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, which could and probably would result in serious potential injury if the crime were completed).

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

Burglary is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry with intent to commit larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of those above.

Business day. Monday through Friday, excluding any day when the institution is closed.

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The relationship status shall be based on the reporting party's statement and considering the length of the relationship, the type of relationship, and the frequency of interaction between the persons. For this definition—(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of 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, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Drug abuse violations are defined as 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).

Federal Bureau of Investigation (F.B.I.) Uniform Crime Reporting (U.C.R.) program. A nationwide, cooperative statistical effort where agencies voluntarily report data on crimes brought to their attention.

Hate crime is a crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Hierarchy Rule. The F.B.I.'s U.C.R. program only counts the most serious offense when one or more crimes are committed during a single incident.

Liquor law violations are defined as 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; all attempts to commit any of those above. This definition excludes drunkenness and driving under the influence.

Motor vehicle theft is the theft or attempted theft of a motor vehicle. Motor vehicle theft is defined as all cases where automobiles were taken by persons not having lawful access, including joy riding.

Murder and non-negligent manslaughter is the willful (non-negligent) killing of one human being by another.

Negligent manslaughter is the killing of another person through gross negligence.

Referral for campus disciplinary action. The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Robbery is the taking (or attempt) of anything of value from the care, custody, or control of a person by force, threat of force, violence, or by putting the victim in fear.

Sexual assault. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the F.B.I.'s U.C.R. program and defined as follows:

- **Rape** is 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 victim's consent. This definition includes any gender of victim or perpetrator.
- **Fondling** is touching another person's private body parts for sexual gratification without the victim's consent. The victim may be incapable of giving consent due to age or temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons related to each other to certain degrees, and the law prohibits marriage.
- **Statutory rape** is sexual intercourse with a person under the statutory age of consent.

Stalking is a course of conduct directed at a person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress. For this definition—(A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim; and, (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Test. Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

Weapon violations are defined as the violation of laws dealing with weapons. Laws prohibiting the manufacture, sale, or possession of deadly weapons; carrying deadly weapons- concealed or openly; furnishing deadly weapons to minors; possession of weapons by convicted felons; and, all attempts to commit any of those above.

CLERY GEOGRAPHY DEFINITIONS FOR CRIME STATISTIC PURPOSES

Crime statistics are collected for the following campus sites (Clery Geography):

On-Campus Buildings Or Property

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls*; and
2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as food or other retail vendors).
3. Bay Mills Community College has no residence halls. Therefore, the regulatory requirements of 34 C.F.R. §668.46(h) regarding missing student notification procedures do not apply.
4. Bay Mills Community College has the following on-campus buildings and property:
 - a. *Main campus located at 12214 W. Lakeshore Drive, Brimley, MI 49715.
 - b. *Mukwa Fitness Center is located at 12400 W Spectacle Lake Rd., Brimley, MI 49715
 - c. *Waishkey Bay Farm is located at 10135 W. Mills Rd. Brimley, MI 49715
 - d. **West Campus is located at 1797 S Iroquois, Brimley, MI 49715

**Located within the exterior boundaries of the Bay Mills Indian Community reservation.*

***Located on land subject to state jurisdiction.*

Non-Campus Buildings Or Property

1. Any building or property owned or controlled by a student organization that the institution officially recognizes.

There are no non-campus locations of student organizations officially recognized by BMCC.

2. 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.

***Bay Mills Community College does not have any non-campus buildings or property.**

Public Property

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

UNIQUE TRIBAL JURISDICTIONAL ISSUES FOR CRIMINAL OFFENSES

**IT IS A FEDERAL OFFENSE TO COMMIT A FEDERAL CRIME
ON THE BAY MILLS COMMUNITY COLLEGE CAMPUS OR
WITHIN THE BOUNDARIES OF THE BAY MILLS INDIAN COMMUNITY RESERVATION**

The On-Campus buildings of the Bay Mills Community College (BMCC), except the West Campus site, are located within the exterior boundaries of the Bay Mills Indian Community reservation and are considered to be within "Indian Country" for federal prosecution purposes. Therefore, if a federal crime, sexual crime, or a violence against women crime is committed on the BMCC campus or within the Bay Mills Indian Community reservation, the matter can be prosecuted in federal Court regardless of native status. The federal criminal laws apply to all persons on the Bay Mills Community College campus and the Bay Mills Indian Community reservation.

The Federal Bureau of Investigation (F.B.I.) has investigative jurisdiction. The Office of the U.S. Attorney for the Western District of Michigan prosecutes criminal violations in the U.S. District Court for the Western District of Michigan. Persons convicted of violating a federal crime in Indian Country serve their sentence under federal jurisdiction, including federal prison.

The majority of federal criminal statutes apply to "Indian Lands" and are classified as felonies.

Dual Federal and Tribal Jurisdiction

A member of a U.S. federally recognized Indian Tribe is subject to **both** U.S. federal and Bay Mills Tribal Court jurisdiction if they commit a criminal offense within the exterior boundaries of the Bay Mills Indian Community reservation. Therefore, it is not double jeopardy to be tried, convicted, and sentenced in both courts.

Canadian status Indians are treated as non-Indians for criminal jurisdictional purposes and prosecuted in a state court except for federal offenses.

In addition, Michigan law governs crimes committed at the BMCC West Campus.

ANNUAL CRIME STATISTICS: The table below lists Clery-reportable crimes which have occurred over the past three years according to geographical area:

Crime Statistics for 2019, 2020, and 2021

| Crime Statistics | On-Campus | | | Public Property | | | Unfounded Crimes |
|--------------------------------------|-----------|------|------|-----------------|------|------|------------------|
| | 2019 | 2020 | 2021 | 2019 | 2020 | 2021 | 2021 |
| Criminal Offenses | | | | | | | |
| a. Murder/non-negligent manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Negligent manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| c. Robbery | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| d. Aggravated assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| e. Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| f. Motor vehicle theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| g. Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| h. Sexual Offenses: Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape* | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| VAWA Offenses | | | | | | | |
| a. Domestic violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Dating violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| c. Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arrests | | | | | | | |
| a. Weapons: carry, possession, etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Drug abuse violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| c. Liquor law violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Disciplinary Actions | | | | | | | |
| a. Weapons: carry, possessing, etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| b. Drug abuse violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| c. Liquor law violations | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

*Sodomy and sexual assault with an object are included in the rape category.

Note: Bay Mills Community College has no on-campus student housing facilities or non-campus buildings or property.

HATE CRIMES – ON-CAMPUS AND PUBLIC PROPERTY

No hate crimes were reported in the three most recent calendar years of 2019, 2020, and 2021.

BMCC HAD NO REPORTED CRIMES FOR THE PAST THREE YEARS!!!

CAMPUS SAFETY

Bay Mills Community College is committed to the safety and welfare of our students, faculty, staff, and visitors. This campus safety section has campus safety information that you should be aware of. In addition, BMCC has a [500.102 BMCC Emergency Preparedness Guide Policy](#) that addresses specific emergency situations. . Everyone should become familiar with the safety information so that they can appropriately react during an emergency.

Campus Police/Security and Crime Statistics

Bay Mills Community College does not have a campus police department or security personnel. Therefore, the College does not maintain a daily crime log. The College obtains its crime statistic information from the Bay Mills Police Department.

Law Enforcement Authority

The Bay Mills Police Department (BMPD) is the law enforcement agency serving the Bay Mills Community College. The BMPD is the first agency called when emergency assistance is needed. Law enforcement officers work in conjunction with other tribal, state, and federal authorities for the protection of the College. The Bay Mills Police Department is available 24 hours a day through the 911 emergency dispatch system.

Prompt and Accurate Reporting of Criminal Activity

Promptly reporting criminal activity helps the BMCC community provide a timely response and warning notices if necessary. Everyone is strongly encouraged to report all crimes, public safety-related incidents, and suspicious activity to either the Bay Mills Police Department or any college employee.

BMCC employees are trained to respond to emergencies. So do not hesitate to contact any college employee if an emergency happens. No matter how insignificant an incident might seem, the information you provide may be helpful to the college and local law enforcement officials. Prompt reporting of criminal activity and emergencies helps aid in a rapid response and protects the safety of the entire community.

Confidentiality and Crime Reporting

The Family Educational Rights and Privacy Act (FERPA) allows information disclosure for public safety reasons. Therefore, if an emergency occurs, BMCC may disclose personally identifiable information from education records, without student consent, to appropriate parties, including parents of an eligible student. BMCC may notify parents of a health or safety emergency involving their child, even if the parents do not claim the student as a dependent. BMCC may also notify law enforcement officials during an emergency.

BMCC will weigh a student's privacy concerns against the safety needs of the College in responding to emergencies. All reports will be private as much as possible. However, BMCC may share information on a need-to-know basis regarding the College's investigative needs and safety concerns.

How to Report an Emergency or Crime to Emergency Responders

Emergency police, fire, and medical services for the Bay Mills Indian Community are dispatched from a combined reservation and county 9-1-1 service center. To summon emergency assistance:

Dial 9-1-1

The campus community is encouraged to call 9-1-1 to report any situation on-campus that could constitute an emergency or dangerous situation involving an immediate or ongoing threat to the campus. Dialing 9-1-1 is also the best way to expedite an emergency notification to alert the rest of the campus community of the threat.

Reports may also be made to the Bay Mills Police Department (BMPD) at 248-3244.

Get safe and then call 9-1-1. If you are a crime victim or if you feel threatened by suspicious activity, your first priority should be to get to a safe place. If you encounter a crime scene (i.e., breaking or entering), you may be in danger because the perpetrator may still be in close proximity. Do not enter the crime scene! **Get safe and then call 9-1-1.**

How to Report an Emergency or Crime to the College

For any suspicious activity or emergency situation, contact 911 first and then any BMCC employee. The BMCC employee can then immediately report the situation to any member of the college administration department.

For off-campus situations, you may call 911 and refer to the local law enforcement department with appropriate jurisdictional authority.

Response Procedures for an Emergency or Dangerous Situation

When a serious threat or disaster to the campus community occurs, the Bay Mills Police Department (BMPD) will respond and may obtain assistance from other local, state, and federal agencies. BMCC staff and students should cooperate fully with all directions from the law enforcement officers and assist them if needed.

BMCC will immediately issue emergency notifications to the campus community upon confirmation of a significant ongoing emergency or dangerous situation that poses an imminent threat to the safety of campus community members. The following may warrant an emergency notification:

- Fire and Evacuation
- Bomb Threat
- Hostile Intruder/Active Shooter
- Chemical Spills
- Utility Failure and Natural Disaster
- Active criminal activity

BMCC officials shall use their best, reasonable judgment in all other situations to determine whether an emergency notification is warranted. Situations that may create a business or academic interruption but do not pose a health or safety risk may not necessitate an emergency notification. The college administration department will facilitate notifications about non-emergent situations with the coordination of involved departments. Non-emergent issues include snow closures, temporary building closures, or power outages.

Firearms and Other Dangerous Weapons

Possession of firearms and other dangerous weapons is prohibited on campus. Weapons will be confiscated. Other dangerous weapons include, but are not limited to, explosives of any kind, brass knuckles, clubs, knives with blades longer than four inches (other than kitchen knives), and switchblade knives. Violations of this policy will be reported to the Bay Mills Police Department.

Limited Voluntary Confidential Reporting

BMCC encourages anyone who is the victim or witness to any crime to promptly report the incident to the College, tribal, or other local law enforcement agency. Depending on the type of crime and campus location, your desire for confidentiality may be subject to any requirements of that jurisdiction. Anonymous reports may be filed for statistical reporting purposes. A student's privacy concerns are weighed against the needs of BMCC to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private.

In compelling situations, BMCC reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies on a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide "timely warning" as well as inclusion in the annual crime statistics.

Legally Mandated Reporting

There are instances when a college official taking the report of a crime may be legally mandated to report the incident to law enforcement officials.

- Educational administrators, teachers, counselors, and clergy are required by law to make a report anytime they become aware of any abuse being perpetrated on a minor child.
- If, during the course of receiving a criminal report, the college officials become aware that there is an imminent threat to someone's safety, he/she must take appropriate steps to protect that person, which may include making a report to appropriate law enforcement officials.

Pastoral Counselors and Professional Counselors

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

- A *Pastoral Counselor* is defined as an employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.
- A *Professional Counselor* is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

BMCC does not currently employ pastoral counselors or professional counselors.

Notice of Snow Closures and Other Emergencies

BMCC provides notice through:

- **Radio stations:** FM - 99.5, 101.3, 105.5; AM – 1230, 1400.
- **Websites:** www.bmcc.edu; www.facebook.com/BayMillsCommunityCollege.
- **T.V. News-School Closings:** 9&10 and 7&4.
- **Text Alerts are available through** T.V. 9&10.
- **Email Alerts** will be sent to faculty, staff, and students during an emergency.
- **RAVE Alerts:** Text and email alerts are sent to full-time faculty and staff in an emergency.

Students, faculty, and staff are advised to check public media or their email for snow closings and other emergencies. If BMCC remains open during adverse weather conditions, students should use their own judgment to determine whether it is safe to drive.

COMMUNICATION ABOUT CAMPUS CRIME

Timely Warnings

The Clery Act requires the College to notify the campus community of an “immediate threat,” defined as an “imminent or impending threat”. A Timely Warning is required when any “Clery crime” is committed on college property that poses an immediate or continuing threat to the safety of the college community.

Initiating Timely Warnings

BMCC has designated specific campus officials who are authorized to issue timely warnings. Such authority is delegated to the highest ranked official available:

1. President
2. Chief Information Officer
3. Vice President for Academic Affairs
4. Director of Development
5. Vice President for Business and Finance
6. Land Grant Director
7. Vice President of Student Affairs
8. HR Payroll Specialist/Risk Manager

The authorized official will issue timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes:

- Aggravated assault
- Arson
- Burglary
- Negligent manslaughter
- Motor vehicle theft
- Murder/non-negligent manslaughter
- Robbery
- Sexual offenses
- Domestic violence, dating violence, and stalking
- Violations of liquor law, drug law, or weapons possession law
- Hate crimes. Any other crime in which the victim was chosen on the basis of race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

Decisions concerning whether to issue a timely warning will be made on a case-by-case basis using the following criteria:

- Nature of the crime
- A continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after that point in time.

Crimes that could constitute a continuing threat include, but are not limited to:

- Serial crimes that target certain campus populations, such as sex crimes or race-based crimes in which the perpetrator has not been apprehended; and,
- Ongoing criminal activity in which there is no apparent connection between the perpetrator and victim.

Crimes that would not constitute a continuing threat include, but are not limited to:

- Crimes in which the perpetrator has been apprehended, thereby eliminating the threat, and,
- Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

Warning Content

The warning will contain sufficient information about the nature of the threat to allow members of the campus to take protective action:

- A succinct statement of the incident
- Possible connection to previous incidents, if applicable
- Date, time, and location of the warning
- Description and drawing of the suspect, if available
- Risk reduction and safety tips
- Other relevant and important information

In some cases, BMCC may need to keep some facts confidential to avoid compromising an ongoing investigation.

Notification Methods

Notification of on-campus crimes and other emergencies may be made as follows:

- Radio Stations: FM - 99.5, 101.3, 105.5; AM 1230, 1400
- Websites: www.bmcc.edu and www.facebook.com/BayMillsCommunityCollege
- T.V. News Channels: 9&10 & 7&4
- Text Alerts available through T.V. 9&10
- Email Alerts to students, faculty, and staff
- Verbal announcement within each classroom or P.A. announcement
- Posted notice on exterior doors of each campus building or on campus doors.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

BMCC has a [500.102 BMCC Emergency Preparedness Guide](#) that addresses emergency response and evacuation procedures, fire detection and prevention, medical emergencies, and other types of hazardous situations and also describes the role and responsibilities of students and administration. Everyone should read the Guide so that they can appropriately respond to an emergency.

Evacuation Procedures in Emergency or Dangerous Situations

in the event of an emergency or dangerous situation, an authorized BMCC official will evacuate a building, several buildings, a portion of the campus, or the entire campus. The campus community should obey directions from BMCC officials and law enforcement officers as there are certain protocols to be followed.

Certain events may require shelter in place-safe shelter when evacuation is not an option. Safety should be sought in an interior room with few or no windows with a locked door. Shelter in place could occur following the intentional or accidental release of chemical, biological, or radiological contaminants into the environment or if there is a hostile intruder on campus. Shelter-in-place procedures will be initiated through the various notification systems used by BMCC.

BMCC staff have participated in active shooter training along with the BMPD and other agencies. Students should seek out a BMCC employee for assistance in the event of a dangerous situation.

Drills and Exercises

The emergency response and evacuation procedures are exercised and tested annually. BMCC employees will receive training at the time of hire and as needed when changes are made. The test may be announced or unannounced, but it must be conducted at a time when most of the students and employees are expected to be present on campus. BMCC will document each test, including the date, time, and whether it was announced or unannounced.

CAMPUS SECURITY

BMCC is a public institution accessible to the public during normal business hours. Building hours vary. BMCC employees are onsite during regular business hours. Emergencies may necessitate changes or alterations to any posted schedules. Buildings are secured according to designated schedules. During non-business hours, buildings are locked, and access is permitted only with proper authorization and by key.

The premises are also electronically monitored 24 hours a day and 7 days a week by an off-site security company, who will alert emergency authorities in the event of an emergency or unauthorized intrusion.

BMCC does not have any residence halls.

BMCC Crime Prevention And Security Programs

- **Personal Responsibility and Situational Awareness.**

BMCC encourages students and employees to be aware of their responsibility for their own safety and the safety of others. Situational awareness means always being aware of your physical surroundings so that you can safely react accordingly.

- **Emergency preparedness and response training: Annually**

Conduct training and drills on the emergency response and evacuation procedures.

- **Informational Correspondence: Annually**

BMCC sends employees and students a copy of the Annual Security Report annually via email.

The BMCC Student Handbook is updated yearly and contains information about student conduct and a description of sanctioned violations, such as firearms and weapons, illegal substances, and sexual harassment.

- **24 Hour, 7 Days a Week Electronic Surveillance: Ongoing**

All BMCC buildings are electronically monitored by an off-site company through onsite alarm systems when the buildings are closed. The off-site company will notify the appropriate local agency if an emergency or intrusion occurs.

- **Campus lighting checks: Ongoing**

Parking lots and campus building exteriors are lit throughout the night. Exterior lighting receives periodic inspections to identify any unreported lighting failures.

- **Security cameras: Ongoing**

The College has installed and upgraded more interior and exterior security cameras. The cameras prevent crime on campus and collect information to assist with investigations of incidents.

- **Maintenance of campus with a concern for safety and security: Ongoing**

BMCC regularly conducts Campus facility inspections and quickly makes repairs. Everyone is encouraged to report safety hazards, such as broken locks and windows, to the President's Office.

- **Safety drop box to report safety concerns: Ongoing**

A safety drop box is located near the front reception desk of the Administrative Building. Safety concerns are reported on forms that describe the safety concern and location. These forms are reviewed daily, and action to alleviate the concern will be determined and scheduled.

- **Bay Mills Police Department (BMPD) patrols of BMCC campus: Ongoing**

BMPD officers patrol the BMCC campus to prevent and deter crime.

- **Key Control: Ongoing**

Electronic keys are issued to employees and must be secured at all times. Master keys are kept in a secure location.

Addressing Criminal Activity Off-Campus

BMCC cooperates with local law enforcement to monitor any off-campus criminal activity that may jeopardize the safety and security of the college campus. Bay Mills Police Department (BMPD) also provides timely notification to college officials of safety or security concerns in the community. BMCC will employ its emergency notification and security procedures to alert the college community of any current ongoing risks.

ALCOHOL AND DRUG-FREE CAMPUS POLICY

BMCC IS A DRUG AND ALCOHOL FREE CAMPUS

FEDERAL AND TRIBAL LAW PROHIBIT ILLEGAL DRUGS AND ALCOHOL

BMCC fully complies with the federal Drug-Free Schools and Communities Act/Amendments of 1989, the Drug-Free Workplace Act of 1988, other federal laws and Tribal laws.

BMCC receives federal funding and has agreed to comply with all federal laws as a condition for the receipt of federal funds. In addition, BMCC complies with all Bay Mills Tribal laws, as a Tribally chartered Higher Education Institution, located within the exterior boundaries of the Bay Mills Indian Community reservation.

Federal Law

Alcohol And Drug Free Campus Policy

All persons entering BMCC must comply with the BMCC Alcohol and Drug Free Campus Policy as required by Public Law 101-226, "The Drug-Free Schools and Communities Act Amendments of 1989" and the Drug-Free Workplace Act of 1988 (34CFR Part 85, Sections 85.610).

No person may possess, keep or consume alcoholic beverages on college premises or at college events off-campus, including college-sponsored field trips.

Possession or consumption of illegal drugs is strictly prohibited. Illegal drugs include stimulants, depressants, narcotics, hallucinogenic drugs, including marijuana, as defined by federal drug laws.

Drugs prescribed by a physician must be in the original container in which they were received from the pharmacist.

Any person found to be possessing, consuming or distributing such drugs or alcohol will be subject to disciplinary action, which could include referral for prosecution for violation of tribal, state or federal law. Also see the Student Conduct Code in the BMCC Student Handbook. In addition, students may be referred for substance abuse counseling and treatment. For employees, see BMCC Policy 300.809 in the BMCC Personnel Manual.

Omnibus Drug Initiative Act

All students receiving federal financial aid are required to certify that they will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance while a student at BMCC. This act gives courts the authority to suspend eligibility for federal student financial aid when sentencing a student who has been convicted of a drug-related offense.

Bay Mills Tribal Law

Bay Mills Tribal laws apply to all members of U.S. federally recognized Tribes.

Under the Bay Mills Tribal Code Section 641(A) "It shall be unlawful for any person to possess or use, without a valid prescription from a medical doctor, a controlled substance, as defined by the Controlled Substance Act of 1970, as amended from time to time (21 USC Section 801 et. Seq.) and any substance listed in schedule 1 (MCL 333.372) or schedule 2 (MCL 333.7214) of the Michigan Uniform Controlled Substance Act, as they may from time to time be amended. Possession or use of marijuana is not prohibited by this subsection."

The Bay Mills Tribal Code Section 641 was amended to permit possession or use of marijuana with certain restrictions. **However, Bay Mills Tribal Code Section 641(J) states "Marijuana products may not be consumed, possessed, or used within, in or on, or within five hundred (500) feet of, the real property compromising a public or private elementary, vocational, or secondary school, or a public or private college, junior college, or university, or a playground, or housing facility owned by a public housing authority, or within one hundred (100) feet of a public or private park, or other community recreational area."**

Michigan State Law

Michigan state law has no force and effect on the Bay Mills reservation. The State of Michigan has legalized the recreational use of marijuana with certain exceptions. Those laws cannot be used by students or BMCC employees to justify the usage of marijuana on the BMCC campus or at college sanctioned activities off-campus. Marijuana remains prohibited for all faculty, staff, and students under federal law, tribal law, and BMCC policy.

BMCC Tobacco Policy

BMCC offers a healthy, safe, and clean campus environment to its students, employees, and visitors. Smoking cigarettes, E-cigarettes, vaping, and the use of chewing tobacco are prohibited in all campus buildings and College-owned vehicles. The College does have designated outdoor smoking areas.

DRUG AND ALCOHOL-ABUSE EDUCATION PROGRAMS

For Students:

BMCC has partnered with the SafeColleges company to offer computer education training on Alcohol usage for students. All new BMCC students are required to complete the Alcohol training module free of charge. BMCC monitors training completion through an online database maintained by SafeColleges.

The BMCC Student Success Services staff can assist students by educating, anticipating, and intervening in situations where substance use/abuse may negatively influence student performance. Students concerned about substance abuse issues are encouraged to contact the Student Success Services Specialists or TRIO staff. Confidential referrals can be made for appropriate treatment or education. Students may also directly contact the Bay Mills Behavioral Health Department for assistance at 906-248-5527.

For Employees:

All employees must complete the Drug-Free Workplace training module offered by SafeColleges within the first thirty days of hire. The BMCC Human Resources Department documents training completion and training certificates are placed in employee files.

BMCC recognizes that substance abuse is a treatable illness and realizes early intervention and support improve the rehabilitation success. BMCC encourages employees to seek help for substance abuse problems and allows use of accumulated leave time for treatment. Substance abuse treatment is covered by the employee health insurance plan, subject to applicable deductibles and co-pays. The Bay Mills Behavioral Health Department has a substance abuse treatment program for everyone. For confidential help, call 906-248-5527 or lookup the information [online](#) and make an appointment.

HEALTH RISKS ASSOCIATED WITH EXCESSIVE DRINKING

Excessive drinking includes binge drinking, heavy drinking, and drinking by pregnant women or by people under 21. Binge drinking is defined as consuming four or more drinks during a single occasion for women or five or more drinks for men. Heavy drinking is defined as consuming eight or more drinks per week for women or 15 or more per week for men.

Excessive Drinking Increases The Risks Of:

- **Physical Injury: The Increased Risk That You Could Be Injured Or Killed By:**
 - (1) **Violence**-murder, assault, suicide, sexual assault;
 - (2) **Injuries**-car accidents, falls, drownings, and burns;
 - (3) **Alcohol poisoning** from high blood alcohol levels;
 - (4) **Risky sexual behaviors**-unprotected sex, sexually transmitted diseases including H.I.V., and unplanned pregnancies.
 - (5) **Alcohol is a factor in about 60% of fatal burn injuries, drownings, and homicides; 50% of severe trauma injuries and sexual assaults; and 40% of fatal motor vehicle crashes, suicides, and fatal falls.**
- **Health Problems:** Increased risk of chronic diseases such as liver disease, heart disease, stroke, brain damage, poor management of diabetes, and other conditions. Also, sleep disorders, mental health problems- depression and anxiety, bleeding from the stomach, sexually transmitted infections from unsafe sex, learning and memory problems, and several types of cancer.
- **Birth Defects:** Drinking during pregnancy can cause permanent brain and body damage in the baby, which is called fetal alcohol spectrum disorder(s). Stillbirth and miscarriage can also occur.
- **Alcohol Use Disorders:** An alcohol use disorder is a medical condition that doctors diagnose when a patient's excessive drinking causes physical dependency, distress, or harm.
- **Legal Problems:** Minor in Possession charges, Drunk driving charges, Disorderly Conduct, or Assault charges. Convictions may impact future employment, licenses for professions, etc.
- **Personal Problems:** Lost job, lost driver's license, relationship problems, lost productivity, dropping out of school, incarceration, and homelessness.

*Information obtained from <https://www.rethinkingdrinking.niaaa.nih.gov/>

Reducing Risks

- **DON'T DRINK.** Make a decision not to drink alcohol.
- **DRINK MODERATELY.** Stay within low-risk drinking limits.
- **DON'T BINGE DRINK.** Don't drink more than 4 or 5 drinks at once.
- **BE SAFE. TAKE STEPS TO BE SAFE WHEN YOU DRINK.**
 - **IF YOU DRINK, DON'T DRIVE**-walk, use a cab, or have a designated driver.
 - **Use protection for sex and don't engage in risky sexual behaviors.**
 - **Don't walk in dangerous areas, get in a car with a drunk driver, swim, drive machinery or boats, or go with strangers you do not know.**
 - **SAY NO TO DRUGS OR ANY OTHER RISKY BEHAVIORS.**
- **GET EDUCATED ON THE EFFECTS OF ALCOHOL.** Numerous educational websites include <http://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm> **and** <https://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/alcohol-facts-and-statistics>.

Education

- See the chart on the next page for the health risks of substance abuse.

| Health Risks Associated With Abuse Of Alcohol And Use Of Controlled Substances | | | | | | | | |
|--|--|--|--|--|--|--|--|---|
| Classification | Drug name | D.E.A. Schedule | Common or brand | Dependence Potential | | Acute effects | Health risks and effects of long-term use | Overdose effects |
| | | | | Physical | Psychological | | | |
| ALCOHOL | Ethanol | N/A | Beer Wine Distilled Liquor | High High High | High High High | Lowered Inhibitions Impaired Judgment, Vision Loss of Motor Skills, Coordination Slurred Speech | Hypertension Liver Damage Heart Disease Toxic Psychosis Brain Damage Addiction Severe Withdrawal | Coma Death |
| NARCOTICS | Opium Morphine Codeine Heroin Meperidine Other Fentanyl Vicodin | II, III, V II, III II, III, V I II II II II | Paregoric, Dover S Power Morphine Tylenol W/Codeine, Robitussin Heroin Demerol< Pethadol Dilaudid, Lentine, Percodan Apache, China girl Lortab, Lorcet | High High High High High High High High High | High High High High High High High High High | Euphoria, Drowsiness Respiratory Depression Constricted Pupils Nausea, Vomit Pain Relief Constipation Confusion | Loss of Appetite Constipation Risk of AIDS/HIV from IV Drug Use Pregnancy- Miscarriage, low birth weight, neonatal withdrawal Elder-Increased drug interactions | Shallow Perspiration Clammy Skin Coma Convulsions Possible Death It May be toxic if Mixed with Alcohol |
| DEPRESSANTS | Chloral Hydrate Barbiturates GABA Gamma- Butyrolactone Glutethimide Ketamine Methaqualone Tranquilizers Benzodiazepine s | II, III, IV I III IV IV | ² Noctec, Sonos ² Nembutal, Phonobarbitol Seconal, Tunnel Date Rape Drug Liquid Ecstasy Cherrymeth GBL Doriden Special K Optimil, Parest, Quaalude, Sopor Equanil, Valium, Tranxene, Serax, Xanax, Rohyphal, Dalmane, Dormate, Placidyl, Valmid | Moderate High Moderate High Unknown High Unknown High Moderate High | Moderate High High Unknown High Unknown High High High | Slurred Speech Disorientation Drunken Behavior Euphoria Lowered Inhibitions Loss of Motor Skills Blackouts Relaxation, Depression Hallucinations | Addiction with Withdrawal Toxic Psychosis Weak Rapid Pulse Hallucinations Nausea Seizures Insomnia Anxiety Tremors Dizziness Loss of Peripheral Vision | Shallow Perspiration Toxic Skin Blackout Coma Possible Death It May be Toxic if Mixed with Alcohol |
| STIMULANTS | Cocaine Amphetamine Phenmetrazine Methylphenida te Other Methylenedioxy- Methamphetamine | II II II I II | Cocaine Hydrochloride ² Benzedrine, Biphetamine, Desoxyn, Dexedrine ² Preludin ² Ritalin Cylert, Didrex, Pre- Sate, Sanorex, Voranil Ecstasy, MDMA, Molly Crank, Meth, Crystal, Fire, Glass | Possible Possible Possible Possible Possible Low High | High High High High High High High | A feeling of well being Excitation, euphoria Increased alertness Increased blood pressure and pulse Insomnia Appetite loss | Delusions Hallucinations (Toxic psychosis) Possible organ and tissue damage | Agitation Temperature increase Hallucinations Convulsions Heart attack Stroke High blood pressure Loss of Consciousness Seizures |
| HALLUCINO- GENETICS | LSD Mescaline Psilocybin MDMA PCP | I I I I I, II | Acid, Lysergic Acid Peyote/Buttons, Mescalitor Magic Mushrooms Molly, Ecstasy Angel Dust, Crystal, Cernylan (Veterinary) | Low Low Low Unknown Unknown Unknown | Unknown Unknown Unknown Unknown Unknown Unknown | Dilated pupils Increased blood pressure, pulse Delusional/Hallucina tions, Distorted perception of time/space/reality, Rapid emotional swings, Raised blood pressure/body temperature/heart rate. | Hallucinogens, Especially L.S.D., may intensify Existing Psychosis Possible Violent Behavior | Intense Bad Trips Frightening flashbacks Psychosis Paranoia Mood swings Possible Sudden Death Permanent brain damage |
| INHALANTS | Airplane Glue Lighter Fluid Aerosols Spray Paints Paint Thinner Gasoline Poppers | | *Toluene * Naphalene * Chloropluorocarbon * Petroleum Distillate * Petroleum Distillate * Petroleum Distillate * Amyl/butyl Nitrite * Active Ingredient | Unknown Unknown Unknown Unknown Unknown Unknown | Unknown Unknown Unknown Unknown Unknown Unknown | Slurred Speech Drunken behavior Impaired Judgment Poor Coordination | Hallucinations Possible Damage to Bone Marrow, Kidneys, Liver, Heart, Brain, Eyes | Unconsciousness Coma Possible Toxic Reaction Possible Sudden Death |
| CANNABIS | Marijuana Hashish Hash Oil | I | Grass, Pot, Weed Hash | Low Low Low | Moderate Moderate Moderate | Tachycardia, Reddened eyes, Euphoria, Altered Time/Space perception, Profound Humor, Short term memory loss, Increased appetite | Cardiovascular damage as with smoking tobacco | Insomnia, Hyperactivity, Panic attacks, Paranoia, Possible toxic reaction |
| SYNTHETIC CANNABINOI DS | K2, Spice | I | K2, Spice, Black Mamba, Bliss, Bombay Blue, Fake Weed, Fire, Skunk | Unknown | Unknown | Increased heart rate, vomiting, agitation, confusion, hallucinations, | Unknown | Increased emergency room visits, Heart attacks, Coma |

LEGAL CONSEQUENCES FOR ALCOHOL LAW VIOLATIONS-NON-NATIVES AND CANADIAN STATUS INDIANS

Non-natives and Canadian Status Indians who commit misdemeanor alcohol offenses within the exterior boundaries of the Bay Mills Indian Community reservation, including the BMCC campus, will be prosecuted in Michigan State Court.

| LEGAL CONSEQUENCES OF ALCOHOL VIOLATIONS FOR NON-NATIVES | | | | | |
|---|-----------------------------------|--|---|-------------------------------|--|
| MICHIGAN State Court Jurisdiction for non-natives includes Canadian Status Indians | | | | | |
| CHARGE | POSSIBLE JAIL TIME | POSSIBLE FINE | DRIVERS LICENSE SANCTION | POSSIBLE SA TREATMENT ORDERED | POSSIBLE OTHER SANCTIONS |
| Minor in Possession (M.I.P.). | Civil Infraction-Possible fine | | | | Community Service |
| Operating While Visibly Impaired (OWVI) Misdemeanor | 1 st Up to 93 days | \$0-300 Driver Resp Fee OWI \$500 2 yrs. | 90 days restricted or 180 days if impaired by a controlled substance 4 points | Possible | Up to 360 hours of Community Service, Vehicle Immobilization |
| Operating While Intoxicated (OWI) <u>or</u> Operating W/Any Presence of Sched. 1 Drug or Cocaine (OWPD) Misdemeanor | 1 st Up to 93 days | \$100-500 Driver Resp Fee OWI \$1000 2 yrs. OWPD \$500 2 yrs. | 30-day suspension followed by 150 days of a restricted license 6 points | Possible | Up to 360 hours of Community Service, Possible Vehicle Immobilization, Possible Ignition interlock |
| OWI High B.A.C. (+.017) Misdemeanor | 1 st Up to 180 days | \$200-700 fine + Driver Resp Fee, \$1000 each yr. | Mandatory 1 yr. Suspension. May be eligible for a restricted license after 45 days if an ignition interlock is installed. 6 points | Possible | Up to 360 hours of Community Service, Possible plate confiscation, and vehicle immobilize if operated w/o ignition interlock |
| Zero Tolerance (under age 21) Prohibits any level of alcohol while driving Misdemeanor | 1 st | \$0-250 fine Driver Resp Fee \$500 2 yrs. | 30 day restricted 4 points | Possible | Up to 360 hours of Community Service |
| A person under 21 transport/possess alcohol in a vehicle | N/A | Up to a \$100 fine | 1 st No action against driver's license; 2 nd 30-day suspension and 60-day restricted license 2 points | May order alcohol screening | Community Service and vehicle may be impounded for up to 30 days |
| Fraudulent ID to purchase alcohol | Up to 93 days | Up to a \$100 fine | 90-day suspension | N/A | N/A |

LEGAL CONSEQUENCES FOR ALCOHOL LAW VIOLATIONS-MEMBERS OF U.S. FEDERALLY RECOGNIZED INDIAN TRIBES.

Members of U.S. federally recognized Indian Tribes who commit misdemeanor alcohol offenses within the exterior boundaries of the Bay Mills Indian Community reservation, including the BMCC campus, will be prosecuted in the Bay Mills Tribal Court. Driving convictions are reported to the Michigan Secretary of State for license purposes.

| LEGAL CONSEQUENCES OF ALCOHOL VIOLATIONS | | | | | |
|---|---------------------------|---|---|--------------------------------------|--|
| Bay Mills Tribal Court Jurisdiction for members of federally recognized Tribes | | | | | |
| CHARGE | POSSIBLE JAIL TIME | POSSIBLE FINE | DRIVERS LICENSE SANCTION | POSSIBLE SA TREATMENT ORDERED | POSSIBLE OTHER SANCTIONS |
| Minor in Possession (M.I.P.) Tribal Code 633 Misdemeanor | 90 days | Up to \$1000 | | May be ordered | Other remedies determined by the Court |
| Visibly Impaired Tribal Code 819(C) Misdemeanor | Up to 60 days | Up to \$300 | Reported to state. See the chart on the previous page for sanctions | May be ordered | Community Service up to 30 days |
| Driving under intoxicating liquor or controlled substance Tribal Code 819(A) Misdemeanor | Up to 90 days | Up to \$500 | Reported to state. See the chart on the previous page for sanctions | May be ordered | Community Service up to 45 days |
| Driving under the influence (under age 21) Tribal Code 819(D) Misdemeanor | None | Up to \$250 | Reported to state. See the chart on the previous page for sanctions | May be ordered | Up to 45 days of community service |
| Open Intoxicants in vehicle Tribal Code 821 Misdemeanor | Up to 90 days | Up to \$500 It could include both jail and fine | Reported to state. See the chart on the previous page for sanctions | N/A | N/A |
| Possession of a controlled substance TC 641 Misdemeanor Excludes Marijuana | Up to 6 months | Up to \$2500 Could include both | N/A | May be ordered | Probation may be ordered |
| Manufacture or sale of a controlled substance Misdemeanor | Up to 1 year | Up to \$5000 It could include both jail and fine | N/A | May be ordered | Probation may be ordered |

ADDRESSING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

BMCC Prohibits Violence Of Any Type, Including:

- Physical Violence
- Domestic Violence
- Dating Violence
- Sexual assault and rape
- Child Abuse or Neglect
- Stalking

Offenders will be subject to appropriate campus adjudication processes, disciplinary action, and criminal proceedings in tribal, federal, or state court.

IF YOU ARE A
VICTIM OF VIOLENCE OR SEXUAL ASSAULT,
YOU CAN FILE BOTH
A POLICE REPORT AND A REPORT WITH THE COLLEGE

Report Dating Violence, Domestic Violence, Sexual Assault, or Stalking

File a Police Report!!!

Reporting crimes holds offenders accountable for their actions and may prevent further crimes against you or other victims. BMCC staff will encourage the complainant to file a police report and assist in notifying the police if needed. The police will then help the complainant and investigate the matter so that the perpetrator can be prosecuted.

For emergencies, dial 9-1-1 or call the Bay Mills Police Department (BMPD) at 248-3244. All individuals who witness or are victims of any sex-related offense, including any such crime involving a child, are requested to immediately report such incident to BMPD or dial 9-1-1 and request assistance.

Reporting Principles

A guiding principle in reporting domestic violence, dating violence, sexual assault, and stalking is to avoid possibly re-victimizing the complainant by forcing the individual into any action plan. A person who has experienced domestic violence, dating violence, sexual assault, or stalking should consider each of the following:

1. **Getting to a safe place.**
2. **Filing a police report.** You can file both a police report and a Title IX report. BMCC staff can assist you in doing so.
3. **Preserving Evidence.** Avoid the destruction of evidence. Do not bathe, douche, change clothes, or clean up. Victims should carefully preserve evidence of the assault in a paper bag for possible prosecution use. Also, keep copies of emails, text messages, and voice messages. Immediate reporting of the incident will greatly enhance the investigation and aid in the preservation of evidence. There may be negative consequences for waiting to file a police report.
4. **Pursuing medical treatment.** Post-assault medical care can be performed at a local emergency room. Many hospitals have specialized examiners who can complete an exam for victims of sexual violence. Such an exam can help the victim receive an appropriate medical assessment and treatment and preserve evidence for possible future action.

5. **Obtaining a personal protection order from the Bay Mills Tribal Court or other appropriate jurisdiction.** BMCC will assist a victim with supportive measures to help enforce the court order.
6. **Getting counseling services** with the Bay Mills Journey to Healing Program or another agency, such as the Diane Pepler Resource Center. Or call someone you know and trust, such as a friend or counselor, who can help sort out what to do next.

Alternatives to Filing a Police Report

1. Report the crime at a later date.
2. Make an anonymous report to the police. An anonymous report notifies the police that a domestic violence, dating violence, sexual assault, or stalking incident has occurred but gives no names or identification.
3. Contact a local agency for help. The Bay Mills Journey to Healing Program or the Diane Pepler Resource Center have extensive experience and resources to help victims. The Bay Mills Journey to Healing Program telephone number is 248-8821.
4. Make a complaint to the Title IX coordinator. Student victims should report incidents of sexual assault or misconduct to the BMCC Title IX coordinator or to a college administrator who has authority to implement supportive measures.

THE BMCC TITLE IX SEXUAL HARASSMENT POLICY

The BMCC Title IX Sexual Harassment Policy governs the disciplinary procedures in cases involving dating violence, domestic violence, sexual assault, and stalking. The Policy also provides protective remedies for victims and complainants. BMCC will also use the student code of conduct and employee discipline procedures to cover offensive or criminal behavior not covered by the Title IX policy.

The Title IX Policy provides comprehensive protection for victims of sexual harassment, sexual assault, dating violence, and stalking. If a student does not want to file a formal Title IX complaint, the policy still has remedies to protect the victim from further harm.

The 500.201 Title IX Sexual Harassment Policy was revised to comply with new federal regulatory changes. The Title IX policy is regularly revised when federal regulations are officially adopted. The BMCC Board of Regents adopted the current revised policy on 09/18/2020. The policy can be found online at <https://www.bmcc.edu/about-bmcc/governance-administration/college-policies>.

There are also posters throughout the campus educating students about their Title IX and Clery Act rights and whom to contact if their rights are violated.

BMCC employees may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of federal or state law, including the Clery Act, Title IX, and the Violence Against Women Reauthorization Act (VAWA).

A COMPLAINANT MAY REQUEST SUPPORTIVE ACCOMMODATIONS EVEN WHEN THEY HAVE REQUESTED THAT NO INVESTIGATION BE UNDERTAKEN OR THEY DECLINED TO PARTICIPATE IN THE BMCC DISCIPLINARY PROCESS OR THE CRIMINAL PROCESS.

All BMCC students are protected by federal law and procedures under Title IX. When a BMCC student or employee reports that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, BMCC will provide the victim with:

- a copy of the BMCC Title IX Sexual Harassment Policy,
- written notification of their rights and options under the Title IX Policy;
- written notification about services available in the community and College to assist them;
- written notice of supportive services available to them and how to obtain them, including the fact that any services provided, will be confidential, and
- the offering of immediate assistance in the form of supportive measures.

The BMCC Title IX Coordinator is available on weekdays during regular business hours and is located in the BMCC Administration Building-Room 256 at 12214 W. Lakeshore Drive, Brimley, MI 49715, (906) 248-8430.

DURING THE PAST THREE YEARS, THERE HAVE BEEN NO REPORTED TITLE IX COMPLAINTS OR VIOLATIONS.

PREVENTION EFFORTS

BMCC Policies

BMCC has a Code of Conduct for Students, Visitors, Volunteers, and Guests. If any BMCC community member feels threatened or is threatened by the inappropriate behavior of another, they can make a complaint to any BMCC employee and file an incident report. The policy authorizes BMCC employees to take immediate action when incidents of inappropriate behavior occur. The offending individual may be asked to leave the BMCC campus and the Bay Mills Police Department can be summoned. The policy 500.105 Code of Conduct for Students, Visitors, Volunteers, and Guests may be found at <https://www.bmcc.edu/about-bmcc/governance-administration/college-policies>.

Educational Programs

BMCC provides prevention and awareness education to all incoming students, staff, and faculty on domestic violence, dating violence, sexual assault, and stalking. BMCC employs the SafeColleges company for online Title IX and Clery Act training. There are separate mandatory training programs for students and employees. The training content is re-evaluated yearly, and training vendors are periodically replaced to ensure a variety and freshness of training.

At the semester start, all students and employees receive an email containing information on how to register for and complete the training programs. Students have three training modules to complete: Title IX training, Bystander Training, and Alcohol Use. Students may access the training at <https://bmccstudents-mi.safecolleges.com/login>.

Likewise, the BMCC HR Director has mandatory assigned training for all employees, which includes Title IX Training and Drug-Free Workplace training. The online educational courses cover:

- Primary prevention information addressing sexual assault, dating violence, domestic violence, and stalking.

- The role of alcohol use in sexual assault cases.
- Bystander intervention education.
- Sexual harassment information, including workplace harassment.
- Definition of consent and relevant information on consent.
- State law pertaining to dating and domestic violence, sexual assault, and stalking.
- Information on risk reduction.
- Information on resources available on campus to address these issues.
- Information on campus expectations and values.

BMCC staff periodically follow up on students and employees to ensure that they complete the training.

Students are also encouraged to provide suggestions to improve campus awareness of Title IX issues, and all suggestions are welcome.

SAFETY TIPS AND RISK REDUCTION

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm. Unfortunately, we may not know what to do even if we want to help.

Below is a list of some ways to be an active bystander. Dial 911 if you or someone else is in immediate danger. This could be when a person is yelling at or physically abusive towards another, and it is not safe for you to interrupt.

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

Personal Safety Tips-Situational Awareness

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault and harassment.

- **Be aware of your surroundings at all times.** Knowing where you are and who is around you may help you find a way out of a bad situation.
- **Avoid isolated areas.** It is more challenging to get help if no one is around.
- **Walk with purpose.** Even if you don't know where you are going, act as you do.
- **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags, as this can make you appear

more vulnerable.

- **Make sure your cell phone is with you and charged.**
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so you can be more aware of your surroundings, especially if you are walking alone.
- **Go to a social gathering with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately by dialing 9-1-1.
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- **Don't accept drinks from people you don't know or trust.** If you choose to receive a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. Don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately by dialing 9-1-1.** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- **Don't go alone with a stranger you just met** at a party or gathering where alcohol is served.

If you need to get out of an uncomfortable or scary situation, here are some things that you can try:

- **Remember that being in this situation is not your fault.** You did not do anything wrong. It is the person who is making you uncomfortable that is to blame.
- **Be true to yourself. Don't feel obligated to do anything you don't want to do.** "I don't want to" is always a good enough reason. Instead, do what is right for you and what you are comfortable with.
- **Have a code word with your friends or family** so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- **Lie.** If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else you need to be, etc.
- **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- **Wait until sober to decide.** If you and the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

SEX OFFENDER REGISTRATION

Bay Mills Indian Community has established a Sex Offender Registration Ordinance whereby anyone convicted of a sex offense must register with the Bay Mills Police Department. BMPD also participates in the national sex offender registry pursuant to the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071 (j)). The BMIC Sex Offender Registration Ordinance can be found online here:

<https://baymillstribalcourt.org/codes-ordinances/>.

Public Access to Sex Offender Information

The Dru Sjodin National Sex Offender Public Website (NSOPW) is a public safety resource that provides the public with access to sex offender data nationwide. NSOPW is a partnership between the U.S. Department of Justice and state, territorial, and tribal governments, working together to protect adults and children. The NSOPW is a website that links public state, territorial, and tribal sex offender registries from across the nation. The NSOPW can be accessed at <https://www.nsopw.gov/>.

The public can utilize the Website's search tool to identify location information on sex offenders residing, working, and attending school not only in their neighborhoods but in other nearby states and communities. The Website also provides visitors with information about sexual abuse and how to protect themselves and loved ones from potential victimization.

SAFETY AND HEALTH-RELATED RESOURCES

Bay Mills Community College/ Student Success Center

12214 W Lakeshore Drive
Brimley, MI 49715
906-248-8442

Bay Mills Police Department

12449 W Lakeshore Drive
Brimley, MI 49715
(906) 248-3244
Call 911 if Emergency

Bay Mills Tribal Court

12449 W Lakeshore Drive
Brimley, MI 49715
Hours 8-4:30 M-F
(906) 248-8810

Bay Mills Victim Assistance/ Journey to Healing Program

12449 W Lakeshore Drive
Brimley, MI 49715
Hours 8-4:30, M-F
(906) 248-8821

Bay Mills Health Center

12124 W Lakeshore Drive
Brimley, MI 49715
Hours 7:30-6, M-F
(906) 248-5527

<https://www.baymillshealthcenter.com/>

Bay Mills Behavioral Health

12124 W Lakeshore Drive
Brimley, MI 49715
Hours 7:30-6, M-F
(906) 248-3204

<https://www.baymillshealthcenter.com/behavioral-health>

Diane Pepler Resource Center/Serving Domestic Violence and Sexual Assault

P.O. Box 698
Sault Ste. Marie, MI 49783

<http://dprcenter.org/>

24 Hour Hotline

(906) 635-0566
(800) 882-1515

Sault Tribe Advocacy Resource Center (A.R.C.)/Comprehensive Services Crime Victims

Sault Ste. Marie, MI 49783

(906) 632-1808

(877) 639-7820 Toll-free

<https://www.saulttribe.com/membership-services/acfs/arc>

Hiawatha Behavioral Health

3865 S. Mackinac Trail
Sault Ste. Marie, MI 49783

(906) 632-2805

24 Hour crisis line

(800) 839-9443

Community Social Service Referral Line

<http://www.211.org/> or

Dial 2-1-1

War Memorial Hospital

(906) 635-4460



The Bay Mills Community College Board of Regents

Jordan Shananaquet, Chairperson; Gail Glezen, Treasurer; Beverly Carrick, Secretary; Whitney Gravelle, Member; Candice LeBlanc, Member; Stephanie Walden, Member; L. John Lufkins, Member; Theresa Pelcher, Member; Michael McKerchie, Member; and, BMCC Student Body President, Ex-Officio Member.

Non-Discrimination Policy

The Bay Mills Community College (BMCC) and its Board of Regents are committed to providing a non-discriminatory and harassment-free educational and working environment for all Bay Mills Community College members. Accordingly, it is the policy of Bay Mills Community College that no person shall be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, including harassment, in employment and admissions, in education, or in any program or activity for which the College is responsible, based on race, color, national origin, ancestry, sex, gender, gender identification, sexual orientation, disability, age, religion, medical condition, veteran status, marital status or any other characteristic protected by institutional policy or tribal or federal law.

The following person handles complaints regarding sex discrimination and all other discriminatory issues: Title IX Coordinator, 12214 W. Lakeshore Drive-Room 276, Brimley, MI 49715, (906) 248-3354.

The report was completed on September 27, 2022, and distributed to students and staff via email before 10/01/2022.

The report was prepared by Holly B. Powless, J.D.

Cover photo by photographer Chet Kasper, BMCC IT Director.