



WAYNE STATE  
UNIVERSITY

## A MESSAGE FROM OUR PRESIDENT

This is a joint publication of the Wayne State University Police Department and the Office of the General Counsel.

## OUR CAMPUS

WSU's main campus covers approximately 200 acres in the heart of Midtown Detroit. The university boasts one of the nation's most diverse student bodies. While some students reside in the seven residence halls and apartment complexes on campus\*, others commute from within the city as well as the larger metropolitan area. Wayne State has five satellite campuses: the Advanced Technology Education Center in Warren, the Macomb Education Center in Clinton Township, the Orchard Ridge Center in Farmington Hills, Schoolcraft Center in Livonia and University Center Macomb in Clinton Township. The School of Medicine campus is south of the main campus and adjacent to the Detroit Medical Center, and the Mike Ilitch School of Business is located in The District Detroit, south of the main campus. TechTown, a 12-block, three-acre research and technology park, is just north of the main campus.

DeRoy Apartments closed permanently on May 1, 2019, and is being demolished. Chatsworth Apartments was temporarily vacated on May 13, 2019, for renovations, to be reopened upon completion (exp. Sept. 2020). Currently, only 6 of WSU's 7 residence halls/apartments are actively operating. DeRoy Apartments and Chatsworth Apartments remain in WSU's 2019 Annual Security and Fire Safety Report as both residences were open during the entire time period of this report.

# 2019 Annual Security and Fire Safety Report

As part of its mission, Wayne State University continually strives to reach the highest standards of excellence in ensuring the safety of the entire university community. Our law enforcement professionals work around the clock to ensure a pleasant and welcoming campus for our students, faculty, staff and visitors.

Whether in patrol cars, on mountain bikes or behind desks, the dedicated men and women of the Wayne State University Police Department (WSUPD) handle all police, criminal and safety matters on campus. The department's members seek to enforce the law with uncompromised integrity and provide community-oriented services with efficiency, professionalism and courtesy. Our full-service department is available to the university community 24 hours a day, seven days a week, 365 days a year.

Although safety is our top priority, we cannot accomplish it alone. At Wayne State, we use a community approach to law enforcement, recognizing that strong partnerships between police and the campus community enable us to do the best possible job of protecting people and property.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, the university publishes this report on an annual basis to provide its students, faculty and staff with an overview of our crime statistics, public safety resources, policies and procedures. This report is intended to fulfill that requirement and is divided into two sections: Section A. Annual Security Report, and Section B. Annual Fire Safety Report.

This document is posted on the WSUPD website, [police.wayne.edu](http://police.wayne.edu); on the Dean of Students Office website, [doso.wayne.edu](http://doso.wayne.edu); on the Office of the General Counsel website, [generalcounsel.wayne.edu](http://generalcounsel.wayne.edu); on the university's safety website, [wayne.edu/safety](http://wayne.edu/safety); and on the university's Title IX website, [titleix.wayne.edu](http://titleix.wayne.edu). A hard copy may be downloaded from any of these websites. Hard copies are also available upon request from the Office of Undergraduate Admissions and University Human Resources.

The university also reports the annual crime statistics contained in this report to the U.S. Department of Education. A searchable database containing those statistics can be found at [ope.ed.gov/campusafety/#/institution/search](http://ope.ed.gov/campusafety/#/institution/search).

Campus crime statistics included in this report are gathered from a variety of sources, including campus and local law enforcement agencies and campus officials with significant responsibility for student and campus activities.

Please take a few moments to read this report carefully. It provides information on how you can take an active role in preventing crime and increasing your safety and security while on campus.

President M. Roy Wilson

## A. ANNUAL SECURITY REPORT

The Annual Security Report is divided into the following areas:

- A question-and-answer section on safety and security issues, where to report incidents, timely warnings, emergency notifications, and available safety programs.
- A summary of Michigan laws as they pertain to drug and alcohol abuse.
- The Wayne State University policy on drugs and alcohol.
- Suspension of eligibility for financial aid for drug-related offenses.
- The Wayne State University policies on sexual harassment, sexual assault and non-discrimination, and where to report incidents.
- A summary of victim support services.
- A summary of student resources for reporting sexual harassment, sexual assault, domestic violence, dating violence and stalking. This includes the procedures Wayne State will follow in response to such reports.
- A summary of Wayne State University's crime statistics for the years 2018, 2017 and 2016.
- A summary of Wayne State University's emergency response and evacuation procedures.
- A summary of Wayne State University's missing student notification policy.

# QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

## 1. Does Wayne State have its own police force?

Yes. Since its establishment in 1966, the Wayne State University Police Department (WSUPD) has endeavored to provide a safe and secure environment for the entire university community. The department provides a full range of professional police services to both the main and medical center campuses as well as the surrounding neighborhoods. We have sworn officers who are responsible for patrolling the campus and the surrounding areas 365 days a year. Civilian cadets act as eyes and ears for our police officers by way of conducting uniformed foot patrols in and around our main campus.

Every officer has a bachelor's degree, and many have advanced degrees. Nearly half of our police officers are Wayne State graduates. Every officer also completes an intensive training course at a state-certified police academy, followed by a demanding 13-week program at Wayne State. Refresher courses and additional training also keep officers current with the latest practices in their profession.

All WSU police officers are fully licensed through the Michigan Commission on Law Enforcement Standards (MCOLES). All officers are sworn peace officers commissioned under state law, and each has been commissioned as a police officer in the City of Detroit. Officers are empowered to enforce all federal and state laws, including the Michigan Motor Vehicle Code and City of Detroit ordinances, both on and off the campus. As sworn police officers, they are authorized to investigate, arrest or take any other necessary action to address any criminal or other public infraction in the vicinity of the WSU campus. Incidents that occur off campus and involve WSU officially recognized student organizations that are engaged in activities sponsored by Wayne State are monitored and recorded by WSUPD. While there is no formal memorandum of understanding, WSU police officers work closely with the Detroit Police Department, the Wayne County Sheriff's Department, the Michigan State Police and federal law enforcement authorities to ensure that all such incidents are monitored and recorded, even in cases where another law enforcement agency is first to respond.

## 2. What should I do if I'm the victim of a crime or if I witness a crime? Who do I contact in an emergency?

**Criminal activity or any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus should be reported to the WSUPD immediately by calling 313-577-2222.** Our police dispatch center is fully equipped to handle all emergencies and is prepared to seek appropriate assistance from other university officials, such as Environmental Health and Safety, as well as outside organizations such as the National Response Center and the Campus Health Center, depending on the type of emergency involved.

When responding to reports of criminal activity or any emergency or dangerous situation, WSUPD begins by documenting and investigating the situation, apprehending perpetrators when possible and arranging for emergency responses from other agencies, such as the fire department or an emergency medical service. University faculty and staff will help students notify WSUPD if a student requests assistance. WSUPD will also assist students who wish to report criminal activity to outside law enforcement agencies.

Wayne State encourages individuals to promptly report incidents of sexual misconduct — which includes sexual assault, sexual harassment, domestic and dating violence, and stalking — to the Title IX coordinator/director at **313-577-9999** or **titleix@wayne.edu**. In addition, individuals are encouraged to report sexual misconduct that may also violate criminal law to the Wayne State police at **313-577-2222**. These processes are not mutually exclusive. WSU expects that all complaints will be filed in good faith.

The university does not have an institutional policy or procedure that allows victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in this report. However, WSUPD allows for confidential and anonymous crime reporting through its website: **[police.wayne.edu/contact/tip-line](https://police.wayne.edu/contact/tip-line)**. In addition, the Office of Internal Audit maintains an anonymous tip hotline

where individuals may report suspicious activity such as fraud, misuse and misappropriation, or a Title IX matter. The anonymous tip hotline is **313-577-5138**. Any reports related to human research subjects may be reported anonymously to the WSU Human Research Protection Program at **313-577-0895**.

The university does not have policies or procedures that encourage pastoral counselors and professional counselors to inform persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report.

If you do not have access to a telephone, there are illuminated Blue Light emergency phones located around campus, its perimeter and inside parking facilities. The phones are mounted on kiosks or attached to building walls. Once the receiver is picked up, the blue light begins flashing, enabling WSU police officers to see it from two to three blocks away. The phones also allow police communication personnel to pinpoint the caller's location immediately. They are programmed to dial directly to WSUPD with the touch of a single button. The communication center is staffed 24 hours a day, seven days a week, to receive both emergency and non-emergency requests for service.

**Please do NOT call 911**, because calls to 911 go directly to the Detroit Police Department, Detroit Fire Department and Emergency Medical Services, whose responders are not intimately familiar with the campus. Our WSU police officers are well acquainted with our campus and can respond much more quickly to campus-related emergencies.

## 3. How does WSU notify students about crime alerts and other types of emergencies?

The university sends **Emergency Notifications** to the campus upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of individuals occurring on campus. These notifications ensure that students and staff receive warning of emergency situations such as an active attacker, a bomb threat, gas leaks, a tornado or

# QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

similar situations.

The chief of police, with the advice and assistance of members of the WSU Crisis Management Team, determines when an Emergency Notification should be issued. In making this determination, the chief considers the safety of the campus community and what information should be released about the situation. Emergency Notifications are sent by email and other means to all students, faculty and staff. The only reason the university would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency or otherwise heighten the emergency.

The university also issues timely warnings when certain crimes occur that pose a continuing risk to the safety of the campus community. The university refers to these timely warnings as "Special Crime Alerts." For purposes of this report, these alerts will hereinafter be referred to as "**Timely Warnings.**" Timely Warnings are sent to students, faculty and staff as soon as reasonably possible after the occurrence of the crime. They alert recipients to the potential that similar crimes could subsequently occur and enable members of the campus community to better protect themselves.

The WSUPD, under the direction of the chief of police, is responsible for issuing Timely Warnings, which WSUPD sends via e-mail. The decision to issue a Timely Warning is made by the WSUPD on a case-by-case basis in light of all facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, the accuracy of reported information and the possible risk of compromising law enforcement efforts. Every attempt is made to ensure these notices are substantively accurate and specific enough to be helpful.

Both Emergency Notifications and Timely Warnings are posted at [wayne.edu](http://wayne.edu). The WSUPD will also provide periodic updates to Emergency Notifications and Timely Warnings as necessary. Each notice provides crime prevention tips and other useful information. As noted, campus safety alert messages are automatically sent via WSU email. Additionally,

students, faculty and staff may register at [broadcast.wayne.edu](http://broadcast.wayne.edu) to also receive Emergency Notifications and Timely Warnings by text message.

The university's crime statistics are published each fall in the Annual Security and Fire Safety Report. These statistics are compiled by the WSUPD, and reflect information reported to the police and by Campus Security Authorities (CSAs) in and immediately around campus. CSAs are employees with significant responsibility for student and campus activities.

The statistics for the past three years are reflected in the chart on page 4.

## **4. How are campus facilities, including university apartments and residence halls, kept safe and secure? Who has access to these buildings?**

In general, university buildings — such as classrooms and office buildings — are open during normal business hours and class times, and locked and closed at the end of the day. Laboratories and research facilities, which require greater security, have intrusion alarms and card-access systems. Police officers and cadets patrol university buildings and facilities during and after business hours and regularly make building checks.

Wayne State has taken many steps to ensure the safety of its residential student population. Currently, more than 3,000 students live in apartment facilities and residence halls on campus. All residential buildings are locked 24 hours a day and require a card or key for entry. All such facilities have a staffed 24-hour reception desk. In addition, a key is required for admittance to individual rooms and apartments. Each day, on-call duty staff members tour the buildings and respond to issues and resident concerns. University police also routinely walk through all housing facilities.

Visitors to the residence halls and apartments must submit a Wayne State OneCard, driver's license or state identification card to receive a pass with a barcode. Once they leave the premises, they are removed from an internal tracking system that enables housing personnel to determine who is in the building.

Each year, the university publishes the Community Living Guide for the Residence Halls and Apartments. The guide contains detailed information about residence hall and apartment policies; services and amenities; check-in and check-out procedures; safety, security, and emergency procedures; personal emergency planning; and policies, procedures, and general information. The guide also contains a list of important phone numbers. It may be accessed online at [housing.wayne.edu/pdf/community-living-guide.pdf](http://housing.wayne.edu/pdf/community-living-guide.pdf).

## **5. What about lighting and maintenance issues that affect campus safety?**

Outside lighting and landscaping is designed for pedestrian safety and security. Sidewalks provide well-lit routes from parking areas to buildings and from building to building. Areas across campus are routinely surveyed to ensure they are well lit and that burned-out lights are promptly replaced. University community members are encouraged to call WSUPD (**313-577-2222**) if they see an area in need of additional or replacement lighting. Landscape personnel regularly trim shrubbery around sidewalks and building entrances to maximize visibility and eliminate areas where someone could hide. In terms of building security, exterior doors are locked electronically by university personnel. WSUPD routinely checks exterior doors to make sure they are locked.

Campus surface parking is designed and constructed to allow easy observation by those using the lots and structures, as well as maximum visibility for police officers and parking office personnel. Parking structures are routinely patrolled during normal hours of operation and staffed by parking office personnel.

## **6. Are there any programs offered specifically for students and employees to help them understand campus security procedures and learn how to protect themselves and prevent crime?**

WSUPD provides a wide array of presentations and programs designed to educate students and employees about security procedures and crime prevention

# QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

## Clery Act Reportable Crime Statistics for 2016, 2017 and 2018

	Main Campus			Student Housing			Non-Campus Property			Public Property			Satellite Campuses		
	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018	2016	2017	2018
Criminal Offenses															
Murder/ Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2*	9	1	2*	8	1	0	0	0	0	0	0	0	0	0
Fondling	1	1	8	0	0	6	0	0	0	1	3	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	3	1	3	0	0	0	0	0	0	12	8	7	0	0	0
Aggravated assault	0	1	1	0	1	0	0	0	0	0	1	0	0	0	0
Burglary	9	1	0	5	1	0	1	0	0	0	0	0	0	0	0
Motor vehicle theft	2	1	1	0	0	0	0	0	1	7	8	8	0	0	0
Arson	0	3	2	0	3	0	0	0	0	0	0	0	0	1	0
VAWA Offenses															
Domestic violence	2	2	0	2	2	0	0	0	0	2	0	0	0	0	0
Dating violence	2	0	1	1	0	1	0	0	0	1	0	0	0	1	0
Stalking	4	3	7	0	2	2	1	0	0	1	0	0	0	0	0
Arrests for Liquor, Drug and Weapons Law Violations															
Weapons law violations (carrying, possessing, etc.)	0	1	2	0	1	1	0	0	0	0	2	1	0	0	0
Drug law violations	1	1	1	1	0	0	0	0	0	5	4	7	0	0	0
Liquor law violations	7	11	3	7	11	3	0	1	0	0	14	31	0	0	0
Disciplinary Referrals for Liquor, Drug and Weapons Law Violations															
Weapons law violations (carrying, possessing, etc.)	0	1	1	0	1	1	0	0	0	0	0	0	0	0	0
Drug law violations	39	81	41	39	78	37	0	0	0	0	0	0	0	0	0
Liquor law violations	144	57	36	144	53	36	0	9	0	0	0	0	0	0	0
Hate Crimes															

\*One incident occurred in 2016 and was reported in 2017.



# QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

strategies to help keep them safe. At the beginning of each academic semester, the WSUPD's Crime Prevention Section sends an email to students, staff and faculty about our campus and ways to stay safe. This email discusses the following programs:

**SafeWalk.** If a student or an employee feels uneasy about walking alone on campus, they may call WSUPD at **313-577-2222** at any time and for any reason to request the SafeWalk service. The police will dispatch a uniformed and radio-equipped cadet or patrol officer to walk with the individual to their destination.

## **Rape Aggression Defense (RAD)**

**Courses:** WSUPD offers the following courses to the university community on a monthly basis throughout the academic year. Courses are also available during the spring and summer.

**RAD for Women:** The Rape Aggression Defense system is a 13-hour women's self-defense course that is internationally recognized as an effective and easy-to-learn personal safety tool. Each class consists of four separate sessions that cover a variety of topics, including personal safety and safety awareness, physical defense techniques, and aggressive defense measures to be used as options available to the woman who is attacked.

**RAD Weapons Defense Course for Women:** This course teaches participants real-life, hands-on defensive strategies against an assailant armed with an edged weapon or firearm.

**RAD Keychain Defense Options for Women:** This is one of the only realistic and court-defensible impact weapons programs available for the general public, and it combines proven RAD physical defense strategies with impact weapons defense techniques. The program revolves around use of the Kubaton keychain in conjunction with weapon-enhanced physical skills.

**RAD for Men:** This course is aimed at raising participants' awareness of aggressive behavior, raising their awareness of how aggressive behavior impacts their lives, and helping participants learn steps to avoid aggressive behavior. Participants consider how they can be part of reducing aggression and violence, and they practice hands-on self-defense

skills to resist and escape aggressive behavior directed toward them.

**Emergency Preparedness – Active Attackers Program.** This program provided by WSUPD is geared toward those interested in learning skills to stay safe and properly respond in the event of an active attacker situation. This training is available upon request.

**Street Smarts – How to Avoid Being a Victim.** Through these seminars, the WSUPD provides easy-to-use personal safety tips for a wide variety of real-world situations. This training is available upon request.

**Vehicle Identification Number (VIN) Etching Sessions.** The WSUPD hosts free, bimonthly VIN etching sessions for employees and students. Using a mild acid paste and computer cut stencils, VIN etching consists of cleanly, professionally, permanently and discreetly etching your car or truck VIN on six of your vehicle windows as a method of discouraging vehicle theft. VIN etching deters car theft because it requires a thief to replace the windows of a stolen car in order to match the bogus VIN they install in the stolen vehicle.

**Club Steering Wheel and Club Bike/Utility Lock Program.** WSUPD will provide to any student, staff or faculty member a steering wheel lock at the discounted price of \$14 and/or a Club Utility/Bike lock at the discounted price of \$18. These may be obtained at the WSUPD Records Section during regular business hours.

**Orientation.** WSUPD provides awareness and action programs each year at orientation for first-year students and their families, transfer students, incoming international students, and new employees.

**Other university programs.** In addition to programs offered through WSUPD, the university also provides the following programs and additional resources for faculty, staff and students:

## **Child Safety Training Program.**

This program is designed to increase employees' awareness about common signs of physical and sexual abuse and bullying of minors. There is significant emphasis on who to call if one suspects child abuse and/or bullying. This program is administered by the Office of Internal Audit and targets individuals who may come in contact with minors on campus.

## **Title IX, Sexual Harassment and Sexual Assault Awareness and Prevention:**

**Training for students.** The university offers sexual harassment and sexual assault awareness training in-person at all orientation sessions for first year students and their families, transfer students and incoming international students. These presentations include contact information for the Title IX coordinator (whose official title is Title IX director), deputy Title IX coordinators and the Wayne State Police, as well as information on reporting options and where to obtain support and resources. Students are also encouraged to participate in an interactive online education program called "**Voices for Change.**" This online training module provides valuable information to students regarding sexual violence, prevention strategies, practical methods for bystander intervention, and reporting and support options for victims and survivors in our campus community. In addition, this module contains information about alcohol and drugs, hazing and bullying. Anyone with a WSU AccessID may access this training program.

**Bystander Intervention Training:** In 2018 and 2019, the university hosted interactive, theatre-based bystander intervention programs during the fall semester called "**Speak About It.**" This live, interactive presentation empowers students to foster healthier relationships and build healthier communities by directly addressing issues of consent, sexual assault prevention and bystander intervention. It also provides young people with the tools to speak openly and honestly about sex and sexuality. Attendance was required for all students living in university housing.

**Training for faculty and staff.** Wayne State regularly offers in-person training for faculty and staff regarding the various types of prohibited sexual misconduct, mandatory reporting requirements, available supportive measures and resources, and where to find additional information on this topic. University employees are also encouraged to complete an interactive online training program about Title IX and mandatory reporting for faculty and staff.

# QUESTIONS AND ANSWERS ON SAFETY AND SECURITY ISSUES

## 7. What does WSU do to make its students aware of resources for keeping themselves safe?

At the beginning of each school year, the dean of students sends the following information by email to all students:

- Information about how to enroll in the **Broadcast Messaging Service**, Wayne State's emergency notification system, which uses texts and emails to alert stakeholders of a campus emergency (including Emergency Notifications and Timely Warnings) at [broadcast.wayne.edu](http://broadcast.wayne.edu).
- Notice that the university has cancelled classes is posted on the university's main webpage at [wayne.edu](http://wayne.edu). Those who have signed up for the Broadcast Messaging Service will also receive notification through text or email. Local television and radio broadcasts also provide information on university closures.
- **WSUPD**, [313-577-2222](tel:313-577-2222), is available 24 hours a day, 7 days a week, 365 days a year for any emergency, including fire and health emergencies. Students are encouraged to program the WSUPD number into their phones.
- Students are encouraged to draft personal preparedness plans. Information about these plans — including instructions and a checklist — is available at [housing.wayne.edu/pdf/student\\_preparedness\\_checklist.pdf](http://housing.wayne.edu/pdf/student_preparedness_checklist.pdf).
- Students living in university housing are subject to the Missing Student Notification Policy, discussed in detail on page 17 of this report. Those students should complete a confidential contact form. Forms are available at the front desk of every WSU residence hall and apartment building.
- Students are informed that, in emergency situations, the university's **Crisis Management Team** will convene and respond to the situation. The team will disseminate timely information to the campus community. Wayne State has a rigorous crisis plan, which is continually updated and revised. The university also conducts drills and simulations to prepare for crisis.

- **Counseling and Psychological Services (CAPS)** is part of Student Services and is dedicated to providing counseling and psychological services to Wayne State students. If students experience stress or feel they need other assistance, they are encouraged to contact CAPS at [313-577-3398](tel:313-577-3398). For assistance after normal hours of operation — including nights, weekends and university closures — students may call [313-577-9982](tel:313-577-9982).

In addition to the foregoing, the WSUPD website contains tips for campus safety, commuting safety, fraud prevention, home safety, personal safety, auto crime prevention and travel safety.

Information on registered sex offenders in the state of Michigan is available through the Michigan Public Sex Offender Registry website: [communitynotification.com/cap\\_main.php?office=55242](http://communitynotification.com/cap_main.php?office=55242).

The **Behavioral Intervention Team (BIT)** serves as the university's behavioral threat assessment and early intervention team to address student behavioral issues. BIT also provides guidance to members of the university community in an effort to achieve consistency in handling student issues and ensure compliance with the Student Code of Conduct, housing policies, and other student-related policies and practices.

Any person who is concerned about student behavior should contact the **Dean of Students Office** at [313-577-1010](tel:313-577-1010), by email at [doso@wayne.edu](mailto:doso@wayne.edu) or through a Student Care Report, available at [cm.maxient.com/reportingform.php?WayneStateUniv&layout\\_id=2](http://cm.maxient.com/reportingform.php?WayneStateUniv&layout_id=2).

# MICHIGAN AND FEDERAL LAWS

## Summary of the Law Governing Drug and Alcohol Abuse, Possession, and Sale

Under Michigan law, the manufacture, delivery or dispensation of a controlled substance or possession of a controlled substance with the intent to manufacture or deliver the controlled substance is a crime. See Mich. Comp. Laws § 333.7401, et seq. The penalties for this crime vary depending on the amount and nature of the drug. Penalties range from fines and brief jail times up to the possibility of life imprisonment. Additional penalties can be imposed for the delivery of drugs to a minor, and multiple offenses will result in harsher punishments. In addition, property used to transport controlled substances may be confiscated and forfeited to the state. See Mich. Comp. Laws § 333.7522.

Operating a motor vehicle while intoxicated is prohibited under Michigan law. See Mich. Comp. Laws § 257.625(1). Penalties for violating this prohibition include service to the community for a period of not more than 360 hours; imprisonment for not more than 93 days; and/or a fine of not less than \$100 or more than \$500, in addition to suspension of one's driver's license. Subsequent offenses and/or extenuating circumstances, such as a higher blood alcohol content or injury to/death of another person, carry additional fines and lengthier terms of imprisonment, as well as forfeiture of the right to drive.

Michigan law prohibits public intoxication that causes one to act in a manner that endangers the safety of another person or property or that causes a public disturbance. See Mich. Comp. Laws § 750.167

Michigan law prohibits the carrying, possession, use or discharge of a firearm while an individual is under the influence of alcohol or controlled substances. See Mich. Comp. Laws § 750.237. Violation of this prohibition will result in forfeiture of the weapon to the state, among other possible penalties. See Mich. Comp. Laws § 750.239.

The federal government determines whether and how a drug should be controlled. Psychoactive (mind-altering) chemicals are categorized according to

Schedules I through V. These schedules determine if a drug can be prescribed by a physician and under what conditions. Penalties for the illegal sale or distribution of a drug are established using the designations of Schedule I through V.

**Schedule I** drugs have a high potential for abuse with no currently accepted medical uses. Production of these drugs is controlled. Examples include GHB, heroin, methaqualone, marijuana, ecstasy, peyote and MDMA.

**Schedule II** drugs are considered dangerous and have a high potential for abuse, but have some medical uses. Production of these drugs is controlled. Examples include opium, morphine, codeine, other narcotics, barbiturates, cocaine, amphetamines, PCP and OxyContin.

Federal criminal penalties for selling Schedule I and II drugs vary with the quantity of the drug and whether the individual has the drug for personal use or for sale. Criminal penalties are more severe if sale or use of the drug results in death, if drug use is tied to sexual assault, or for repeat offenses.

Federal penalties for Schedule I, II, III, IV and V (except marijuana) are set forth in the attached **Schedule A**. Federal penalties for marijuana, hashish and hashish oil, and Schedule I substances are set forth in the attached **Schedule B**.

**Schedule III, IV and V** drugs include those most citizens would categorize as "prescription drugs." Schedule III drugs have some potential for abuse but less than those on Schedules I and II. The potential for abuse of Schedule IV drugs is less than those on Schedule III, and the potential for abuse of Schedule V drugs is less than those on Schedule IV. All Schedule III to V drugs have medical uses and their production is not controlled. Examples of these drugs include some narcotics, barbiturates, depressants, amphetamines and other stimulants. Penalties for sale of these drugs depend on whether it is a first offense or repeated offense. See **Schedule A**.

## Health Risks and Medical Consequences of Alcohol and Drug Abuse

For the user, abuse of alcohol and illegal drugs presents significant health risks and medical consequences:

- Addiction to alcohol or other drugs is a progressive disease, which, if untreated, can be fatal.
- Alcohol abuse can result in liver damage and disease, gastrointestinal problems, and brain damage.
- Abuse of alcohol and marijuana during puberty can cause imbalance of sex hormones, resulting in reduced muscle mass and shrinkage of testicles in males and menstrual difficulties and infertility in females.
- Marijuana is psychologically addicting and can contribute to short-term memory problems.
- Long-term use of stimulants ("uppers," including speed, crack, methyl, crystal, etc.) may cause permanent damage to the brain, heart, lungs and other organs.
- The use of cocaine and amphetamines can result in heart attacks; people who lack an enzyme called pseudo cholinesterase in their bodies can die from a single minute dose of cocaine.
- Inhalants (poppers, rush, laughing gas, sniffing of glue or paint thinner, etc.) may cause mental confusion, mood swings, delusions or hallucinations.
- The use of hallucinogens — especially PCP (angel dust) — can result in an irreversible drug-induced psychotic state and/or delusions of omnipotence, which can trigger life-threatening behavior.
- Depressants ("downers," including ludes, reds, 714s, barbs) greatly increase the risk of automobile accidents because they affect vision, judgment, coordination and other physical skills.

Intravenous drug users (users of heroin and other opiates) risk infection by diseases such as hepatitis and Acquired Immune Deficiency Syndrome (AIDS) from sharing needles.



## University Policy on Drugs and Alcohol

The university has developed and implemented a comprehensive drug and alcohol prevention program (hereinafter referred to as the "DAAPP") for students and employees. The DAAPP consists of the following four elements: standards of conduct, treatment resources, education and a biennial review of the DAAPP. These standards of conduct are set forth below. The intent of the DAAPP is to deter students and employees from using illicit drugs and from abusing alcohol on university property and in connection with university-sponsored activities. Additional information regarding the DAAPP may be found at [wayne.edu/pdf/daapp-procedures.pdf](http://wayne.edu/pdf/daapp-procedures.pdf).

With respect to the university's drug policies below, it is important to note that while the state of Michigan has legalized the use of recreational marijuana, the state law changes have no effect on federal law. The use, possession or sale of marijuana remains a crime under federal law. Likewise, the university complies with both federal and state laws and

remains bound to the commitments that it has made to the federal government. Accordingly, the use, distribution, dispensation, sale or manufacture of marijuana remains prohibited on university premises, at university activities and at university worksites, and marijuana is encompassed in the university's drug policies.

It will not be legal to: a) publicly consume marijuana, b) drive under the influence of marijuana, or c) provide marijuana to anyone under 21. The law does not prevent an employer from disciplining an employee for violating a workplace drug policy or for working under the influence. A landlord may bar marijuana growing and smoking from their property.

Wayne State University **Statute 2.20.04, Drug and Alcohol Abuse on Campus**, provides:

Wayne State University is committed to providing a drug-free environment for its faculty, staff and students. The unlawful possession, use, distribution, dispensation, sale or manufacture of drugs or alcohol is prohibited on university premises, at university activities and at university worksites.

Any student or employee who is convicted of a criminal drug offense occurring at the workplace or is convicted of the unlawful possession, use, distribution, dispensation, sale or manufacture of drugs or alcohol on university premises or at any university activity shall be subject to discipline consistent with applicable university policies and contracts and may be required to participate in an appropriate drug or alcohol treatment program as a condition of further employment or enrollment.

The university encourages employees and students who may have problems with the use of illicit drugs or with the abuse of alcohol to seek professional advice and treatment. The Board of Governors encourages the administration to explore additional ways to ensure that members of the university community are aware of the dangers inherent in the abuse of drugs and alcohol, and to assist those who suffer from alcohol or drug abuse in obtaining access to necessary rehabilitation and treatment.

All faculty, staff and students must abide by the terms of this policy as a condition of employment or enrollment at the university. Any faculty or staff member who is directly engaged in the performance of a federal grant or contract and who is convicted of a criminal drug-related offense that occurred at the workplace must notify their supervisor within five days of the conviction.

This policy is adopted in accordance with the Drug-Free Schools and Communities Act Amendments of 1989 and the Drug-Free Workplace Act of 1988, and incorporates and supersedes the policy adopted by the Board of Governors in June 1989, in accordance with the Drug-Free Workplace Act of 1988.

The university is required by law to notify federal grantor agencies of such convictions within 10 days after it receives such notice. For purposes of this policy, a conviction includes a plea of guilty or of *nolo contendere*.

### SUSPENSION OF ELIGIBILITY FOR FINANCIAL AID FOR DRUG-RELATED OFFENSES

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any grant, loan or work assistance during the period beginning on the date of such conviction and ending after the interval specified in the following table:

Possession of a Controlled Substance	Ineligibility Period
First offense	1 year
Second offense	2 years
Third offense	Indefinite
Sale of a Controlled Substance	Ineligibility Period
First offense	2 years
Second offense	Indefinite

A student whose eligibility has been suspended based on a conviction for possession or sale of a controlled substance may resume eligibility before the end of the ineligibility period if:

- The student satisfactorily completes a drug rehabilitation program that:
  - Complies with the criteria prescribed in the federal regulations
  - Includes two unannounced drug tests
- The student successfully passes two unannounced drug tests conducted by a drug rehabilitation program that complies with the criteria prescribed in the federal regulations
- The conviction is reversed, set aside or otherwise rendered nugatory.



# UNIVERSITY POLICIES



Wayne State University **Statute 2.85.06, Alcoholic Beverages, Use on Campus**, provides:

The use or possession of alcoholic beverages is expressly prohibited in classrooms, lecture halls, laboratories, the libraries, the chapel, and within buildings or arenas where athletic events, lectures, and concerts are held.

The use of alcoholic beverages is expressly prohibited in all public areas of campus buildings except as indicated in the following two paragraphs:

The use of alcoholic beverages, subject to state law, is permitted in areas designated by, and with the approval of, the Office of the President.

The use of alcoholic beverages at student social events, subject to state law, is permitted in areas designated by, and with the approval of, the Office of the President.

The standards of conduct are reinforced by the WSU Student Code of Conduct, which prohibits the illegal use, possession, manufacture or distribution of drugs and requires compliance with university regulations pertaining to the sale and consumption of alcohol. Potential sanctions range from a reprimand to expulsion. Additionally, the official housing regulations, found in the Community Living Guide, restrict the possession, use and distribution of alcohol in student housing to those over the age of 21, prohibits drugs and drug paraphernalia, provides for sanctions, and further reinforce the above standards of conduct. More detailed housing regulations may be found at [housing.wayne.edu/pdf/community-living-guide.pdf](https://housing.wayne.edu/pdf/community-living-guide.pdf).

The university encourages employees and students who may have substance abuse problems to seek professional advice and treatment. Wayne State University employees may obtain confidential assistance through the Wayne State University Employee Assistance Program at **Ulliance, 800-448-8326; lifeadvisoreap.com**. Students may seek confidential assistance by contacting **Counseling and Psychological Services (CAPS)** at

**313-577-3398**. Students may also seek treatment at the Campus Health Center, located at 5285 Anthony Wayne Dr., **313-577-5041**.

## University Policies Prohibiting Sex Discrimination, Sexual Harassment, and Sexual Assault

Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. WSU is subject to Title IX. Sex discrimination that violates Title IX includes sexual harassment, sexual assault, domestic violence, dating violence, stalking and retaliation.

### University Title IX Compliance

The **Title IX coordinator** for the university is Brandy Banks, whose official title is **Title IX director**. She can be reached at **313-577-9999** or **TitleIX@wayne.edu**. The **deputy Title IX coordinators** are:

David Strauss, Ph.D., dean of students  
**313-577-1010**  
[davidstrauss@wayne.edu](mailto:davidstrauss@wayne.edu)

Nikki Dunham, director of Residence Life  
**313-577-2116**  
[ndunham@wayne.edu](mailto:ndunham@wayne.edu)

Theresa Arist, senior woman administrator/associate athletics director  
**313-577-4282**  
[Theresa.arist@wayne.edu](mailto:Theresa.arist@wayne.edu)

Reports of Title IX violations can be made to the Title IX coordinator or any of the deputy coordinators. Reports of Title IX violations may also be filed directly with the U.S. Department of Education, Office for Civil Rights: **800-421-3481; OCR@ed.gov**. The regional Office for Civil Rights for the state of Michigan is located in Cleveland, Ohio, and may be contacted at **216-522-4970; OCR.Cleveland@ed.gov**.

### University Policies and Statutes

WSU statutes and policies prohibit sexual discrimination — which includes sexual assault, sexual harassment, domestic and dating violence, stalking, and retaliation

— in accord with the requirements of Title IX. These statutes and policies apply to faculty, staff and students and are available online.

The **WSU Non-Discrimination/Affirmative Action policy** ([oeo.wayne.edu/pdf/affrm\\_actn\\_policy.pdf](https://oeo.wayne.edu/pdf/affrm_actn_policy.pdf)) states that Wayne State University is committed to non-discrimination and equal opportunity in all of its operations, employment opportunities, educational programs and related activities. This policy embraces all persons regardless of race, color, sex (including gender identity), national origin, religion, age, sexual orientation, familial status, marital status, height, weight, disability or veteran status and expressly forbids sexual harassment and discrimination in hiring, terms of employment, tenure, promotion, placement and discharge of employees, admission, training and treatment of students, extracurricular activities, the use of university services, facilities, and the awarding of contracts. This policy also forbids retaliation and/or any form of harassment against an individual as a result of filing a complaint of discrimination or harassment, or participating in an investigation of a complaint of discrimination or harassment. It shall not preclude the university from implementing those affirmative action measures, to the extent permitted by law, which are designed to achieve full equity for minorities and women.

The university, as an equal opportunity/affirmative action employer, complies with all applicable federal and state laws regarding non-discrimination and affirmative action. In furtherance of this policy, the university is also committed to promoting institutional diversity to achieve full equity in all areas of university life and service and in those private clubs and accommodations that are used by university personnel. No off-campus activities sponsored by or on behalf of Wayne State University shall be held in private club facilities or accommodations which operate from an established policy barring membership or participation on the basis of race, color, sex (including gender identity), national origin, religion, age, sexual orientation, familial status,



marital status, height, weight, disability, or veteran status. Affirmative action procedures, measures, and programs may be used to the extent permitted by law to establish, monitor and implement affirmative action plans for all budgetary units and the university as a whole.

Overall responsibility for implementation of the Non-Discrimination/Affirmative Action Policy and university compliance with all applicable federal, state and local laws and regulations has been delegated by the president to the **Office of Equal Opportunity (OEO)**. Complaints for violation of this policy can be made to OEO at **313-577-2280**.

## The WSU Statute Prohibiting Sexual Harassment ([policies.wayne.edu/appm/3-0-4-sexual-harassment](http://policies.wayne.edu/appm/3-0-4-sexual-harassment))

defines sexual harassment in accord with Michigan law, which prohibits unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

1. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.
2. Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or public services, education, or housing.
3. Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing or creating an intimidating, hostile or offensive employment, public accommodations, public services, educational, or housing environment.

The **WSU Policy Prohibiting Sexual Assault ([policies.wayne.edu/01-5-sexual-assault.php](http://policies.wayne.edu/01-5-sexual-assault.php))** defines sexual assault as including, but not necessarily limited to:

1. Any intentional, unconsented, unwelcome physical contact or threat of unwelcome physical contact or attempt thereof, of: (a) an intimate body part of another person, such

as a sexual organ, (b) any body part of another person with one's sexual organs, or (c) any part of another person's body with the intent of accomplishing a sexual act; or

2. Unwanted, inappropriate disrobing of another person, or purposeful exposure of one's genitals to another without the other's consent; or
3. Forcing, or attempting to force, any other person to engage in sexual activity of any kind without his or her consent; or
4. Any behavior that is proscribed as "criminal sexual conduct" under the Michigan Penal Code, notwithstanding whether criminal charges have been brought against the individual alleged to have engaged in such behavior.

For the purposes of these university policies, **consent** is deemed **not** to have occurred if given by a person who is unable to make a reasoned judgment concerning the nature or harmfulness of the activity because of their intoxication, unconsciousness, mental deficiency or incapacity, or if the product of threat or coercion. **Consent** is not separately defined by Michigan law.

**Sexual assault** is prohibited as Criminal Sexual Conduct under Michigan law.

**Rape** is a form of criminal sexual conduct that occurs when a person engages in sexual penetration with another person and if:

- The other person is under 13 years of age
- The other person is between 13 and 16 years of age and is a member of the same household, a relative to the fourth degree, the actor coerced the victim to submit, the actor is a teacher, volunteer, or contractor in a school or child care organization in which the other person is enrolled
- Sexual penetration occurs under circumstances involving the commission of any other felony
- The actor is aided or abetted by one or more other persons and either of the following circumstances exists:
  - The actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated or physically helpless
  - The actor uses force or coercion to accomplish the sexual penetration

- The actor is armed with a weapon or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon
- The actor causes personal injury to the victim and force or coercion is used to accomplish sexual penetration
- The actor causes personal injury to the victim, and the actor knows or has reason to know that the victim is mentally incapable, mentally incapacitated or physically helpless
- That other person is mentally incapable, mentally disabled, mentally incapacitated or physically helpless, and the actor is related to the victim by blood or affinity to the fourth degree or the actor is in a position of authority over the victim and used this authority to coerce the victim to submit

For purposes of this definition, **sexual penetration** means sexual intercourse, cunnilingus, fellatio, anal intercourse or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.

Michigan law also prohibits criminal sexual conduct other than rape that involves sexual contact without consent. **Sexual contact** means the intentional touching of the victim's or actor's intimate parts or the intentional touching of the clothing covering the immediate area of the victim's or actor's intimate parts, if that intentional touching can reasonably be construed as being for the purpose of sexual arousal or gratification, done for a sexual purpose or in a sexual manner for revenge, to inflict humiliation or out of anger.

In addition, the university's **Student Code of Conduct** prohibits sexual misconduct perpetrated by students. The Student Code of Conduct is available at [doso.wayne.edu/pdf/student-code-of-conduct.pdf](http://doso.wayne.edu/pdf/student-code-of-conduct.pdf). The Student Code of Conduct also outlines a complaint process that can be used for allegations of sexual misconduct where the alleged perpetrator is a student.

Included in the definition of sexual



misconduct are the following, which also constitute crimes under Michigan law:

1. **Domestic Violence:** Michigan law prohibits the assault or battery of an individual's spouse or former spouse, a person with whom the individual has had a child in common, or a resident or former resident of the individual's household.
2. **Dating Violence:** Michigan law prohibits the assault or battery of a person with whom an individual has had a dating relationship. For purposes of this definition, dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context.
3. **Stalking:** Michigan law prohibits stalking, which it defines as a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed or molested.

## Student Sanctions

Students who are found to have engaged in sexual misconduct through the Student Code of Conduct process will be sanctioned. Available sanctions include, but are not limited to:

- **Disciplinary Reprimand.** Notification that the student has committed an act of misconduct, and warning that another offense may result in the imposition of a more serious sanction.
- **Disciplinary Probation.** A disciplinary status that does not interfere with the student's right to enroll in and attend classes, but that includes specified requirements or restrictions (for example, restrictions from representing the university in any extracurricular activity or running for or holding office in any student organization) for a specific period of time as determined in the particular case.
- **Loss of Privileges.** Denial of specified

privileges for a designated period of time, including, but not limited to, the privilege of participating in non-academic activities or student organizations on campus.

- **Discretionary Sanctions.** Assignments, essays, service to the university or other related discretionary assignments.
- **Campus Housing Suspension.** Separation of the student from the residence halls or apartments for a definite period of time or until the student demonstrates that they have satisfied conditions established for return determined at the time of suspension.
- **Campus Housing Expulsion.** Permanent expulsion of the student from the residence halls or apartments.
- **Suspension.** A denial of the privilege of continuing or enrolling as a student anywhere within the university, and denial of any and all rights and privileges conferred by student status for a specified period of time. At the termination of the suspension, the student will be entitled to resume their education without meeting any special academic entrance requirements.
- **Expulsion.** A permanent denial of the privilege of continuing or enrolling as a student anywhere within the university, and permanent denial of any and all rights and privileges conferred by student status.
- **Restitution.** The requirement that a student make payment to the university or to another person or group of persons, or to a student organization for damage caused as a result of a Student Code of Conduct violation.
- **Transcript Disciplinary Record.** An entry onto the student's transcript, permanently or for a specified period of time, indicating that the student has been found to have engaged in prohibited conduct, pursuant to Sections 2.31.02.145 through 2.31.02.245 ("Prohibited Conduct") of the Student Code of Conduct. The entry shall also designate the sanction imposed.

## Employee Sanctions

Employees who are found to have engaged in sexual harassment or sexual assault in violation of the policies outlined

above will be subject to disciplinary action in accordance with the Personnel Manual for Non-Represented Employees or pursuant to applicable collective bargaining agreements.

## Criminal Prosecution

Perpetrators of sexual assault, dating violence, domestic violence or stalking may be subject to criminal prosecution.

## How to Report an Incident

Wayne State encourages individuals to promptly report incidents of sexual misconduct — which includes sexual assault, sexual harassment, domestic and dating violence, stalking, and retaliation — to the Title IX coordinator/director at **313-577-9999** or **titleix@wayne.edu**. In addition, individuals are encouraged to report sexual misconduct that may also violate criminal law to the Wayne State Police at **313-577-2222**. These processes are not mutually exclusive. WSU expects that all complaints will be filed in good faith.

Reporting is important for three reasons: (i) the university must fulfill its obligations under Title IX, which require an investigation and prompt remedial action; (ii) the university must provide appropriate interim/supportive measures and resources; and (iii) the university must fulfill its reporting obligations regarding certain crimes pursuant to the Clery Act. Any university student, employee or third party who seeks to make a complaint or report may do one or more of the following:

Student options for reporting:

Any student who reports having experienced sexual misconduct by another student, a faculty member or a staff member of the university, **has the option to report the matter to law enforcement, to the university, to both or to neither, as the student may choose.**

**Where to report if a student chooses to report:**

## Reporting to the University

To report to the university, contact the Title IX director at **313-577-9999** or at **titleix@wayne.edu**. The Title IX director will implement appropriate interim/supportive measures, offer resources, and where appropriate, initiate a prompt, fair



and reliable investigation. Students are entitled to interim/supportive measures and resources even if they choose not to participate in an administrative investigation.

## Reporting to Law Enforcement

To report to the Wayne State Police, call **313-577-2222**. Responding officers make the survivor's well-being their first priority. They will assist the survivor in obtaining appropriate medical attention. Interviews of survivors will be conducted by same-gender officers upon request by the survivor. The identity of the survivor is not released to the public. The police will also provide protection, assist with all necessary steps in the event the survivor wishes to initiate a criminal prosecution and notify the necessary university staff of the incident if the student so wishes and this has not already been done. Where a criminal arrest is made, a WSUPD officer will, upon request, accompany the survivor throughout the criminal proceedings (line-ups, preliminary examination, pre-trial conferences, trials and sentencing).

Deciding whether to pursue charges through the criminal justice system is an individual decision only a survivor can make. However, survivors are strongly encouraged to immediately notify WSUPD so that the police can investigate and preserve evidence. Even if a person does not initially want to file criminal charges, they may change their mind later. The university will provide assistance and accommodations to survivors of sexual assault, domestic violence, dating violence and stalking regardless of whether they ultimately choose to pursue criminal charges.

## Mandatory reporting – Responsible Employees

Wayne State faculty and staff are considered responsible employees and are obligated to promptly report incidents of sexual misconduct. The only exception are employees who by their role at the university and their required licensing, must maintain total confidentiality, such as professional counselors or health care providers acting in that role when they receive a disclosure. As indicated above, students cannot be required to report an incident; they have the option to report

to the university, to law enforcement, to both or to neither. Regardless of what course of action the student chooses, Wayne State faculty and staff who know of or have received information about a sexual misconduct or potential sexual misconduct incident that occurred on campus, in a university program, or at a university-sponsored event, **must promptly report that incident to the Title IX director** so that Wayne State can fulfil its institutional obligations.

Wayne State may still be obligated to investigate even where the student chooses not to report or where the student is unwilling or reluctant to participate in an investigation. Wayne State will proceed in a way that takes into account the concerns of the student/survivor and Wayne State's responsibility to provide a safe and non-discriminatory environment to the entire campus community.

## Title IX Procedures:

### What happens after a report is made:

After a report of sexual misconduct is made, the Title IX director, with the assistance of one or more deputy Title IX coordinators, implements appropriate interim/supportive measures, offers available resources to all parties involved in the incident and, where appropriate, initiates an investigation to ascertain whether there has been a violation of university policy/Title IX. Throughout this process, the individual alleging sexual misconduct will be referred to as the complainant. The individual accused of sexual misconduct will be referred to as the respondent.

### Amnesty for alcohol and other drug use:

An individual who reports sexual misconduct, as either a complainant or a witness, will not receive disciplinary action by the university for using alcohol or other drugs around or during the incident.

### Interim/supportive measures:

Interim or supportive measures are individualized services offered as appropriate to either or both the complainant and the respondent involved in an alleged incident of sexual misconduct prior to an investigation or while an investigation is pending. Interim/supportive measures include

counseling, extensions of time or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar accommodations.

In fairly assessing the need for a party to receive interim/supportive measures, Wayne State will not rely on fixed rules or operating assumptions that favor one party over another, nor will Wayne State make such measures available only to one party.

Interim/supportive measures will be individualized and appropriate based on the information gathered by the Title IX director, making every effort to avoid depriving any student of their education.

The measures needed by each student may change over time, and the Title IX director will communicate with each student throughout the investigation to ensure that any interim/supportive measures are necessary and effective based on the students' evolving needs.

### The investigation process:

The goal of each administrative investigation is to seek the truth; maintain a compassionate and sensitive approach to all; be fair, impartial, reliable and thorough; preserve the dignity of all parties; and maintain professionalism and consistency in the process, procedures and communications. Confidentiality and privacy are very important. All parties, witnesses and persons reporting are requested to maintain the confidentiality of the complainant and respondent, and are encouraged not to discuss an investigation with other witnesses or persons.

With every investigation, the burden is on Wayne State, not on the parties, to gather sufficient evidence to reach a fair, impartial determination as to whether sexual misconduct has occurred and, if so, where a hostile environment has been created that must be redressed. Wayne State will make every effort to ensure that there are no actual or perceived conflicts of interest and biases for or against any party, that institutional interests do not interfere with the impartiality of the





investigation, and that sex or gender-based stereotypes or generalizations will not be used. The university uses a “preponderance of the evidence” standard in Title IX proceedings, meaning that the evidence shows it is more probable than not that the alleged misconduct occurred.

All investigations conducted at Wayne State will be done by a trained investigator who will analyze and document the available evidence to support reliable decisions; objectively evaluate the credibility of parties and witnesses; evaluate all available evidence, including evidence that is both favorable and unfavorable to both the complainant and the respondent; and take into account the unique and complex circumstances of each case. The administrative Title IX investigation may need to be temporarily delayed where the police are gathering evidence and conducting a criminal investigation of the same incident. The results of a police investigation will not determine whether an incident constitutes a violation of Title IX or university policy. All rights or opportunities that Wayne State makes available to one party during the investigation will be made available to the other party on equal terms.

Once Wayne State decides to open an investigation that may lead to disciplinary action against the responding party, it will provide written notice to the responding party of the allegations constituting a potential violation of Wayne State’s sexual misconduct policies, including sufficient details and with sufficient time to prepare a response before any initial interview. Each party will receive written notice in advance of any interview with sufficient time to prepare for meaningful participation.

The investigation will result in a written report summarizing the relevant evidence, with findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of the relevant Wayne State policy. The parties will be given an opportunity to respond to the report in writing for the purpose of correcting what they believe may be inaccuracies with regard to the information they provided.

The university prohibits the issuance of differing reports to complainants, respondents and administration and instead requires that identical reports be issued to them.

In all Title IX investigations, the university prohibits the use of medical experts that have an actual or apparent conflict of interest.

If it is determined that there is sufficient evidence, based upon the preponderance of the evidence standard, that a violation has occurred, the matter will then proceed under the Student Code of Conduct process (where the offender is a student) or under the university’s Discrimination and Harassment Complaint Process (where the offender is a faculty or staff member). All parties are guaranteed appropriate due process under either of these two procedures, which includes having access to the case file before any informal or formal hearing.

#### **Student Code of Conduct Procedures:**

If a matter proceeds under the Student Code of Conduct, the dean of students will notify the respondent that they may meet with the dean for an Informal Disciplinary Conference or have the matter heard by a formal hearing committee convened by the dean of students.

#### **Informal Disciplinary Conference:**

Where the respondent elects to participate in an Informal Disciplinary Conference, he/she shall have access to the case file prior to and during the conference, an opportunity to respond to the evidence and to call appropriate witnesses, and to be accompanied and assisted by an advisor of their choice; however, the advisor may not actively participate in the conference. The dean of students then renders a decision. If the dean sustains the charges, the dean will decide the appropriate sanction, pursuant to the sanction options provided by the Student Code of Conduct. The dean will provide written notice of the outcome of the Informal Disciplinary Conference to the reporting and responding parties at the same time. The decision of the dean is final, and there is no right of appeal.

#### **Hearing Committee Procedures:**

Where the respondent elects a full hearing, a hearing committee (which

is selected pursuant to Sections 15.1, 15.2 and 15.3 of the Student Code of Conduct) consisting of three faculty or staff members and two students will convene to conduct a fair and impartial hearing of the charges. The complainant and the respondent will receive advance notice of the hearing and will be given access to the case file. Pursuant to Section 15.0 of the Student Code of Conduct, both parties should attend the hearing, but their attendance is not required for the hearing to proceed. Both parties will be given the opportunity to testify and to question opposing witnesses; however, no student can be required to testify against themselves. Both parties may bring an advisor of their choice to counsel and assist them; however, the advisor may not actively participate in the hearing. Hearings are generally closed to the public, and witnesses may be sequestered during the course of the hearing. Hearings will normally be recorded.

Consistent with the Sixth Circuit Court of Appeals’ decision in *Doe v. Baum*, 903 F.3d 575 (6th Cir, 2018), rehearing en banc denied, 2018 U.S. App. LEXIS 28773 (6th Cir. 10.11.18), and pending a more comprehensive review and amendment of policies and procedures, WSU has adopted a set of Interim Administrative Hearing Procedures for cases handled under the Student Code of Conduct. These interim procedures apply only in those cases in which: (1) A Title IX investigation into alleged student misconduct has been undertaken by a qualified Title IX investigator or by an individual authorized to conduct such investigations under the Student Code of Conduct; (2) The investigation documents competing narratives about the alleged sexual misconduct such that credibility is an issue that is material to the outcome; (3) Based upon the facts and evidence documented in the final investigative report, if the complainant’s narrative were to be determined to be more credible than that of the respondent’s, the finding would necessarily then be a violation of university policy; and (4) the investigator has determined that the alleged sexual misconduct is serious enough, if established, that the potential sanction against the respondent could be suspension or expulsion.



Where all of the foregoing circumstances are present, the university will designate and retain a trained and experienced attorney (hereinafter referred to as the "hearing officer"), to: (a) manage the hearing process; (b) assist the committee (which is selected pursuant to Sections 15.1, 15.2 and 15.3 of the Student Code of Conduct) in assessing responsibility under the preponderance of the evidence standard; and (c) where responsibility for violation of university policy is found, on the committee's request, assist the committee in determining appropriate sanction(s).

All of the procedures set forth in the Student Code of Conduct, Section 15.0 Hearing Procedures, will be adhered to with the following changes:

1. The Title IX director will be responsible for providing the committee with a copy of the Title IX investigator's final report except for any findings as to credibility and responsibility. Those will be decided by the hearing panel.
2. All participants are expected to be respectful of each other's purpose in the hearing process and to conduct themselves according to the direction of the hearing officer. At the request of either party made not less than five (5) business days before the hearing, or at the hearing officer's discretion, the hearing officer may modify the procedures to take into consideration the support and privacy needs of the parties and/or other potential hearing participants. This may include, but is not limited to, alteration of the hearing room setup, use of multiple rooms, video-conferencing equipment, or other electronic means of communicating.
3. The hearing officer may adopt additional procedures as are necessary and appropriate to the case so as to avoid re-traumatization of the complainant.
4. Pertinent records, exhibits, and written statements provided during the investigation stage of the process shall be admitted into evidence unless, in the judgment of the hearing officer: (a) it is so prejudicial as to outweigh any probative value; or (b) is not relevant to the determination to be made by the committee. Any additional information may be accepted for consideration by the hearing officer at his/her discretion.
5. Consistent with the holding in *Doe v. Baum*, the respondent will be allowed to cross examine the complainant and the complainant's witnesses; and where such cross examination occurs, the complainant shall also be allowed to cross examine the respondent and the respondent's witnesses. The following rules shall apply with regard to such cross examination:
  - a. Either party may waive his/her right to cross examination; such waiver shall be documented in writing to the hearing officer.
  - b. The hearing officer will establish reasonable time frames for cross examination.
  - c. Cross examination shall be limited to the facts of the case, and there will be no questioning of the parties about prior sexual activity, although questions about the parties prior sexual relationship, if any, may be allowed at the discretion of the hearing officer.
  - d. Cross examination will be monitored closely by the hearing officer [in some cases this would mean no cross examination was possible] to avoid the creation of an adversarial, intimidating or hostile environment.
  - e. The hearing officer will take precautions so that the complainant and the respondent are not sitting in the same room at the same time unless they choose to do so. These precautions may include, but are not limited to, alteration of the hearing room setup, use of multiple rooms, use of video-conferencing equipment, or other electronic means of communicating. However, the hearing officer shall insure that whatever party is being cross examined is present in the same hearing room as the committee so that the committee can assess that individual's demeanor first hand.
  - f. Where a complainant or a respondent elects not to respond to cross examination, the hearing officer shall instruct the committee on its authority to draw all reasonable inferences from this failure to testify.
- g. The hearing officer shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of the parties or witnesses. Any person, including the complainant and respondent, who disrupts a hearing or who fails to adhere to the ruling(s) of the hearing officer, may be excluded from the proceedings. The hearing officer may exclude witnesses other than the complainant and respondent from the hearing during the testimony of other witnesses.
- h. The hearing officer or the committee in his/her/their discretion, may pose additional questions to the respondent, the complainant, the Title IX investigator, and any witnesses presented.

For all hearing procedures, including the interim hearing procedures set forth above, absent the respondent's consent to a smaller panel, a simple majority of the committee members must be present for a hearing. Although present at the hearing, the dean of students will not be present during the committee's deliberations. Following the hearing, the committee will prepare and send its decision to the dean of students. The decision must include a summary of the hearing and the committee's decision-making process. If the committee sustains the charges, it will also recommend sanctions. The dean may adopt the recommended sanctions or impose sanctions more or less severe. The dean will notify the respondent, the complainant and the student conduct officer of the decision and the sanction(s) in writing at the same time. In those cases in which the nature of sanction(s) requires notice to the registrar, the student conduct officer shall forward the dean's notice to the registrar.

If, as a result of a formal hearing process, a sanction is imposed, the student may request written review of the decision to the president or his/her designee pursuant to Section 18.0 of the Student Code of Conduct. The president or his/her designee may affirm, reverse or



modify the decision. The student, the dean, the charging party and the student conduct officer shall be notified of the decision in writing within a reasonable time.

## **Discrimination and Complaint Process Procedures:**

If a matter involves an employee as the respondent and the Title IX investigator determines that there is sufficient evidence, based upon the preponderance of the evidence standard, that a violation has occurred, the matter then proceeds under the Discrimination and Harassment Complaint Process, which can be found at [policies.wayne.edu/05-03-discrimination-harassment.php](https://policies.wayne.edu/05-03-discrimination-harassment.php). This process is handled by the university's Office of Equal Opportunity (OEO).

Once a finding is made under this process, the assistant vice president of OEO issues a **Notice of Disposition**, which includes a finding that there is either (a) insufficient cause to conclude that the respondent engaged in conduct in violation of the university's policies on sexual assault, sexual harassment or sex discrimination; or (b) probable cause that the respondent engaged in such conduct. The Notice of Disposition will be provided at the same time to the reporting and responding parties and to the vice president or dean of the unit where the respondent is employed. Where prompt remedial action is required, which can include disciplinary action, the vice president or dean of the unit where the respondent is employed is responsible for implementing the prompt remedial action consistent with any relevant collective bargaining agreements and other university statutes, such as university Policy 2005-03 and BOG Statute 2.51.01, Appointments, Continuing Tenure, Termination and Dismissal Policies and Procedures for Faculty.

If the complainant, respondent, or vice president or dean is dissatisfied with the Notice of Disposition, they may file an appeal to the chief of staff within 14 days after the final Notice of Disposition has been issued. The appeal may only be filed on the basis that the investigation failed to include evidence that was available and should have been taken into consideration prior to the final disposition; the investigation

failed to comply with the process and procedures that must be followed during the investigation process; taking the evidence in the light most favorable to the prevailing party, the outcome is not consistent with the non-discrimination or harassment policy; or the proposed remedial measure is inconsistent with other university policy or collective bargaining agreements. The chief of staff will independently review the appeal and may receive additional information if at his or her discretion such information is necessary to the review. The chief of staff's decision on the recommendation of the OEO will be final.

## **Retaliation:**

Retaliation against any person for filing a complaint or for participating in an inquiry or an investigation of a complaint is strictly prohibited. Such retaliation constitutes a separate basis for complaint under university policy.

Under either process, where there is a finding of a Title IX violation, Wayne State University will take steps to prevent reoccurrence and to correct its effects on the complainant and others. Therefore, even if a survivor does not want to pursue administrative charges under Title IX, reporting to the Title IX director is still advisable so that supportive measures and resources can be provided and prevention steps can be taken.

In addition to the foregoing, the Title IX director will take appropriate steps to address any violation of university policy/Title IX by a contractor, vendor, partner or other affiliate engaged in sexual misconduct, up to and including termination of that contractor, vendor, partner or other affiliate.

## **Personal Protection Order:**

In addition to no-contact orders issued by the university, survivors may seek a personal protection order in the family division of the appropriate circuit court. Information about how to file for a personal protection order is available at [michiganlegalhelp.org/self-help-tools/personal-safety/overview-of-personal-protection-orders](https://michiganlegalhelp.org/self-help-tools/personal-safety/overview-of-personal-protection-orders). WSUPD provides assistance to survivors filing for personal protection orders as needed.

## **Campus and Community Resources**

Resources are available for individuals who have experienced domestic/intimate partner violence, sexual assault, stalking, sex discrimination or harassment. Wayne State University and various organizations in the broader community offer resources and support for victims, concerned individuals (friends/family/coworkers), and others seeking information and guidance to help someone they know. These resources (a more detailed description of the type of assistance provided by each unit/agency identified below is set forth in the university's Title IX website: [titleix.wayne.edu](https://titleix.wayne.edu)) include the following:

### **University Resources**

#### **Title IX Director — Brandy Banks**

Website: [TitleIX.wayne.edu](https://titleix.wayne.edu)

Location: 4249 Faculty Administration Building

Email: [TitleIX@wayne.edu](mailto:TitleIX@wayne.edu)

Phone: 313-577-9999

#### **Dean of Students Office (DOSO)**

Website: [doso.wayne.edu](https://doso.wayne.edu)

Location: 301 Student Center Building

Email: [doso@wayne.edu](mailto:doso@wayne.edu)

Phone: 313-577-1010

#### **Counseling and Psychological Services (CAPS)**

Website: [caps.wayne.edu](https://caps.wayne.edu)

Location: 552 Student Center Building

Email: [caps@wayne.edu](mailto:caps@wayne.edu)

Phone: 313-577-3398

Crisis/Information & Referral Line

(nights/weekends/university closures):

313-577-9982

#### **Campus Health Center**

Website: [health.wayne.edu](https://health.wayne.edu)

Location: 5285 Anthony Wayne Drive

Email: [campushealth@wayne.edu](mailto:campushealth@wayne.edu)

Phone: 313-577-5041

#### **WSU Police Department**

Website: [police.wayne.edu](https://police.wayne.edu)

Location: 6050 Cass, Detroit, MI 48202

Email: [wsupdis@wayne.edu](mailto:wsupdis@wayne.edu)

Phone: 313-577-2222

#### **Office of Equal Opportunity (OEO)**

Website: [eoe.wayne.edu](https://eoe.wayne.edu)

Location: 4324 Faculty Administration Building

Email: [eoe.wayne.edu](mailto:eoe.wayne.edu)

Phone: 313-577-2280

# UNIVERSITY POLICIES



## Office of Internal Audit

Website: [internalaudit.wayne.edu](http://internalaudit.wayne.edu)  
Location: 3300 Academic Administration Building  
Phone: 313-577-5138

## University Ombudsperson

Website: [wayne.edu/ombuds](http://wayne.edu/ombuds)  
Location: 790 Student Center Building  
Email: [ombudsoffice@wayne.edu](mailto:ombudsoffice@wayne.edu)  
Phone: 313-577-3487

## Ulliance Employee Assistance Program

Website: [lifeadvisoreap.com](http://lifeadvisoreap.com)  
24-Hour Crisis/Information & Referral Line: 1-800-448-8326

## Community Resources

### Wayne County SAFE

Website: [wcsafe.org](http://wcsafe.org)  
24-Hour Crisis Pager: 313-430-8000

### Detroit Police Department Third Precinct

Location: 2875 W. Grand Blvd., Detroit, MI 48202  
Phone: 313-596-5300

### Detroit Receiving Hospital

Website: [dmc.org](http://dmc.org)  
Location: 4201 St. Antoine, Detroit, MI 48201  
Phone: 313-745-3356

### AmeriCorps Urban Safety Domestic Violence Advocate Project

Information and Referral Line: 313-334-7922

### First Step

Website: [firststep-mi.org/](http://firststep-mi.org/)  
24-Hour Crisis/Information and Referral Line: 734-722-6800

### HAVEN

Website: [haven-oakland.org](http://haven-oakland.org)  
24-Hour Crisis/Information and Referral Line: 248-334-1274  
TTY: 248-334-1290

### Turning Point

Website: [turningpointmacomb.org](http://turningpointmacomb.org)  
24-Hour Crisis/Information and Referral Line: 586-463-6990

### Planned Parenthood-Detroit Health Center

Website: [plannedparenthood.org/health-center/michigan/detroit/48201/detroit-health-center-2890-90630](http://plannedparenthood.org/health-center/michigan/detroit/48201/detroit-health-center-2890-90630)  
Location: 4229 Cass Avenue, Detroit, MI 48201  
Phone: 313-831-7776

## Detroit Police Victim's Assistance Program

4707 St. Antoine, M-167  
Detroit, MI 48201  
313-833-1660

## National Resources

### Rape, Abuse & Incest National Network (RAINN)

Website: [rainn.org](http://rainn.org)  
24-Hour Crisis/Information and Referral Line: 800-656-4673

### The National Domestic Violence Hotline

Website: [thehotline.org](http://thehotline.org)  
24-Hour Crisis/Information and Referral Line: 800-799-7233  
TTY: 800-787-3224

### Love is Respect

Website: [loveisrespect.org/](http://loveisrespect.org/)  
24-Hour Advocate Support Line: 866-331-9474  
TTY: 866-331-8453

### Stalking Resource Center

Website: [victimsofcrime.org/our-programs/stalking-resource-center/](http://victimsofcrime.org/our-programs/stalking-resource-center/)  
Information and Referral Line: 855-484-2846

## Emergency Response and Evacuation Procedures

Wayne State University is at the forefront of disaster and emergency planning and preparation. WSU's **Crisis Management Team** has a singular mission: To protect the population and resources of the campus in the event of the unthinkable. The team — led by the executive vice president and chief of staff — meets at least quarterly to ensure that plans are developed and up to date. The university's Crisis Management Plan, an all-hazards model, has been acknowledged favorably by the U.S. Department of Homeland Security. A similar plan exists for crisis communications and pandemic preparedness.

### WSU Emergency Response Procedures:

#### Police or Medical Emergency

Call the WSUPD at 313-577-2222.  
DO NOT CALL 911.

## Injuries/Exposures Requiring Medical Attention

Call the WSUPD at 313-577-2222.  
DO NOT CALL 911.

## Fires

Call the WSUPD at 313-577-2222.  
DO NOT CALL 911.  
Pull the closest fire alarm

## Hazardous Material Spills

Call WSUPD at 313-577-2222.  
DO NOT CALL 911.

## Satellite Campus Safety Concerns CALL 911

If called, the dispatch officer will make the appropriate fire and/or medical rescue call and notify the shift commander, who will determine whether the chief of police should be notified.

In turn, the chief of police will make the initial assessment and contact the chief of staff, who will then implement additional proper response procedures. A critical part of this process is keeping key stakeholders — including students, faculty, staff and their families — informed.

An electronic version of the WSU Emergency and Safety Procedures flipchart is available on the Enterprise Risk Management and Insurance Programs (ERM) website at [risk.wayne.edu/procedures](http://risk.wayne.edu/procedures). These procedures are also listed on the WSUPD website, [police.wayne.edu/procedures](http://police.wayne.edu/procedures).

This color-coded flipchart has been developed by the ERM to help WSU employees and students residing on campus minimize the negative effects from emergencies, disasters, accidents, injuries and crimes that can occur without warning. It contains emergency phone numbers on the cover of the chart, and there are written procedures for the following:

- Civil disturbance
- Water damage/loss
- Safety procedures
- Tornado/severe weather
- Explosives
- Power outage





- Biological/radioactive spills
- Crime prevention tips
- Bomb threats/suspicious packages
- Medical emergencies
- Fire
- Workplace violence
- Chemical spills/chemical fires
- Evacuation

## WSU Evacuation Procedures:

Each WSU-owned/leased facility has an emergency evacuation plan and procedure specific to its location, developed by the highest-ranking individual user of the facility and posted therein. In the event of a fire or other building emergency, the alarm system will sound. When an alarm sounds, occupants of the building should immediately leave the building in an orderly manner by means of the nearest exit to a predetermined location and begin verifying that everyone in the facility is accounted for. Occupants should shut down any experiments, procedures, etc., that should not be left unattended, extinguish any open flames, and shut off flammable or noxious gas-supply valves.

The building coordinator of each building or facility is required to maintain, and annually update, a list containing the name, phone number and floor/assigned area of all mobility impaired/disabled persons within their designated facility. In the event of an emergency in their designated facility, the building coordinator must provide this list to the responding WSUPD and Detroit Fire Department personnel.

During the evacuation of any WSU facility, all mobility impaired/disabled persons who are above the level of exit discharge shall be placed in an "area of refuge," i.e., a fire-rated construction room or enclosed emergency exit stairwell. In addition, predetermined facility occupants who are assigned responsibility for evacuation of a particular floor shall assist mobility impaired/disabled persons into the area of refuge after all persons on that floor have evacuated. Unless department/facilities have special evacuation equipment, i.e., emergency evacuation wheelchair, the responsibility for removal of mobility

impaired/disabled persons rests with the WSUPD or Detroit Fire Department personnel.

Other measures in place to protect the campus include:

- Every college and division at Wayne State has prepared a continuity of operations plan that pinpoints essential services, contingent decision makers, phone trees, location of vital records, and critical hardware and software.
- A detailed inventory of available emergency communication channels, target audiences, when to deploy messages and what communication mode to use. The inventory identifies who is responsible for the content and activation of the communication vehicle.
- The development of message templates for the university's Broadcast Messaging Service, covering a broad array of crises from weather-related closures to explosion to catastrophic illness.
- Students living in residential housing may create personal preparedness plans, listing an evacuation location and emergency contact information.
- Inclusion in the Michigan Public Safety Communication System, enabling WSUPD to communicate digitally with other federal, state and local law enforcement agencies. This ensures secure communications and maximum coordination among multiple jurisdictions.
- Purchase of advanced ballistic body armor and patrol rifles for Wayne State police to be used in the event of an active shooter situation.

## Missing Student Notification Policy

In compliance with the Higher Education Opportunity Act, the university has established a Missing Student Notification Policy, which describes the formal notification procedures the university will follow when a student residing in on-campus housing has been reported missing for more than 24 hours. The policy provides a framework for cooperation among members of the

Wayne State University community aimed at locating and assisting students who reside in campus housing and are reported missing.

Campus housing is defined as the residence halls and apartments that are located within the university campus and owned and operated by WSU. They are: The Anthony Wayne Drive Apartments, Leon H. Atchison Hall, Chatsworth Tower, Helen L. DeRoy Apartments (closed as of May 2019), Yousif B. Ghafari Hall, The Thompson, The Towers Residential Suites and University Tower Apartments.

Nothing in this policy shall prevent the Wayne State University chief of police from exercising discretion to initiate an investigation where a student is reported missing but does not reside in campus housing.

A student who resides in campus housing will be deemed missing when he or she is reported absent from campus housing for more than 24 hours without any known reason.

All reports of missing students shall be directed to the WSUPD, which shall investigate each report and make a determination whether the student is missing in accordance with this policy.

All students shall have the opportunity to confidentially identify an individual to be contacted by the university in case a student is reported missing. This confidential contact is deemed non-directory information under the Family Educational Rights and Privacy Act (FERPA). Only authorized campus officials and law enforcement officers may have access to the confidential contact information in furtherance of the missing person investigation. If a missing student is under 18 years of age and not an emancipated individual, WSUPD is required to notify the custodial parent or guardian of the missing student not later than 24 hours after the determination by the WSUPD that the student is missing. WSUPD will also notify the local police department where the student was last reported seen (if other than on campus) not later than 24 hours after the determination that the student is missing. The WSU dean of students and director of residential life shall have the responsibility to make known to and available to



students the provisions of this policy, and the procedures set forth herein.

## Notification Procedures:

1. Any report of a missing student, from whatever source, should immediately be directed to WSUPD.
2. When a student is reported missing, WSUPD shall:
  - a. Notify the dean of students
  - b. Notify the president, the provost, the executive vice president, the vice president and general counsel, the director of housing and the registrar
  - c. Conduct a thorough investigation to determine the validity of the missing student report. If it is determined that the student is not missing, the student will be asked to make contact with the person who reported the student missing.
  - d. If it is determined that the student is missing, WSUPD must:
    - i. Notify the individual identified by the missing student as the confidential contact within 24 hours of making the determination that the student is missing.
    - ii. If the missing student is under the age of 18 and not an emancipated individual, notify the student's custodial parent or guardian as contained in the records of the university within 24 hours of the determination that the student is missing.
    - iii. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, notify the local police department where the student was last reported seen (if other than on campus) not later than 24 hours after the determination that the student is missing.
3. When a student is reported missing to the dean of students, the dean of students shall:
  - a. Notify the WSUPD, if they have not already been contacted.
  - b. Notify the Behavioral Intervention Team (BIT) members.

## Student Contact Information:

Students shall be given the opportunity through the Office of Housing and

Residential Life to confidentially designate an individual to be contacted in the event the student is determined missing. This confidential contact is deemed non-directory information under FERPA.

## Student Notification of this Policy:

- a. This policy will be included on the dean of students' website.
- b. This policy will be included on the Housing and Residential Life website.
- c. This policy will be discussed during beginning semesters/mandatory residential hall meetings.
- d. This policy will be sent to students residing on campus by university email.
- e. This policy will be included in the annual Community Living Guide.

If you reside on campus, please complete a Missing Student Confidential Contact Information form if you have not already done so. Forms may be obtained at the front desk of your residence hall or apartment building.

## B. ANNUAL FIRE SAFETY REPORT

WSU is committed to creating an environment that is safe from the effects of fire for its students, faculty, staff and guests. The purpose of this program is to establish an organizational structure to ensure the effective implementation of a comprehensive fire safety and fire prevention program.

WSU complies with the Michigan Fire Prevention Code, Act 207, and the Michigan State Construction Code, Act 230. WSU also complies with all fire safety rules adopted by the State of Michigan Fire Safety Board from the National Fire Protection Association codes and standards, and the Michigan Building Code adopted from the International Construction Code.

The WSU Fire Safety Program sets fire safety standards, procedures and practices to facilitate the university's ability to conduct safe operations and to ensure regulatory compliance. The purpose of the program is to provide minimum standards to safeguard life, health, property and public welfare by controlling and monitoring the design, construction, occupancy, use, quality of materials and

maintenance of all buildings and structures of the campus.

The Office of Enterprise Risk Management and Insurance Programs (ERM) is responsible for the overall fire safety and fire prevention programs at WSU. It is responsible for promoting fire safety regulatory compliance with the State of Michigan, Bureau of Fire Services; Michigan Occupational Health and Safety Administration; and university insurance companies. The ERM also serves as the custodian of all documents required by the program.

The university fire marshal has the authority to shut down an operation, discontinue events, evacuate buildings, etc. when, in its professional opinion, a severe danger to life or injury may result if action is not taken. Any of these issues — as well as all fire safety violations and certificate of occupancy issues addressed by the State of Michigan Bureau of Fire Services and WSU's ERM that are not corrected — may be forwarded to the vice president for finance and business operations for review and adjudication.

## (1) Fire statistics for the last three years — 2018, 2017 and 2016 — for each housing facility on campus

The Campus Fire Safety Right To Know Act defines a "fire" as "any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled matter."

## (2) A description of each on-campus residence hall and apartment fire safety system

All fire alarms, fire trouble alarms and fire supervisory alarms initiate an audible and visual signal in the WSUPD Dispatch Office when actuated. The WSUPD responds to all fire alarm, trouble and supervisory events. All fire alarm, fire suppression and fire detection systems in WSU-owned facilities shall meet the requirements of the Michigan Fire Prevention Code and those fire safety rules adopted by the State of Michigan's Fire Safety Board from the National Fire Protection Association codes and standards.

In each instance where there has been a fire alarm run and it is determined to be a false alarm or a "careless cook" disposition (i.e., the burning of food with the resulting



smoke setting off individual unit smoke detectors), the building engineers take responsibility for resetting the smoke detector and/or fire alarm in the individual unit and/or building.

It is the policy of WSU that no facility fire alarm system be silenced or reset, except by the WSUPD, Facilities Planning and Management's Plant Operations & Maintenance personnel (electricians, building engineers), or the university fire marshal.

### (3) The number of fire drills held during the previous calendar year (2018) for each on-campus residence hall and apartment building

The Michigan Fire Prevention Code, Mich. Comp. Laws § 29.19a, requires WSU to conduct fire drills in university-owned residence halls. University policy requires each residence hall and apartment building to keep a record of the fire drills performed each year. These drills are conducted for the purpose of preventing fires and related hazards as well as preparing building occupants to exit such facilities during an emergency situation.

The Office of Housing and Residential Life (OHRL) is responsible for scheduling and documenting such drills within residence halls and apartments. Emergency evacuation drill notification should be made by OHRL to ERM and the WSUPD. Records of all fire drills should be forwarded to the university fire marshal.

The following evacuation drills were conducted in the residence halls in the 2018 calendar year:

**Atchison Hall: 3**

**Ghafari Hall: 5**

**The Towers Residential Suites: 2**

**The Thompson: 2**

**Anthony Wayne Drive Apartments: 1**  
(new construction, opened 9/2018)

The following evacuation drills were conducted in the apartments in the 2018 calendar year:

**DeRoy Apartments: 1** (this building permanently closed as of 5/1/2019)

**Chatsworth Apartments: 2**  
(this building closed for renovation as of 5/13/2019 and will reopen 9/2020)

**University Tower Apartments: 1**

### (4) The university's rules on portable electrical appliances, smoking and open flames in a student housing facility

**Prohibited portable electrical appliances.** The following items are prohibited in Anthony Wayne Drive Apartments, Atchison Hall, Ghafari Hall, the Thompson and the Towers Residential Suites: hot iron/curling iron, stoves, electric skillets/frying pans, woks, electric grills, George Foreman-type grills, griddles, broilers, hot plates, hot pots, toasters, toaster ovens, slow cookers/crockpots, blenders and refrigerators in excess of five cubic feet.

The following additional portable electrical appliances are prohibited in all university housing buildings: heat lamps, halogen lamps, space heaters, air conditioners, electric blankets and chest/deep-freezers.

**Smoking.** Smoking anything containing tobacco (cigarettes, clove cigarettes, cigars, pipes, electronic cigarettes, hookahs, etc.) is prohibited in all areas of campus including in university housing. The no-smoking policy is strictly enforced.

**Open flames.** Incense, oil lamps, torches and other open-flame objects are strictly prohibited in all university housing facilities. Candles are prohibited in Anthony Wayne Drive Apartments, Atchison Hall, Ghafari Hall, the Thompson and the Towers Residential Suites. Candles are also prohibited in Chatsworth, DeRoy and University Towers unless the candle is in a glass container with sides that are taller than the candle.

These policies can be found in the Community Living Guide, [housing.wayne.edu/pdf/community-living-guide.pdf](https://housing.wayne.edu/pdf/community-living-guide.pdf).

### (5) Evacuation Procedures for Student Housing in Case of Fire

The following **Fire Evacuation Procedures** apply to all on-campus residence halls and apartments:

A fire plan is posted on the back of each residence hall and apartment door. Please read this plan and become familiar with your evacuation route. For additional copies of the plan, please contact your community director.

All residents must immediately leave the facility when an alarm sounds. Treat all

alarms as real emergencies. Familiarize yourself with the exits, sounds and procedures for evacuating a building. Get to know your exit routes before there is an emergency. If an alarm sounds, please do the following:

- Put on a coat and hard-soled shoes, quickly.
- Take a towel with you to prevent smoke inhalation.
- Close windows.
- Check your doorknob and door. If either is hot, do not open your door. If the door and doorknob are cool, exit cautiously and close your unlocked door.
- Take your keys and OneCard with you.
- Walk quickly and leave the building via the nearest available exit in your area.
- Use the stairwells to evacuate (do not use elevators). Once in the stairwell, check to see that the door is closed and proceed down to the first level. Gather at the predetermined outside assembly area away from the residence hall or apartment.
- DO NOT re-enter the building until a staff member, WSUPD or the fire department tells you it is safe to do so.

### Evacuation and assembly areas.

Residents and guests should proceed to their designated evacuation and assembly area. They are located as follows:

**Anthony Wayne Drive Apartments –** Southwest side of St. Andrews Hall

**Atchison Hall –** Northeast side of Anthony Wayne Drive (adjacent to DeRoy Apartments)

**Chatsworth Tower Apartments –** Gullen Mall (adjacent to the Student Center Building)

**DeRoy Apartments –** Gullen Mall (adjacent to the Student Center Building)

**Ghafari Hall –** Keast Commons (adjacent to the sand volleyball courts and DeRoy Apartments)

**The Thompson –** Southeast side of Hancock

**The Towers Residential Suites –** Gullen Mall (adjacent to the Student Center Building)



**University Tower Apartments** – Cass Avenue (adjacent to the front side of the building)

## (6) Fire Evacuation Procedure for the Mobility Impaired/Disabled Person

In the event of an emergency condition within a university facility, the following procedures with respect to mobility impaired/disabled persons must be followed:

- In case of a real emergency, a staff member, RA or community director will evacuate each mobility impaired/disabled resident from their room/apartment and assist them to the closest stair tower/area of refuge upon alarm notification.
- If it is a nuisance alarm, the resident(s) will be notified of such.

**Note:** After the drop/add period for each academic semester, the Office of Housing and Residential Life produces a confidential list of all self-identified mobility impaired/disabled persons for each residential building and provides that list to the appropriate building staff and WSUPD so that in the event of a fire, the building staff and WSUPD are aware of the identity and room location of each mobility impaired/disabled person needing evacuation assistance.

## (7) Policies Regarding Fire Safety Education and Training Programs Provided to Students and Employees

At the beginning of each school year (August), the ERM conducts hands-on fire safety training with every community director and resident advisor in each of the university's student housing facilities.

The following policies on safety education and training programs, as set forth in the Community Living Guide for Residence Halls and Apartments and the university's Fire Safety Manual, are provided to the students and employees in on-campus housing:

- Prohibited Items/Fire Hazards
- Fire Evacuation Procedure [this is set forth in (5) above and describes the procedures that students and employees should follow in the case of a fire].
- Fire Evacuation Procedure for the Mobility Impaired/Disabled Persons

- Fire Prevention
- Fire Safety Equipment/Smoke Detectors/Sprinkler System
- Student Preparedness Checklist instructs each student, "I know more than one way to get out of every building where I have classes. If one exit is blocked, I can get out of the building using a different exit. I am familiar with the fire exits to my residence and in the buildings in which I have classes."
- The section on Emergency Preparedness provides a variety of resources to assist students/residents in planning for emergencies.

The WSU Fire Safety Manual, available at [risk.wayne.edu](http://risk.wayne.edu), contains helpful information on fire safety. It provides that, "all employees, as well as students, must accept the continuous responsibility for safety not only for themselves, but also for coworkers and visitors." The manual also contains the following instructions regarding fire safety policies and procedures:

### Building Occupant Responsibilities

When a fire alarm is sounded at any WSU-owned/leased facility, all occupants must immediately leave the building in an orderly manner by means of the nearest exit. Under no circumstances are any personnel (excluding the WSUPD, Environmental Health and Safety, and Detroit Fire Department) to remain in the building. Evacuation of the building should include:

- Close the office, classroom and lab door as you leave.
- Leave the building via the nearest available exit. Always know a secondary means of egress to use in the event your first choice is unattainable.
- Use the stairwells to evacuate (do not use elevators). Once in the stairwell, check to see that the door is closed, and proceed down to the level of exit discharge.
- If the facility is of a high-rise occupancy (75 feet or seven stories above grade), evacuation procedures will be announced by the fire alarm system as follows: Evacuate fire floor, one floor above, one floor below.

- Do not re-enter any facility until advised by the WSUPD.
- Predetermined facility occupants who are assigned responsibility for evacuation of a particular floor shall assist persons with specific requests into the area of refuge after all persons on that floor have evacuated.
- All persons who requested specific assistance that are above the level of exit discharge, shall be placed in an "area of refuge," i.e., a fire-rated construction room or enclosed emergency exit stairwell.
- Unless the department/facility has special evacuation equipment, i.e., emergency evacuation wheelchair, the responsibility for removal of persons with specific requests rests with the WSUPD or the Detroit Fire Department.
- If you are surrounded by smoke, drop to your hands and knees and crawl towards the nearest exit; stay low to floor; breathe shallowly through nose and use a filter such as a shirt or towel. Close doors behind you as you escape. Always use stairs to escape, never use an elevator.

### Additional Fire Safety Tips:

- Learn the location of fire exits and fire alarm pull boxes. Activate the fire alarm if you see smoke or smell a burning odor.
- Have a prepared escape plan and know your escape route. Count the number of doors between your room and the fire exits door so you can find it even in heavy smoke.
- Remember to remain calm.
- Always use exit stairs; never use the elevator.
- Close doors behind you as you escape. In most cases, this will prevent smoke and fire from entering the room you are exiting.
- Do not re-enter an evacuated building until it has been declared safe by the WSUPD.
- If you become trapped, seal off cracks around doors and vents with cloths or rugs. Soak them in water if possible.
- Turn off fans and air conditioners.



# UNIVERSITY POLICIES



- Signal for help from a window. Call the WSUPD at **313-577-2222**.
- Never tamper with or disable any smoke detectors in any residence hall, apartment or office area anywhere on campus. Do not allow others to do the same. If you see anyone tampering with a smoke detector, call the WSUPD.

## (8) A List of the Titles of Each Person or Organization to Which Students and Employees Should Report That a Fire Occurred

In the event of a fire, call **WSUPD** at **313-577-2222**. Let them know the name of the building and room number of your location. **DO NOT CALL 911**. The WSUPD will call the Detroit Fire Department. In all instances where a fire has been reported, the WSUPD will automatically follow

up with notifications to ERM and to the OEHS (for hazardous materials or clean-up needs).

## (9) Plans for Future Improvements in Fire Safety

WSU is continually striving to be proactive in its fire emergency planning and preparedness; its **Crisis Management Team** is continually striving for improvement, and the university will update fire safety and other emergency practices and procedures as needed.

## (10) Fire Log

Pursuant to the requirements of the Higher Education Opportunity Act, the WSUPD maintains a written, easily understood fire log for each on-campus housing facility.

This fire log records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log also includes the nature, date, time and general location of each fire.

It is the policy of the university to have the WSUPD make an entry or an addition to an entry to the Fire Log within two (2) business days of the receipt of the information.

The university, through the WSUPD, will make the fire log for the most recent 60-day period open for public inspection during normal business hours. The university will also, through the WSUPD, make any portion of the fire log older than 60 days available within two (2) business days of a request for public inspection.

The statistics for the past three years are reflected in the following charts:

2018 FIRE STATISTICS					
Residential Facility	Total Number of Fires	Nature/Cause	Number of Related Injuries	Number of Related Deaths	Value of Property Damage (in U.S. Dollars)
Anthony Wayne Drive Apts. 5253 Anthony Wayne Dr.	0	N/A	0	N/A	N/A
Atchison Hall 5110 Anthony Wayne Dr.	0	N/A	N/A	N/A	N/A
Chatsworth Apartments 630 Merrick	0	N/A	N/A	N/A	N/A
DeRoy Apartments 5200 Anthony Wayne Dr.	0	N/A	N/A	N/A	N/A
Ghafari Hall 695 Merrick	0	N/A	N/A	N/A	N/A
The Thompson 4756 Cass Ave.	0	N/A	N/A	N/A	N/A
The Towers Residential Suites 655 W. Kirby	0	N/A	N/A	N/A	N/A
University Tower 4500 Cass Ave.	1	Unintentional fire - Cooking	N/A	N/A	\$0-\$99



## 2017 FIRE STATISTICS

Residential Facility	Total Number of Fires	Nature/Cause	Number of Related Injuries	Number of Related Deaths	Value of Property Damage (in U.S. Dollars)
Atchison Hall 5110 Anthony Wayne Dr.	1	Unintentional fire - Open flame	0	0	\$0-\$99
Chatsworth Apartments 630 Merrick	2	Unintentional fire - Cooking Unintentional fire - Cooking	0 0	0 0	\$0-\$99 \$0-\$99
DeRoy Apartments 5200 Anthony Wayne Dr.	3	Unintentional fire - Cooking Unintentional fire - Cooking Unintentional fire - Cooking	0 0 0	0 0 0	\$0-\$99 \$0-\$99 \$10,000-\$24,999
Ghafari Hall 695 Merrick	0	N/A	N/A	N/A	N/A
The Thompson 4756 Cass Ave.	0	N/A	N/A	N/A	N/A
The Towers Residential Suites 655 W. Kirby	0	N/A	N/A	N/A	N/A
University Tower 4500 Cass Ave.	3	Intentional fire Intentional fire Intentional fire	0 0 0	0 0 0	\$0-\$99 \$0-\$99 \$0-\$99
St. Regis (temporary student housing) Fall 2017	0	N/A	N/A	N/A	N/A

## 2016 FIRE STATISTICS

Residential Facility	Total Number of Fires	Nature/Cause	Number of Related Injuries	Number of Related Deaths	Value of Property Damage (in U.S. Dollars)
Atchison Hall 5110 Anthony Wayne Dr.	0	N/A	N/A	N/A	N/A
Chatsworth Apartments 630 Merrick	1	Unintentional fire - Cooking	0	0	\$1,000-\$9,999
DeRoy Apartments 5200 Anthony Wayne Dr.	0	N/A	N/A	N/A	N/A
Ghafari Hall 695 Merrick	0	N/A	N/A	N/A	N/A
The Towers Residential Suites 655 W. Kirby	0	N/A	N/A	N/A	N/A
University Tower 4500 Cass Ave.	0	N/A	N/A	N/A	N/A



## FIRE SAFETY INFORMATION AND SYSTEMS FOR ON-CAMPUS STUDENT HOUSING FACILITIES

Residential Facility	Fire Safety Systems Description
Anthony Wayne Drive Apartments 5235 Anthony Wayne Dr.	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
Atchison Hall 5110 Anthony Wayne Dr.	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
Chatsworth Apartments 630 Merrick	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
DeRoy Apartments 5200 Anthony Wayne Dr.	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Partial automatic sprinkler coverage (common areas only)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
Ghafari Hall 695 Merrick	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
The Thompson 4756 Cass Ave.	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms</li> </ul>
The Towers Residential Suites 655 W. Kirby	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>
University Tower 4500 Cass Ave.	<ul style="list-style-type: none"> <li>• Central fire alarm monitoring by WSUPD</li> <li>• Full automatic sprinkler coverage (individual rooms and common areas)</li> <li>• Supported by a fire pump</li> <li>• Fire department hose connections within stairwell landings</li> <li>• Voice communication fire alarm system</li> <li>• Smoke detection within all residential rooms and corridors</li> </ul>

### Wayne State University Board of Governors

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# SCHEDULE A



## FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Ana- logue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture	<b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	10 grams or more mixture	<b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
<b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.				
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount			
		<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		



## FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.