

# MCHENRY COUNTY COLLEGE

2022 Annual Security Report



# TABLE OF CONTENTS

- INTRODUCTION ..... 1
- LAW ENFORCEMENT AUTHORITY ..... 1
- CAMPUS SAFETY AND SECURITY ..... 1
- ACCESS TO CAMPUS FACILITIES ..... 1
- TIMELY NOTIFICATION/MASS COMMUNICATION ..... 2
- REPORTING A CRIME ..... 2
- JEANNE CLERY ACT ..... 2-3
- PREVENTING SEXUAL ASSAULT/VAWA ..... 3-4
- DEFINITIONS ..... 4-12
- TITLE IX/SEXUAL MISCONDUCT ..... 12-14
- DRUG/ALCOHOL/TOBACCO ..... 14
- CRIME PREVENTION ..... 14
- REGISTERED SEX OFFENDER ..... 15-16
- WEAPONS ..... 16-17
- CRYSTAL LAKE CRIME STATISTICS ..... 18-21
- SHAH (MCHENRY) CRIME STATISTICS ..... 22-24

# McHenry County College

## 2022 Annual Security Report

The McHenry County College Police Department is committed to providing safety and security for our students, faculty, staff, and the community. Campus Safety is everyone's responsibility through cooperation and collaboration. The following information is available on our website and in print form upon request at the police department and should be carefully reviewed to help maintain a safe environment for everyone on campus.

McHenry County College has two campuses. The main campus located at 8900 U.S. Highway 14, Crystal Lake, Illinois consists of 170 acres, 6 buildings, sports fields, a theatre, library, conference center and gymnasium. The College also has a satellite facility, the Shah Center located at 4100 West Shamrock Lane, McHenry, Illinois.

Campus safety is an important consideration for any community. To enhance campus safety, McHenry County College provides an annual report to current and prospective students and employees. The information in this report can help empower members of the campus community. Students and employees can take advantage of campus resources and can make decisions that positively impact individual as well as community safety.

### Law Enforcement Authority

All campus police officers are police academy trained and certified by the Illinois Police Training and Standards Board. Campus police enforce all Illinois State laws, regulations, and administrative rules on MCC Campuses. The Police Department maintains a daily crime/incident log that is visible on its website at:

<https://www.mchenry.edu/log/index.html>

This document provides a listing of all crimes reported to campus police. The log is also available for review at the front counter of the police department upon request.

### Campus Safety and Security

Campus police offer a Campus Safety and Security information thru MCC 101 College Experience. Several useful topics are explored including public safety assistance, available resources, regulations, what do in case of emergency, and active shooter awareness training.

Campus police officers hold several awareness campaigns and promotions including, "Chat with A Cop" focusing on a hot or specific topic. Students, faculty, and staff can participate in an interactive session with officers in the Commons. Distracted driving awareness, seatbelt awareness and sexual assault prevention discussions and campaigns are held annually.

Mental health awareness is important to the safety and security of the campus. McHenry County College Police are participants in the "One Mind" pledge, where the community, public safety and mental health professionals work together to improve police response to persons affected by mental illness. As part of this pledge MCC Police Officers have become Crisis Intervention Trained to better serve our community. The MCC Police Officers also have annual update training on dealing with Mental Health issues.

Campus Police have also signed the **Affirmation of Shared Principles** which is a pledge of ten principles that reinforces our police department's commitment to equal and fair treatment of everyone. The Shared Principals were formed through a collaboration between the NAACP and the Illinois Chiefs of Police Association.

### Access to Campus Facilities

MCC campus buildings are open during normal business hours, 6 a.m. to 10 p.m. Monday through Thursday, 6 a.m. to 6 p.m. on Friday's, and from 7 a.m. to 5 p.m. on Saturdays and Sundays excluding holidays and planned campus closures. For afterhours appointments or access, please contact the Police Department at (815) 455-8733.

## **CAMPUS COMMUNICATION:**

### **Timely Notification**

The Federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act require Colleges to give notice to the campus community about crimes that pose an ongoing threat to students and employees. The campus police comply with the "Timely Notification" clause of the Act.

The Campus utilizes multiple mediums to disseminate information to students, staff, and the College community. This includes Rave and Alertus mass notification, email, flat screen monitors, electronic tickers, web site, Facebook, Twitter, text messaging thru Tip Now, and an emergency PA system. MCC students, faculty and staff can sign up for RAVE Alerts mass notification for emergency alerts and timely notifications at [www.getrave.com/login/mchenry](http://www.getrave.com/login/mchenry). The above mediums serve to increase communication while reducing the likelihood and opportunity for unsafe activity on campus.

### **Reporting the Annual Disclosure of Crime Statistics**

As required by federal law, the Campus Police Department's yearly crime statistics for this report are compiled on a calendar year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting System. The report includes statistics for the previous three years concerning reported crimes that occurred on campus and at off-campus properties owned or controlled by the college and frequently used for academic purposes. This includes reports made to, but not limited to directors, deans, department heads, Student Life staff, Student Development staff, advisors to student organizations, and athletic coaches. In addition, these statistics also include individuals referred for campus disciplinary action for categories required under the Clery Act, including liquor, drug and weapons law violations. Statistical information for certain off-campus locations or property owned or controlled by MCC, as well as public property within or immediately adjacent to and accessible from campus, are collected or requested from the Crystal Lake and McHenry Police Department's. For statistical purposes, crime statistics that are reported to any of these sources are recorded in the calendar year during which the crime was reported.

### **Reporting A Crime**

The McHenry County College Police Department is a full-service police department with officers on duty 365 days a year from 6 a.m. - 11 p.m. **Monday through Thursday, 6 a.m. to 7 p.m. Friday and 6 a.m. to 6 p.m. on Saturday and Sunday**, at the Main Crystal Lake Campus. The College contracts with the Crystal Lake Police Department thru an Intergovernmental Agreement for police response during non-operational hours. The College provides security at its Shah Center in McHenry as needed. The McHenry Police Department by jurisdiction police the Shah Campus.

The Campus Police Department places a high emphasis on service to our college community. The department provides emergency response and security at the main campus, and security services at Shah Center. All crimes and suspicious circumstances should be reported to the Campus Police Department. Crime reduction is in everyone's best interest therefore the entire Campus community should report criminal activity and suspicious behavior to ensure a safe learning environment. Campus police can be contacted by Dialing (815) 455- 8733 from any phone, or by Dialing Ext. 8733 from inside the buildings. When a campus emergency exists, please call 9-1-1 from any campus phone and a campus police officer will respond. At Shah Center, the McHenry Police Department can be contacted by dialing (815) 363-2200. When a Shah Center emergency exists, please call 9-1-1 from any campus phone and a police officer will respond.

### **Summary of The Jeanne Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092 (f)) is a federal law passed in 1990 as an amendment to the Higher Education Act of 1965. Otherwise known as the Clery Act, it mandates that all colleges and universities that receive federal financial assistance must disclose certain timely and annual information concerning campus crime and safety.

Each year the updated report must be distributed to current students and employees. Prospective students and employees also must be made aware of the availability of the report.

In 1990, Congress enacted the Crime Awareness and Clery Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery, a student who was slain in her dorm room in 1986.

The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crime data are collected, reported, and disseminated to the campus community and are also submitted to the U.S. Department of Education. The act is intended to provide students and their families, as higher education consumers, with accurate, complete, and timely information about safety on campus so that they can make informed decisions.

### **The Clery Act requires colleges and universities to:**

- Publish an annual report every year by October 1st containing the last three years of campus crime statistics as well as certain campus security College policies.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police, local law enforcement agencies, and other College officials who have “significant responsibility for student and campus activities;”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees;”
- Implement emergency notification procedures if there is an immediate threat to the health or safety of students or employees on campus.
- Disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”.

In 2013, the Violence Against Women Reauthorization Act made additional changes to the Clery Act. New crimes were added to those that must be reported and new protected statuses were added as hate crime criteria. In addition, institutions are now required to provide primary prevention and awareness programs to all incoming students and new employees, including information about bystander intervention and grievance procedures associated with reports of sexual assault, domestic violence, dating violence, and stalking. Institutions must also provide written information to students and employees who are victims of certain crimes. The information is continuously updated and is available at: [www.mchenry.edu/sexualmisconduct](http://www.mchenry.edu/sexualmisconduct)

## **Preventing Sexual Misconduct/ VAWA/Title IX**

According to the U.S. Department of Justice, one in five undergraduate women will become a victim of rape or attempted rape. A brochure for MCC employees and students that briefly covers information on the Violence Against Women Act (VAWA), Title IX, and the definition of important terms can be found on the Police Website [www.mchenry.edu/sexualmisconduct](http://www.mchenry.edu/sexualmisconduct). Most importantly, the brochure includes important steps you should take if you suspect misconduct. Please read through the attached brochure and contact our Title IX Coordinators with any questions. More details: [www.mchenry.edu/safety/vawa.pdf](http://www.mchenry.edu/safety/vawa.pdf).

### **What is my Responsibility?**

If you observe or hear of an act as described in this pamphlet and are not an employee subject to confidentiality requirements, you must immediately contact:

Campus Police: (815) 455-8733

Employees Contact:

The Vice President of Human Resources:  
(815) 455-8738

Student Contact:

Rachel Boldman,  
Director of Crisis Intervention and Prevention  
(815) 455- 7572

### **Sexual Assault Investigation**

It is the policy of MCC to thoroughly investigate all complaints alleging sexual assault, sexual battery, and criminal sexual abuse. These types of complaints should be reported immediately to Campus police. An officer will evaluate the victim’s need for medical treatment and advise the victim of their options for pursuing a criminal complaint through the legal system. Campus police will also advise victims of available crisis intervention resources. The information of the incident will be shared with the Student Conduct Office for appropriate follow up. If a college employee is identified as the offender, the Associate Vice President of Human Resources will be immediately notified for appropriate administrative action.

### **Definitions**

There are two sets of definitions for the offenses of sexual assault, domestic violence, dating violence, and stalking provided in this section. Terms are defined using the definitions from the U.S. Department of Education as well as from the criminal statutes for the State of Illinois. Both sets

of definitions are being provided to assist complainants/survivors of violence in navigating civil and criminal processes. For more information on how MCC responds to sexual misconduct, see the full policies listed above and for additional students' rights, visit: [www.mchenry.edu/sexualmisconduct](http://www.mchenry.edu/sexualmisconduct)

### Department of Education Definitions:

**Sexual Assault:** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

### At MCC, Sexual Assault includes:

**Non-Consensual Sexual Contact** (or attempts to commit) defined as any intentional sexual touching with any object(s) or body part that is without consent and/or by force.

**Sexual Contact** is defined as kissing or touching another's intimate parts. Intimate parts include but are not limited to a person's groin, buttocks, mouth, or breasts.

**Non-Consensual Sexual Intercourse** (or attempts to commit) defined as penetration, no matter how slight, of a person's vagina, anus, or mouth with any object(s) or body part that is without consent and/or by force.

### Consent Defined

In order for individuals to engage in sexual activity of any type with each other, there must be consent prior to and during sexual activity. Consent is defined as clear, knowing, voluntary, freely, and actively given, mutually understandable words or actions, which indicate a willingness to participate in a mutually agreed upon, specific sexual act. To obtain consent, a clear "yes," verbal or otherwise, is necessary. Consent cannot be inferred from the absence of a "no". Non-verbal consent is not as clear as talking about what an individual wants or does not want sexually.

### What Constitutes Lack of Consent?

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to sexual acts. Past sexual activity does not constitute consent for future acts. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. Consent can be withdrawn at any time. The use of any force, display of force, coercion, or intimidation negates consent. Consent is also not present if someone is incapacitated by alcohol, illegal drugs, or over-the-counter medication. Individuals under the age of 17 cannot legally give consent to sexual activity. Individuals who are incapacitated cannot legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. Mentally helpless is when a person suffers from a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct. Physically helpless means a person has restriction of movement, either temporarily or permanently. When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait: needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual
- Expressed memory loss or disorientation

An individual may also be in a state known as a "blackout" where they are incapacitated and will likely have no memory of the sexual activity, but are up, and walking and talking. Therefore, it is of particular importance that any people engaging in sexual activity know the other person's level of intoxication prior to beginning sexual contact. For purposes of the College policy, the standard that shall be applied is whether or

not a reasonable person would have known, based on the facts and circumstances presented, that the other party was incapacitated and, therefore, not legally capable of consenting. As the accused party, being under the influence of alcohol or drugs is never a defense to this policy and does not excuse sexual misconduct. Cross complaints of sexual misconduct will not be accepted.

Examples of behaviors that constitute sexual assault include the following:

- Having sex with an unconscious or semi-conscious person.
- Having sex with someone who is asleep or passed out.
- Having sex with someone who has said “no.”
- Having sex with someone who is not reciprocating body movement.
- Allowing another person to have sex with your partner without his or her consent.
- Having someone perform sexual acts as a condition of acceptance into a club, athletic organization, or any other organization affiliated with MCC. This includes acts of intercourse; penetration of the vagina, anus, or mouth with any object; being made to facilitate the abuse of another; assisting with physically assaulting another’s private parts; or purchasing or providing alcohol or drugs to another for the purposes of facilitating a sexual assault (includes all forms of sex-based hazing).
- Having sex with a person who is vomiting, unable to stand without assistance, or has had to be carried to bed by a partner.
- Telling someone you will “out” them if they don’t engage in sex (disclose their sexual orientation without their consent).
- Telling someone you will fail them or give them a grade different from what they deserve if they don’t agree to have some form of sexual contact.

**Domestic Violence:**

The term “domestic violence” means:

- 1) Felony or misdemeanor crimes of violence committed
  - (i) By a current or former spouse or intimate partner of the victim;
  - (ii) By a person with whom the victim shares a child in common;
  - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - (v) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of

the jurisdiction in which the crime of violence occurred.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Examples of behaviors that may constitute domestic violence include the following:**

- Hitting, punching, pinching, slapping, or choking someone with whom the person is intimately involved.
- Violating a protective order.
- Harming a person’s animals or children while in an intimate relationship.

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

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim, and
2. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- (ii) Dating violence does not include acts covered under the definition of domestic violence. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Examples of behaviors that may constitute dating violence include the following:

- Taking away a person’s cell phone during an argument so the person cannot call a friend or the police for help.
- Threatening to self-harm if another does not do what is said.
- Threatening to physically assault someone the individual is dating if the person does not do what is said.

**Stalking:** The term “stalking” means

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (i) Fear for the person’s safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition

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

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

(iii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Examples of behavior that constitute stalking include:

- Repeatedly communicating with a person who doesn’t wish to be communicated with.
- Follow a person or lying-in wait for a person.
- Sending unwanted gifts to another.

**Hate Crime:** An act or an attempted act that violates a criminal statute by any person that in any way constitutes an expression of hostility toward the victim because of his or her sex, race, ethnicity, religion, age, disability, national origin, sexual orientation, or gender-related identity, color, marital status, military status, or unfavorable military discharge.

**State of Illinois Definitions:**

Consent is defined in the State of Illinois, 720 ILCS 5/11-1.70, as a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent. (a) It shall be a defense

under subsection (b) and subsection (c) of Section 11-1.50 and subsection (d) of Section 11-1.60 of this Code that the accused reasonably believed the person to be 17 years of age or over. The age for consent in Illinois is 17 years old. (b) A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct.

Dating Violence is not defined by Illinois statutes. Acts that constitute Dating Violence under Department of Education definitions are prosecuted under Domestic Violence statutes in Illinois.

**Sexual Assault is defined in the State of Illinois: Criminal Sexual Assault (720 ILCS 5/11-1.20) (was 720 ILCS 5/12-13):**

A person commits criminal sexual assault if that person commits an act of sexual penetration and:

- (1) uses force or threat of force;
- (2) knows that the victim is unable to understand the nature of the act or is unable to give knowing consent;
- (3) is a family member of the victim, and the victim is under 18 years of age; or
- (4) is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim, and the victim is at least 13 years of age but under 18 years of age.

**Aggravated Criminal Sexual Assault (720 ILCS 5/11-1.30):**

A person commits aggravated criminal sexual assault if that person commits criminal sexual assault and any of the following aggravating circumstances exist during the commission of the offense or, for purposes of paragraph (7), occur as part of the same course of conduct as the commission of the offense:

- (1) the person displays, threatens to use, or uses a dangerous weapon, other than a firearm, or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;
- (2) the person causes bodily harm to the victim, except as provided in paragraph (10);
- (3) the person acts in a manner that threatens or endangers the life of the victim or any other person;
- (4) the person commits the criminal sexual assault during the course of committing or attempting to commit any other felony;
- (5) the victim is 60 years of age or older.
- (6) the victim is a physically handicapped person;
- (7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled

substance to the victim without the victim's consent or by threat or deception for other than medical purposes;  
(8) the person is armed with a firearm;  
(9) the person personally discharges a firearm during the commission of the offense; or  
(10) the person personally discharges a firearm during the commission of the offense, and that discharge proximately causes great bodily harm, permanent disability, permanent disfigurement, or death to another person.

(a) A person commits aggravated criminal sexual assault if that person is under 17 years of age and:

(i) commits an act of sexual penetration with a victim who is under 9 years of age; or (ii) commits an act of sexual penetration with a victim who is at least 9 years of age but under 13 years of age and the person uses force or threat of force to commit the act.

(b) A person commits aggravated criminal sexual assault if that person commits an act of sexual penetration with a victim who is a severely or profoundly intellectually disabled person.

#### **Predatory Criminal Sexual Assault of a Child (720 ILCS 5/11-1.40):**

A person commits predatory criminal sexual assault of a child if that person commits an act of sexual penetration or an act of contact, however slight between the sex organ or anus of one person and the part of the body of another, and the accused is 17 years of age or older, and:

(1) the victim is under 13 years of age; or

(2) the victim is under 13 years of age and that person:

(a) is armed with a firearm; (b) personally discharges a firearm during the commission of the offense;

(c) causes great bodily harm to the victim that:

(i) results in permanent disability; or (ii) is life threatening; (d) delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception, for other than medical purposes.

#### **Criminal Sexual Abuse (720 ILCS 5/11-1.50):**

A person commits criminal sexual abuse if that person:

(1) commits an act of sexual conduct by the use of force or threat of force; or

(2) commits an act of sexual conduct and knows that the victim is unable to understand the nature of the act or is unable to give knowing consent. A person commits criminal sexual abuse if that person is under 17 years of age and commits an act of sexual penetration or sexual conduct with a victim who is at least 9 years of age but under 17 years of age. A person commits criminal sexual abuse if that person commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is less than 5 years older than the victim.

#### **Aggravated Criminal Sexual Abuse (720 ILCS 5/11-1.60):**

A person commits aggravated criminal sexual abuse if that person commits criminal sexual abuse and any of the following aggravating circumstances exist (i) during the commission of the offense or (ii) for purposes of paragraph (7), as part of the same course of conduct as the commission of the offense:

(1) the person displays, threatens to use, or uses a dangerous weapon or any other object fashioned or used in a manner that leads the victim, under the circumstances, reasonably to believe that the object is a dangerous weapon;

(2) the person causes bodily harm to the victim;

(3) the victim is 60 years of age or older;

(4) the victim is a physically handicapped person;

(5) the person acts in a manner that threatens or endangers the life of the victim or any other person;

(6) the person commits the criminal sexual abuse during the course of committing or attempting to commit any other felony; or

(7) the person delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim for other than medical purposes without the victim's consent or by threat or deception. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is under 18 years of age and the person is a family member. A person commits aggravated criminal sexual abuse if:

(1) that person is 17 years of age or over and: (i) commits an act of sexual conduct with a victim who is under 13 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person uses force or threat of force to commit the act; or (2) that person is under 17 years of age and: (i) commits an act of sexual conduct with a victim who is under 9 years of age; or (ii) commits an act of sexual conduct with a victim who is at least 9 years of age but under 17 years of age and the person uses force or threat of force to commit the act. A person commits aggravated criminal sexual abuse if that person

commits an act of sexual penetration or sexual conduct with a victim who is at least 13 years of age but under 17 years of age and the person is at least 5 years older than the victim. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is a severely or profoundly intellectually disabled person. A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.

### **Sexual Relations Within Families**

#### **(720 ILCS 5/11-11):**

A person commits sexual relations within families if he or she: (1) Commits an act of sexual penetration as defined in Section 11-0.1 of this Code; and (2) The person knows that he or she is related to the other person as follows: (i) Brother or sister, either of the whole blood or the half-blood; or (ii) Father or mother, when the child, regardless of legitimacy and regardless of whether the child was of the whole blood or half-blood or was adopted, was 18 years of age or over when the act was committed; or (iii) Stepfather or stepmother, when the stepchild was 18 years of age or over when the act was committed; or (iv) Aunt or uncle, when the niece or nephew was 18 years of age or over when the act was committed; or (v) Great- aunt or great-uncle, when the grand- niece or grand-nephew was 18 years of age or over when the act was committed; or (vi) Grandparent or step-grandparent, when the grandchild or step-grandchild was 18 years of age or over when the act was committed.

**Domestic Violence** is defined in the State of Illinois, 750 ILCS 60/103, as means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis. "Family or household members" include spouses, former spouses, parents, children, stepchildren, and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of this Code. For purposes of this Article, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship.

### **Domestic Battery (720 ILCS 5/12-3.2)**

#### **(from Ch. 38, par. 12-3.2):**

A person commits domestic battery if he or she knowingly without legal justification by any means:

- (1) Causes bodily harm to any family or household member;
- (2) Makes physical contact of an insulting or provoking nature with any family or household member.

### **Aggravated Domestic Battery (720 ILCS 5/12-3.3):**

A person who, in committing a domestic battery, knowingly causes great bodily harm, or permanent disability or disfigurement commits aggravated domestic battery. (a-5) A person who, in committing a domestic battery, strangles another individual commits aggravated domestic battery. For the purposes of this subsection (a-5), "strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

### **Violation of an Order of Protection (720**

#### **ILCS 5/12-3.4) (was 720 ILCS 5/12-30):**

A person commits violation of an order of protection if:

- (1) He or she knowingly commits an act which was prohibited by a court or fails to commit an act which was ordered by a court in violation of:
  - (i) a remedy in a valid order of protection authorized under paragraphs (1), (2), (3), (14), or (14.5) of subsection (b) of Section 214 of the Illinois Domestic Violence Act of 1986;
  - (ii) a remedy, which is substantially similar to the remedies authorized under paragraphs (1), (2), (3), (14) or (14.5) of subsection (b) of Section 214 of the Illinois Domestic Violence Act of 1986, in a valid order of protection, which is authorized under the laws of another state, tribe or United States territory;
  - (iii) any other remedy when the act constitutes a crime against the protected parties as the term protected parties is defined in Section 112A-4 of the Code of Criminal Procedure of 1963; and
- (2) Such violation occurs after the offender has been served notice of the contents of the order, pursuant to the Illinois Domestic Violence Act of 1986 or any substantially similar statute of another state, tribe or United States territory, or otherwise has acquired actual knowledge of the contents of the order. An order of protection issued by a state, tribal or territorial court related to domestic, or family violence shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe or territory. There shall be a presumption of validity where an order is certified and appears authentic on its face. For purposes of this Section, an "order of protection" may

have been issued in a criminal or civil proceeding.

(i) Failure to provide reasonable notice and opportunity to be heard shall be an affirmative defense to any charge or process filed seeking enforcement of a foreign order of protection.

(ii) Nothing in this Section shall be construed to diminish the inherent authority of the courts to enforce their lawful orders through civil or criminal contempt proceedings.

(iii) The limitations placed on law enforcement liability by Section 305 of the Illinois Domestic Violence Act of 1986 apply to actions taken under this Section.

**Interfering with the Reporting of Domestic Violence (720 ILCS 5/12-3.5) (was 720 ILCS 5/12-6.3):**

A person commits interfering with the reporting of domestic violence when, after having committed an act of domestic violence, he or she knowingly prevents or attempts to prevent the victim or a witness to the act of domestic violence from calling a 9-1-1 emergency telephone system, obtaining medical assistance, or making a report to any law enforcement official. For the purposes of this Section: "Domestic violence" shall have the meaning ascribed to it in Section 112A-3 of the Code of Criminal Procedure of 1963.

**Disclosing Location of Domestic Violence Victim (720 ILCS 5/12-3.6) (was 720 ILCS 5/45-1 and 5/45-2):**

As used in this Section: "Domestic violence" means attempting to cause or causing abuse of a family or household member or high-risk adult with disabilities or attempting to cause or causing neglect or exploitation of a high-risk adult with disabilities which threatens the adult's health and safety.

"Family or household member" means a spouse, person living as a spouse, parent, or other adult person related by consanguinity or affinity, who is residing or has resided with the person committing domestic violence.

"Family or household member" includes a high-risk adult with disabilities who resides with or receives care from any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of an adult with disabilities voluntarily, by express or implied contract, or by court order. "High-risk adult with disabilities" means a person aged 18 or over who's physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation. "Abuse", "exploitation", and "neglect" have the meanings ascribed to those terms in Section 103 of the Illinois Domestic Violence Act of 1986. A person commits disclosure of location of domestic violence victim when he or she publishes, disseminates or otherwise discloses

the location of any domestic violence victim, without that person's authorization, knowing the disclosure will result in, or has the substantial likelihood of resulting in, the threat of bodily harm. Nothing in this Section shall apply to confidential communications between an attorney and his or her client.

**Stalking (720 ILCS 5/12-7.3):**

A person commits stalking when he or she knowingly engages in a course of conduct directed at a specific person, and he or she knows or should know that this course of conduct would cause a reasonable person to:

(1) fear for his or her safety or the safety of a third person; or

(2) suffer other emotional distress. A person commits stalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions follows another person or places the person under surveillance or any combination thereof and:

(1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or

(2) places that person in reasonable apprehension of immediate or future bodily harm, sexual assault,

A person commits stalking when he or she has previously been convicted of stalking another person and knowingly and without lawful justification on one occasion:

(1) follows that same person or places that same person under surveillance; and

(2) transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint to that person or a family member of that person.

Definitions. For purposes of Stalking:

"Course of conduct" means 2 or more acts, including but not limited to acts in which a defendant directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, engages in other non-consensual contact, or interferes with or damages a person's property or pet. A course of conduct may include contact via electronic communications.

"Electronic communication" means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. "Electronic communication" includes transmissions by a computer through the Internet to another computer.

**“Emotional distress”** means significant mental suffering, anxiety or alarm.

**“Family member”** means a parent, grandparent, brother, sister, or child, whether by whole blood, half-blood, or adoption and includes a step-grandparent, step-parent, step-brother, step-sister or step-child. “Family member” also means any other person who regularly resides in the household, or who, within the prior 6 months, regularly resided in the household.

**“Follows another person”** means (i) to move in relative proximity to a person as that person moves from place to place or (ii) to remain in relative proximity to a person who is stationary or whose movements are confined to a small area. “Follows another person” does not include a following within the residence of the defendant.

**“Non-consensual contact”** means any contact with the victim that is initiated or continued without the victim’s consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.

**“Places a person under surveillance”** means: (1) remaining present outside the person’s school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or (2) placing an electronic tracking device on the person or the person’s property.

**“Reasonable person”** means a person in the victim’s situation.

**“Transmits a threat”** means a verbal or written threat or a threat implied by a pattern of conduct or a combination of verbal or written statements or conduct. The incarceration of a person in a penal institution who commits the course of conduct or transmits a threat is not a bar to prosecution under this Section. A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

**Aggravated stalking (720 ILCS 5/12-7.4)**  
**(from Ch. 38, par. 12-7.4):**

A person commits aggravated stalking when he or she commits stalking and:

- (1) causes bodily harm to the victim;
- (2) confines or restrains the victim; or
- (3) violates a temporary restraining order, an order of protection, a stalking no contact order, a civil no contact order, or an injunction prohibiting the behavior described in subsection (b)(1) of Section 214 of the Illinois Domestic Violence Act of 1986.

A person commits aggravated stalking when he or she is required to register under the Sex Offender Registration Act or has been previously required to register under that Act and commits the offense of stalking when the victim of the stalking is also the victim of the offense for which the sex offender is required to register under the Sex Offender Registration Act or a family member of the victim. A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

**Cyberstalking (720 ILCS 5/12-7.5):**

A person commits cyberstalking when he or she engages in a course of conduct using electronic communication directed at a specific person, and he or she knows or should know that would cause a reasonable person to:

- (1) fear for his or her safety or the safety of a third person; or
- (2) suffer other emotional distress. A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and:

(1) at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; or

(2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or

(3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person. A person commits cyberstalking when he or she, knowingly and without lawful justification, creates and maintains an Internet website or webpage which is accessible to one or more third parties for a period of at least 24 hours, and which contains statements harassing another person and:

- (1) which communicates a threat of immediate or future

bodily harm, sexual assault, confinement, or restraint, where the threat is directed towards that person or a family member of that person, or

(2) which places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint, or

(3) which knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person.

Definitions: For purposes of this section:

**“Course of conduct”** means 2 or more acts, including but not limited to acts in which a defendant directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, threatens, or communicates to or about, a person, engages in other non-consensual contact, or interferes with or damages a person’s property or pet. The incarceration in a penal institution of a person who commits the course of conduct is not a bar to prosecution under this Section. **“Electronic communication”** means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system. **“Electronic communication”** includes transmissions through an electronic device including, but not limited to, a telephone, cellular phone, computer, or pager, which communication includes, but is not limited to, e-mail, instant message, text message, or voice mail.

**“Emotional distress”** means significant mental suffering, anxiety or alarm.

**“Harass”** means to engage in a knowing and willful course of conduct directed at a specific person that alarms, torments, or terrorizes that person.

**“Non-consensual contact”** means any contact with the victim that is initiated or continued without the victim’s consent, including but not limited to being in the physical presence of the victim; appearing within the sight of the victim; approaching or confronting the victim in a public place or on private property; appearing at the workplace or residence of the victim; entering onto or remaining on property owned, leased, or occupied by the victim; or placing an object on, or delivering an object to, property owned, leased, or occupied by the victim.

**“Reasonable person”** means a person in the victim’s circumstances, with the victim’s knowledge of the defendant and the defendant’s prior acts.

**“Third party”** means any person other than the person violating these provisions and the person or persons towards whom the violator’s actions are directed. Telecommunications carriers, commercial mobile service providers, and providers of information services, including, but not limited to, Internet service providers and hosting service providers, are not liable under this Section, except for willful and wanton misconduct, by virtue of the transmission, storage, or caching of electronic communications or messages of others or by virtue of the provision of other related telecommunications, commercial mobile services, or information services used by others in violation of this Section. A defendant who directed the actions of a third party to violate this Section, under the principles of accountability set forth in Article 5 of this Code, is guilty of violating this Section as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant.

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement (on campus or off campus), it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. Campus police or the Title IX Coordinator will assist any victim with notifying the local police agency of jurisdiction if they so desire. Local police may or may not share the report with the College, hence, if a victim wants MCC to be aware of the assault or act of domestic violence, dating violence or stalking, he or she should also notify campus police and/or the Title IX Coordinator. If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator by calling, writing, or coming into the office to report in person and to the Campus Police Department (if the victim so desires.) The College will provide resources on campus, off campus, or both that include medical and health to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking,

and will apply appropriate disciplinary procedures to those who violate College policies. The College follows procedures that afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with campus police or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

Title IX Coordinators:  
Rachel Boldman  
Director of Crisis Intervention and Prevention  
8900 U.S. Highway 14, A252D,  
Crystal Lake, IL 60012-2761  
(815) 479-7572  
rboldman@mchenry.edu

### **A. Procedures for Reporting a Complaint**

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file a criminal complaint, as well as the availability of counseling, health, mental health, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Campus Police Department or other local law enforcement of jurisdiction. Students and employees should also contact the College's Title IX Coordinator.

### **B. Retaliation**

Retaliation is the taking of an adverse action against a complainant or witness because of his or her opposition to unlawful discrimination or participation in a complaint, investigation, or lawsuit about discrimination. Retaliation includes acts like:

- employment actions such as termination, refusal to hire, and denial of promotion;
- other actions affecting a person's employment or academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and
- any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights. Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, not talking to a student, or negative comments that are justified by an employee's poor work performance or history.

It is unlawful and a violation of MCC's policy/procedures to retaliate against any faculty, staff member, or student who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. The College considers acts or threats

of retaliation in response to such disclosures or participation to constitute a serious violation of MCC's policy/procedures, which may result in disciplinary action, up to and including dismissal, against the retaliator.

Retaliation occurs when an adverse action is taken against the person who has brought the complaint or assisted in a resulting investigation. It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit.

If you believe that you are being retaliated against because of making a complaint or assisting in an investigation in violation of this policy, you should promptly report your concerns to the Title IX or Deputy Title IX Coordinator assigned to your case.

### **C. Confidentiality**

Only State of Illinois licensed counselors or health care providers (acting in that capacity) are designated confidential resources. Students and employees who do not wish to disclose to the College a complaint of sexual misconduct should utilize health and counseling services in the community where their confidentiality may be protected. MCC does not have licensed counselors on campus acting in a confidential capacity.

If the complainant reports to the College and requests confidentiality or asks that the complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his/her name or other identifiable information not be disclosed to the accused individual, the College's ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the College will take all reasonable steps to investigate and respond to the complaint consistent with the party's request, as long as doing so does not prevent the College from responding effectively to the harassment and preventing harassment of other parties. At the same time, the College will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. It is a violation of the College policy to retaliate against an individual bringing a complaint or providing information for an investigation, though the College will swiftly respond to any complaint of retaliation separate and apart from the allegation of sexual misconduct.

Education records are maintained in accordance to Family Educational Rights and Privacy Act of 1974 (FERPA). All documentation related to a student's complaint, investigation, and resolution is protected by FERPA and not available to the public. Non-identifying information may be shared with the Chief of Police in order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A complainant's name will never be published nor does the College house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. To request removal of directory information, employees should contact Human Resources and students should contact the Admissions Department. The College may share information about the respondent, if the respondent is found responsible, with other colleges.

### **D. Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. The College complies with Illinois State Law in recognizing orders of protection and any person who obtains an order of protection from Illinois or any other U.S. State should provide a copy to the Campus Police Department and the Office of the Title IX Coordinator. A complainant may then meet with campus police to develop a Safety Action Plan, which is a plan for campus police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: police escorts, special parking arrangements, providing a temporary cell phone, changing classroom location or allowing a student to complete assignments from home, or other measures as determined appropriate by the College.

The College cannot apply for a legal order of protection for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services. An order of protection for domestic violence is a court order which restricts an abuser and only is available to family or household members.

An order of protection may:

- prohibit abuser from continuing threats and abuse (abuse includes physical abuse, harassment, intimidation, interference with personal liberty, or willful deprivation);
- bar abuser from shared residence or bar abuser

- while using drugs or alcohol;
- order abuser to stay away from you and other persons protected by the order and/or bar abuser from your work, school, or other specific locations;
- require abuser to attend counseling;
- prohibit abuser from hiding a child from you or taking a child out of state;
- require abuser to appear in court or bring a child to court;
- give you temporary physical possession of children or give you temporary legal custody;
- specify visitation rights (if and when visitation is awarded);
- bar abuser from accessing child's records;
- give you certain personal property and require abuser to turn it over, or bar abuser from damaging, destroying, or selling certain personal property;
- require abuser to pay you support for minor children living with you, require abuser to pay you for losses suffered from the abuse, require abuser to pay for your or your children's shelter or counseling services;
- require abuser to turn weapons over to local law enforcement, if there is danger of illegal use against you;
- prohibit abuser from other actions; or
- to protect you, require abuser to take other actions.

### **Criminal Prosecutions**

If an arrest was not made and you wish to seek criminal charges against your abuser, bring all relevant information, including the police report number, to your local State's Attorney. It may be helpful to contact a local domestic violence program so they can help you through the system.

To obtain an Order of Protection, you can:

- Ask your attorney to file in civil court.
- Request an order with your divorce.
- Request an order during a criminal trial for abuse.
- Go to your local Circuit Court Clerk's office and get papers to seek an order of protection for yourself.
- Contact a local domestic violence program to ask for assistance in completing the forms.

### **Law Enforcement Response**

Law enforcement officers should try to prevent further abuse by:

- arresting the abuser when appropriate and

- completing a police report;
- driving you to a medical facility, shelter or safe place or arranging for transportation to a safe place;
- taking you back home to get belongings;
- confiscating any weapons if probable cause exists;
- advising you of your right to an order of protection; and
- telling you about the importance of saving evidence, such as damaged clothing or property and taking photographs of injuries or damage.

Also, law enforcement should know that the Illinois Domestic Violence Act assumes it is in the best interest of the child to remain with you or someone you choose.

### **Drug, Alcohol and Tobacco Policies**

The campus police department enforces Illinois underage drinking laws. No person shall possess, consume, distribute, purchase, or manufacture any controlled or illegal substance on campus or any property that the college may lease. The college police department enforces State and Federal drug laws. McHenry County has 24-hour Access & Crisis Intervention assistance at (800) 892-8900 and a national drug and alcohol abuse hotline of (800) 234- 0246. MCC is a tobacco free environment. Smoking or use of tobacco products inside or outside is prohibited.

### **Crime Prevention**

In an ongoing proactive effort to prevent crime from occurring we utilize foot, vehicle patrol, and electronic camera tours to ensure campus safety. The Campus Police Department offers the following programs:

1. Escort for Students/Staff: Officers provide an escort for persons wishing to have someone walk with them on campus. Call (815) 455-8733 for this service.
2. Telephones for Emergencies: Dialing 9-1-1 from any phone will connect with a police dispatcher. For non-emergency calls students and staff are asked to dial Ext. 8733 for the campus police. Dialing 9-1-1 also works from classroom phones.

3. **Electronic Monitoring System:** The College maintains security cameras, which record activity throughout the Crystal Lake Campus and Shah Center. In addition, the campus has access and fire alarm monitors that connect directly to the campus police department.
4. **Special Events Security:** Campus police officers work many special events at the main campus and Shah Center to monitor and prevent problems from occurring and provide services as needed.
5. **Emergency Procedures:** The McHenry County College Police Department has developed Emergency Procedures to assist in responding to many types of emergencies. Flip-Chart booklets are located in every office area and classroom on campus that gives detailed instructions of how to respond to several different types of emergencies. These procedures and other emergency tips and videos are also available on the campus police website at [www.mchenry.edu/emergency](http://www.mchenry.edu/emergency) and [www.mchenry.edu/safety](http://www.mchenry.edu/safety)
6. **Timely Notification/Special Alerts:** If circumstances warrant, special alerts are distributed throughout campus to students, staff and visitors thru various means which may include daily publications, e-mail, RAVE mass notification, Twitter, Facebook and intercom.
7. **Vehicle Jump Start/Lock-out Assistance:** The college police department provides a free vehicle jump start service. In the event an individual's car doesn't start due to a dead battery, an officer will respond to assist with their vehicle. Officers will also assist drivers locked out of their vehicles.
8. **Behavioral Intervention Team (BIT):** This team serves as the campus threat assessment team and was formed to respond quickly to behavior indicating a potential risk to self or others. These actions or behaviors may include violence or threats of violence. The team conducts threat assessments to determine if a realistic threat is present and acts accordingly. The team gathers processes and coordinates information from faculty, administrators, students and local authorities, and identifies appropriate resources to help resolve the potential issue. The team also works to educate and empower the campus

community to recognize, report, and effectively address aberrant, dangerous, threatening and concerning behaviors.

### **Registered Sex Offender Information**

The Illinois State Police provides a list of registered sex offenders which can be accessed online. The online database is updated daily and allows searches by name, city, county, and zip code. Information about registered sex offenders may be obtained at [www.isp.state.il.us/sor](http://www.isp.state.il.us/sor) . A link to this database may also be accessed thru the Campus Police webpage under the "Crime Information" at <https://www.mchenry.edu/safety> .

This information is being provided under the mandates of the Campus Sex Crimes Prevention Act (section 1601 of public law 106-386, enacted October 28, 2000.)

Additionally, federal and state laws require sex offenders to take certain steps upon enrollment in an institution of higher education, regardless of whether their enrollment is full or part time. Pursuant to the Campus Sex Crimes Prevention Act, individuals are required to register as a sex offender in the jurisdiction where their residence is located, jurisdiction where the college they attend is located, and the College Police Department. To comply with federal and state registration requirements related to college enrollment each semester, a sex offender must register within three days of attendance at a college by reporting in person to the city police department or county sheriff's office in the jurisdiction where the college is located, as well as the McHenry County College Police Department. Students who fail to register their status as a sex offender in each of these locations are in violation of the registration act and face arrest and expulsion from the College. Within 10 business days prior to the start of class or immediately upon registration, registered sex offenders are required to notify the Student Conduct Office of their class schedule. Failure to comply may result in an automatic administrative course withdrawal and/or denial of enrollment and access to campus and/or the decision of the College to contact local law enforcement authorities.

Once a registered sex offender is identified as an enrollee of the College (see information above), the following procedure will be followed:

- McHenry County College Police Department will notify the Manager of Student Conduct or his/her designee when a student has completed the

registered sex offender process with their office. McHenry County College Police Department will advise the registered sex offender to contact the Student Conduct Office to schedule an initial meeting with the Manager of Student Conduct or his/her designee. The registered sex offender may contact the Conduct Office by calling: 815-455-8696. In the event that the sex offender has not yet registered with the Campus Police Department the Manager of Student Conduct will immediately direct them to do so prior to the meeting.

- Prior to the course starting and meeting with the registered sex offender, the Manager of Student Conduct will review the student's class schedule and determine which restrictions should be put in place.
- During the meeting, the Manager of Student Conduct will provide the student with a written letter containing the restrictions, the student must abide by while on the College's campus and will discuss each restriction verbally with the student. During this meeting, the student will also be advised that his/her failure to comply with the restrictions outlined in the letter may result in an automatic course withdrawal and/or denial of enrollment and access to campus and/or the decision of the College to contact local law enforcement authorities.
- If a registered sex offender is enrolled in a course with a student who is under the age of 18, the Manager of Student Conduct will determine if other course section(s) are available to the registered sex offender, or notify the class instructor of the student's status as a sex offender. The manager of Student Conduct will also determine if there are other College staff members who need to be notified of a student's status as a registered sex offender in order to protect persons under the age of 18 on the College's campus. In some circumstances, the registered sex offender may be required to enroll in a course section that does not contain minors.
- If applicable, the Manager of Student Conduct will notify appropriate College officials serving students under the age of 18 of all registered sex offenders enrolled in or employed by McHenry County College.
- The College's Campus Police Department will maintain access to a database of all registered sex offender students and employees. The database will contain identifier information as outlined in the Campus Sex Crimes Prevention Act. This information will be available for review by any person requesting information on registered sex offenders enrolled and employed by the College.

## **Weapons**

In compliance with the Illinois Firearm Concealed Carry Act (the "Act") (430 ILCS 66/1 et seq.), the College maintains a weapons and firearms-free campus. Except as provided elsewhere in this Policy or by statute, no person shall possess, carry, or have control of a firearm, either on his or her person or in his or her vehicle, on any property owned or controlled by the College. The term "property owned or controlled by the College" includes, but is not limited to, the College's campuses in Crystal Lake and McHenry and extends to any building or portion of buildings, classrooms, grounds, venues, sidewalks, common areas, vehicles, or property owned or under the control of the College. The terms "firearm" or "concealed firearm" are defined as those terms are defined in the Act listed below.

Except for sworn police officers, no firearm may be carried or transported in any motor vehicle owned, leased, or controlled by the College. Sworn members of the Campus Police Department and visiting sworn law enforcement officers are authorized to carry firearms on all campuses in accordance with State law and departmental regulations. Notwithstanding any other provision in this policy, a Licensee does not violate this policy or the Act while he or she is travelling along a public right of way that touches or crosses any of the property owned or controlled by the College if the concealed firearm is otherwise being transported in the vehicle by the Licensee in accordance with the Act.

Persons who violate any of the terms of this Policy shall be subject to all civil and criminal penalties as provided by law. In addition, any student found to be in violation of this Policy is subject to discipline, suspension, and expulsion from the College. Any College employee found to be in violation of this Policy is subject to discipline, suspension, or termination of employment. The College's Facilities Department and Chief of Police will develop procedures and make determinations with regard to placement of clear and conspicuous signage stating that concealed firearms are prohibited on campus. Signs will be in accordance with the design approved by the Illinois Department of State Police and will be posted in accordance with any signage regulations promulgated by the State of Illinois.

## **Concealed Carry—MCC's Firearms Policy**

In 2013, the State of Illinois passed the Illinois Firearms Concealed Carry Act, 430 ILCS 66, allowing firearm permit holders to legally possess concealed firearms in the state of Illinois. The law allows the College to

make policy decisions on the following items:

- Carrying a concealed gun in vehicles owned, leased, or controlled by the College,
- Parking lot safe harbor provision,
- Level of discipline if the College finds misconduct related to the concealed carry act,
- Reporting of a student if they represent a clear and present danger to themselves or others.
- Students, staff and visitors of MCC must obey the law imposed by the State of Illinois, as well as regulation enacted by the College to provide for the safety and security of all persons on campus. Violators of this policy may have disciplinary procedures imposed in addition to prosecution under state and federal laws. The Police Department is empowered to enforce this state law. See the Board Policy Manual regarding the Firearms policy.
- Questions regarding the Illinois Firearms Concealed Carry Act or the Firearms Policy may be directed to the Police Department located in B176, near the commons area and café. The Police Department is staffed by police officers and campus public safety officers.
- Non-emergency on-campus: 8733
- Non-emergency off-campus: (815) 455-8733
- Emergency: 911

# Crime Awareness and Campus Security Act of 1990: Campus Crime Statistics Report

The MCC Police Department is required by federal law to compile a Campus Crime Statistical Report to make it available to the public. The report is available on our website, in the library, and student life office (A252). Individual copies are available upon request at the MCC Police Department (B176). The report is also printed in the semester credit schedule. Further information concerning compliance should be directed to the MCC Police Department.

## Criminal Offenses\*—Main Campus (8900 US Highway 14, Crystal Lake, IL)

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities**	Non- Campus Property	Public Property	Total
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### Murder/non-negligent manslaughter

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

### Manslaughter by negligence

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

### Rape

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

### Fondling

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

### Incest

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

### Statutory Rape

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Robbery
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Aggravated assault
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Burglary
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Motor vehicle theft
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Arson
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Violence Against Women Act (VAWA) Offenses—Main Campus

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities*	Non- Campus Property	Public Property	Total
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Domestic Violence
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Dating Violence*
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Stalking					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Hate Crimes—Main Campus**

2021	0
2020	0
2019	0

**Unfounded Crimes—Main Campus**

2021	0
2020	0
2019	0

\* Illinois state law does not define dating violence. Incidents that would otherwise be considered dating violence are included in statistics for domestic violence.

**Arrests and Referrals for Disciplinary Action—Main Campus**

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities*	Non- Campus Property	Public Property	Total
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Liquor Law Arrests					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Drug Law Arrests					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Weapons Law Arrests					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Liquor Law Violations Referred for Disciplinary Action					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Drug Law Violations Referred for Disciplinary Action					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Weapons Law Violations Referred for Disciplinary Action					
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

\*\* McHenry County College has no On Campus Housing Facilities.

Shah Center (4100 West Shamrock Lane, McHenry, IL)

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities**	Non- Campus Property	Public Property	Total
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Murder/non-negligent manslaughter

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Manslaughter by negligence

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Rape

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Fondling

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Incest

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Statutory Rape

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Robbery

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

Aggravated assault

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

<b>Burglary</b>
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

<b>Motor vehicle theft</b>
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

<b>Arson</b>
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Violence Against Women Act (VAWA) Offenses—Main Campus**

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities**	Non- Campus Property	Public Property	Total
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<b>Domestic Violence</b>
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

<b>Dating Violence*</b>
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2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

<b>Stalking</b>
-----------------

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Hate Crimes—Main Campus**

2021	0
2020	0
2019	0

**Unfounded Crimes—Main Campus**

2021	0
2020	0
2019	0

\* Illinois state law does not define dating violence. Incidents that would otherwise be considered dating violence are included in statistics for domestic violence.

**Arrests and Referrals for Disciplinary Action—Main Campus**

Type of offense (Reported by Hierarchy)	On Campus Property	On Campus Student Housing Facilities**	Non- Campus Property	Public Property	Total
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**Liquor Law Arrests**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Drug Law Arrests**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Weapons Law Arrests**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Liquor Law Violations Referred for Disciplinary Action**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Drug Law Violations Referred for Disciplinary Action**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

**Weapons Law Violations Referred for Disciplinary Action**

2021	0	0	0	0	0
2020	0	0	0	0	0
2019	0	0	0	0	0

\*\*\* McHenry County College Shah Center has no On Campus Housing Facilities.

