



2021

as an individual or organization to which students and employees should report criminal offenses.

- An official of an institution who has significant responsibility for student and campus activities, such as:

- Dean of Students/Director of Student Affairs
- Director of Business Operations
- Dean of Instruction

The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many people, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

Examples of individuals who DO NOT meet the criteria for being campus security authorities include a faculty member who does not have any responsibility for student an

Dean of

Reporting to and Overview of the UNM-Gallup Police Department

All UNM-Gallup police officers are required to meet state certification standards mandated by the New Mexico State Police.



venue. Off-campus law enforcement, should it be needed, would fall to the police agency that has primary jurisdiction.

When a UNM-Gallup student is involved in an off-campus offense, the law enforcement agency that has primary jurisdiction handles the case. UNM-Gallup PD may

Serious health-related outbreak

Riot

Terrorist incident

In instances where issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or mitigate the emergency are not subject to the emergency notification requirement.

Enrollment

an e-mail notification to all individuals who have a unnm.edu e-mail address or members of the community who have signed up through the community site. The UNM-Gallup Communicatio

Procedures to follow if a crime of sexual assault, Domestic Violence, dating violence or stalking (sexual misconduct) has occurred

The following information can be obtained in writing from the LoboRESPECT Ad

Reporting the Sexual Misconduct (Including Dating Violence, Domestic Violence and Stalking)

Although the university strongly encourages all members of the community (faculty, staff and students) to immediately report sexual misconduct to law enforcement, you have a choice to make such a report, or you can decline to involve the police. Whether or not anonymity is requested, information about sexual violence and misconduct will be treated privately and *only* be shared on a need-to-know basis, and as authorized under University policy and applicable federal and state law. However, should you wish to report an incident of Sexual Misconduct, you can review the following chart.



Student, Faculty, and Staff Supportive Measures

Supportive measures will be provided in writing to the complainant (victim), regardless of whether the complainant (victim) chooses to report the crime to UNM-Gallup or local law enforcement or otherwise make a report to the University (CEEEO or Director of Student Affairs). Accommodations are provided if requested and reasonably available regardless of a report to law enforcement. The information provided in writing to victims of sexual misconduct, whether the offense occurred on or off campus, can be found in the addendum at the end of this report and includes the following:

Importance of preserving evidence

Seeking medical attention

Reporting options

Investigative process

Confidentiality and confidential reporting

Police reporting options

Rights of parties

How to Request Supportive Measures

UNM

Supportive measures include advocacy, counseling, medical services, academic adjustment, legal and immigration resources, and no contact orders. UNM-Gallup will maintain as confidential as law permits, any accommodations or supportive measures provided to the complainant, to the extent that maintaining such confidentiality would impair the ability of the institution to provide accommodations or supportive measures. In a matter of this nature, the advocacy centers or the Office of Compliance, Ethics, and Equal Opportunity will provide written notification via e-mail to students, employees, and existing counseling, health, and safety advocates, legal assistance, and immigration assistance, student financial aid, and other services available to parties bringing forward a concern and respondents, both within and outside of UNM community.

The LoboRESPECT Advocacy Center, with the assistance of the Director of Student Affairs and guidance from the Title IX Coordinator, has the authority to implement interim measures for students as an administrative action. This is underway to ensure the safety of the community as a whole. The RESPECT Advocacy Center and the Student Affairs Office will continue to work together to ensure the safety of the community.

- Assistance with no contact directives. Students can request that another person not contact them directly or through other channels. Students may also work with UNM-Gallup PD or an advocacy center should they elect to pursue a restraining order, in addition to a no contact directive. Violations of no-contact directives are handled by the Director of Student Affairs

and other similar measures. UNM will maintain as confidential any supportive measures provided to parties, to the extent that maintaining such confidentiality does not impair UNM's ability to provide the supportive measures. The Title IX Coordinator and/or Director of Equal Opportunity is responsible for coordinating the effective implementation of supportive measures, as appropriate.

The above resources and offices can assist employees as follows:

- Assistance in communicating with law enforcement and/or administrative investigative resources on campus.
- Assistance in accessing counseling or health care resources both on and off the UNM campus.
- Work accommodations, which may include working with managers for the completion of essential work functions.
- Assistance in communicating with supervisors for on-campus jobs, regarding work schedules and absences.
- Assistance with creating safety strategies for the employee.
- Assistance with visa or immigration status, should there be a potential for impact on those status.
- Assistance in modifying parking on campus.
- Assistance with no contact directives. Employees can request that another person not contact them directly or through other channels. Employees may also work with UNM-Gallup PD or an advocacy center should they elect to pursue a restraining order, in addition to a no contact directive. Violations of no-contact directives are handled by the Dean of Students Office, while violations are restraining orders are handled by UNM-Gallup PD. The involvement of CSAs or law enforcement is the discretion of the victim. Victims are informed of their option to notify on campus and local police, to be assisted by CSAs in the notification of law enforcement, and victims are informed of their option to obtain an order of protection, a no contact order, restraining order, or similar order issued by a criminal, civil, tribal court, or by UNM-Gallup.

- A prompt, fair, and impartial process from the initial investigation to the final result, to include those involved with the responsibility to determine appropriate discipline/sanctioning.
- Will offer resources for supportive measures throughout the process (as described in the Resource Guide noted earlier in this report).
- Will notify both parties simultaneously in writing of the results of any determination, which includes appeal rights, changes to the results, and once the results become final.

Investigative and disciplinary procedures will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Exculpat

Informal Resolution

An informal process where CEEO does not conduct an investigation, and the allegations in the complaint are therefore neither corroborated nor contested. An informal resolution is not disciplinary in nature and must be agreed to by both parties before proceeding. In cases where a violation of Policy 2740 is alleged to have occurred, two conditions must exist: 1) both parties must agree to an informal resolution; and 2) the alleged conduct must not have been committed by a UNM employee against a student.

Investigative Report

The final report issued at the conclusion of a formal investigation, which includes: Complainant's statement(s), Respondent's statement(s), witness statements, documentary evidence, and

Retaliation	Any action taken in order to seek an adverse academic or employment result against any individual or group of individuals opposing discrimination, filing a complaint, reporting alleged discrimination, participating in a civil rights investigation, or filing an external civil rights complaint.
Support Person	A support person is any person of a Complainant or Respondent's choosing who attends CEEO interviews and helps to guide the party through the CEEO process. A support person cannot participate in CEEO interviews; rather, they act as a second set of ears for the Complainant and Respondent. A support person CANNOT be a potential witness in the CEEO investigation that the Complainant or Respondent is involved in, nor can they be someone in the Respondent's supervisory chain. A support person cannot participate in an evidentiary hearing, if applicable.
Supportive Measures	Non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or UNM's educational environment, or deter harassment. Supportive measures may include counseling, extensions of deadlines or other course-

Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex or gender in any educational program or activity receiving federal financial assistance. Title IX violations include: sex/gender discrimination, sexual harassment, stalking, dating violence, domestic violence, and intimate partner violence, or any other form of sexual violence.

Unaffiliated

When a party is referred to as “unaffiliated,” it means that they do not have a direct relationship to UNM as a student, faculty, staff member, or contractor.

Union Representative

A union representative is a person from a party’s employment/labor union who may attend CEEO interviews and help guide the party through the CEEO process. A union representative cannot participate in CEEO interviews; rather, they act as a second set of ears for the party.

Witness

Retaliation against a person who seeks assistance from CEEEO is grounds for a subsequent civil rights claim.

III. TIME FRAME

Individuals who believe their civil rights have been violated at UNM or in a UNM program should file a complain

- specific to the Complainant's role at UNM (student, staff, or faculty) and outline access to groups on and off campus to assist the Complainant with the impacts that alleged discrimination has had on them;
2. CEEEO will offer the Complainant opportunity to request supportive measures;
 3. CEEEO will advise the Complainant of their right to file a formal complaint and information regarding the formal grievance procedure.

Complainants may provide the required information orally or in writing. CEEEO may contact persons who submit complaints in order to discuss the details of the concerns and obtain additional factual information.

B. Formal Complaint from Complainant

A Complainant may file a formal complaint of discrimination and/or sexual harassment that triggers the formal grievance procedure set forth in Section VI. See Section VI(A) for more information regarding formal complaints.

The formal complaint shall:

1. Be filed utilizing the CEEEO formal complaint form (if the complaint is received verbally or via a third-party report, the Complainant electing a formal complaint process shall utilize the CEEEO form);
2. Be signed and dated by the Complainant;
3. Include Respondent's name and contact information (if known), and whether the Respondent is a student, staff, faculty, or UNM visitor;
4. Include Complainant's protected status, which they claim as the basis for the alleged discrimination or harassment;
5. Include the civil rights category to which the Complainant believes the allegations belong (i.e., sexual harassment, violence, or misconduct, discrimination, harassment, failure to accommodate, retaliation, etc.);
6. Include the reasoning for the civil rights category identified and the Complainant's protected status (as defined on page 1 herein);
7. Identify the UNM program, activity, or location where the alleged conduct occurred; and
8. Indicate whether the alleged conduct occurred in the United States.

A Complainant who files a formal complaint with CEEEO will have the opportunity to seek supportive measures.

C. Third-Party Reports and Reports from Responsible Employees; Failure to Report

CEEEO receives reports from third-party reporters, responsible employees, or others who have information regarding potential civil rights violations. In these cases, the third-party report may lack the detail present in a Complainant's direct report. In such cases, CEEEO may reach out to the individual(s) the third-party reporter identifies as having experienced the civil rights violation or other witnesses the third-party reporter identifies for more information. CEEEO will evaluate and accept third-party reports to determine if the report is sufficiently detailed to accept jurisdiction and constitute actual knowledge of a complaint. In all cases where reports are received from third parties, CEEEO will reach out to the alleged Complainant to discuss the report, determine the alleged Complainant's need for supportive measures, and how they wish to proceed.

1. Failure to Report

When CEEEO receives information that a UNM employee with reporting responsibilities, pursuant to University Policies 2720 and 2740, has failed to report allegations of known or suspected policy violations in a timely fashion, CEEEO will initiate the following process.

Depending upon the nature of the FTR, CEEEO may issue a memorandum or proceed with additional fact-finding processes. If an FTR is a singular occurrence, an FTR memorandum will be sent to the Respondent

(the person who failed to report to CEEEO under UNM Policies) and their supervisor. This memorandum serves as a reminder of the responsible employee's duties as outlined in University Policies 2720 and 2740, and is not disciplinary or punitive. No CEEEO investigation is conducted and no hearing is held.

In cases where there are multiple instances of FTR or when an FTR could result in significant harm to the campus or member(s) of the campus community, CEEEO will notify the Respondent (the person who failed to report to CEEEO under UNM Policies) of the information that CEEEO has related to the FTR in writing, and will provide Respondent **five (5) business days** to respond to the FTR allegations, by either providing a verbal or written statement. See Section VI(C)(3)(b).

CEEEO will review all relevant documents and interview any witnesses, if available and necessary, to determine if Respondent failed to report in relation to their duties, position, and responsibility under UNM policy. This information will be gathered into a Draft Investigative Report and provided to Respondent for review. Respondent will have **five (5) business days** from the date of the Draft Investigative Report to provide additional, factual, relevant information. CEEEO will then prepare a memorandum stating whether

1. The parties involved. CEEEO investigates policy violations. Therefore, the policy alleged to have been violated must apply to at least one of the persons involved in the issue raised with CEEEO.

2. The subject matter of the allegations underlying the complaint. CEEEO has jurisdiction to investigate alleged policy violations regarding civil rights. For CEEEO to have jurisdiction to investigate a complaint, the allegations must state facts that, taken in the light most favorable to the Complainant, qualify as an alleged violation of one or more of UNM's policies. If the allegations in the complaint do not allege

- Meet with Respondent and supervisor or other authority figure together;
- Provide training or engage in other collaborative processes as deemed appropriate by CEEO;
- Initiate the ADA reasonable accommodation proc

CEEO does not have subpoena power or other authority to compel document production or witness participation. Document production and witness participation is therefore voluntary; however, UNM strongly encourages all members of the UNM community to participate in CEEO investigations and provide information when CEEO requests it pursuant to its role as investigator.

d. Inspection and Review Process

The parties will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Prior to issuing a final Investigative Report, CEEO will send to each party and the party's support person, if any, the evidence subject to inspection and review in an electronic format. The parties will have **ten (10) business days** to submit a written response, including any **new, factual information which was not reasonably available to the parties prior to issuing the Investigative Report**, which the investigator will consider prior to completion. See Section VI(C)(3)(e)(ii) herein.

e. Post-Investigation Steps

At the conclusion of an investigation, CEEO will either dismiss the formal complaint or continue the investigatory process for further action if a dismissal is not warranted.

i. Dismissal Memorandum

If the evidence gathered during an investigation indicates that no discriminatory or harassing behavior took place, the conduct described is not civil rights related, or does not fall within the jurisdiction of CEEO, it will issue a Dismissal Memorandum to the parties, summarizing its findings and justification for closing the complaint.

CEEO will issue a Mandatory Dismissal, as required by Title IX of the Education Amendments of 1972, in cases that allege violation of University Policy 2740 when:

- Alleged co t e to e t h

In order to protect the integrity of the CEEO investigation, no documents or records are released to the Complainant or Respondent until the Investigative Report is issued. The Investigative Report contains a description of the documents and records CEEO gathers during its investigation and which the Hearing Officer may use to determine whether UNM policy was violated.

After the Investigative Report is issued, the parties will have **ten (10) business days** to submit any new, relevant, factual information to be included in the Investigative Report. The response may include corrections or clarifications to the party's own statement, questions for the other party or witnesses, along with any additional evidence or witnesses not reasonably available to the parties prior to issuing the Investigative Report. This new information will be included as part of the record in the Investigative Report, which will be issued to the parties within **five (5) business days** of having received the parties' responses to the Investigative Report.

The Investigative Report will then be compiled and forwarded to the UNM Hearing Coordinator to begin the grievance hearing process. Thereafter, CEEO will close the investigative file and provide notice to the parties of the same.

Mandatory Dismissals for an alleged violation of University Policy 2740 that are investigated under other applicable University policies that adjudicate incidents of dating violence, domestic violence, sexual assault, and stalking involve the same steps, timeliness, and decision-making processes as investigations involving University policy 2740 as described in the Office of Compliance, Ethics, and Equal Opportunity's Discrimination Grievance Procedure.

f. Grievance Hearing Process

A live hearing presided over by a Hearing Officer will be held to adjudicate the formal complaint and CEEO investigation. Upon the request of either party, the hearing may be conducted by videoconference with the parties 1 110055>201 reW3n-,i20oBT0.00000912 0 612 792 reW*nB5fE. 1 38may be conductay be conductay be conduct

specific needs of the party.

In the event a CEEO investigation advances to a hearing, the parties are required to have an Advisor of
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Sanctions can range from a verbal warning to expulsion or termination of employment.

If the Respondent is determined to have violated University Policy 2740, the Title IX Coordinator may provide the Complainant with remedies that are separate from the Respondent's sanction. Remedies are designed to maintain the Complainant's equal access to the academic and/or work environment. Remedies may include extending supportive measures as defined in this DGP. Remedies are not required to be non-disciplinary or non-punitive for the Respondent and need not avoid burdening the Respondent. Remedies are confidential and are not shared with the Respondent except to ensure the remedy is carried out.

VII. CLIMATE ASSESSMENTS; DEPARTMENTAL INVESTIGATIONS; CONSOLIDATED COMPLAINTS

A. Climate Assessment

As an equal opportunity employer and an equal educational opportunity institution, UNM is legally obligated to provide and maintain an atmosphere free from discrimination. UNM must respond appropriately to all reports of discrimination. Such response may include investigating claims and taking appropriate corrective action even when there are no individuals standing in the roles of Complainant and/or Respondent as described herein.

If CEEEO receives reports of alleged violation(s) of UNM policy, including but not limited to, alleged discriminatory actions, and those reports include allegations of violations that may affect multiple individuals within one department, CEEEO may exercise its authority to conduct a civil rights-related climate assessment to address any actual or potential harm, and remedy any effects of that harm.

Climate assessments may be initiated at CEEEO's or the Title IX Coordinator's sole discretion when the totality of allegations in one or multiple reports or claims of discrimination indicates that a discriminatory environment may exist within a department. Under such circumstances, UNM stands as the Complainant in the matter. A Dean of an academic area or Director of a unit may also request that CEEEO conduct a climate assessment. Under such circumstances, the Department stands as the Complainant in the matter. In all such cases, CEEEO, defines the scope of the assessment if one is to occur. Climate assessments will generally not be conducted when there are active investigations or inquiries into alleged misconduct by a particular Respondent or Respondents, but may be pursued after those active investigations are resolved. If CEEEO determines that a climate assessment should be initiated while a separate investigation is ongoing, it will conduct the assessment so as not to interfere with the active investigation.

Once CEEEO determines jurisdiction of a climate assessment, CEEEO notifies the department Director or Chair that jurisdiction has been accepted, indicates the investigator assigned, and seeks to schedule a meeting with the department Director or Chair to discuss the process, the rights and responsibilities of the parties, UNM's prohibition against retaliation, and provide an overview of the allegations of civil rights violation(s) that have been raised.

At the conclusion of its assessment, CEEEO issues an Climate Report that contains information on the allegations, witness statements, and all relevant evidence gathered during the investigation. CEEEO provides the Climate Report to the appropriate Chair or Director. Those who receive the Climate Report have **ten (10) business days** to provide comment, response, or new, factual information.

After CEEEO has received new, factual information, or when the deadline has passed with no response, CEEEO writes a Final Climate Report which includes the information from the Climate Report, and any new information submitted. The Final Climate Report does not result in the issuance of a finding of responsibility; rather, the investigator will indicate whether the assessment revealed that there is a climate

of discrimination or harassment in the department.

A copy of the Final Climate Report is forwarded to the Chair or Director and their supervisor, as well as higher level departments if deemed appropriate, such as the Office of the Provost or Human Resources. A

A party may appeal a Hearing Officer's Final Determination to the President of the University of New Mexico within **seven (7) business days** of the date of the Final Determination's issuance.

The President will consider an appeal only if it alleges one or more of the following extraordinary circumstances:

1. Procedural irregularity that affected the outcome

submitted to the Board of Regents ONLY AFTER the President's review and decision are completed. A person wishing to appeal a decision to the Board must submit a written petition to the Board through the President of the University. The petition must be filed with **thirty (30) days** from the date the decision being appealed was rendered. The petition must describe the decision being appealed and the basis for the appeal. The Board of Regents has sole discretion to determine whether the appeal will be considered. The Board shall render its final decision in writing to the Complainant and Respondent within **ninety (90) days** from the date the appeal was filed unless a delay is requested by one of the parties and approved by the President of the Board. Additional information on appeals to the Board of Regents can be found at <https://policy.unm.edu/regents-policies/section-1/1-5.html>.

IX. CONFIDENTIALITY

UNM strives to respect individuals' privacy and requests for confidentiality to the extent permitted by state and federal laws. However, UNM has an obligation to investigate and resolve civil rights claims. To meet this obligation, UNM may be required to share information with persons who have a legitimate need to know that information. For example, those who are responsible for determining whether UNM policies have been violated or those sanctioning individuals found to have violated UNM policy have a legitimate need to know the factual findings made by the Hearing Officer. Those who manage the processes for appeals of the Hearing Officer's factual findings have a legitimate need to know the details of CEEO's investigation and/or need to review the evidence underlying a finding.

Upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to:

- a. The alleged victim;
- b. or next of kin, if the victim is deceased

While UNM strives to respect the confidentiality and privacy of all parties involved in the process, UNM **cannot under any circumstances** guarantee confidentiality unless required to do so by law. Examples of situations in which confidentiality cannot be maintained include, but are not limited to:

1. Parties (Complainant and Respondent) have a right to examine and respond to all the evidence gathered by CEEO. While CEEO maintains information protected by FERPA, parties may be able to view FERPA-protected information;

Faculty Disciplinary Process

(This process is for all faculty misconduct, including allegations of Sexual Misconduct, including Sexual Assault, Dating/Domestic Violence, and Stalking) Faculty who are found to be in violation of this policy may be subject to disciplinary action as provided in the Faculty Handbook Policy C07 (“Faculty Disciplinary Policy”), which states:

1. The university encourages a supportive problem-solving approach to workplace problems, but the university recognizes that misconduct may require disciplinary action. The university normally uses progressive discipline to address possible misconduct. Progressive discipline is intended to be corrective, not punitive in nature. It is designed to provide faculty with notice of deficiencies and an opportunity to improve. However, some violations of policies and procedures, or continued negative behavior, may be of such serious nature that suspension without pay or discharge pursuant to Faculty Handbook policies may be appropriate.

2. Any member of the faculty, including any serving as an academic administrator, who violates a published university policy may be subject to warning, censure, suspension without pay, or dismissal. Teaching or research assistants in their faculty capacity are considered faculty members for purposes of this Policy.

a) "**Warning**" means an oral reprimand or expression of disapproval.

b) "**Censure**" means a written reprimand or expression of disapproval, which should include an explanation of the nature of the misconduct, and the specific action to be taken by the faculty member and/or chair to correct the problem, including mentoring, if appropriate, and a statement that further disciplinary action could occur should the problem persists.

c) "**Suspension without pay**" means disciplinary suspension without regular salary for a stated period of time.

d) "**Dismissal**" means termination of employment (see Faculty Handbook Sections B.5.3, B.6.4.3, and B.5.4).

3. The procedures specified in this policy provide for the consideration and determination of proposed disciplinary actions against faculty members short of dismissal. Consideration and determination of disciplinary actions that may result in a proposed dismissal of a tenured faculty member, or dismissal of an untenured faculty member prior to expiration of his or her

file, and send a signed copy to the faculty member. Before, during or after the meeting, the chair may ask the faculty member to respond in writing to the notice and present any relevant written material within a reasonable time specified by the chair. Likewise, the faculty member shall be free to submit any materials reasonably desired on his/her own volition, no later than five (5) working days after meeting with the chair unless the chair grants additional time in writing. The matter may be concluded at this point by the mutual consent of all parties.

7. The department chair or the faculty member may initiate conciliation proceedings at any time prior to the chair's decision by contacting the Ombuds Dispute Resolution Services for Faculty program as provided in Section C345 with notice to the other parties. Conciliation may be undertaken if both parties agree.

8. If a mutually agreeable resolution (with or without conciliation) is not achieved, the department chair shall make a decision in the matter and communicate it to the faculty member in writing within ten (10) working days after meeting with the faculty member or the termination of conciliation efforts if they are unsuccessful, whichever is later. The faculty member shall have ten (10) working days from receipt of the written decision to submit a written request for review by the appropriate dean, who will issue a written

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printed documents through campus mail. The use of electronic distribution is now considered

Policy 2740 shall not be implemented until the exhaustion of the appellate process, including the Regents-level discretionary appeal.

For more detailed information, students should refer to the Student Code of Conduct and related policies printed in *The UNM Pathfinder* (<http://pathfinder.unm.edu>) and/or contact the Dean of Students Office.

UNM's response to any violation of this policy may include, as a total or partial alternative to disciplinary action, a requirement that the employee or student participate satisfactorily in an approved substance abuse treatment or rehabilitation program as a condition of continued employment or registration/enrollment. Any employee engaged in the performance of work under a federal contract or grant is required, as a condition of employment, to notify his/her supervisor if he or she is convicted of a criminal drug statute violation occurring in the workplace within five days of such conviction. The supervisor shall notify the University Counsel's Office. Failure of the employee to notify the supervisor shall be grounds for disciplinary action.

In recognition of the dangers of substance abuse in the workplace, UNM shall maintain alcohol and drug free awareness programs to inform members of the University community about the issues and risks of substance abuse, and about counseling and treatment resources. The university shall assign responsibility for such awareness programs to specific administrative entities, which shall be provided sufficient resources to develop and maintain the programs. As a matter of policy, any referral, treatment, awareness or primary prevention programs established by the University shall play no role in enforcing or instituting possible disciplinary action.

I. Legal Sanctions for the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

The penalties for even the most minor of violations of the Liquor Control Act can include fines of up to \$300, confiscation of property and imprisonment for up to seven months. More serious violations carry greater penalties, with larger fines and longer imprisonment.

Driving, using machinery after drinking, or using drugs creates the risk that the user may injure or kill someone. This can result in homicide charges. License revocation and vehicle impoundment are also possible results of driving while under the influence of liquor or drugs. The minimum blood alcohol levels at which drivers' licenses are revoked in New Mexico are .02% for those under 21 and .08% for those 21 and over. All drivers in New Mexico are presumed to be intoxicated at the .08%

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- Safe Zone Training – where UNM Community members can understand how to be an ally, what terminology is appropriate, understanding different types of hate, negativity and phobias.

III. Campus Office of Substance Abuse Prevention

Program (Risk Reduction)	Target Audience	Frequency
E-Chug	Students at Risk with Alcohol Use	Annually
Diary of a Lady Lobo (Healthier Alternative to Drinking While Partying)	UNM Women Students	Annually
Campaign (Prevention and Awareness)	Target Audience	Frequency
Social Norms (Educating students about social drinking and partying)	All UNM Students	Annually

IV. LoboRESPECT Advocacy Center

Campaign (Prevention and Awareness)	Target Audience	Frequency
Not on My Campus (Promoting Sexual		

		Orientations, etc. and as requested.
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VII. Active Bystander Intervention

address conditions that facilitate violence and can help reduce the risk of being assaulted.

***Crime Prevention Services and Risk Reduction Tips
Keeping You Safe at UNM***

The following is a list of services UNM provides for the entire UNM community. These services are talked about at New Student Orientation and New Employee Orientation.

Campus Escort Service: UNM-G PD offers escort services to anyone needing an escort from an on-campus location to another on campus location 24 hours, 7 days a week. We do not give off campus escorts. For escort service, call (505) 863-7620.

Campus Police Website: The Campus Police Website has a myriad of safety tips and features for our UNM community, including a link to Campus Safety 101 <https://gallup.unm.edu/campuspolice/>

Crime Prevention Materials:

University of New Mexico-Gallup Campus Crimes

The following tables contain statistics for Clery reportable crimes that have occurred within UNM-Gallup Campus Clery reportable geography and has been gathered from the UNM-G PD, Campus Security Authorities (CSAs) and Surveys sent to local law enforcement agencies. The data encompasses the following information within UNM's Clery Geography, as defined by the Clery Handbook unless otherwise noted.

I. Clery Reportable Crimes

Murder/Non-Negligent Manslaughter – is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter – is defined as the killing of another person through gross negligence.

Rape – is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ or another person, without the consent of the victim. This offense includes the rape of both males and females. Include the crime as Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, include the crime as Statutory Rape.

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

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

Statutory Rape – is sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated Assault – is an unlawful attack by one person upon another for inflicting sever or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary – is the unlawful entry of a structure to commit a felony or a theft. This category does include thefts from automobiles.

Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.

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

Stalking

Domestic Violence:

A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim or
- A person with whom the victim shares a child in common
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
- 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
- Any other person against an adult or youth victim who is protected from that person's acts under the

Dating Violence – Under New Mexico Crimes Against Household Members Act, someone with whom a person has a dating or intimate relationship is considered to be a household member. Any of the felony and misdemeanor crimes enumerated as domestic violence in the Crimes Against Household Members Act are also crimes when committed against someone with whom the offender has a dating or intimate relationship.

Sexual Violence - Sexual violence refers to physical sexual acts perpetrated with force or coercion against a person's will; or where a person has not given consent as defined in this policy or is unable to consent due to the use of alcohol or drugs, disability, or age. It may include sexual assault, forcible fondling, or any other conduct of a sexual nature that is nonconsensual. Sexual violence is a crime.

- Rape/sexual assault: non-consensual sexual intercourse (either vaginal or anal) with a penis, vagina, tongue, finger, or any object.
- Non-consensual oral sex: non-consensual contact between one person's mouth and the genitals or anus of another person.
- Sexual contact/battery: non-consensual touching, kissing, or fondling of another person in a sexual way, whether the person is clothed or unclothed; or forcing someone to touch another in a sexual way.
- Sexual coercion: the act of using pressure, alcohol or drugs, or force to have sexual contact with someone against the individual's will and includes persistent attempts to have sexual contact with someone who has already refused.

Stalking – Under New Mexico law, “stalking” is defined as knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, or restraint of the individual or another individual. “Aggravated stalking” consists of stalking perpetrated by a person who knowingly violates a court order, including an order of protection, or when the person possesses a deadly



	2019	0	0	0	0
	2018	0	0	0	0
Weapons Law Referrals	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0

Unfounded Crimes:

There was 1 unfounded crime for 2018.
