METROPOLITAN STATE UNIVERSITY[SM] OF DENVER

2022

Metropolitan State University of Denver

2022 Annual Security Report

Published by the Metropolitan State University of Denver
Dean of Students Office

THIS REPORT CONTAINS STATISTICS FOR THE 2022 CALENDAR YEAR IN COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY & CAMPUS CRIME STATISTIC ACT

Table of Contents

The Clery Act 7

Setting of ASR in Service of MSU Denver Community 7

MSU Denver Land Acknowledgement 9

Reporting Crimes & Emergencies 10

- MSU Denver Dean of Students Office & Student Care Center 10
- Auraria Campus Police Department (ACPD) 11
  - Presence of Mental Health Co-Responder Program 11
- Voluntary and Confidential Reporting 12
- Confidential Reporting – Pastoral & Professional Counselors 12

Security of and Access to Campus Facilities 13

Law Enforcement & Jurisdiction 14

- Authority to Arrest and Relationships 15
- Accurate & Prompt Reporting 15
- Monitoring Campus Student Organizations 16

Crisis Communications Plan 17

- Issuance of a Timely Warning Advisory 17
- RAVE Emergency Notifications 18

Emergency Drills, Testing, & Evacuation 18

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, & Stalking 19

- Colorado State Statutes 19
- Descriptions of IPV Intervention Program Types 21
- Description of IPV Programs Offered 22
- MSU Denver Policies Related to Sexual Misconduct 28

Procedures After Experiencing Violence 36

- Importance of Preserving Evidence 36
- How and to Whom to Report or Refer 37

Options to Involve Law Enforcement & Campus Authorities 38
No Contact Directives, Protection Orders, & Restraining Orders 38
Confidentiality 39
Sex Offender Registration Information 39
Investigative & Disciplinary Procedures for Sexual Misconduct 40
Responsible Offices for Conducting Investigations 42
Investigative & Disciplinary Proceedings 42
Office of Equal Opportunity and Title IX Coordinator's Title IX Procedures 43
Student Code of Conduct 48
Standard of Evidence 51
Potential Resolutions from Investigative & Disciplinary Proceedings 52
Disclosure of Results of Investigative & Disciplinary Proceedings 52
Security Awareness and Crime Prevention Programs 53
Individual and Community Wellness and Engagement 55
Introduction to some MSU Denver programs and resource available during the 2023-2024 academic year: 55
Rowdy's Corner 55
Recreation Center 56
Center for Equity and Student Achievement (CESA) 56
Student Care Center (SCC) 56
Health Center at Auraria (HCA) 57
Housing Resources 58
Phoenix Center at Auraria (PCA) 59
LGBTQ Resource Center 60
MSU Denver Counseling Center 60
Common concerns students reach out for support with 60
Examples of external resources identified for students seeking intersectional support and belonging 61
Sample mindfulness and mental health supporting apps 61

Auraria Campus-adjacent and regional public safety and security information and resources 64

Auraria Campus Master Plan development 64

Denver Vision Zero 64

Disability Identifier for Colorado state-issued IDs and Licenses 64

New vehicle parking and towing rights in Colorado 67

Auraria Campus-based Counseling and Substance Use Treatment and Support Group Programs available during 2022 68

MSU Denver Counseling Center Programs 68

Health Center at Auraria Programs 69

Auraria Recovery Community (ARC) 70

Mental Health Co-Responder Program within ACPD 70

Safer Crisis and Emergency Response Support 72

Informed decision-making resources for reporting of emergencies and summary of first responder programs in development in the region 72

Denver STAR non-law enforcement response program 73

Emerging non-law enforcement response programs in region 74

Regional Co-Responder Programs 75

Crisis Intervention Team (CIT) programs 79

Summary of Disability Identifier available for state-issued IDs 80

Regional Mental Health Resources Including Support with Substance Use Concerns 81

State and National Mental Health Crisis Services

Introduction to State of Colorado Behavioral Health Portal 81

Colorado Crisis Services 81

988 – National Suicide and Crisis Lifeline 81

Regional Substance Use Treatment Resources 82

Regional clinical treatment centers 82

Auraria-adjacent harm reduction support organizations 82

Regional communities for sobriety or cessation 82

Evolving Nature of Public Health Research and Psychedelic Psychoactive Substances ..84

Introduction to Recent Public Policy Changes in Colorado and Federal Review of Clinical Research Data of Some Psychedelic Substances ..84

Background and Timeline of Proposition 122 and Subsequent Legislative and Regulatory Work in Colorado ..84

Background Reporting and Multi-Disciplinary Conferences Relating to Colorado Decriminalization and Regulation of Psychedelic Substances ..86

Professional Associations of Health Care Providers Related to Psychedelic Research and Clinical Application and Psychedelic-Assisted Therapy Programs in Colorado ..86

Equity-Based Harm Reduction and Knowledge Building Organization List for MSU Denver Community Members with Concerns Relating to Psychedelic Substances ..87

Public Health Research Resources Specifically Concerned with Psychedelic Substance Use Risks ..89

Background on Health and Safety Concerns with Psychoactive Substances ..90

A Note on Language ..90

General Psychoactive Substance Abuse Signs and Symptoms ..91

Overview of Psychoactive Substance Descriptions and Warnings ..92

List of Common Psychoactive Substances ..92

Concerning Opioid Overdosing ..98

Concerning Controlled Substances That Can Be Covertly Used In Sexual Assault Attempts ..99

Additional Controlled Psychoactive Substance Information and Resources ..100

Laws and Policies Related to Possession or Use of Psychoactive Substances ..101

MSU Denver Policies on Regulated or Controlled Psychoactive Substances ..103

Colorado Laws and Policies Concerning Psychoactive Substance Use and Possession including alcohol ..104

Federal Laws and Policies Concerning Psychoactive Substance Use and Possession ..110

Annual Fire Safety Report ..114

Missing Student Notification ..115

Definitions of Clery Reported Crimes ..116

Annual Crime Statistics ..119

Anti-Racism Commitment, Campus Climate, and Summary of Efforts Toward Equity and Inclusion 121

Conclusion 122

The Clery Act - Background

After their daughter, Jeanne Clery, was raped and murdered in her college residence hall at Lehigh University in 1986, Connie and Howard Clery advocated for legislation to be passed that would require universities to disclose information about crimes on college campuses. Their goal was to create safer higher education communities where individuals had all the information needed to make informed decisions regarding safety. Their efforts helped pass the federal Crime Awareness and Campus Security Act in 1990 that was later renamed in honor of their daughter, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Today it is more commonly known as the Clery Act.

Setting of ASR in Service of the MSU Denver Community

Metropolitan State University of Denver (MSU Denver) values transparency and promoting an informed, safe community.

While this Annual Security Report (ASR) follows in the efforts of prior years to include the relevant policies, statistics, and resource information to meet Clery Act compliance requirements for that transparency, this report also acknowledges that there are many other expectations and areas of support for informed, safe community resourcing.

MSU Denver is committed to the rationale that a campus low in Clery crimes but that also remains low in belonging and inclusion for many historically marginalized communities of its neighbors, friends, colleagues, and family is not yet a safe or secure campus.

Moving forward the MSU Denver Dean of Students Office through its reliance on and support of other Student Engagement and Wellness departments, particularly the Student Care Center, will continue to report on prior calendar year requirements of the Clery Act while also reporting on evolving and improving resources available at the time of publication for the 2023-2024 academic year to support students and staff and faculty on campus, and to provide some bridges to resources and greater sense of belonging within the communities that comprise the metropolitan Denver area, the wider Front Range, and Colorado overall.

MSU Denver's growth to its present from – since its founding as Metropolitan State College of Denver in 1965 – comes through an origin and history that is tied to an exploitation of resources taken from persecuted or marginalized and subsequently dispossessed people. Dispossessed outright from the Indigenous nations that ongoingly resided and met at the confluence of the rivers now known as Cherry Creek and South Platte, from which the metropolitan Denver area grew after conquering and territorial settlement by the United States military forces and citizens. And later from the residents of the Auraria neighborhood incorporated into Denver that developed between Colorado's territorial establishment in the 1860s and the rezoning and redevelopment of it in the 1960s and 1970s, setting the stage for the Auraria Higher Education Center that exists today.

However, as envisioned in the institution's founding, MSU Denver quickly built itself up to be an institution that tries to support and empower all peoples who have come to call Colorado home, from those whose ancestors have lived in this place since time immemorial to those that learned of this place as their new home

upon its assignment as the state of entry to their family's approved refugee application in the most recent of years. However, part of creating a more inclusive definition of safety and security is acknowledging that the more an organization refuses to address its own decolonization and healing needs, the more likely it will be that it will perpetuate new harms on already marginalized communities and at risk of doing so to additional communities.

MSU Denver's provides these materials in its Annual Security Report as a commitment to the path set ahead, towards the inclusive and innovative higher education horizon through the 2020s with the hope and trust in the leaders emerging in this decade that will take it beyond.

MSU Denver demands more of itself moving forward, for continued action on the aspirations of the past few years for systemic change, to deliver on the greater equity and inclusion that all residents of the state of Colorado deserve and multiple civil rights and justice reform movements have fought for through MSU Denver's lifespan.

Accordingly, MSU Denver is committed to dismantle inequity-supporting systems and practices within its administration and it schools and departments, as this 2022 Annual Security Report hopes to substantively reflect, by summarizing continued decoupling of higher education institutional policies and procedures from inequitable law enforcement and criminal justice prosecution and punishment models, including revisions to the Student Code of Conduct and the expansion of restorative justice practices, both for concerns involving students and those that present between staff and faculty only.

Through systemic review including acknowledgments of harm and needs for healing such as these, and harm reduction and prevention efforts in multiple, intersectional areas of individual and wider public health, MSU Denver works towards the vision of a model of public higher education in the United States that is not insecure with the advocated critical thinking and intellectually challenging intents of its academic programs being applied to examination of its own systems that were not initially built with equitable, pluralistic, positive-sum intents that the world of today needs and a more sustainable world to come existentially requires.

This report is prepared by the Prevention and Compliance Coordinator in the Dean of Students Office of MSU Denver, in cooperation and collaboration with internal MSU Denver administrative and academic leadership including the director and associate director of Student Care and Behavioral Intervention in the Dean of Students Office.

The report is informed and supported by multi-disciplinary safety, security, and trauma-informed, campus climate-focused collaborators through additional MSU Denver departments including The Student Care Center, Counseling Center, Human Resources, Health Center at Auraria (HCA), Restorative Justice Coalition (RJC), many departments of the Center for Engagement and Student Success (CESA) including the Center for Multicultural Engagement and Inclusion (CMEI) as well as Auraria campus partners with the Phoenix Center at Auraria (PCA), University of Colorado Denver (CU Denver), Community College of Denver (CCD), Auraria Campus Police Department (ACPD), and Auraria Higher Education Center (AHEC), as well as external information and support provided by the University Police Department of the University of Colorado Anschutz Medical Campus, and other local law enforcement agencies surrounding the Auraria Campus.

The Dean of Students Office annually reviews the policies outlined in this report with relevant campus departments including Office of Equal Opportunity (OEO) and General Counsel. The Dean of Students Office reviews statistics of crimes reported to the institution and requests the same information from the ACPD and relevant local law agencies to compile the statistics listed. The Dean of Students Office is among departments that reviews qualitative and quantitative data and reports about student and staff experiences and perceptions of MSU Denver as an academic and professional environment, including institution-wide Campus Climate Surveys, that help inform the scope and substance of initiatives and programs that the Dean of Students advocates for from its perspective within the Department of Student Engagement and Wellness specifically, and MSU Denver Student Affairs more generally, to push for the most rewarding and promising action in the collective mission to the communities that MSU Denver serves and ultimately belongs to.

MSU Denver Land Acknowledgement:

MSU Denver acknowledges the indigenous people and land of Auraria and the broader Denver area and the labor of enslaved and exploited people that built the country.

We honor and acknowledge that we are on the traditional territories and ancestral homelands of the Cheyenne and Arapahoe Nations. We acknowledge the land and history of this space we are fortunate to gather in today. This area was also the site of trade, hunting, gathering, and healing for many other Native Nations: The Lakota, Ute, Kiowa, Comanche, Apache, Shoshone, and others. 48 Tribes have called this land home. We recognize the Indigenous peoples as the original stewards of the land, water, plants, and animals who called this place home.

Let us also acknowledge the painful history of genocide and forced removal from this territory. We recognize that U.S. public policy has been used to displace Indigenous communities, erode Tribal Nation sovereignty, and forcibly assimilate Native individuals into U.S. society. We respect the many diverse Indigenous peoples still connected to this land on which we gather. We pay our respect to them and give thanks to all Tribal Nations and the ancestors of this place.

We also acknowledge the labor of enslaved Africans and their descendants who worked this stolen land for the colonists and who continue to disproportionately face economic oppression, racism, violence, and exploitation.

Lastly, we want to recognize the communities and families of Auraria displaced by the creation of this campus for MSU Denver to have a place that we now call home. We share this acknowledgment to encourage all of us here on the Auraria campus to consider how our work in this space and in our daily lives can address these historic and contemporary atrocities perpetuated against Native people and other marginalized communities.

Reporting Crimes & Emergencies

Crime reports can be made at any time. To report a crime, contact the MSU Denver Dean of Students Office, Student Care Center, or the Auraria Campus Police Department (ACPD). Additional details and guidance on those contact points can be found on the following page of this report.

MSU Denver Dean of Students Office & Student Care Center

MSU Denver cares about keeping our campus community safe and supported through difficult times. There are multiple modes in which students, staff and faculty, and community members can report a crime to the institution. If an emergency requires immediate attention, MSU Denver encourages community members to report to the Auraria Campus Police Department (ACPD) or their local law enforcement authority.

Please refer to the following page for relevant context and consideration for reporting emergencies when on Auraria Campus.

Please refer to the page 71 for background and context relating to availability of a mental health clinician Co-Responder available on Auraria Campus through a partnership between ACPD and WellPower (previously Mental Health Center of Denver) and page 73 regarding expansions of similar and other harm reduction first responder programs in City and County of Denver, such as the STAR program, as well as in other jurisdictions around the metropolitan area that nearly all MSU Denver community members reside in.

In addition to campus law enforcement, under the Clery Act, some University employees who have responsibility for campus security or significant responsibility for student and campus activities are designated as Campus Security Authorities (CSAs). CSAs are required to report any information they have regarding applicable crimes on or adjacent to campus to the institution for response, support, and inclusion of information in the Annual Security Report.

A person experiencing or that has experienced a crime can utilize the referral methods listed below for the Dean of Students Office and Student Care Center or contact a CSA to report on their behalf. Examples of CSAs at MSU Denver include:

- Dean of Students
- Director of Athletics
- Team Coach
- Faculty Advisor to a recognized Student Group
- Student Care Center Case Manager

To report to the Dean of Students Office an alleged crime that violates the Student Code of Conduct, an Incident Report can be completed. An Incident Report can also be accessed on the Dean of Students website at msudenver.edu/dean-of-students/student-conduct/report-an-incident/

For any concerned party to share information about a student of concern a CARE Referral can be made. CARE referrals are reviewed by the Student Care Center with case managers providing direct, one-on-one support and resources. CARE Referral can also be accessed on the Student Care Center website: msudenver.edu/student-care-center/

Additional background about Student Care Center services and programs can be found on page 57.

Auraria Campus Police Department

Auraria Campus Police Department (ACPD) services are available 24 hours a day, seven days a week to respond to the Auraria Campus community.

Priority is given to reports of incidents that threaten the life or safety of people, the security of property, and the peace of the community.

ACPD can be contacted in multiple ways to report a crime, including through emergency boxes or red poles on campus, online at ahec.edu/services-departments/police/crime-report/crime-report-form, in person at ACPD's main office in Administration Building at 1201 5th St (located below and left of center on campus map), and by phone, with the following details and nuances to consider:

- Emergency telephones are located in every classroom building for immediate, direct access to ACPD 911.

- 911 calls from landline phones on Auraria Campus will be picked up by ACPD.

    - **Callers should be aware if they call 911 from their cellular or mobile phones the calls may be picked up by Denver Police Department's 911 Call Center, accordingly the dispatcher may be seeking or needing additional details as they are not on-site and dedicated to Auraria Campus.**

- Co-responder Program – ACPD has an ongoing partnership with WellPower (previously Mental Health Center of Denver) for a licensed mental health clinician to respond with patrol officers to behavioral health-related calls, including but not limited to calls related to mental health concerns/challenges and/or substance use. For more background information about this program see page 70, and for co-responder programs in other local city police departments known to exist at time of publication, see page 75.

- Callers reporting non-emergency concerns or for questions or assistance to ACPD can call 303-556-5000 from either landline or mobile phones.

- Messages regarding crimes can also be sent via Text-a-Tip line at 720-593-TIPS (8477).

**** Note for those with protection orders against another party, or who may need protection orders against another party in the future: ****

It is strongly encouraged to notify ACPD of the threat and provide ACPD a copy of the protection order so that ACPD officers may enforce it. Additionally, if the other party is restrained from the Auraria Campus, please have the court list MSU Denver and AHEC separately on the order. (AHEC being the responsible entity under which Auraria services including ACPD.)

Voluntary & Confidential Reporting

Those experiencing or who have experienced a crime have the option to voluntarily report their experience. Reported crimes are included in annual crime statistics, however, details regarding the crime or those affected is kept confidential.

Crimes can be reported to a CSA, the Dean of Students Office through an Incident Report, the Student Care Center through a CARE Referral, or the ACPD via an Anonymous Reporting Option for those who do not wish to be identified.

If the crime poses an ongoing threat to the campus it is preferred to report to both the ACPD and the Dean of Students Office.

If a serious crime that may cause an ongoing threat to the campus is reported to a CSA, they are to directly report that incident to the ACPD immediately. MSU Denver has a responsibility to notify the campus community about any crimes which pose an ongoing threat to the community. As such, a CSA is obligated by law to report crimes with an ongoing threat immediately to ACPD.

Confidential Reporting – Pastoral & Professional Counselors

Pastoral and professional counselors or psychiatrists are not considered CSAs under the Clery Act and can provide confidential assistance to those they are counseling. MSU Denver does not currently have any pastoral counselors.

A professional counselor or psychiatrist working in the MSU Denver Counseling Center or Health Center at Auraria is an employee of MSU Denver whose official responsibilities include providing mental health counseling to members of the MSU Denver community and who is functioning within the scope of their counseling license or certification. Professional counselors or psychiatrists are encouraged, if and when they deem it appropriate, to inform those they counsel of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. University employees who are confidential will submit timely anonymous statistical information for Clery Act reporting purposes unless they believe it would be harmful to their client, patient, or parishioner.

MSU Denver Counseling Center

303-615-9988

msudenver.edu/counseling-center/

303-615-9911

(24/7 Mental Health & Victims Assistance Crisis Line)

Health Center at Auraria

303-556-2525

healthcenter1.com

Security of and Access to Campus Facilities

Exterior door locks on the Auraria Campus are fully electronic, programmed by the Access Control Department in AHEC's Facilities Services. The system also has the ability to be placed in "lockdown" directly by ACPD.

The ACPD has the primary responsibility for ensuring the lock hardware is functioning properly. Auraria Campus Police Officers conduct routine patrols of buildings and areas within Auraria Campus throughout every 24 hour period. Established facility hours are coordinated and maintained by the Auraria Academic Services. ACPD also works closely with the Facilities Management Department to maintain building security and key control. Access to facilities after normal building hours is limited and coordinated with Facilities Services Access Control and ACPD.

Work Orders to send notice of security issues with campus facilities can be filed online (ahec.edu/workorder) or called in at 303-556-3260.

New for Fall 2023:

Starting in Fall 2023, a new building access model began to be implemented for Auraria Campus. After results of an external review and AHEC undertaking a pilot program in specific buildings it and higher education partners MSU Denver, CU Denver, and CCD reached agreement to move forward with the Auraria Secured Campus Initiative.

As of Fall 2023 all students and staff of MSU Denver and those of peer institutions will need to have a Campus ID to gain access to most Auraria Campus buildings. According to AHEC active students and staff already with ID cards for MSU Denver do not need to take action with their current cards for general access.

Students and staff in need of a new Campus ID card or a replacement card can proceed to the Campus ID Badge Station in the center of the second floor of the Tivoli Student Union building, Suite #269.

> Note: During Fall 2023 AHEC advises community members seeking Campus ID at the Badge Station in the Tivoli Building to do so at the start and end of the business hours which are typically the times with shorter lines and waits.

Details on the background and phased implementation of the initiative is available on the AHEC Facilities page for the initiative. Included on this page, at time of 2022 ASR publication, is a map showing applicable buildings and locations of badging points, FAQs, and contact information for community members with questions or concerns.

> **Note regarding any MSU Denver community member concerns about experiences of profiling or having belonging to Auraria Campus questioned by law enforcement officers on campus:** Prior to 2022 ASR deadline, new ACPD Chief of Police Jason Mollendor met with MSU Denver Staff Senate for a Question and Answer session. Addressing shared experiences of staff members' business on campus being questioned, Chief Mollendor encouraged community members to report concerns to him directly through his email address available on the AHEC Contact Us page, or through the Complaints and Commendations page, with the second option enabling anonymity if community member feels it necessary, though the chief will be limited to the information that is able to be provided.

Law Enforcement & Jurisdiction

ACPD is charged with the primary responsibility to provide police and security services to the Auraria Higher Education Center which houses the Community College of Denver (CCD), MSU Denver, and the University of Colorado Denver (CU Denver). Background information on ACPD Leadership and Command Structure is included here.

The police officers in the ACPD receive their police authority via the provisions of the Colorado Revised Statutes, Title 24, Article 7.5, Part 1. The Auraria Board, through its Chief Executive Officer, has delegated authority to the ACPD to enforce campus rules and regulations as well as Municipal, State Laws, and Federal Statutes. ACPD officers have full police authority and are certified police officers as defined under CRS 16-2.5-101 and 16-2.5-120.

The current scope of authority of ACPD police officers is limited to the Auraria Campus and the immediate surrounding area. The Auraria Campus is defined as those properties, private streets, retail operations, and facilities owned by the State of Colorado and used by students, staff including faculty, and visitors, which are roughly bounded by Auraria Parkway on the north, Speer Boulevard on the east, Colfax Avenue on the south, and Fourth Street on the west.

Of note to MSU Denver partnership with CU Denver for residential hall accommodations to be available to MSU Denver students, that is referred to as Lynx Crossing in the Fire Safety and Missing Student sections later in this report, is fully within jurisdiction of the ACPD.

Note regarding leadership changes underway in ACPD at time of 2022 ASR publication:

In January 2023, Chief of Police Michael Phibbs announced his resignation from ACPD after nine years in the position to pursue a state government role. Upon departure of Chief Phibbs, Investigations and Community Relations Commander Jason Mollendor took over as interim chief of police.

In March 2023, AHEC hired consultants to aid in community engagement, including listening sessions open to the public, and to review the Community Influence Public Safety Project performed on Auraria Campus in 2022, to help shape a nationwide search for candidates for the ACPD Chief of Police role.

> Link provided here for additional details regarding the process including background on the consultant hired by AHEC for community engagement efforts, and the consultant hired by AHEC to conduct the search for candidates and sites where the job posting was submitted.

June 2023, a panel consisting of representatives from the three higher education institutions of Auraria (MSU Denver, CCD, and CU Denver) and AHEC was formed to review applicants and to interview prospective candidates. After interviews were conducted in July, the panel unanimously selected two candidates to proceed to final found, with public town hall planned, moderated by consultant.

August 2023, following support from the multi-institutional panel ACPD announced that they had offered the permanent Chief of Police role to Interim Chief of Police Jason Mollendor, which was accepted.

> Among details of the press release ACPD provided were background of Chief Mollendor's academic and professional history within Auraria – including as an alumnus of MSU Denver, CU Denver and the Colorado community college system – as well as background on competencies relevant to safety and security concerns for a higher education environment generally. Additional notes were included

of awareness of and demonstrable concern for additional safety and security concerns many community members on Auraria have relating to risks of identity-based violence and intimidation.

Summary of joint statement by leaders of MSU Denver, CCD, and CU Denver was published in MSU Denver Early Bird article.

Authority to Arrest & Relationships

The City and County of Denver, in which Auraria Campus is fully sited, entered into an Intergovernmental Agreement establishing the working relationship between the ACPD and the Denver Police Department, granting to ACPD Police Officers a Denver Special Police Officer Commission, issued by the City's Manager of Safety, to enforce clearly defined ordinances of the City of Denver. These ordinances include criminal and traffic related offenses with the authority to make arrests if deemed necessary and appropriate.

It is the desire of both the ACPD and the Denver Police Department to provide the best possible atmosphere of public safety on and around the campus. The Intergovernmental Agreement is designed to establish the current working relationship between the ACPD and the Denver Police Department, consistent with and in compliance with the requirements of the Denver City Charter and State statutes, and all terms and conditions of the Intergovernmental Agreement are to be interpreted in light of the goal of increased public safety.

The ACPD works closely with local, state, and federal law enforcement agencies through on-campus events, regional law enforcement matters, training, and significant investigations concerning the campus community. ACPD maintains inter-agency relationships (summarized on page 12 of recent ACPD annual report) with representatives from the Denver Police Department, the Denver Sheriff Department, and other municipal, state, and federal law enforcement agencies through formal and informal meetings, offering their support in police matters of mutual investigation and concern.

Accurate & Prompt Reporting

When the victim of a crime wishes to report the crime to law enforcement, MSU Denver encourages community members to report to the ACPD in an accurate and prompt manner if the crime occurred on the Auraria Campus or to the local police department if the crime occurred off campus.

MSU Denver encourages community members to additionally report crimes that they are aware of in the community when they themselves may not be the victim of the crime, if they are comfortable doing so.

MSU Denver acknowledges that it has previously made reference in Annual Security Reports to the text of Colorado Revised Statutes (CRS) 18-8-115: "Duty to Report a Crime," without providing context or acknowledgment that some of its community members may have additional factors of individual, family, and community safety concerns with reaching out to law enforcement agencies to report crimes.

The Dean of Students Office acknowledges that it holds positions of power and privilege in MSU Denver and it and the institution overall are working to changes systems from historically white-dominant and male-dominant governance. If the Dean of Students Office is blind to the fact that individuals and families that have traumatic lived experiences with law enforcement and judicial systems and therefore approach reporting crime with different perspectives, it is actively perpetuating continuance of those harms by operating with those systemic blinders.

MSU Denver acknowledges that justified fear and distrust of contact with law enforcement exists with many community members. Particularly those who have been harmed, or have had close community members harmed through engagement with law enforcement agencies in the past.

MSU Denver is aware that the burden of traumas that result in this fear and apprehension to engage with law enforcement is disproportionately held by members of black, Indigenous, and people of color (BIPOC) families and communities, as well as others community members and families that are perceived as atypical or non-normative due to conditions or identity expressions including neurodivergence, physical or sensory disabilities, gender identity, and cultural and religious practices.

Until this is less the case with safer and more widely applied equitable law enforcement and public health approaches, and less racist public health and safety policy prioritization, community members with concerns are encouraged to reach out to the Dean of Students Office for discussion of these concerns, in effort to find ways to positively influence safety and security programs so present dangers do not further escalate through silence.

Among options MSU Denver community members have to seek support if directly victim of a crime or supporting a victim of a crime:

Dean of Students Office – 303-615-0220 – Tivoli 343

Student Care Center – 303-315-0006 – Tivoli 311

Phoenix Center at Auraria – 303-556-2255 (24/7 Confidential line) – Tivoli 227

Health Center at Auraria – 303-615-9911 (Crisis Support & Victim Assistance) Plaza Building, 1st Fl

Monitoring Campus Student Organizations

Under the Clery Act, institutions have a responsibility to monitor and report crimes committed on non-campus property owned by recognized student organizations, including student organizations with non-campus housing facilities. While MSU Denver recognizes many official student organizations, currently none of the organizations own property, inclusive of Fraternity and Sorority Life. Therefore, the institution does not monitor or report non-campus crimes of properties of this nature.

Addressing the spirit of the Clery Act beyond the letter of it with regards to property owned by student groups, the Center for Multicultural Engagement and Inclusion (CMEI), which has approval authority and oversight and support responsibilities for student groups, reviews student groups in the application process each year to ensure that any property owned by the organization or that is provided to the organization for official functions by a third-party are disclosed, to ensure that any non-campus property will be considered in MSU Denver Clery geography monitoring for the applicable registration years the organization is recognized by MSU Denver and the property ownership or agreement for its use remains.

Addressing risk reduction efforts in student organizations, starting in 2019 and moving forward, the CMEI began to mandate all current and potential new members of MSU Denver recognized sorority and fraternity organizations to complete hazing prevention coursework hosted through PreventZone. Additionally, all student organizations recognized by MSU Denver through the CMEI are expected to adhere to the institution's Joint Risk Management Policy, developed by multidisciplinary administrators to support and set

expectations for student organizations, including those with competitive intake processes, in areas that include MSU Denver policies regarding alcohol and drugs, hazing, sexual abuse and harassment, as well as outlining reporting pathways for concerns of policy violations.

Crisis Communications Plan

Disasters, emergencies, and crises disrupt normal activities on campus and may require activation of the AHEC Emergency Operations Plan as well as the Crisis Communications Plan, including issuing a timely warning advisory or RAVE emergency notification.

The Crisis Communications Plan provides specific guidance and outlines how AHEC will provide accurate, up to date information and communications to the campus community, the media, and the public in the event of an emergency or crisis.

The AHEC Emergency Operations Plan can be found at ahec.edu/services-departments/emergency-preparedness/emergency-procedures. The AHEC Crisis Communications Plan can be found at ahec.edu/files/general/policy-crisis-communication-emergency-notification-plan.pdf. Description of issuance of timely warning advisories and RAVE emergency notifications is provided below.

Issuance of a Timely Warning Advisory

Per the requirements of the Clery Act, "timely warning" advisories are sent out to the campus community when a Clery Act crime is reported to ACPD or local police that may present an ongoing, serious threat to the safety of students, employees, and community members. A list of Clery Act-designated and tracked crimes are summarized in the Definitions of Clery Reported Crimes section, found on page 116 of this report.

A timely warning advisory is issued to the campus community when incidents of criminal activity as defined by the Clery Act occur on campus or within the immediate vicinity of campus and when the criminal activity represents an ongoing, serious threat to campus.

A timely warning advisory may be issued for non-Clery Act crimes if it is believed the crime poses a serious or continuing threat to the campus community.

Typically, a timely warning advisory will include the following information:

- The reported offense
- Date and time of the reported offense (if known)
- Suspect information (if known)
- Solicitation of witness or suspect information
- Information that would promote safety and would aid in the prevention of similar crimes

The Chief of ACPD or their designee shall make the decision as to whether an incident poses an ongoing, serious threat and if a timely warning advisory is required. In all cases, timely warning advisories are disseminated by the ACPD Dispatch or staff via email and text message to all staff, including faculty, and students on the Auraria Campus using their institution-provided email accounts.

RAVE Emergency Notifications

In the event that there is a confirmed significant emergency or dangerous situation posing an immediate threat to the campus community, per the judgment of on-duty ACPD personnel, ACPD Dispatch, or the ACPD Office of Emergency Management will determine the content of the notification and initiate the RAVE emergency notification system. Community members may add their personal mobile device numbers and additional email addresses through the RAVE link above.

The decision to send an emergency notification can be made by any member of the ACPD or by the AHEC Office of Emergency Management when there is an imminent threat to the safety of the campus. Emergency notifications are sent by the ACPD Dispatch Center or by the AHEC Office of Emergency Management. However, if in the professional judgment of the responsible authorities, the notification may compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency, the notification may be delayed.

Prior to emergency notifications, the significant emergency must be confirmed. Confirmation may come from a number of sources, including ACPD staff, campus constituents, and/or partner agencies depending on the type of emergency. Confirmation from ACPD includes: first-hand observations by members of the ACPD or other first responders, by first-hand observation by known campus staff members with experience and knowledge to make such a determination, or by real-time observation through campus security cameras.

To evaluate the significance of the threat, ACPD may consult with subject matter experts, for example: Denver Police Department, Denver Fire Department, Federal Bureau of Investigations (FBI), World Health Organization (WHO), Colorado Department of Public Health and Environment (CDPHE), University Health and Safety, National Weather Services (NWS), etc. Due to the time sensitivity of emergency alerts, the decision to initiate a RAVE emergency notification will be determined as quickly and thoroughly as possible.

AHEC also maintains pre-scripted short message scripts for a variety of hazards to assist in the timely issuance of immediate notifications. Emergency notifications are always sent to the entire campus community and anyone else enrolled on the distribution lists. Each institution and AHEC maintain their own enrollment lists which are updated every semester. In addition, a variety of other communications tools may be utilized, including campus-wide email messages, broadcast voice mail messages, updates to the Auraria Campus Emergency Hotline (1-877-566-EMER) and notices posted on electronic message boards and the AHEC website at ahec.edu.

Emergency Drills, Testing, & Evacuation

Emergency evacuation drills are an important part of fire and life safety procedures for many reasons. Not only do they safeguard life, health, property, and public welfare, but they also ensure regulatory compliance.

Drills help ready the campus for orderly, controlled, and safe exiting of buildings in case of an emergency, and also improve certain aspects of fire provisions. Drills allow for and are designed for assessment and evaluation of emergency plans and capabilities.

Auraria Campus drills are scheduled at least annually and held at unexpected times and under varying conditions to simulate the unusual conditions that occur in the event of a fire or other emergency situation.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault & Stalking

MSU Denver prohibits acts involving domestic violence, dating violence, sexual assault, and stalking, and these acts are addressed within the MSU Denver Discrimination, Harassment, Sexual Misconduct, Title IX, and Retaliation Policy and Procedures among other actions as sexual harassment.

As a part of the University's efforts to end interpersonal violence, multiple departments collaborate across campus to raise awareness of interpersonal violence (IPV), teach risk reduction and positive bystander intervention options, and train students, staff and faculty, and community members on institutional and state procedures. All programming includes a statement prohibiting interpersonal violence offenses, State of Colorado and U.S. federal definitions of offenses, information of safe and positive options for bystander intervention and risk reduction, and information on institutional procedures and rights within disciplinary proceedings.

MSU Denver complies with State of Colorado statues when developing and applying policy. Statute definitions included in interpersonal violence (IPV) prevention programming and applicable to the University's Discrimination, Harassment, Sexual Misconduct, Title IX, and Retaliation Policy are listed below.

Colorado State Statutes

Dating Violence – Violence Against Women Act

Code of Federal Regulations (CFR) §34-668.64

At time of this 2022 ASR report publication, the State of Colorado does not have state definition of dating violence. Accordingly, MSU Denver utilizes the definition provided in the federal Violence Against Women Act (VAWA) amendments to the Clery Act:

> Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
>
> The existence of such a relationship shall be determined 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: Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Dating violence as defined within MSU Denver's Discrimination, Harassment, Sexual Misconduct, Title IX Violations, and Retaliation Policy:

> Dating Violence, defined as: violence, on the basis of sex and/or actual or perceived gender, committed by a person, who is in, or has been in, a social relationship of a romantic or intimate nature with the Complainant.
>
> The existence of such a relationship shall be determined based on the Complainant'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:

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence –

Colorado Revised Statues (C.R.S.) §18-6-800.3

An act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. "Domestic violence" also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship. "Intimate relationship" means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

Sexual Assault – C.R.S. §18-3-402

Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if: a) The actor causes submission of the victim by means of sufficient consequence reasonably calculated to cause submission against the victim's will; or b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

Note regarding C.R.S. §18-3-402 defining sexual assault in Colorado:

C.R.S. §18-3-402 was revised during 2022 Colorado Legislative Session, with amended definition brought into effect July 01, 2022, applying to offenses committed on or after that date, thus in force during the Fall 2022 semester and time of publication of this 2022 ASR in Fall 2023. Amended language replacing old wording in section **a)** below is bolded and underlined.

Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if: a) The actor **causes sexual intrusion or sexual penetration knowing the victim does not consent**; or b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or g)

The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

Consent - C.R.S. §18-3-401-1.5

Cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent. Additionally, in Colorado, a minor (meaning a person under the age of 17 years) cannot consent to sexual activity unless 1) the child is less than 15 and the other person is less than 4 years older or 2) the child is 15 or 16 and the other person is less than 10 years older. This means that sexual contact by an adult with a person younger than 17 years old may be a crime, and a potential violation of the Policy, even if the minor welcomed the sexual activity or lied about being 17.

Stalking - C.R.S. §18-3-602

A person commits stalking if directly, or indirectly through another person, the person knowingly: a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. A victim need not show that they received professional treatment or counseling to show that they suffered serious emotional distress.

Note: During drafting of 2022 ASR, in Summer 2023, the United States Supreme Court had recently ruled on an aspect of Colorado's stalking statute, in the case referred to as Counterman v Colorado.

The area of the law that the decision affected relates to communicated threats, limitations of freedom of speech, and what is judicially considered a true threat under the statute.

This note is included for community awareness of this recent development affecting the state law as the 2023-2024 academic year commences.

The first regular session of the Colorado General Assembly since the ruling will begin in early 2024. Link to the Colorado General Assembly is included here for community members that may be concerned with what their elected representatives may be considering for legislative adjustments relating to crimes of stalking.

Descriptions of IPV Intervention Program Types

MSU Denver community members are exposed to and are able to be positively influenced by multiple types of programming and intervention pathways to help in dissemination of conceptual knowledge and practical strategies and skills to increase personal security and agency. Below are descriptions of program types.

Awareness Programs – Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge of and share information and resources to prevent violence, promote safety, and reduce perpetration of violence.

Bystander Intervention Programs – Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking; this includes recognition of situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Safe and positive options for bystander intervention incorporated in prevention programming at MSU Denver include but are not limited to:

> Direct – Intervene directly by confronting/calling out the individual(s) to notify them of their inappropriate behavior.
>
> Distract – Create some form of distraction and interrupt the flow of violence. A key with this step is to engage directly with whom is being targeted.
>
> Delegate – Empower other allies to become accomplices as active bystanders by asking for assistance, finding a resource, or receiving help from a third party.

Ongoing Prevention and Awareness Campaigns – Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

Primary Prevention Programs - Initiatives and strategies informed by research for effectiveness and outcomes that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexual expression, encourage safe bystander intervention, and seek to positively change individual behavior and adjustment to social norms in healthy and safe directions.

Risk Reduction Programs – Programs designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. As a part of prevention programs at MSU Denver, risk reduction includes information regarding positive bystander intervention options, including addressing and responding to observed victim blaming to actively reduce discouragement for survivors to speak up or seek help.

IPV Prevention Program Offerings

Program	Description	Frequency
Roadrunner 3R Training	As University administrators, faculty, and staff – including student employees – are often the first point of contact for students experiencing distress and/or mental-health challenges. Roadrunner 3R (Recognize, Respond, and Refer) curriculum is designed for employees to administer meaningful and successful interventions.	Monthly & On Request
Dean of Students Office & Student Care Center Services	On request workshops for staff and faculty, providing campus safety and crime information, the Student Code of Conduct, guidance on how to file a report or referral, and how to locate on campus resources to support students or coworkers regarding interpersonal violence, sexual assault, and stalking.	On Request
Roadrunners United: Interpersonal Violence Prevention Training	Online Canvas training module designed and available to all MSU Students that overviews sexual misconduct policy and definitions, bystander intervention, reporting, resources, and supporting survivors.	Ongoing
With Pleasure	Virtual program via social media campaign focusing on how to talk about consent with individuals and proper use of safer sex materials.	Annually
Peer 2 Peer	Training for student employees to learn how to identify concerns and empower them to support student peers through to referral for support services.	On Request
Raise the Bar	Virtual event aimed at raising awareness of alcohol abuse and health and safety risks associated with it.	On Request
Crisis Walk-in Services	Provides opportunity for students and staff, including faculty, for crisis intervention through the Student Care Center and the Dean of Students Office.	Ongoing

Addicted Living	Social media outreach program with guest speaker conversation centering on recognizing emergence of addictive behaviors that may be developing through chronic maladaptive coping strategies having detrimental impact on a student's daily living and risking their academic success.	Annually
World AIDS Day	Online outreach aimed at educating participants about preventing HIV and other STIs, including PrEP interventions, as well as providing students awareness of and access to Rapid HIV testing station.	Annually
Preventing Harassment & Discrimination Suite	This course is designed for all MSU Denver staff including non-supervisory employees to ensure University is compliant with harassment prevention training laws and following up to date best practices for eliminating environments that enable harassing and discriminating actions by employees as well as increase bystander intervention empowerment among staff and faculty to intervene when concerns are witnessed or learned of, including in areas of protected categories, retaliation principles, cornerstones of civility and equity, and practical implementation approaches. The course also includes an optional sixth module addressing Clery Act and Title IX compliance requirements.	Required per Spring and Fall Semester
NCAA Training	Training for student athletes and athletic coaches to meet NCAA sexual assault prevention requirements presented by MSU Office of Equal Opportunity or Dean of Students Office with support from Phoenix Center at Auraria.	Annually
LGBTQ Student Resource Center Class Presentations	Sessions tailored to connect LGBTQ topics to course content and LGBTQ Student Resource Center information.	On Request
LGBTQ Student Resource Center Trainings	Educational workshops for campus departments and organizations who are wanting to better support/engage LGBTQ students.	On Request
Auraria Campus Pride Initiative	Education and awareness-raising series for departments and organizations, including Safe Zone training.	On Request
National Coming Out Day	The annual celebration of those who come out as lesbian, gay, bisexual, transgender, queer, or as an ally.	Annually

Transgender Day of Resilience	In honoring the lives of trans folks we've lost, campus departments partner to host restorative space for trans, non-binary, & gender expansive community members. Simultaneously, we host educational opportunities for community members who want to be more inclusive, specifically intended for cisgender folks.	Annually
Transgender Day of Visibility	An annual celebration of trans, non-binary, and gender expansive folks through community building and/or resource sharing.	Annually
QTPOC Events	Events and workshops reserved for LGBTQ students of color to have protected space and engagement opportunities.	Twice each semester
Drinking: When is Enough too Much?	As a regulated and marketed psychoactive substance, getting into trouble with alcohol use can be surprisingly easy. Through this program students, particularly those under 21 years of age who are not legally granted possession and consumption protections explore some of the ways to recognize when alcohol use is becoming problematic to day to day living, and how to reduce the risk of developing addiction and other serious problems.	Per Semester
Cannabis Use and Abuse	As a state-regulated psychoactive substance in Colorado that is accessible and consumed by those over 21 years of age in manners similar to alcohol products, the cannabis industry is still in early phases, developing through applied research of cultivation and production, meaning there is a similarly developing culture about what safe reactional expectations are. This workshop explores some of the issues that have emerged as this substance's legal availability in Colorado has matured since State legalization in 2012, and aided through ongoing federal discretion provided to states to develop formal legalization and regulation strategies.	Per Semester
Survivors	This group is for individuals who are survivors of sexual trauma. This is a process-based group for survivors to process their trauma in a safe environment by increasing insight about how the experiences can impact self-identity and the relationships in their lives.	Per Semester

Moving Beyond Trauma	This group is for individuals who have experienced on-going trauma in the past. The group will focus on how trauma has impacted individuals in the present, how to deal with on-going difficulties, and work on processing past trauma.	Per Semester
National Alcohol and Cannabis Screening Day	Screenings for alcohol and cannabis abuse, educational resources, and referrals as appropriate.	Annually
A Group with Real Substance	This group provides a safe space for participants to discuss, explore, and process issues and difficulties involved with substance abuse. Participants can gain great benefits from working with other peers dealing with and managing similar issues.	Per Semester
New Student Orientation Materials	Orientation materials providing information on support services and how to file a report regarding issues related to sexual misconduct.	Per Semester
New Student Orientation Virtual	Virtual orientation sessions include information on campus safety and crime, how to file a report, and resources available on Auraria Campus related to support and education on sexual misconduct issues including sexual assault, stalking, and dating violence.	Per Semester
New Student Orientation Online	Live facilitator-led online orientation sessions that includes information on campus safety and crime, how to file a report, and resources available on campus, including guidance on how to file a report or referral, and how to locate on campus resources to support self, and fellow students or coworkers regarding interpersonal violence, sexual assault, and stalking.	Per Semester
Phoenix Center at Auraria (PCA) Bathroom Signs	Bathroom signs installations featuring topics and resources every month on topics of interpersonal violence, stalking, and sexual assault, including normalization of reaching out and receiving help by communities of students and staff that may be more prone to dismiss or avoid for stigma or shame.	Monthly
Phoenix Center at Auraria Information Tables	PCA staff and students provide information tables at various campus events by invitation and request.	Monthly

Interpersonal Violence 101	Curriculum presentation reviewing types of interpersonal violence (IPV) including relationship violence, sexual violence, and stalking, provided by peer educators to MSU Denver students to equip students with the language and conceptual frameworks to identify warning signs of increasing IPV risks and how to help peers with seeking and accessing support if experiencing IPV.	On Request
Interpersonal Violence 301	Built on IPV 101, curriculum with added depth of socialization of gender, including detailed conversations about psychoactive substances and consent in relationships on and around college campuses.	On Request
The Clothesline Project Installation and Display	More than 300 shirts decorated by Auraria survivors of interpersonal violence and their allies displayed in the Tivoli Student Union building throughout the month of April to promote awareness and understanding of the extent and reach of the crimes of interpersonal violence.	Annually
The Clothesline Project Decorating	Auraria community members invited to decorate shirts, to add to to the display of the Auraria Clothesline Project centrally installed in the Tivoli Student Union, and later at CU Denver Anschutz campus.	Annually
Trauma Informed Classrooms	PCA Victim Services Coordinator provides presentation for MSU Denver faculty on trauma-informed pedagogy.	On Request
Barriers to Care for Male Survivors of Violence	PCA staff and student educators provide a campus-wide event addressing the needs of male survivors to further personalize availability of resources and addressing dominant culture stigmatization or marginalization of survivors of IPV that identify as or are perceived to be male.	On Request
Phoenix Center at Auraria Overview	PCA professional staff and peer educators provide overview of PCA programs to MSU Denver students, and staff, with specific announcement and outreach to faculty to develop greater IPV prevention leadership in academic settings and academic relationships, faculty to student, and faculty to faculty.	On Request
Healthy Relationships	PCA peer educators provide curriculum presentation about Healthy Relationships to MSU Denver classes.	On Request

Red Flag Campaign	This awareness-raising campaign is designed to visually impact and inform students about the extent of IPV on the lives of the collective Auraria community, affecting peer classmates, coworkers, and support staff through thousands of red flags installed centrally on the grounds of the Plaza Health Science building, sited between Tivoli Student Union, Auraria Library, Recreation Center, and King Center for the Arts, to ensure large measure of Auraria community has attention drawn to sense of proportion of IPV survivors walking along with them through the two weeks in September the display is installed ahead of Domestic Violence Awareness Month in October.	Annually
Media Literacy	PCA peer educator-provided curriculum presentation about violence in the media to MSU Denver students, including how to counteract indifference to or normalization of IPV as accepted or justified objects of entertainment.	On Request
Bystander Intervention	PCA peer educator-provided training curriculum to MSU Denver students regarding tactics for safe and effective Bystander Intervention to increase likelihood of intervention in cases of IPV or heightened risk of IPV.	On Request
Cupcakes & Condoms	Focus on how to talk about consent with community members including proper use of safer sex materials. And with cupcakes! Tying socially supported personalization of dietary restrictions, allergies, and taste preferences in daily life, like through the pastries offered, to empower participants to practice the same authority with their sexual restrictions and tastes just as with other core life staples.	Annually
Phoenix Cast	PCA-produced podcast on topics related to interpersonal violence prevention and awareness efforts, normalizing conversation about discussions of consent, and advocating for own individual safer sex needs and expectations.	Weekly / Semi-weekly

MSU Denver Policies Related to Sexual Misconduct

Student Code of Conduct – Article III, Section A, List Item 5

Sexual Harassment/Sexual Misconduct – any violation of the University's sexual harassment policies, including sexual misconduct.

Student Code of Conduct Amnesty Policy

MSU Denver recognizes that an individual who has been using or has recently consumed alcohol, cannabis, or other substances at the time of an incident may be hesitant to make a report because of potential, adverse Student Code of Conduct consequences for themselves. MSU Denver wants to make absolutely clear, an individual that reports a violation of the Code of Conduct, including sexual misconduct will not be subject to disciplinary action by MSU Denver for their own personal consumption or possession of alcohol or other substances at or near the time of the incident, provided that any such violations did not, and do not, place the health and safety of any other person at risk. MSU Denver may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs with the student's health and academic best interests in mind.

Amorous Relationship Policy

Members of the University community, whether faculty members or administrative staff, put academic and professional trust and ethics at risk when they engage in amorous romantic/sexual relationships with people whose academic and/or professional benefits and opportunities are, or appear to be, subject to their authority, supervision, or influence. Accordingly, the University prohibits such relationships, as well as any attempt to initiate or engage in such relationships. Any faculty member or administrator who engages in, or attempts to engage in, an amorous relationship with a student or subordinate shall report any such relationship or attempt to the Chief Human Resources Officer or designee.

Discrimination, Harassment, Sexual Misconduct, Title IX Violations, and Retaliation

This policy shall be known as the Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Title IX Violations, and Retaliation (hereinafter, the "Policy").

A. **Discrimination is Prohibited.** MSU Denver is committed to maintaining work, study, learning, and recreational environments for all students, employees, and visitors free from discrimination, sexual misconduct, Title IX violations (described below in section III.B.), and discriminatory harassment. Therefore, in accordance with applicable local, state, and federal laws, MSU Denver shall not discriminate and prohibits discrimination in all of its programs and activities, including but not limited to, academics, in-person and online classroom instruction and discussions, extracurricular activities, athletics, University-sponsored student clubs, employment, promotion, admissions, and access to all academic, clinical, career, and technical programs on the basis of any of the following:
    1. Race;
    2. Creed;
    3. Color;
    4. Sex;
    5. Gender;
    6. Gender Identity or Expression;
    7. Pregnancy;
    8. National Origin;
    9. Nationality;
    10. Age;
    11. Ancestry;
    12. Marital, Domestic Partnership, or Civil Union Status;
    13. Religion;
    14. Affectional or Sexual Orientation;

15. Atypical Hereditary Cellular or Blood Trait;
16. Genetic Information;
17. Liability for Military Service;
18. Protected Veteran Status;
19. Mental or Physical Disability, including perceived disability, AIDS and HIV-related illnesses;
20. Harassment (related to any of the forgoing categories);
21. Retaliation for filing a complaint of, or participating in an investigation of discrimination and harassment; and/or
22. Any other category protected by law.

In addition to prohibiting discrimination on the basis of any of the categories listed above, this Policy specifically prohibits all forms of sexual misconduct, which includes, but is not limited to, discrimination based on gender or sex, sexual assault, sexual abuse, sexual harassment, other forms of nonconsensual sexual conduct, stalking, interpersonal violence, including domestic and dating violence, and sexual exploitation.

This Policy also prohibits discriminatory harassment, as described below in section III.B., a form of discrimination which is improper conduct toward a particular individual, individuals, or groups on the basis of one or more of the protected classes listed above.

B. **Harassment is Prohibited.** Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom or the First Amendment. The sections below describe the specific forms of legally prohibited harassment that are also prohibited under this Policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of this Policy; however, supportive measures will be offered to those affected.

C. **Sexual Harassment is Prohibited.** This Policy prohibits sexual harassment, a form of discrimination based on sex and/or actual or perceived gender. Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as conduct on the basis of sex and/or actual or perceived gender that satisfies one or more of the following:
    1. *Quid Pro Quo*:
        a. an employee of the University,
        b. conditions the provision of an aid, benefit, or service to the individual,
        c. on an individual's participation in or cooperation with unwelcome sexual conduct; and/or
    2. Sexual Harassment:
        a. unwelcome conduct,
        b. determined by a reasonable person,
        c. to be so severe, and
        d. pervasive, and
        e. objectively offensive,
        f. that it effectively denies a person equal access to the University's education program, activity, or employment.
    3. Sexual assault, defined as:
        a. Sex Offenses, Forcible:
            i. Any sexual act directed against another person,
            ii. Without the consent of the Complainant,

iii. Including instances in which the Complainant is incapable of giving consent due to intoxication, lack of consciousness, disability, presence of coercion, or age.

b. Forcible Rape:
   i. Penetration,
   ii. no matter how slight,
   iii. of the vagina or anus with any body part or object, or
   iv. oral penetration by a sex organ, or any other object or body part, of another person,
   v. without the consent of the Complainant.

c. Forcible Sodomy:
   i. Oral, digital, or anal sexual intercourse with another person,
   ii. forcibly,
   iii. and/or against that person's will (non-consensually), or
   iv. not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age, intoxication, the presence of coercion, lack of consciousness, or because of temporary or permanent mental or physical incapacity.

d. Sexual Assault with an Object:
   i. The use of an object or instrument to penetrate,
   ii. however slightly,
   iii. the oral, genital or anal opening of the body of another person,
   iv. forcibly,
   v. and/or against that person's will (non-consensually),
   vi. or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age, intoxication, the presence of coercion, lack of consciousness, or because of temporary or permanent mental or physical incapacity.

e. Forcible Fondling:
   i. The touching of the private body parts of another person (buttocks, groin, breasts),
   ii. for the purpose of sexual gratification,
   iii. forcibly,
   iv. and/or against that person's will (non-consensually),
   v. or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age, intoxication, the presence of coercion, lack of consciousness, or because of temporary or permanent mental or physical incapacity.

f. Sex Offenses, Non-forcible
   i. Incest:
      (a) Non-forcible sexual intercourse,
      (b) between persons who are related to each other,
      (c) within the degrees wherein marriage is prohibited by the laws of the State of Colorado.
   ii. Statutory Rape:
      (a) Non-forcible sexual intercourse,
      (b) with a person who is under the statutory age of consent in Colorado.

4. Dating Violence, defined as:
   a. violence,
   b. on the basis of sex and/or actual or perceived gender,
   c. committed by a person,

d. who is in, or has been in, a social relationship of a romantic or intimate nature with the Complainant.
e. The existence of such a relationship shall be determined based on the Complainant'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—
f. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
g. Dating violence does not include acts covered under the definition of domestic violence.

5. Domestic Violence, defined as:
    a. violence,
    b. on the basis of sex and/or actual or perceived gender,
    c. committed by a current or former spouse or intimate or romantic partner of the Complainant,
    d. by a person with whom the Complainant shares a child in common, or
    e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate or romantic partner, or
    f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Colorado, or
    g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the State of Colorado.
        i. To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate or romantic relationship.
6. Stalking, defined as:
    a. engaging in a course of conduct,
    b. on the basis of sex and/or actual or perceived gender,
    c. directed at a specific person, that
        i. would cause a reasonable person to fear for the person's safety, or
        ii. the safety of others; or
        iii. Suffer substantial emotional distress. For the purposes of this definition—
        (a) *Course of conduct* means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
        (b) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the Complainant.
        (c) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
7. The following definitions and understandings apply to the above described forms of sexual harassment:
    a. Force: *Force* is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (*e.g.,* "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want."). Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent

is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

b. Coercion: *Coercion* is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

c. *Consent* is:
   i. knowing, and
   ii. voluntary, and
   iii. clear permission
   iv. by word or action
   v. to engage in sexual activity.

   (a) Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back. Consent can also be withdrawn once given through clear verbal or physical communication (*e.g.,* saying "no," using an agreed upon safe word, pushing a sexual partner away, a previously engaged sexual participant becoming disengaged). If consent is withdrawn, that sexual activity should cease immediately. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship or experience is not sufficient to constitute consent. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of non-traditional intimacy, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying "no" may be part of the kink and thus consensual, so the University's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default. Prior experiences with kink situations shall not be construed to be consent for future contact.

d. Incapacitation: A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if the Respondent engages in sexual activity with someone who is incapable of giving consent. It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically

or mentally incapacitated. "Should have known" is an objective, reasonable-person standard, which assumes that a reasonable person is both sober and exercising sound judgment. Incapacitation occurs when someone cannot make rational, reasonable decisions because the individual lacks the capacity to give knowing/informed consent (*e.g.,* to understand the "who, what, when, where, why, or how" of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the voluntary or forced consumption of incapacitating drugs.

8. Other Civil Rights Offenses. In addition to the forms of sexual harassment described above, which fall within the coverage of Title IX, the University additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant's actual or perceived membership in a protected class.
    a. Sexual Exploitation, defined as: when an individual takes non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
        i. Sexual voyeurism, such as observing or allowing others to observe a person undressing, using the bathroom, or engaging in sexual acts without the consent of the person being observed;
        ii. Invasion of sexual privacy;
        iii. Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent, such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent, including the making or posting of revenge pornography;
        iv. Prostituting another person;
        v. Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the infection;
        vi. Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity;
        vii. Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections;
        viii. Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity;
        ix. Knowingly soliciting a minor for sexual activity;
        x. Engaging in sex trafficking;
        xi. Creating, possessing, or disseminating child pornography.
    b. Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;

c. Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
d. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
e. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;
f. Violation of any other University policies may constitute a civil rights offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

D. **Retaliation is Prohibited.**

1. Retaliation against a person who reports a potential violation under this Policy, assists someone with a report of a violation, or participates in any manner in an investigation or in the resolution of a complaint made under this Policy is strictly prohibited and will not be tolerated. Retaliation includes, but is not limited to, threats, slander, intimidation, reprisals, and/or adverse actions related to an individual's employment or education. MSU Denver will take appropriate steps to ensure that a person who in good faith reports, complains about, or participates in an investigation pursuant to this Policy will not be subjected to prohibited retaliation. Individuals who believe they are experiencing retaliation are strongly encouraged to file a complaint with the Equal Opportunity Office and/or Title IX Coordinator or designee.
2. The University is obligated to ensure that the reporting, complaint, investigation, and grievance process is not abused for retaliatory purposes. The University permits the filing of counterclaims but uses an initial assessment, described below, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but may, on occasion, also be made by individuals for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.
3. Counterclaims determined to have been reported in good faith will be processed using the OEO/Title IX Procedures and the procedures described below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur. Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

Procedures After Experiencing Violence

MSU Denver is committed to responding appropriately to reports of sexual misconduct including sexual assault, dating violence, domestic violence, and stalking. If someone is experiencing, has experienced, or knows of someone who is experiencing/has experienced sexual misconduct they are encouraged to report the incident(s) and refer the individual to the appropriate office. Reporting and referral mechanisms are outlined on the following page.

Importance of Preserving Evidence

Those experiencing or who have experienced sexual assault, dating violence, domestic violence, stalking, or sexual harassment are encouraged to preserve evidence that may assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order if pursuing charges or a protection order through law enforcement is desired.

MSU Denver supports its community members making the best, well-informed decisions that they can, that work for them when in such difficult and often traumatic circumstances, and include here the following resources available on campus that may be able to help community members illuminate the way they may choose to proceed with evidence preservation.

Phoenix Center at Auraria – 303-556-2255 (24/7 Confidential line) Tivoli 227

Health Center at Auraria – 303-615-9911 (Crisis Support & Victim Assistance) Plaza Building, 1st Fl

- **Note:** At time of publication of 2022 ASR the HCA confirmed that it continued to maintain agreement with Denver Health Medical Center for victims of sexual assault to be evaluated at HCA and not have to be seen through the Denver Health Emergency Room in order to proceed with receiving Sexual Assault Nurse Examiner (SANE) services.

How and to Whom to Report or Refer

Students, faculty and staff, and other community members can report an occurrence of dating violence, domestic violence, sexual assault, stalking, or sexual harassment to the offices listed below.

Violence Involving *Students* (either as complainants or respondents)			
Dean of Students Office	Tivoli 343	303-615-0220	Incident Report or msudenver.edu/dean-of-students/student-conduct/report-an-incident/
Student Care Center	Tivoli 311	303-615-0006	CARE Referral or msudenver.edu/student-care-center/
Office of Equal Opportunity	Jordan Student Success Building 306	303-615-0036	Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Complaint or msudenver.edu/equal-opportunity
Auraria Campus Police Department	Administration Building Suite 110	303-556-5000	Contact Police Department or Anonymous Reporting Form
Violence Involving *Employees* (either as complainants or respondents)			
Office of Equal Opportunity	Jordan Student Success Building 306	303-615-0036	Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Complaint or msudenver.edu/equal-opportunity
Auraria Campus Police Department	Administration Building Suite 110	303-556-5000	Contact Police Department or Anonymous Reporting Form

Options to Involve Law Enforcement & Campus Authorities

Survivors of violence have the right to decide whether or not to report any incident(s) to law enforcement. Survivors have the right to choose to:

- Decline to report to law enforcement authorities
- Report to law enforcement authorities, including ACPD and Denver Police Department
- Receive assistance in reporting to law enforcement authorities from institutional employees including, but not limited to, the Dean of Students Office, Student Care Center, Office of Equal Opportunity, and Legal Counsel

No Contact Directives, Protective Orders, & Restraining Orders

MSU Denver and ACPD through AHEC have a responsibility to enforce any no contact directives, protective orders, and restraining orders that they are aware of or have put into place. To enforce any of the directives or orders previously listed, the safety of the protected individual(s) and/or the campus community is considered.

If there is a concern for the safety of the protected individual(s) and/or the campus community through a violation of a protective or restraining order, then ACPD will respond to the reported incident and/or violation. If a student or employee has a pre-existing protection or restraining order, they have the option to inform ACPD for enforcement of the standing order. To inform the ACPD, MSU Denver community members may contact the ACPD at 303-556-5000.

If a student or staff member needs to inform ACPD of a standing protection or restraining order but does not feel comfortable engaging with ACPD alone to complete the request for any reason, the student or employee can request assistance through MSU Denver Dean of Students Office, Student Care Center, or Office of Equal Opportunity. MSU Denver staff members additionally can request assistance through Human Resources.

If there is not an immediate concern for the safety of the protected individual(s) and/or the campus community from a violation of a no contact directive in place, the Dean of Students Office or Human Resources will issue a letter of disciplinary action which may result in, but is not limited to, restriction from specified area(s) on campus or the Auraria Campus in its entirety, and participation in the student conduct process if the alleged party is a student, or participation in disciplinary procedures if the alleged party is an employee.

If a MSU Denver student would like to pursue a no contact directive, they may file an Incident Report and contact the Dean of Students Office. In the Incident Report, the reporter should include as much information as they can including, but not limited to, the name of the person whom the no contact directive would be against and other identifiable information (e.g., academic major, example of classes, etc.).

Confidentiality

To pursue a law enforcement protection order or restraining order a criminal case may be filed with the ACPD. To file a report, call 303-556-5000. The Dean of Students Office can also assist in the processes needed to pursue a protection or restraining order for the students it serves and can be contacted by filing an Incident Report, or by calling 303-615-0220.

When notified of an incident of dating violence, domestic violence, sexual assault, or stalking, MSU Denver will keeps the details and circumstance confidential in its publicly available recordkeeping and protective measures.

Publicly available recordkeeping includes the crime statistics within this Annual Security Report and any timely warning advisories disseminated through ACPD, where personally identifiable information of a survivor is removed so any relevant details needed in the report or advisory are anonymous in nature.

Confidentiality is kept while providing protective measures to the extent that the ability of the University to provide accommodations is not impaired.

Sex Offender Registration Information

Registered sex offenders who are students, employees, or volunteers for AHEC, CCD, CU Denver, or MSU Denver are required to advise their local law enforcement agency of their affiliation with any of the listed institutions. This information is forwarded to the Colorado Bureau of Investigation (CBI).

The CBI does not post information concerning sex offenders only convicted of misdemeanor sex offenses or juveniles adjudicated for sex crimes. According to the CBI website, community members may contact their local police department, county sheriff's office, or the CBI for a complete list of registered sex offenders that reside in their city, county, or state.

For further information on sex offender registration information, please visit the Colorado Bureau of Investigation's Convicted Sex Offender Site (apps.colorado.gov/apps/dps/sor).

Investigative & Disciplinary Procedures for Sexual Misconduct

MSU Denver will take immediate and appropriate action to investigate allegations of discrimination, harassment, sexual misconduct, Title IX violations, and retaliation. If, after an adequate, reliable, and impartial investigation of those complaints there is a finding that the Discrimination, Harassment, Sexual Misconduct, Title IX Violations, and Retaliation Policy has been violated, MSU Denver will impose appropriate disciplinary action on the individual found in violation. In making a determination of whether or not this Policy has been violated, a preponderance of the evidence standard will be used. Preponderance of evidence means that the evidence shows it is more likely than not that the conduct occurred or, stated another way, that there is a greater than 50% chance that the claim is true.

Confidential Resources: If a complainant would like the details of an incident to be kept confidential, the complainant may speak with on-campus licensed, professional counselors or psychiatrists in the Counseling Center for students; Employee Assistance Program counselors for employees; on-campus health service providers in the Health Center at Auraria, and on-campus victim advocates in the Phoenix Center at Auraria for both students and staff. Complainants may also speak with off-campus resources such as non-University employee licensed, professional counselors or other medical providers, local rape crisis counselors, domestic violence resources, local or State agencies, clergy/chaplains, and attorneys.

All of the above-listed MSU Denver and Auraria Campus serving individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, role on campus, and/or professional credentials, except in extreme cases of immediate threat or danger; abuse of a minor/elder/individual with a disability; or when required to disclose by law or court order. University employees who have professional confidentiality standards in their roles will submit timely anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client, patient, or parishioner.

Anonymous Reporting: At the request of a complainant, notice may be given by a Mandatory Reporter as defined by the Discrimination, Harassment, Sexual Misconduct, Title IX Violations, and Retaliation Policy or CSA to the Title IX Coordinator anonymously, without identification of the complainant. The Mandated Reporter or CSA cannot remain anonymous themselves.

If a complainant has requested that a Mandated Reporter or CSA maintain the complainant's anonymity, the Mandated Reporter or CSA may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the University to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided. However, anonymous notice typically limits the University's ability to investigate, to respond, and to provide remedies, depending on what information is shared.

When a complainant has made a request for anonymity, the complainant's personally identifiable information may be withheld by a Mandated Reporter or CSA, but all other details must be shared with the Title IX Coordinator.

A complaint is initiated by contacting either of the appropriate offices described below and submitting a Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Complaint which can be found at msudenver.edu/equal-opportunity. The office from which the MSU Denver investigative and disciplinary procedures will properly proceed will be determined once nature of potential respondent is known.

Students and Staff, including faculty, can initiate a complaint by contacting:			
Dean of Students Office	Tivoli 343	303-615-0220	Incident Report or msudenver.edu/dean-of-students/student-conduct/report-an-incident/
Office of Equal Opportunity	Jordan Student Success Building 306	303-615-0036	Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Complaint or msudenver.edu/equal-opportunity
Individuals who are not student, staff, or faculty of MSU Denver can initiate a complaint in the same fashion, by contacting either:			
Dean of Students Office	Tivoli 343	303-615-0220	Incident Report or msudenver.edu/dean-of-students/student-conduct/report-an-incident/
Office of Equal Opportunity	Jordan Student Success Building 306	303-615-0036	Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Complaint or msudenver.edu/equal-opportunity

Responsible Offices for Conducting Investigations

Listed in the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy, available through the following MSU Denver landing page for discrimination policy, the office responsible for conducting investigation of complaints will depend on the nature of the complaint determined after the Title IX investigator conducts a preliminary inquiry.

Title IX Investigations: If the Title IX investigator determines the alleged conduct could specifically constitute a Title IX violation, the Title IX Coordinator is responsible for coordinating and/or conducting the investigation and formal grievance procedure in accordance with the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy and the Office of Equal Opportunity (OEO)/Title IX Procedures, available through University's equal opportunity procedures landing page. If a formal resolution is pursued, the University will make a good faith effort to complete the formal resolution process, including the hearing but excluding appeals, within an average of sixty to ninety days.

Non-Title IX Discrimination Investigations Involving Employee Respondents: If the Title IX investigator determines the alleged conduct (if it were to be proved true) does *not* specifically constitute a Title IX violation but could still be considered discriminatory conduct under the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy and does *not* involve a student respondent, the Title IX Coordinator is responsible for coordinating and/or conducting the investigation and formal grievance procedure in accordance with the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy and the OEO Procedures that are not specific to the Title IX grievances and investigations.

Non-Title IX Discrimination Involving Student Respondents: If the Title IX investigator determines the alleged conduct (if it were to be proved true) does *not* specifically constitute a Title IX violation but could still be considered discriminatory conduct under the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy *and* involves a student respondent, the Title IX Coordinator will refer the matter to the Dean of Students Office, who will be responsible for coordinating the investigation and formal grievance procedure in accordance with the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy, the Student Code of Conduct, and any other relevant procedures.

Investigative & Disciplinary Proceedings

The disciplinary proceedings listed below include a prompt, fair, and impartial process from the initial investigation or review to the final decision. Disciplinary proceedings are conducted by officials who receive, regular training on issues related to sexual misconduct, including, but not limited to, dating violence, domestic violence, sexual assault, and stalking. Officials conducting disciplinary proceedings also receive annual training on how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

Office of Equal Opportunity (OEO)/Title IX Coordinator's Title IX Procedures

At any time, any person may report a violation of the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy (whether or not the person reporting is the person alleged to be the victim of sex discrimination), in person, by mail, by telephone, or by electronic mail to the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Any Mandatory Reporter who receives a report of alleged violation of the Discrimination, Harassment, Sexual Misconduct, Title IX and Retaliation Policy must promptly report the alleged violation to the Title IX Coordinator.

Upon receiving a report of the alleged violation, the Title IX Coordinator will promptly:

I. Inform the complainant of the method for filing a Formal Complaint
II. Inform the complainant of the availability of supportive measures with or without the filing of a Formal Complaint
III. Offer supportive measures to the complainant and the respondent, as appropriate and without fee or charge to the complainant or the respondent. Supportive measures may be offered before or after the filing of a Formal Complaint, or when no Formal Complaint has been filed.

Supportive and Interim Measures

The purpose of supportive measures is to restore or preserve equal access to the institution's education program or activity without unreasonably burdening the other party. Supportive measures include measures designed to protect the safety of all parties or the University's educational environment, as well as measures designed to deter sexual harassment and other potential policy violations. The Title IX Coordinator, or designee, in conjunction with the University's Dean of Students Office, is responsible for coordinating the effective implementation of supportive measures.

Supportive measures may include, but are not limited to:

I. Counseling
II. Extensions of deadlines or other course-related adjustments
III. Modifications of work or class schedules
IV. Campus escort services
V. Mutual restrictions on contact between the parties
VI. Changes in work space locations
VII. Leaves of absence
VIII. Increase security and monitoring of certain areas of the campus
IX. Other similar measures

The University may remove a respondent (including, but not limited to, interim suspension, or issuance of a persona non-grata letter) from its education program or activity on an emergency basis if the University:

I. Undertakes an individualized safety and risk analysis
II. Determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of a policy violation justifies removal
III. Provides the respondent with notice and an opportunity to challenge the decision immediately following the removal

The Institution may place a non-student employee respondent on administrative leave during the pendency of the Formal Resolution Process.

Fair and Equitable Process

No individual designated as the Title IX Coordinator, investigator, Decision-Maker, Appeal Decision-Maker, or person designated to facilitate an informal resolution process may have a conflict of interest or bias for or against complainant(s) or respondent(s) generally, or an individual complainant or respondent. The University will not make credibility determinations based on a person's status as a complainant, respondent, or witness.

A respondent is presumed not responsible for alleged conduct until a determination regarding responsibility is made at the conclusion of the Formal Resolution Process. Throughout the processes, the University objectively evaluates all relevant evidence, including inculpatory and exculpatory evidence.

Informal Resolution Process

The informal resolution process is voluntary. It is designed to resolve complaints without a hearing while meeting the needs and interests of the parties. It is available only after a Formal Complaint has been filed and at any time during the investigation. All parties and the Title IX Coordinator or designee must agree in writing to participate for an informal resolution procedure to be used, and all parties must agree in writing to the proposed resolution. If the parties are unable to agree, or if any party chooses not to engage in or to withdraw from the informal resolution procedure before it concludes, then the informal resolution procedure will terminate, and formal grievance procedures will be followed.

Informal resolution is not available for allegations in a Formal Complaint that include that a MSU Denver employee sexually harassed a MSU Denver student.

The Title IX Coordinator or designee will assess the request for informal resolution against the severity of the alleged violation and the potential risks to campus community members. If the Title IX Coordinator or designee determines that informal resolution is appropriate, the Title IX Coordinator or designee will notify the parties. The written notification will include: 1) disclosure of allegations in the Formal Complaint, 2) the requirements of the informal resolution process, including the circumstances under which the parties would be precluded from resuming a Formal Complaint arising from the same allegations, 3) the caution that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process, and 4) the consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

During an informal resolution, the Title IX Coordinator or designee will facilitate a dialogue with the parties to seek a resolution. The complaint will be deemed resolved when the parties expressly agree to an outcome that is acceptable to them which is approved by the Title IX Coordinator in consultation with other appropriate university administrators. Either party may withdraw from the informal resolution process at any time.

Formal Resolution Process

The Title IX Coordinator will dismiss or reassign a Formal Complaint, and no investigation will be conducted under this procedure, if the conduct alleged would not constitute sexual harassment (even if proved) or the conduct alleged did not occur while the complainant is in the United States of America and is participating in, or attempting to participate in, an education program or activity of the university.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, at any time during the investigation or hearing if: 1) the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the Formal Complaint or any allegations therein, 2) the respondent is no longer enrolled or employed by the institution, or 3) specific circumstances prevent the University from gathering evidence sufficient to reach a determinations to the Formal Complaint or allegations therein.

Upon dismissal or reassignment of the Formal Complaint or any allegations therein, the Title IX Coordinator will promptly send written notice of the dismissal or reassign and the reasons simultaneously to the parties.

Timeframe for Conclusion: The University will make a good faith effort to complete the formal resolution process, including the hearing but excluding appeals, within an average of sixty to ninety days, without jeopardizing the rights of a party.

Written Notice: Upon receipt of a Formal Complaint, the Title IX Coordinator will issue written notice of allegations to the respondent and complainant, if known. The written notice will be provided to each party with at least five days before any initial interview. The notice of allegations will include (at a minimum):

I. Notice of the Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Policy and the processes within the Office of Equal Opportunity (OEO)/Title IX Procedures, including the informal resolution process
II. The identities of the parties involved, if known
III. The conduct allegedly constituting sexual harassment
IV. The date and location of the incident, if known
V. A statement that the respondent is presumed not responsible for the alleged conduct
VI. A statement that a determination regarding responsibility is made at the conclusion of the formal resolution process
VII. A statement that parties may have an advisor of their choice, who may be, but is not required to be, an attorney
VIII. A statement that parties may inspect and review evidence
IX. A statement that, pursuant of University policies and the Student Code of Conduct, knowingly making false statements or knowingly submitting false information during this process is prohibited and may be subject to sanction or discipline

If, during the course of an investigation, the University decides to investigate additional allegations about the complainant or respondent relating to the same facts or circumstances but not included in the earlier written notice, the institution will provide notice of the additional allegations to the parties whose identities are known.

Advisor: Each party has the right to have an advisor of their choice, but parties are not required to have an advisor. The advisor may be, but need not be, an attorney. The advisor may be present at any proceedings that are part of the formal resolution process. If a party wishes to have an advisor present at a proceeding, the University will work within reason to schedule the proceeding so the advisor may attend, without unreasonably delaying the progress of the formal resolution process. Except during cross examination, a party's advisor may not speak on behalf of the party.

Investigation: The Title IX investigator will provide written notice of the date, time, location, participants, and purpose of any investigative interview or other meeting to any party whose participation is invited or expected, usually within 10 days of receipt of the complaint.

The University, and not the complainant or the respondent, has the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility. Prior to conclusion of the investigation, the Title IX Coordinator or investigator will send and/or allow in person inspection to each party and to each party's advisor (if any) all evidence obtained as part of the investigation.

Each party may submit a written response, which the investigator will consider prior to conclusion of the investigation and completion of the investigative report. The written response, if any, must be submitted to the Title IX Coordinator or the investigator by the deadline designated by the Title IX Coordinator or

investigator, which will be at least 10 business days after the Title IX Coordinator or investigator sends the evidence to the party.

The investigator conducts an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. The investigator will create an investigative report that fairly summarizes relevant evidence. At least 10 days prior to the scheduled hearing, the Title IX Coordinator will send to each party and each party's advisor (if any) the investigative report.

Each party may submit a written response, which the Title IX Coordinator will submit to the Hearing Officer for consideration at the hearing. The written response, if any, must be submitted to the Title IX Coordinator by the deadline designated by the Title IX Coordinator, unless the deadline is extended for good cause.

Hearing: The Hearing Officer serves as the decision maker and will be the individual making the final decision of responsibility at the hearing. The University will assign a Hearing Officer to conduct and preside over the Title IX hearing. The Hearing Officer may not be the Title IX Coordinator or Investigator.

The Hearing Officer will conduct a live hearing. Prior to the hearing, the Hearing Officer will review the investigative report and the written responses provided by the parties (if any). The Title IX Coordinator and/or the Hearing Officer will provide both parties with a copy of Hearing Procedures 5 business days prior to the hearing. The Hearing Procedures will govern the conduct of the hearing and will describe how the hearing will proceed.

The hearing may occur in person or virtually, at the University's sole discretion. If either party submits a request no later than 10 business days prior to the scheduled hearing, the hearing will occur virtually in a manner allowing the participants to simultaneously see and hear the party or witness answering questions. Hearings will be recorded, and recordings or transcripts will be available to the parties for inspection and review.

The determination of responsibility will be made by the Hearing Officer using the preponderance of the evidence standard. Preponderance of evidence means that the evidence shows it is more likely than not that conduct occurred or, stated another way, that there is a greater than 50% chance that the claim is true.

The Hearing Officer will allow each party's advisor to examine witnesses. Cross examination may not be conducted by either party. Cross examination may only be conducted by an advisor acting on a party's behalf. If a party wishes to ask cross examination questions of a party or witness and does not have an advisor, the University will select and provide an advisor to the party, free of charge, for the limited purpose of conducting cross examination.

Only relevant cross-examination questions may be asked of a party or witness. Before a party or witness answers a question, the Hearing Officer will determine whether the question is relevant and explain any decision to exclude a question as not relevant. If deemed reliable and relevant by the Hearing Officer, statements of persons who were not present at the hearing, or persons present at the hearing but who were not subject to cross-examination may be considered. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, social media postings, and the like.

Relevant Evidence: In making a determination of responsibility or sanctions, the Hearing Officer may only consider relevant evidence. Relevant evidence is evidence having any tendency to make the existence of any fact that is of consequence to the determinations to be made more probable or less probable than it would be without the evidence. The Hearing Officer must conduct an objective evaluation of all relevant evidence,

including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The Hearing Officer will not consider evidence about the complainants sexual predisposition or prior sexual behavior except for evidence when offered to prove that someone other than the respondent committed the conduct alleged by the complainant or concerning specific incidents of the complainant's prior sexual behavior with respect to the respondent when offered to prove consent.

If deemed reliable and relevant by the Hearing Officer, statements of persons who were not present at the hearing, or persons present at the hearing but who were not subject to cross-examination may be considered. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, social media postings, and the like.

The Hearing Officer will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Written Determination: After considering the investigative report, party written response(s), and all relevant evidence presented at the hearing, the Hearing Officer will issue a written determination. The Title IX Coordinator will provide the written determination simultaneously to the parties and becomes final 5 business days after it is sent to the parties, unless an appeal is filed.

The written determination will include:

I. Identification of the allegations potentially constituting sexual harassment
II. A description of the procedural steps from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews, site visits, methods used to gather other evidence, and hearings held
III. Findings of fact supporting the determination
IV. Conclusions regarding the application of the Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Policy to the facts
V. A statement of, and rationale for, the result as to each allegation including:
    i. A determination regarding responsibility
    ii. Any disciplinary sanctions imposed on the respondent
    iii. Whether remedies will be provided to the complainant
    iv. Procedures and permissible bases for the parties to appeal

Appeal: Either party may appeal the dismissal or reassignment of a Formal Complaint or any allegations therein or a determination regarding responsibility. No other issue may be appealed. A party may only appeal on the basis of: 1) procedural irregularity that affected the outcome of the matter, 2) new evidence that was not reasonably available at the time the determination regarding responsibility, dismissal, or reassignment was made that could affect the outcome of the matter, or 3) the Title IX Coordinator, investigator, or Hearing Officer had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The basis for appeal is not satisfied simply because evidence was not presented during the proceedings if the evidence was reasonably available at the time the determination was made.

If a party wishes to file an appeal, the party must notify the Title IX Coordinator in writing no later than 7 business days after the notice of dismissal or written determination is sent to the party. The written appeal must state with specificity the issues being appealed and the bases for the appeal.

After receiving a timely written appeal, the Title IX Coordinator will notify the parties in writing that the appeal was filed, the process for submitting a written statement in support of, or challenging, the issues being appealed, and that the appeal, including any written statements submitted by the parties, will be considered by the Appeal Officer.

The Appeal Officer will be appointed by the Title IX Coordinator, at the Title IX Coordinator's sole discretion, and may not be the Title IX Coordinator, the investigator, or the Hearing Officer. The Appeal Officer may also consider the investigative report, including any party's written response to the investigative report, all relevant evidence presented at the hearing, and the audio or audiovisual recording or transcript.

The Appeal Officer will issue a written determination of appeal, which will describe the result of the appeal and the rationale for the result. The Title IX Coordinator will provide the written determination of appeal simultaneously to the parties. The result of the appeal is final.

The University will make a good faith effort to complete the appeal within 20 business days. The timeframe for completion of appeal may be extended for good cause. If the timeframe for completion of appeal is extended, the Title IX Coordinator will notify both parties in writing of the delay or extension and the reasons for the delay or extension.

Student Code of Conduct

Any person may file a report against any student or organization for misconduct. Reports shall be prepared in writing in the form of an Incident Report and directed to the Conduct Administrator responsible for the administration of the University conduct system. Any complaint should be submitted by the reporting party as soon as possible. All proceedings will include a prompt, fair, and impartial process from review to final decision.

Notification of Charges

If the University is pursuing a formal conduct process, the responding student will be notified. Once the responding student is notified of the complaint, they have the opportunity to schedule a conduct meeting with the Conduct Administrator or designee to discuss the situation. Because email is an official method of communication for the University, students will be notified over their MSU Denver email of potential violations of the Student Code of Conduct and the outcome of any conduct processes. Students may also be contacted at the mailing address on file with the University. In certain cases, students may also receive correspondence by phone from staff in the Dean of Students Office at any point in an investigation or while gathering information.

Prior to the conduct meeting, the Conduct Administrator shall present to the respondent or responding organization, in writing, a statement of the allegations, the charges they would support, and the potential consequences in the event that student is found responsible. The student will be responsible for scheduling the conduct meeting with the Conduct Administrator. In the event of extenuating circumstances, the Conduct Administrator may determine that the meeting shall take place via telephone or through a written process. The Conduct Administrator will notify the alleged party in writing of this determination.

If the student fails to make contact with the Conduct Administrator within the time frame specified in the notification, the Conduct Administrator may make a decision in the student's absence on the next steps in the process and/or place a registration hold on the student's account.

Interim Measures

Consulted with students (and/or counselors or advocates where applicable), interim measures are available if requested and reasonably available, regardless of if reported to campus or local law enforcement. Each student's needs are unique, and some examples of interim measures include, but are not limited to:

I. Resource referral (e.g. counseling, medical, advocacy, and law enforcement)
II. No contact directives
III. Academic accommodations (e.g. rescheduling an assignment/exam, assignment extensions, arranging for a leave of absence/incomplete/withdrawal, etc.)
IV. Supportive measures for living arrangements for on-campus students at Lynx Crossing
V. Transportation needs
VI. Workplace supportive measures

Advisor

The harmed party and the alleged party have the right to have any advisor they choose, at their own expense, to be present during any meeting or conduct meeting. The advisor may be an attorney, with notification of this information to the Conduct Administrator. In certain cases, University Legal Counsel may be present. The harmed party and/or the alleged party is responsible for presenting their own case and, therefore, advisors are not permitted to participate in any meeting or meeting within the conduct process unless the University Legal Counsel specifically advises otherwise. University Legal Counsel shall serve as legal advisor to the Conduct Administrator.

Review and Conduct Meetings

The Conduct Administrator or designee is responsible for investigating all alleged violations of the Student Code of Conduct. Reviews may include, but are not limited to, interviewing all parties involved, interviewing any witnesses deemed relevant, and gathering and reviewing evidence provided by any parties or witnesses.

Conduct meetings shall be conducted in private. Admission of any person to the meeting shall be at the discretion of the Conduct Administrator within outlined policies. In meetings involving more than one alleged party, at the discretion of the Conduct Administrator may permit the meetings concerning each student to be conducted concurrently. Both the alleged party and the harmed party may present witnesses pertaining to the alleged incident. The Conduct Administrator will meet with any witnesses prior to the conduct meeting to review the evidence they have to share pertaining to the case. Pertinent records, exhibits, and written statements may be accepted as information for consideration by the Conduct Administrator at their discretion.

After the meeting, the Conduct Administrator shall determine whether the student or organization has violated the Student Code of Conduct. The Conduct Administrator's determination shall be made on the basis of whether it is more likely than not that the respondent or organization violation the Student Code of Conduct. In cases involving sexual misconduct, the Conduct Administrator will notify in writing both the alleged party and harmed party of the determination.

Except in the case of a student charged with failing to obey the summons of a Conduct Administrator or University official, no student may be found to have violated the Student Code of Conduct solely because the student failed to appear before a Conduct Administrator. In all cases, the information in support of the charges shall be considered.

Appeals

The alleged party or harmed party may appeal a decision reached by the Conduct Administrator or a resolution imposed by the Conduct Administrator within 5 working days of the decision. In cases of sexual misconduct, both the alleged party and harmed party are informed simultaneously in writing of their opportunity and right to appeal. Such appeals shall be in writing and shall be submitted to the Dean of Students Office and a Conduct Appeal Form must be completed. The Dean of Students will forward the appeal request and student conduct file to the appointed Appeals Administrator.

Except as required to explain the basis of new information, an appeal shall be limited to a review of all case-related materials previously available to the Conduct Administrator and the information provided with the Conduct Appeal Form for one or more of the following purposes:

I. To determine whether the original meeting was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures, giving the appealing party a reasonable opportunity to prepare and to respond to those allegations
II. To determine whether the decision reached regarding the respondent or organization was based on a preponderance of evidence
III. To determine whether the resolution(s) imposed were appropriate for the violation of the Student Code of Conduct that the student or organization was found to have committed
IV. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original meeting because the person or organization appealing did not know such information and/or facts at the time of the original meeting

Outcomes from an appeal request will fall within one of the following categories: 1) the appeal is granted and a Conduct Administrator is asked to reconsider the original finding of responsibility, 2) the appeal is granted and a Conduct Administrator is asked to reconsider the original resolution(s), 3) the appeal is granted and a Conduct Administrator is asked to reconsider both the original finding of responsibility and the original resolution(s), or 4) the appeal is denied.

If an appeal is denied, the matter shall be considered resolved, the Appeals Administrator's decision is considered final, and the student is responsible for any resolutions of the original decision. In cases of sexual misconduct, both the alleged party and harmed party will be simultaneously notified by either the Conduct Administrator any change to the result of the finding of responsibility and/or the original resolution(s) or the Appeals Administrator a denial of appeal.

Alternative Conflict Resolution & Restorative Process

The Conduct Administrator has the discretion to refer a student conduct report to Student Conflict Resolution Services to initiate an alternative conflict resolution or restorative process at any point during the student conduct process.

A Conduct Administrator may refer to an alternative resolution process based on, but not limited to, the following factors:

I. If the respondent takes responsibility for the alleged prohibited conduct
II. The respondent's prior conduct record
III. The nature and severity of the alleged prohibited conduct
IV. The alleged impact and/or harm caused to another person or community
V. Whether the alleged conduct violates the Student Code of Conduct
VI. Any other factors that the Conduct Administrator finds relevant to the specific allegations

Alternative conflict resolution or restorative processes may include:

I. **Conflict Coaching:** One-on-one and individualized coaching sessions with a Student Conflict Resolution Services professional to discuss an event or incident and strategies to approach conflict situations.
II. **Restorative Processes:** A restorative process, such as a restorative conference or an Impact Circle, brings together members of the community that have been impacted by an event or incident, such as the responsible party, harmed party, and others impacted, to have an honest and collaborative dialogue. Facilitators guide the participants to discuss what occurred, the needs of all parties, and what needs to happen to make things right. A restorative process ends with a mutually defined restorative agreement between parties.
III. **Mediation:** A conflict resolution process where a mediator guides the involved parties toward their own resolution. This may include joint mediation sessions or separate caucuses with each person. The mediator helps both sides define the issues, understand the other's position, and move closer toward their own resolution. Mediation may be offered as an option when the incident does not qualify as a student conduct issue.

Restorative Process: The principles and steps of a restorative process include:

I. Participation is voluntary
II. A referral may be made if the alleged party takes responsibility for their actions/prohibited conduct and is willing to complete a restorative agreement
III. Prior to the restorative conference or circle, parties participate in individual intake meetings to help participants adequately prepare
IV. The process provides an opportunity for open and respectful dialogue about the event or incident and its impact
V. If other parties have been directly affected by the incident, they should be invited to participate in the process and may determine the level of their involvement
VI. Outcomes or a restorative agreement should always seek to address harms, needs, and promote repair
VII. Outcomes or a restorative agreement must reflect the agreed view of all parties
VIII. Outcomes or a restorative agreement must promote accountability by the responsible party and represent an appropriate and achievable response to the conduct in question

A restorative process does not determine responsibility, but is rather focused on determining how to repair the harm caused from the incident. The restorative process will result in a written agreement among all of the parties involved, with the outcomes to be completed by the alleged party.

If the restorative process reaches an agreed restorative agreement, the matter will be considered resolved and no further action will be taken. If the restorative process does not reach an agreed restorative resolution, the respondent does not actively participate in the process, or does not want to participate in the restorative process, the case will be referred back to Student Conduct.

Standard of Evidence

In making a determination of whether or not the Discrimination, Discriminatory Harassment, Sexual Misconduct, or Retaliation Policy or Student Code of Conduct has been violated, a preponderance of the evidence standard will be used. Preponderance of evidence means that the evidence shows it is more likely

than not that the conduct occurred or, stated another way, that there is a greater than 50% chance that the claim is true.

Potential Resolutions from Investigative & Disciplinary Proceedings

In cases where disciplinary proceedings are conducted by OEO, OEO is a neutral, fact-finding investigative office only. OEO does not involve itself in determining sanctions or disciplinary action for anyone. In the case of resolutions for students, the Dean of Students Office is consulted and determines resolutions. In the case of resolutions for faculty, the Office of the Provost is consulted and determines resolutions. In the case of resolutions for staff, Human Resources is consulted and determines resolutions.

Potential resolutions for employees (including faculty members) include, but are not limited to, one or more of the following:

I. Dismissal from employment
II. Non-renewal of an employment contract
III. Suspension
IV. Probation
V. Reprimand
VI. Warning
VII. Training and/or counseling
VIII. No-contact Order

Potential resolutions for students include, but are not limited to, one or more of the following:

I. Warning
II. Probation
III. Auraria Campus suspension or expulsion
IV. Loss of privileges
V. Restitution
VI. Discretionary resolutions
VII. Restorative resolutions
VIII. Educational resolutions

Disclosure of Results of Disciplinary Proceedings

Upon request, MSU Denver will disclose the results of any disciplinary proceeding conducted by the institution against a student who is identified as an alleged party or respondent of any crime of violence or non-forcible sex offense to the alleged victim or next of kin, if the victim is deceased.

Security Awareness & Crime Prevention Programs

The following section provides summary of prevention and awareness programs that MSU Denver community receives through its partnership with the Auraria Campus Police Department (ACPD) in efforts to approach safety and security through preventative lenses.

ACPD provides the following services and programs to improve safety through awareness of commonly reported campus crimes to help reduce similar criminal activity through greater public awareness and with mission to not be simply react to crime or reports of crime.

Program	Description	Frequency
New Student Orientation	Presentation on crime, personal safety, and security is given to new, incoming students.	Each Semester
Campus Safe Night	Annually, each fall, an event is held in which groups tour the campus after dark and provide suggestions for security enhancements.	Annually
Drug Information Seminars	These talks cover recognition of controlled substances, their effects on people, and what to do if one suspects that someone is using or selling drugs.	On Request
Crime Analysis	Auraria Police staff will review reported crimes and determine if focused patrol or activity may be required for repeated offenses in any given area.	Ongoing
Personal Safety on Campus	This program, usually given to small groups, covers ways to avoid being the victim of physical or sexual assault.	Each Semester/ On Request
Robbery Prevention	This seminar, given to cashiers, gives tips on how to survive an armed robbery and be a good witness.	On Request
Electronic Alarm Systems	ACPD monitoring of intrusion, fire, environmental, and general emergency alarms with the help of a sophisticated computerized monitoring system, located in the Auraria Facilities Management building.	Ongoing
Escort	A nightrider and escort service available through the Parking and Transportation Services Office. After hours, ACPD will provide a limited escort service for people walking on campus. Students, staff, including faculty, are always encouraged to walk with others when possible and to choose paths that are well illuminated.	Ongoing

Theft and Fraud Seminars	Presentations given to people working in areas where check and credit card fraud occurs (such as the Bookstore, Bursar's Office, Recreation Center, etc.). The curriculum covers commonly used scams, how to recognize them, and what to do when they occur.	On Request
Security Surveys	Upon request, ACPD officers will evaluate a facility's physical security and make recommendations for improvements.	On Request
Architectural Design	ACPD has significant input into the design of all new and renovated campus facilities with regard to physical and electronic security systems.	Ongoing
Bike Theft Prevention	ACPD-hosted Bicycle Clinics each semester providing helpful tips on preventing bike thefts and the bike theft problem on campus.	Ongoing

Individual and Community Wellness and Engagement

MSU Denver Dean of Students Office considers safety and security for its students and staff to be inextricably linked to access to healthy spaces and resources to promote individual wellness and belonging, that helps strengthen community wellness and support of one another.

Part of that work includes recognizing concerns and challenges that exist within the wider society in which MSU Denver is planted that affect students, staff and faculty, and visitors to MSU Denver on a daily basis through factors that can include their budgetary challenges, the nature of their commutes to their classes and events, and personal health and safety concerns with living in the United States of America in the 2020s that include greater economic insecurity, increased frequency of adverse, emergency climate conditions, and even direct threats to the nation's democracy.

Being a historically 100% commuter institution, the daily life of every student and every staff and faculty member at MSU Denver involves concerns for safe environments beyond Auraria Campus, so fulfilling the spirit of the Clery Act cannot be met with annual security reports that do not support community members in some measure beyond the campus boundaries.

Accordingly, the following programs and resources are summarized here to aid in MSU Denver community members in being aware of and having easy access to knowledge and supportive resources, particularly if they should find themselves facing additional challenges through a given semester or throughout the year in their personal, professional, or academic lives.

Rowdy's Corner –

Shortly after publication of the 2021 ASR MSU Denver opened Rowdy's Corner a new, prominent market-enterprise led by students that serves as a nutritional food bank and community space for all MSU Denver students, located on the second floor in the center of the Tivoli Student Union building.

Among active programs and offerings available at time of publication for AY2023-2024 year:

- Coffee Club
- Community Market days (Thursday and Friday) open to all Auraria community members to use Rowdy's Corner on a pay-what-you-can model.
- Satellite locations around Auraria Campus enabling MSU Denver students to pick up on-the-go snacks.
- Community members who shop at King Soopers are able to directly and passively support Rowdy's Corner through their Soopers Card Community Rewards program, with no impact on their own prices or fuel points earned, by selecting MSU Denver Roadrunner Food Pantry as the recipient organization.

  For context and profile of this major change towards improving individual students' food security and access to quality nutrition to help support their education are videos from MSU

Denver Alumni and Friends (Nov 2022) and 9News (Dec 2022), and Early Bird article and (Aug 2023).

Additional information on FAQs, community partners, and calendar of mobile food market days can be found on the Rowdy's Corner website.

Recreation Center –

MSU Denver Rec Center continues to evolve with MSU Denver community to include long-standing sports and exercise equipment and emerging outdoor and indoor activities and community programs.

Among program areas of the Rec Center are Fitness and Wellness, Sports (and e-sports), Outdoor Pursuits (including free or low-cost equipment rental), Employment, Training and Certifications (including CPR/AED/First Aid).

Center for Equity and Student Achievement –

Center for Equity and Student Achievement (CESA) – CESA is the department that covers and supports flourishing team efforts for student belonging, resiliency, and growth. Among the teams of CESA are:

The Center for Multicultural Engagement and Inclusion (CMEI), which encompasses First-Generation Initiatives, Met Media, and Student Activities, offers proactive programs and services to create inclusive environments where all MSU Denver students can thrive. The CMEI's primary purpose is to advocate for the academic, social, and professional development of MSU Denver students while promoting racial equity and student sense of belonging. Students can do all of this through our cultural and equity programs and activities (including Brother to Brother, Sister Circles, Heritage and History Months, and Specialty Graduation Celebrations) leadership opportunities through 90+ student organizations, equity peer leader program, urban leadership program, fraternity and sorority life (nine recognized chapters and two active recognized interest groups), student government assembly, First-Generation Initiatives, Met Media, and professional development and student travel prospects and resources.

Student Care Center (SCC) –

The MSU Denver Student Care Center provides case management support for students experiencing challenges and barriers which may include food or housing insecurity, family emergencies, and other unexpected events that risk disrupting their semester of study.

Central to SCC operations is the CARE referral process. (Consultation-Assessment-Referral-Education) CARE referrals are meant to provide a mechanism for community members to report a student engaging in concerning behavior or is in need of additional support related to life circumstances.

Referrals are received by Case Managers within the Student Care Center, and are elevated for consultation and additional support to the CARE Team as appropriate. More information on MSU Denver's CARE Team is included here, along with link to their FAQ page so

community members can have more familiarity with the referral process. Among audiences that the questions speak:

- Students are welcome to refer themselves if they are experiencing an inability to meet their basic needs (food, shelter, etc.), or other challenges which may pose barriers to their wellbeing or academic success.
- Faculty and staff members may consider submitting a referral when a student shares an experience of current/ongoing hardship and requests support, displays a significant change in behaviors or exhibits behaviors that are unusual, unpredictable or concerning.
- Students and community members may consider submitting a referral for a student that appears to be in difficult circumstances.
- Students who are contacted by the CARE team because a referral was submitted on their behalf are generally invited to work with Case Managers and the CARE Team on a voluntary basis, unless imminent safety concerns are involved. Case Management may include: referrals to on campus and community resources to assist with health/mental health, financial, academic and other needs, public benefits application assistance and support meeting basic needs, coaching and guidance while navigating university policies and procedures, and more.

Note: The Student Care Center team is happy to consult with any staff, faculty, student or community member who is concerned about an MSU Denver student, and who may be unsure about whether a referral is appropriate.

Additionally, the Student Care Center supports Rowdy's Corner (highlighted above), SNAP benefit support, and two cohort peer support and leadership development programs, HOPES and EPIC Scholars.

SNAP benefit support – Continuing through 2023-2024 academic year after success in 2022-23, MSU Denver students and staff with questions about food security and nutrition support needs can reach out to the Student Care Center's SNAP Coordinator to discuss SNAP benefit eligibility specific to students circumstances, and gain some guidance on navigating the SNAP process as well as identifying additional food and nutrition resources in their local communities.

Health Center at Auraria (HCA) –

The Health Center at Auraria provides a number of types of direct, non-emergency medical care to students and staff including preventative services such as immunizations, skin evaluations and mole removal, substance abuse prevention and outreach programming including harm reduction-oriented opioid overdose training.

A list of currently available medical services available at HCA is included here, as well as information on health insurance types accepted. Note: As of mid-2022 HCA was accepting at least one form of Health First Colorado plans (Colorado Medicaid)

Note from HCA regarding reproductive health rights in Colorado after the overturning of federal constitutional protections for bodily autonomy and access to reproductive healthcare including abortions in 2022:

June 2022, Early Bird article regarding MSU Denver support for and new Colorado law reaffirming individuals' rights through Reproductive Health Equity Act, inclusive of state residents and visitors of Colorado.

Among important points:

- Community members can come to HCA seeking emergency contraception without appointment, if necessary. At last review patients were not charged for the office visits or services other than the cost of medication, and those who may not have insurance can make payment arrangements that is strictly for the cost of the medication.
- HCA has an agreement with Denver Health Medical Center for victims of sexual assault that allows these patients to be evaluated at HCA and not have to be seen through the Denver Health Emergency Room to proceed with receiving Sexual Assault Nurse Examiner (SANE) services.

Housing Resources – While MSU Denver does not yet have residential housing of its own, students and staff can seek guidance and support with housing questions and concerns through the MSU Denver Housing Office. As of publication, email address for MSU Denver's Student Housing Project Manager was available through the Student Housing site.

The MSU Denver Housing Resources page includes **Things to Know** in an FAQ-format to aid students, staff, and faculty with knowledge and tips to orient to housing concerns in the Denver region, such as things to consider when searching for an apartment, and orientation to renter's rights and tenant laws in the state. Contact information for the Student Housing Project Manager is available through the Housing Resources page.

Among resources identified and relationships being built to aid in stability and resiliency for MSU Denver community members:

Rental Assistance –
Emergency Rental Assistance Program (ERAP)
Temporary Rental and Utility Assistance (TRUA)
County Departments of Human Services – Referrals to individual county DHS offices and guidance of process likely to expect

Eviction prevention/assistance –
Colorado Poverty Law
Colorado Economic Defense Project
Rocky Mountain Children's Law Center

Affordable Home Ownership programs –
Denver Affordable Homeownership Program (HOST)

Note: Interrelated with housing stability and affordability, community members with concerns about vehicle parking and towing rights in Colorado can find background information on HB 22-1314, Towing Bill of Rights, in the following subsection profiling regional public safety and security resources.

Note regarding campus-based housing: Throughout 2022 and continuing for 2023-2024 academic year, MSU Denver has a partnership with CU Denver to offer student housing on Auraria Campus for some MSU Denver students through CU Denver property Lynx Crossing.

Announced in Spring 2023, MSU Denver along with University of Colorado Denver has established a partnership with Denver Housing Authority to build on shared visions of greater housing supports and solutions for Auraria residents including students and staff.

Phoenix Center at Auraria (PCA) –

The Phoenix Center is the campus expert and resource center to implement campus response services, provide education, and facilitate dialogue related to interpersonal violence in the Auraria community.

The PCA defines interpersonal violence as sexual violence, relationship violence, stalking, family violence, and childhood sexual abuse. The PCA is able to support students, faculty, and staff members who directly experience interpersonal violence and loved ones of the people who experience interpersonal violence (family members, friends, co-workers, etc.).

The PCA is recognized and supported tri-institutionally for positive, affirmative sexual agency, interpersonal violence prevention programming, IPV 101 and bystander intervention trainings, and interpersonal violence survivor support services.

Additionally Phoenix Center supports the community members on the Anschutz Medical Campus in Aurora, on which CU Denver School of Medicine and associated programs and entities operate.

Phoenix Center also provides a list of services available throughout the Denver area and throughout the state of Colorado for any Auraria community members that may be supporting loved ones experiencing violence or at risk of violence. Included in this are resources specific to cultural and ethnic identities and other communities, including persons with disabilities.

Among programs and events that PCA leads and MSU Denver supports include:

- Phoenix Cast podcast (ongoing)
- Welcome Back to Auraria (August)
- Red Flag Campaign (September)
- Relationship Violence Awareness Month (October)
- Women and Gender Equity in Leadership Summit (tri-institutional lead event with co-chairs MSU Denver's Gender Institute for Teaching and Advocacy (GITA) and CU Denver's Women and Gender Advocacy Council.)
- Stalking Awareness Month (January)
- Sexual Assault Awareness Month (April) programming including:

- Clothesline Project (Additional background through Met Media article)
- Denim Day
- Consent Turns Me On Carnival (CTMO)

The LGBTQ Resource Center –

LGBTQ Resource Center, established in 1992 as Colorado's first campus LGBTQ+ support organization, is a tri-institutionally serving and supporting resource center for all students, staff, and faculty of all genders and sexualities of Auraria campus, particularly as resource for those experiencing issues with sexuality, gender identity, and discrimination or harassment. The center's social space and library – open to all students of MSU Denver, CU Denver, and CCD – are available during regular office hours. Additionally, the center hosts a variety of events, trainings, and more for folks to participate in.

MSU Denver Counseling Center –

The MSU Denver Counseling Center is available for students to approach with concerns or issues that they may be dealing with throughout their academic terms.

Just as during the previous academic year, the Counseling Center was budgeted and equipped to provide up to 6 sessions to individual students as part of their enrollment for the 2023-2024 academic year.

Among concerns and issues the Counseling Center supported students with during 2022:

- Anxiety
- Depression
- Trauma
- Loneliness
- Attention or adjustment concerns with intersecting issues that could include:
  - Financial strain
  - Housing insecurity
  - Family or intimate partner conflict
  - Integration into area as new student (including international students)
  - Grief
  - Discharge from active duty (military)
  - First-Generation student concerns
  - Recent medical diagnosis
- Sexual harassment or sexual assault
- Bullying or intimidation, in personal life, in employment, or experienced on campus or within academic programs
- Peer or cultural pressure with intersecting issues that could include:
  - Extreme activity/exercise regimen (including e-games)
  - Excessive consumerism
  - Weight loss and diet culture
  - Restrictive nutrition

    - Excessive consumption of foods
    - Psychoactive substance use that could include:
        - Caffeine
        - Nicotine
        - Alcohol
        - Cannabis
        - Psilocybin
        - Prescription medication
        - Unregulated controlled substances

- Concerns about abrupt relationship rupture or disconnection from friend or family member due to involvement with isolating communities and forums built on hate or hostility to communities, such as racial or religious groups, genders or gender expressions

If a student's immediate concerns were significant enough to need additional services beyond the Counseling Center sessions, or higher level of care was recommended, the Counseling Center clinicians and staff seek out and help students connect with external provider options. Often these include resources with potential for community building and belonging directly for students that can help support them with their concerns.

Sample resources that could be identified for students, individually, based on their concerns, provided as sample here for wider knowledge by those in those communities for own resource bank and tool kits for own self and social circles:

- Active duty military and veterans concerns – The Sturm Center (Behavioral Health Center for Veterans, Service Members and their Families)
- LGBTQ+ community connection concerns – LBGTQ Resource Center (on campus) and The Center on Colfax (for wider, regional community connections)
- Neurodivergent or sensory concerns – Autism Community Store
- Mindfulness resources apps or communities – (sample of external mindfulness programs that could be of interest, presented in alphabetical order)

Calm app provides meditation, sleep, and relaxation materials with goal of helping the strengthening of mental fitness for users. Introductory-year discounted subscription available at time of publication.

Note: At last review, Calm Resources page provided summary of free materials available including sections for Soothing Meditations, Sleep Stories, and Calm Kids meditations and resources including journals, calendars and workbooks.

Headspace app provides meditation and mindfulness tools with goal of helping users establish life-changing habits to support users' mental health.

Note: Headspace provided general 14-day trial of last review, though may require credit card information upfront with annual subscription poised to be charged unless trial is actively canceled.

Note to students: At time of publication Headspace provided a student plan with substantial annual subscription discount (85% reduction) for higher education students in the United States, Canada and several additional countries.

Insight Timer app provides free mediation and mindfulness platform with optional in app purchase for premium content. Among resources available at last review: Meditations, Insightful Talks, Breathwork, Sleep support, Yoga, Music for Calm. Additionally, the app's blog is organized topically with intersectional interests including Science and Research, Work, Tradition, and Spirituality.

Note to community members whose first language is not English, and community members who are speakers and learners of additional languages: Among languages that Insight Timer has developed meditation and mindfulness resources for as of 2022 ASR publication include Spanish, Brazilian Portuguese, German, and French.

Smiling Mind app provides mindfulness and mental health-supporting programs, designed for adults and for children. (Australian-based app) At time of publication of 2022 ASR subscription and use of Smiling Mind remained free.

Note to community members with children: Smiling Mind reports being built around child and youth-based programs and content, including some materials designed for children as young as preschool-age, with associated parent support resources, that can vary by personalization categories of parent, educator, healthcare worker, and professional.

Waking Up app provides mindfulness and meditation resources that explore multiple methods and skills, organized by categories including Theory, Practice, and Life. Additionally, a Conversations section exists with researchers and professionals in multiple fields of academic study, medicine, art, and business that may be of practical, intersectional interest to students in a number areas of study at MSU Denver.

Note: As of last review Waking Up provided free month trial without credit card submission required. Additionally, Waking Up publicizes an annual membership scholarship request process where all requests are honored while it remains financially feasible.

- General Metropolitan Denver area belonging and engagement opportunities available to MSU Denver community members and their friends and family that are free or low-cost:
    - **SCFD Free Days** – Free Days at Science and Culture District members organizations throughout the seven-county metropolitan Denver area.
        - Background of this feature, including being available to residents and visitors of the Denver area that is enabled by small component of local sales tax. Facilities large and small near Auraria include Denver Art Museum and Black American West Museum and

Heritage Center, as well as smaller, suburban-based facilities such as Aurora Symphony Orchestra and 40 West Arts.

- **Visit Denver Convention and Visitors Bureau** – Free Activities List

- **Explorer Pass** – Explorer Pass program available to Supplemental Nutrition Assistance Program (SNAP) benefit recipients to enable entry into cultural facilities for $1-2 dollars per person. As of publication, programs included locations close to Auraria such as Children's Museum and History Colorado, and organizations throughout the metro area, such as Butterfly Pavilion.

(Note: MSU Denver Counseling Center specifically and MSU Denver overall do not endorse or support any sample external organizations listed above.)

Additional Auraria Campus and regional public safety and security information and resources –

Included here are summaries of and links to information and resources that may be relevant to MSU Denver students and staff directly, or could be useful in future for family and friends who MSU Denver community members connect with and care about.

Present and near-future Auraria Campus Master Plan development underway at time of 2022 ASR publication –

In June 2023, Auraria Higher Education Center (AHEC) announced selection of an external design firm Sasaki to lead a 2023 Auraria Campus Master Plan project after agreement reached with higher education partners MSU Denver, CCD, and CU Denver.

Open houses for community input were announced in August 2023, with open houses scheduled for early September 2023.

Most recent information about timeline of the project, including links to other intersecting institutional and Auraria-adjacent master plans and projects, such as the Cherry Creek and Speer Boulevard Vision Study, was available on AHEC's Auraria Campus Master Plan landing page.

Denver Vision Zero –

Denver Vision Zero is the name of coordinated research and improvements to Denver transportation infrastructure and efforts to shift dominant car commuting culture expectations for speed and primacy of space to more equitable and safe transportation for all residents and visitors. Most recent action plan update for pedestrian and traffic safety improvements in Denver included for this 2022 ASR.

> Principal among recent changes in Denver that relate to MSU Denver community is the major redesign of Larimer Street between Auraria Campus and Larimer Square block of Lower Downtown.
>
> Details of the Connecting Auraria project, which was approaching completion at time of 2022 ASR publication, are included here to help provide orientation for community members for the new look and feel of this project intended for more equity and safety between pedestrian, bike and scooter, and motor vehicle transportation methods, and to provide jumping off point to learn of additional projects around the city underway and being studied through the Elevate Denver bond initiative approved by Denver voters in 2017.

Disability or impairment identification for Colorado state-issued ID cards and driver's licenses –

> Beginning in 2022, Colorado residents with disabilities or impairments have the option of an identifier (shown below in graphic) on their Colorado ID card or driver's license to make clear to other people who they may have to interact with in positions or power or privilege that disability protocols are in order.
>
> Background: After passage of House Bill 21-1014, the Colorado Department of Motor Vehicles (DMV) implemented an optional identifier ("**i**") to state-issued ID cards and driver's licenses to make clear to government officials that disability protocols are required.

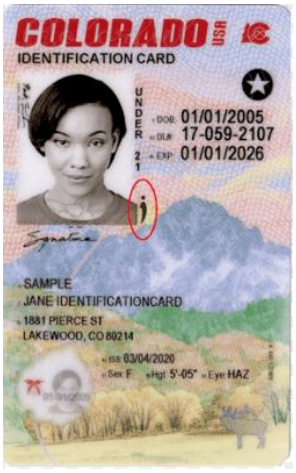
The symbol being used on the state-issued IDs was created by and is a trademark of the Invisible Disabilities Association, which has been advocating for policy changes and developing programs and trainings to reduce adverse, confrontational interactions that people with disabilities, particularly with disabilities that are not readily apparent to strangers, can often face with law enforcement officers and other officials. Central in this has been advocating for a more comprehensive, inclusive disability symbol to apply to these efforts, resulting in the symbol being licensed to state governments, and other institutions including in higher education.

Colorado follows the State of Alaska in 2017 with inclusion of the optional disability symbol for Alaska IDs as part of a wider Alaska state-issued identification card reform bill, HB 16. Colorado's legislation is reportedly now being looked at by other state legislatures and assemblies.

Among harms this aims to reduce are situations where community members are burdened to "prove" something about themselves or else face escalation of the situation. This is particularly relevant in emergency situations that puts undue burden on an individual to sufficiently and appropriately articulate specific limitations or specific needs they may have in the moment – for themselves or someone they are caring for.

This is especially so when the community member's interaction with officials begins in a non-consensual engagement, such as during a traffic stop by law enforcement or during an accident by paramedics.

> Among features of HB 21-1014 includes the establishment of a database for conditions or concerns that individuals can voluntarily report that can be tied to specific vehicles for themselves or those they care for, so that should they be stopped by law enforcement the context of their disabilities or impairments should be immediately available to officers, such as if an individual may be in the car with a condition that is exacerbated by flashing lights or loud noises so the officer is not surprised or feeling threatened by those reactions.



(Sample ID card graphic courtesy of Colorado Department of Revenue)

Note: Colorado General Assembly additionally passed HB-21-1122 that went into effect in 2022, titled First Responder Interactions With Persons With Disabilities, to establish a commission to set recommendations for first responders (including law enforcement, fire service, and possibly other office holders who may regularly respond to emergencies) for additional trainings to better inform their interactions with community members they will serve who have disabilities.

Link to an overview of training recommendations and associated toolkits and resources from the commission for Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officers in the state is included here for MSU Denver community member familiarity, as well as link to overall POST-certified mandatory training page.

Additional context regarding trainings and programs designed to improve equity in first responder engagement with all communities including those with disabilities is included in a later Safer Crisis and Emergency Response Support section summarizing programs such as ACPD's Co-Responder program, and Crisis Intervention Team (CIT) trainings for law enforcement officers.

In the spirit of the rapidly changing and intertwining world in which MSU Denver as an institution serves and acknowledging that nearly all of its community members have deep familial and professional connections in other states in the country and other countries of the world, MSU Denver includes this background information on recent efforts in the state, such as the Disability Identifier in IDs program or the First Responder Interactions with Persons With Disabilities Act, to enable greater individual and collective understanding of these concerns, and to encourage knowledge building and similar advocacy for additional professional competencies to improve how one another professionally and personally serve one another, from first responders to front desk representatives in a university, hospital, or otherwise. It is hoped that this effort may inspire others in advocacy efforts for similar social, cultural, and legal equity and inclusiveness for community members with disabilities beyond the visible.

Predating the outrage of George Floyd being killed by law enforcement officers responding to a non-violent crime report, Elijah McClain was killed on August 30, 2019, during detainment by Aurora (Colorado) Police Department officers and Aurora Fire Rescue paramedics. After being stopped on the street, an engagement brought on by a 911 call about a man wearing a mask waving their arms while walking, Elijah was subject to lethal force through medication. Before he went unconscious and from which he did not reawake, Elijah said, among other statements to advocate for himself and plea for abatement to the physical force and forced medical intervention applied to him, "I'm different."

MSU Denver includes this in the 2022 ASR with acknowledgement that it has inequities in its institutional systems that can increase obstacles for students, staff including faculty, and visitors with disabilities or impairments – particularly those who have less visible or outwardly obvious disabilities or impairments – that affect how they are perceived and are treated by counterparts in the community. It is hoped that the wider dissemination of this information will help in efforts to reduce instances of unconscious bias within MSU Denver specifically and decrease the accumulation of ablism-based inequitable treatment and microaggressions more generally.

Recent changes to vehicle parking and towing rights in Colorado:

Acknowledging the difficult reality that many MSU Denver community members may find themselves struggling to remain in stable housing, or having a period of time living in their vehicle in between residences, during their time at MSU Denver often because of incurring unexpected expenses as the cost of living has continued to outpace increases in income and/or financial aid, the following resources are provided to help community members awareness of their rights under Colorado law relating to vehicle towing, and relating to their rights to pay for partial towing and setting up payment plan for towing charges in order to regain possession of their towed vehicle most rapidly.

Background of HB 22-1314, Towing Bill of Rights, passed in 2022:

Colorado Public Radio article overviewing HB 22-1314 including details of vehicle owner rights to the contents of their towed cars, and the right to pay for 15% of towing fees, not to exceed sixty dollars in order to enable owners to retrieve their vehicles more rapidly.

At time of 2022 ASR publication in Fall 2023, most recent applicable story found relating to HB 22-1314, CityCast Denver interview, is included here as the state senator being interviewed is one of the legislators that crafted the bill, and being an area resident who had a vehicle towed with concerns about towing company complying with the new law. Included in the discussion was a recourse option available to residents if they feel towing company did not operate legally under Towing Bill of Rights: Stop Fraud Colorado, established through the Colorado Attorney General's Office.

Note: MSU Denver does not endorse or support any particular sample external programs or services

Auraria Campus-based Counseling, Treatment, and Support Group Programs

The following overview and summary of mental health counseling resources, as well as psychoactive substance use treatment resources on campus that were available in 2022 (and which continue to be available in 2023 unless otherwise noted).

Following these resources specific to MSU Denver community members, a review of external resources available in the wider community are presented to help inform community members of additional resources available to themselves and to their loved ones in the area as well. Note:

MSU Denver Dean of Students Office is motivated to provide these knowledge building resources for greater individual and community-wide public health and safety, as well as supporting additional efforts such as positive bystander intervention responsiveness.

MSU Denver Counseling Center

Individual counseling session support during 2022:

MSU Denver provided access to individual counseling services to all MSU Denver students as part of their enrollment, as the Counseling Center is funded collectively through student fees. Accordingly, during 2022 students were enabled to receive up to 6 sessions through this process, with no payment for service during the care.

If student clients felt they needed additional support or the Counseling Center clinician felt that they may need additional care through community partners with more scheduling capacity, referral support was offered to the student client to connect with a community-based clinician. As much consideration to health insurance coverage and safety protocols was provided to students as was possible during remaining COVID-19 pandemic response efforts.

Among MSU Denver group therapy and support groups available during 2022:

Substance Abuse Support Group
In-person and remote/online-enabled group providing safe space for persons to discuss, explore, and process issues surrounding the difficulties with substance abuse in a safe environment, including insight and support bolstered by working with peers working through similar challenges.
Thematic emphasis on harm reduction strategies to empower students to change their substance abuse habits in ways that resonate with their personal goals.

Reconsidering the Role of Substance Abuse in Your Life:
Weekly remote/online group providing safe space for persons to discuss, explore, and process issues surrounding difficulties with substance abuse. Participants able to gain insight and support from working with other peers dealing with and managing substance overuse and abuse issues.

Harm Reduction Strategies for Substance Abuse:

Remote/online workshop to define what Harm Reduction is and examine strategies to decrease harm to own bodies, minds, and souls from abuse of substances. Focus on empowering change, choice, and control by decreasing the use of substances to aid in participants' quality of life improvement work.

Alcohol and Cannabis Use and Abuse Workshop
In-person and remote/online-enabled workshop focusing on non-problematic vs. problematic use of alcohol and cannabis. Topics discussed include the levels of severity of use; defining abuse and addiction; and general knowledge about accumulated effects of use over time.

Cravings and Urges Workshop
In-person and remote/online-enabled workshop providing safe space for persons to discuss and explore the difficulties associated with decreasing one's substance use behaviors through greater understanding of each individual's cycle of cravings and urges.

Thematic emphasis on helping participants learn how to identify triggers of their cravings and urges, making plans for dealing with them in moment, understanding own feelings associated with substance use, and identifying available avenues for social and therapeutic support.

Health Center at Auraria (HCA)

Among programs that the Health Center provided to MSU Denver community during 2022 calendar year included:

Patient-specific care, including psychiatric evaluation and medication management

HCA has been equipped to support Auraria community patients with services including psychiatric assessments, medication management, mental health consultations, crisis interventions and referrals to outside providers and treatment centers.

Note: In 2022, HCA became an approved provider to accept Health First Colorado as an insurance payer for patients with Colorado Medicaid coverage, addressing a previous barrier to health care services that many Auraria community members faced.

Naloxone Trainings

In-person and remote/online trainings were offered to improve recognition and identification of the signs of an opioid overdose and administer the opioid overdose reversal drug Naloxone. Attendees gained knowledge on harm reduction efforts and access to Naloxone through the HCA after completing the training. These training opportunities are open to all students, faculty, and staff of the Auraria Campus.

Roadrunner 3R Trainings

Professional development opportunity through 3R Training for MSU Denver staff to recognize and identify student behaviors and actions that would indicate student may be benefited by an appropriate referral to one of the University's sponsored agencies that can assist students in addressing their immediate needs suggested by the behaviors.

Voices of Recovery panel discussion

Panel discussion during Recovery Month to increase awareness and understanding of mental health and substance use disorders and celebrate the people who recover. Normalizing the process to help make recovery possible through conversation with community partners and voices in recovery.

Auraria Recovery Community

Established in the Fall of 2018, Auraria Recovery Community (ARC) provides outreach and education around the topic of substance use and recovery to students, faculty and staff of the Auraria community (inclusive of Community College of Denver, MSU Denver and CU Denver). In January of 2023, ARC came under the administrative oversight of the Health Center at Auraria, providing more supervision, financial stability, and personnel towards tri-institutional services and supports.

ARC E-mail: recoverycommunityinfo@gmail.com
ARC website: www.aurariarecoverycommunity.com
ARC Instagram: @aurariarecoverycommunity
ARC YouTube: @aurariarecoverycommunity6289

ARC programming in 2022 consisted of:

- Weekly All Recovery Meetings for students
- Campus information tabling focused on substance use and awareness
- Monthly Sober Social events including: Axe throwing, bowling, Denver café tour, Colorado Rockies game, day at the Denver Botanic Gardens
- Collaboration with community partners including: Downward Dog, Upward Sprits; Dork Dancing; SAFEProject, Artists in Recovery, Sober AF Entertainment
- Collaboration with Health Center at Auraria on Naloxone Trainings (Opioid Overdose Response Trainings)

MSU Denver Student-specific or Staff-specific Resources

MSU Denver students and employees may contact the Counseling Center at 303-615-9988 in Tivoli 651, or the Health Center at 303-615-9999 in Plaza 150 for confidential information and/or referrals. Resource information can also be found on their websites.

University employees may contact Human Resources at 303-615-0999 for more information regarding available resources, programs and services.

All MSU Denver staff members, including faculty, may receive free confidential counseling from the Colorado State Employee Assistance Program (C-SEAP): 1-800-821-8154 or 303-866-4314.

**** Notice about Auraria Campus mental health co-responder assigned to ACPD ****

For Auraria Campus community members' informed decision-making about calling for assistance on campus about issues that may have mental health/behavioral health and/or substance use components and may have concerns about nature of response if call is placed:

Beginning in July 2021, through a partnership with WellPower (previously Mental Health Center of Denver), Auraria Campus Police Department (ACPD) has employed a permanent licensed mental health clinician (titled Co-Responder),to enable a joint response with ACPD in order to respond to calls that come through

the emergency system. This helps reduce risk of escalation in circumstances of mental health or co-occurring substance use issues that may have previously resulted in arrest and/or serious bodily injury to community member(s).

The Co-Responder is accompanied by a sworn ACPD law-enforcement officer, available to intervene, if necessary. The goal of the program is for law enforcement officer partners to partner with the Co-Responder to meet students, staff members, or wider community members of concern where they are, and helps provide the appropriate and necessary community supports, resources, and care that the individual(s) may need to stabilize.

Pertinent to 2022 ASR, during first year of the Co-Responder program, which included Spring 2022 term, ACPD reported 383 calls identified that included the Co-Responder program in its 2021-2022 annual report that follows a similar format to the customary higher education academic year ranges.

> Note: Additional context regarding recent efforts in Denver to study and expand alternatives to standard, stand-alone law enforcement officer-centered first responder contact and engagement efforts, as well as emerging programs throughout the region, will be found in the following section discussing external resources for concerns that may include mental health crisis and or substance use concerns.

Safer Crisis and Emergency Response Support

MSU Denver provides this section to better serve and support the communities of students and staff that comprise the MSU Denver community, and in hopes that in reaching beyond traditional annual security report compliance under Clery Act to the spirit behind it, the wider families and communities of MSU Denver will be further supported as well.

** Notice for community members' informed decision-making about 911 calls in City and County of Denver for concerns that may be for lower risk, mental health, and/or substance use related concerns **

MSU Denver is aware of and concerned for the justified apprehension and fear that exists in the community about making calls to 911 to seek out help in times of crisis.

MSU Denver affirms that often this stems from community members experiencing directly, or through close family and friends, traumatic – and too frequently tragic – results from the situations that escalated to points of major bodily injury and even death when the concerns reported in the 911 call and found upon engagement with the community member were not with imminent life-and-death risk or threats.

MSU Denver is acutely aware through its systematic introspections in the past few years following the wake-up call that being witness to George Floyd's murder by a Minneapolis law enforcement officer in May 2020 prompted, among so many others' lives, that this experience is so disproportionately weighted to be experienced by community members perceived to be black, indigenous, and other people of color (BIPOC) as to be reasonably expected, rather than dismissed as a quite remote possibility.

Further, the University acknowledges and supports additional segments of its community that may be disproportionally at risk for engagement with first responders escalating to bodily harm, arrest, and possible death, due to perception of them as constituting risk to others or failure to obey first responders' orders because of physical or sensory disabilities, neurodivergent diagnoses or mental health conditions or diagnoses.

MSU Denver highlights this here to provide summary of some recent reforms and emerging programs that hope to reduce the frequency of these types of adverse interactions with first responders and increase safe, constructive resourcing of community members in need of support.

Additionally, MSU Denver adds note here regarding a new feature available in Colorado for community members with a disability or impairment that cause anxiety or fear for engaging with law enforcement and other positions or power or privilege. Starting in 2022 Colorado residents can now apply for an optional identifier on their state-issued identification through Colorado Department of Motor Vehicles (DMV) that makes it known that disability protocols are in order. Additional information about the program is available on page 65.

Evolving first responder programs in the metropolitan Denver area –

This section is organized into the following four categories:

- **Non-law enforcement response programs** for certain non-emergency concerns.
- **Co-Responder programs** (similar to program active with Auraria Campus Police Department) that have a mental health clinician able to respond with law enforcement officers.
- **Crisis Intervention Team** training programs for law enforcement officers to be more equipped with de-escalation skills and work with individuals experiencing a mental health crisis.
- Brief overview of **disability identifier program** for state-issued IDs in Colorado to reduce risk of Colorado residents with disabilities being misprofiled by law enforcement and other first responders for concerns that often result in use of force escalations and arrests (such as perceived psychoactive substance impairment or inability to comply with a physical or cognitive requests).

Non-law enforcement response programs in Denver and around the metro area –

Denver STAR Program – **Support Team Assisted Response** (City of Denver website) / **Support Team Assisted Response** (WellPower website)

The STAR program directs specific types of calls to Denver 9-1-1 to trained, multi-disciplinary STAR teams instead of firearm-carrying law enforcement officers as the first contact for the concern.

> From WellPower's description, regarding types of calls responded to:
>
> When someone calls 911 for something like a mental health crisis, substance use issue or even something like homelessness or poverty, their call can now be routed to STAR. STAR sends a behavioral health professional and a paramedic to the person in distress.
>
> When the STAR mobile unit arrives, the individual in crisis can be assured that the interaction is grounded in a harm reduction, trauma-informed philosophy. The team, dressed in street clothes, provides direct clinical de-escalation and community service connections, as well as on-demand resources such as water, food, clothing and basic living supports.

STAR responds to low risk calls where individuals may not be actively experiencing an imminent safety risk. Some examples of STAR response calls include trepass calls, welfare checks, intoxicated parties, and mental health crisis.

In 2022 Denver's STAR Program, originally piloted with one response team in one district of the city of Denver from 2020-2021, was expanded to multiple units and city-wide reach after analysis of program demonstrated significant improvements in outcomes for residents in crisis or concern.

This included major reduction in arrests and hospitalizations that otherwise would have been statistically forecasted through contemporary default of law enforcement officer as sole or primary first responder.

Accordingly, the trauma-informed intervention is now supported throughout the city and county of Denver, and is being studied for similar replication efforts in other cities, and helping inform efforts and guidance for systemic improvements at state and national levels.

A mid-2022 report published by Denver 9-1-1 Communications using data gathered from WellPower and Denver Department of Safety provided overview of the newly city-wide expanded program.

As of early 2023, the Denver City Council approved funding to enable additional roles and 8 vans planned, to bring the STAR program up to present vision of 10-van fleet of teams.

Additional context of the program's origin and growth, including profiling of MSU Denver alumni who were instrumental in its development, can be found through the following MSU Denver RED articles from January 2021 and July 2022.

Details about other emerging alternative response programs for non-violent concerns in Metropolitan Denver area –

At the time of 2022 ASR drafting, additional municipalities in Metropolitan Denver were exploring alternative response programs/teams after initial, positive results from Denver STAR program.

Additional programs beyond the cities in adjoining counties to Denver are included as well, to provide equivalent resources to those MSU Denver staff and students who are partly or fully conducting their work or higher education paths from regional, neighboring communities.

Included here are links to help community members' awareness of boundaries of Denver City and County, and aid in understanding the intersections of city and county boundaries where they may live, work, and recreate.

City of Aurora –

At time of publication the City of Aurora has formalized its Mobile Response Team after a pilot program which was informed through Denver's STAR program growth.

As of Fall 2023 Aurora's Mobile Response Team reported operating Wednesday through Saturday, with shifts from 8:00am to 6:00pm.

Fall 2022 article of program's initial review and plans to expand.

Note: This is distinct and separate from the Aurora Police Department's Crisis Response Team, which is a partnership between Aurora Police and UCHealth to provide mental health clinicians paired with an armed police officer.

Note regarding current state of Aurora Police Department at time of 2022 ASR publication:

Included here is general overview information about the Consent Decree Aurora Police Department entered into with Colorado Attorney General's Office after the Attorney General's formal findings of consistent state and federal law-breaking by APD through racial profiling and excessive use of force practices by the department.

Article summarizing concerns as of Spring 2022, through Rocky Mountain PBS.

At time of publication of 2022 ASR the following articles examining Aurora Police Department actions relating to Consent Decree were available through Aurora Sentinel (May 2023) and Denver Post (June 2023).

City of Englewood –

At time of publication the City of Englewood had established its first Mobile Response Unit (MRU) through a partnership with AllHealth Network.

City of Boulder –

At the time of publication the City of Boulder was establishing its CARE (Community Assistance Response and Engagement) pilot program for non-police response for low acuity calls that are not criminal in nature and do not present with safety or major medical concerns.

City of Colorado Springs –

At time of publication the City of Colorado Springs was had expanded its initial Alternative Response Team (ART) program to enable more non-police intervention to low risk or acuity calls for assistance beyond previously established, targeted population programs under its Community and Public Health Division, enabling the Community Response Team (CRT) units to focus on higher acuity mental health crisis residents may be having.

Co-Responder Programs (similar to the ACPD-WellPower partnership for Auraria Campus) –

For convenience and ease of MSU Denver community members who live in and commute through the metropolitan area around Denver and beyond, links to some of the individual programs known at the time of 2022 ASR publication are provided below.

Additionally in this introduction the Colorado State Behavioral Health Administration is included for growing community familiarity with this new cabinet-level office as a funder of many of the emerging Co-Responder programs throughout the state.

To ease orientation to the complexities of city and county boundaries around the metro Denver area, the following general overview GIS map from the Colorado Information Marketplace is provided to aid community members to examining areas of concern.

Regional Transportation District (RTD) –

As of publication of 2022 ASR in Fall 2023, RTD maintained its own Co-Responder program with WellPower to be available for RTD riders and service providers generally within the boundaries of Denver with licensed clinicians.

Note: RTD reported (Feb 2021) establishing a Co-Responder program through a pilot program in 2018 and beginning stable contracting the following year after positive review of the mental health clinician-centered engagement and intervention efforts.

In Summer 2023, RTD reported having funding available for additional positions similar to those with WellPower to establish contracts with other county mental health agencies to expand the program to better serve RTD riders beyond the Denver County area.

General RTD background for MSU Denver community members: RTD is the regional public transportation agency for the region surrounding Denver at its core. RTD is funded through a 1% sales tax of goods and services within the district's boundaries which includes all or part of 8 counties. RTD was established by legislation through the Colorado General Assembly in 1969 and as of last review was led by a 15-member board of directors, elected by voters within the boundaries of RTD to four-year terms, with office holders limited to maximum of two consecutive terms.

Denver Parks and Recreation –

Starting in early 2023 Denver Park Rangers established a Co-Responder partnership with Wellpower to help park rangers serve community members that may experience crisis while within the Denver Parks system. As of publication, Denver City Council had approved two Co-Responder positions for Denver Parks and Recreation Department, possibly first in nation to do so among municipal park and recreation departments.

Adams County – Starting in March 2022, Adams County Sherrif's Office partnered with WellPower to create a Co-Responder program. At time of publication, WellPower confirmed Adams County Sherrif's Office was employing 2 licensed mental health clinicians that act as Co-Responders, responding to calls in unincorporated Adams County. (At time of 2022 ASR publication no links regarding program were yet available to embed into report.)

Adams County being north and northeast of Denver, that include cities and land around communities such as Brighton, Commerce City, Federal Heights, Henderson, Strasburg and Watkins, as well as northern parts of Aurora Adams County GIS map information.

Among cities that are partly or wholly in Adams County that report having co-responder programs available within their city jurisdictions:

City of Westminster – At time of publication the City of Westminster formally established a co-responder program within its municipal government after an initial 2020-2022 pilot program contracted with Community Reach Center, this included expansion of the program and integration with other resident serving departments.

City of Thornton – In 2022, a co-responder program was proposed by Thornton Police Department. At time of 2022 ASR publication Thornton Police appeared in process of hiring full-time co-responder position with job description posted on sites including governmentjobs.com.

Arapahoe County – Behavioral Health Response Program

This relates to Arapahoe County that adjoins Denver to east and southeast, including a majority of Aurora, Centennial, Englewood, Littleton, Sheridan among others fully incorporated into Metropolitan Denver area, as well as rural communities including Bennet, Byers, Strasburg, and Deer Trail. Arapahoe County GIS map information.

At time of 2022 ASR publication Arapahoe County Sheriff's Office (ACSO) had finished previous contract with AllHealth Network for co-responder clinicians and had brought administration of program fully within ACSO up to six full-time positions.

ASCO has stated that co-responder program now provides co-response clinicians with specially equipped vehicles, enabling responding clinicians to support calls without being tied to specific sheriff deputies, to provide additional flexibility and enable deputies to return to service when no criminal matter or additional safety concern is present.

ACSO in addition to unincorporated areas of Arapahoe County also serves as the law enforcement agency for the following cities and towns: **Centennial, Foxfield, Bennet, and Deer Trail.**

AllHealth Network co-responder partnership programs with cities in Arapahoe County –

Englewood – Co-responder program with two full-time co-responders in partnership with AllHealth Network

Glendale – Co-responder program with one full-time co-responder in partnership with AllHealth Network

Greenwood Village – Co-responder programs two full-time co-responders in partnership with AllHealth Network

Littleton – Co-responder program with one full-time co-responder in partnership with AllHealth Network

Sheridan – Co-responder program with one full-time co-responder in partnership with AllHealth Network

Broomfield City and County – Broomfield Co-Responder (BCORE)

Broomfield is incorporated as a city and a county, similar to Denver, existing northwest of Denver and Adams County. Broomfield City and County GIS map information.

Boulder County – Boulder County Sherrif's Office Co-Responder Team

This relates to Boulder County northwest of Denver with parts of Jefferson County and Broomfield County in between. Among communities the Boulder Couty co-responder program is equipped to serve: Erie, Lafayette, Lyons, Nederland, Ward. Boulder County GIS map information.

City of Boulder (not to be confused with the wider Boulder County) – City of Boulder Police Department and Housing and Human Service Departments report expanding their

co-response program partnership, Crisis Intervention Response Team (CIRT), that is scheduled to be available seven days a week.

Denver County – Crisis Intervention Response Unit (CIRU)

CIRU covers many of the WellPower Co-Responder programs in Denver County. This includes Co-Responders with Denver Police, Denver Fire, Denver Sherrif's Office, Denver Parks and Recreation, and case managers. WellPower reports Denver Police Department's Co-Responder program going to a 24-hour/7-day-a-week model starting in 2021.

Douglas County – Community Response Team (CRT)

This relates to Douglas County communities south of Denver and part of Arapahoe County. Among communities the Douglas County co-responder program may be able to serve: Castle Rock, Franktown, Larkspur, Lone Tree, Highlands Ranch, Parker, Sedalia. Douglas County GIS map information.

As of publication of 2022 ASR Doulgas County CRT includes seven teams to enable response capability seven days a week, including two specialized Youth Teams to provide coverage to schools within Douglas County.

Town of Parker – At time of publication, Parker Police Department reported having its own clinical co-responder program, called Community Response Team (CRT), in partnership and support of Douglas County CRT efforts.

Jefferson County – No county-wide co-responder program known to exist at last reveiw. Jefferson County Sheriff's Office does report having Crisis Intervention Team (CIT) cohort of deputies, with nature of CIT programs explained in more detail after the conclusion of this co-responder section.

This relates to Jefferson County that adjoins Denver to the west and southwest, including in the cities of Arvada, Conifer, Edgewater, Golden, Lakewood, Morisson, Wheat Ridge.

City of Arvada – Arvada Fire STAR program established in 2023 by Arvada Fire Department through partnership with WellPower.

El Paso County – Behavioral Health Connect Unit (BHCON)

This relates to El Paso County that is South of Douglas County and the Denver metropolitan area. Among communities in the northern half of the county that may be served through BHCON: Black Forest, Falcon, Monument, Palmer Lake. El Paso County GIS map information.

Crisis Intervention Team (CIT) law enforcement responder programs –

As MSU Denver summarizes CIT programs it does so with recent, tragic clarity of the need for these programs for all community members including students, staff and faculty, and family and friends of all MSU Denver community members.

Beyond the fact that there are MSU Denver students and staff of any given semester who reside beyond and commute into the metropolitan Denver area, the typical lives of many MSU Denver community members often involve travel to and activities in areas beyond the metropolitan Denver area, such as in the mountains. Accordingly, there is a risk for any community member when having a crisis in communities throughout Colorado.

The importance of and vital need for programs like CIT law enforcement programs was made tragically clear in Clear Creek County, Colorado, on June 11, 2022, as a young adult who called 911 for help for themselves after their vehicle got stuck on a dirt road ended up killed by law enforcement gunfire.

Besides the vehicle trouble, Christian Glass was also experiencing a mental health crisis. Glass was ultimately shot and killed in their vehicle by responding officers, with multiple agencies of officers on scene.

Overview of the killing of Christian Glass and details of the settlement involving Clear Creek County Sheriff's Office – the agency employing the officer who shot and killed Glass – and local police departments of Silver Plume, Georgetown, and Idaho Springs, as well as State of Colorado, with presence of multiple State Highway Patrol and gaming officers on site at the time of the tragedy are provided for familiarity of the concerns.

At time of publication of this 2022 ASR, Clear Creek County is reportedly in the process of establishing a crisis response team, and its sheriff's office should be in process of beginning to eventually train and certify all of its deputies in crisis intervention protocols.

Note: In 2021, Colorado General Assembly passed HB-21-1122 that went into effect in 2022, titled First Responder Interactions With Persons With Disabilities, to establish a commission to set recommendations for first responders including law enforcement, fire service, and possibly other office holders who may regularly respond to emergencies for their interactions with community members they serve who have disabilities.

Link to an overview of training recommendations and associated toolkits and resources from the commission for Peace Officer Standards and Training (P.O.S.T.) certified law enforcement officers in the state is included here for MSU Denver community member familiarity, as well as link to overall POST-certified mandatory training page.

Crisis Intervention Team (CIT) programs exist in varying levels in many regional city police departments and county sheriff departments, with first responder law enforcement officers trained in mental health crisis intervention knowledge and responses.

Additional introduction to these programs can be found through the State of Colorado Behavioral Health Administration and links to the Crisis Intervention Teams Association of Colorado, where contacts for city police departments and county sheriff's offices can be found to inquire about

current status of mental health trained first responder options available in the community of concern.

This context is provided in the ASR to enable MSU Denver community members to know of the programs and to advocate for them should needs arise to call 911 for low-level emergency concerns if living in or spending time in cities that do not have alternatives like clinician co-responder programs or entirely non-law enforcement options like STAR program in Denver.

Additionally, mapping resources are included below to help community members become more familiar with the jurisdictions they may pass through en route to common areas of recreation, such as Clear Creek County.

Colorado County Boundaries mapping tool through Colorado Department of Public Health and Environment (CDPHE) Open Data site

Colorado county boundary overlay mapping tool from Colorado Information Marketplace

Simple, static Colorado county map through Department of Education

Optional Disability Identifier for state-issued ID cards and driver's licenses in Colorado –

Beginning in 2022, Colorado residents with disabilities or impairments have the option of an identifier on their Colorado ID card or driver's license to make clear to other people who they may have to interact with in positions of power or privilege that disability protocols are in order.

Additional background and links regarding House Bill 21-1014 that established this new program can be found in the previous section of this ASR, Individual and Community Wellness and Engagement, on page 64.

Among harms this aims to reduce are situations where community members are burdened to "prove" something about themselves or else face escalation of the situation. This is particularly relevant in emergency situations that puts undue burden on an individual to sufficiently and appropriately articulate specific limitations or specific needs they may have in the moment – for themselves or for someone they are caring for.

Regional Mental Health Resources Including Support with Substance Use Concerns

Statewide and National Mental Health Support Resources

Beyond the overviewing of Auraria-based mental health supporting resources, the Dean of Students Office also wants to highlight a State of Colorado resource designed to help all community members have access to and familiarity with mental health supporting resources, Own Path.

This does not replace or act as alternative to any services at MSU Denver. It is a knowledge and capacity building site to help enable community members to locate behavioral health resources in the community, provided here in hopes that MSU Denver community members will be encouraged to support one another in giving themselves more of the grace that they so regularly offer to loved ones and colleagues but equally offer inside.

Context regarding nature of OwnPath from initial announcements of its rollout in Summer 2022:

> OwnPath is a searchable directory of behavioral health providers licensed by the Colorado Beahvioral Health Administration (BHA) to practice in Colorado. People of Colorado can search for specific services or use a guided search to identify the providers or resources that may best meet their needs.

Colorado Crisis Services –

Colorado specific 24/7/365 behavioral health crisis response system for concerns including mental and emotional health, and substance use concerns.

Phone line 844-493-8255 or text TALK to 38255

Map with Metro Denver in-person/walk-in locations include: Denver, Aurora, Littleton, Wheat Ridge, Boulder

National Suicide and Crisis Lifeline – 988

Implemented in July 2022, dialing 988 will reach the National Suicide Prevention Hotline in a manner similar to reaching out to 911 for other emergencies.

> This was established in part to avoid the more complex number to remember or dial (800-273-8255), particularly when the caller is facing immediate and acute concerns.

Included here are summary articles relating to first year of 988: KFF (Feb 2023), NPR (July 2023), CNN (July 2023)

> Additional article by Colorado Sun specific to concerns about how calls are directed to centers and calls being picked up by centers in Colorado close in time to publication of 2022 ASR (July 2023)

Regional clinical treatment resources for psychoactive substance dependency and addiction –

A summary of metropolitan Denver area treatment centers for psychoactive substance use and cessation or sobriety-based community support groups were included in most recent MSU Denver Drug Free Schools and Communities Act Biennial Report.

Community members are encouraged to reach out to the Health Center at Auraria and Counseling Center for updated knowledge of local treatment and care options. A sample of treatment options that may continue to be available in the region as they were at time of publication are included below.

Denver Health CARES
303-436-6000
Central Denver
* As part of Denver Health and Hospital Authority, CARES may be most direct avenue to needed levels of care for patients with no insurance or excessive deductibles and out of pocket costs on top of their insurance premiums

CeDAR at Anchutz Medical Campus
720-848-3000
East Metro Denver

Crisis and Recovery Center at Jefferson Center
303-432-5525
West Metro Denver

Denver Springs
720-316-6879
South Metro Denver

Sandstone Care
720-773-8727
North Metro Denver and East Denver

Search tool for additional programs through the Substance Abuse and Mental Health Services Administration of the US Department of Health and Human Services

Treatment Services Locator:
https://findtreatment.samhsa.gov

Regional free harm reduction support organizations –

Harm Reduction Action Center is a direct public health organization to help people who inject drugs (PWID) reduce harms and receive support to reduce and ideally eliminate the dangerous substance usage.

Harm Reduction Action Center
112 E 8th Ave, Denver CO 80203
303-572-7800
hrac.denver@gmail.com

Regional communities for sobriety and cessation from psychoactive substance use –

Recovery Dharma Denver (Secular Buddhist practices, open for addictions of all kinds)
In-person and virtual meeting calendar: www.recoverydharmadenver.org/home/meetings
Email: info@recoverydharma.org

Denver Area Central Committee of Alcoholics Anonymous
303-322-5636
24-hour hotline: 303-322-4440
Email: denveraa@daccaa.org

Freethinkers in AA (Secular, non-religious expression of AA)
720-608-8532
Email: freethinkersinaa@gmail.com

Marijuana Anonymous
303-607-7516
Email: coloradoma@gmail.com

Narcotics Anonymous of the Mile High Area
303-832-3784
Email: webservant.mhasc@gmail.com

Nationwide addictive substance use and addictive behavior recovery organization with pay-for-use curricula and availability of local/regional support meetings –

Self-Management and Recovery Training – (SMART)

SMART Recovery states to providing behavioral issue-focused programming and community support to aid participants with concerns that can include addictive psychoactive substance use (including nicotine and alcohol) as well as other activities that can become problematic with overuse or fixation (such as shopping, exercise, gaming, gambling, dieting, eating, sex, porn, and internet use).

SMART declares itself to be most useful when participants are goal-oriented towards abstinence from the target substance or activity of concern, however at last review organization provided relapse rates to help destigmatize potential for participants relapsing or finding that full cessation of behavior may not be immediately or ultimately possible in their lives while use reduction and harm reduction efforts are engaged with.

At last review, programs available through common identity or common background:

Young Adults, LGBTQ+, Veterans and First Responders, Family and Friends

Meeting search tool by zip code: https://meetings.smartrecovery.org/meetings/

Links available for participant-supporting podcasts and videos (including some videos available in Spanish)

Note: MSU Denver does not endorse or support any particular sample external programs or services

Evolving nature of public health research and psychedelic psychoactive substances

Addressing evolving public policy in Colorado after enactment of state-level decriminalization of five psychedelic psychoactive substances in Colorado –

MSU Denver provides some background information here to help inform its community members of substantial changes underway in Colorado regarding psychedelic or hallucinogenic psychoactive substances.

Following Colorado voter approval of Proposition 122 in November 2022 that removed local and state level criminal penalties related to cultivation, possession, and consumption of five specific psychedelic substances for individuals 21 years and older, and with the Federal Drug Administration (FDA) currently reviewing multiple substances classified in the fully prohibitory Schedule I category of the Controlled Substances Act, for possible reclassification to enable the use of them in treatment of conditions such as post-traumatic stress disorder (PTSD) and treatment-resistant depression, background resources are provided here to provide community members access to background and contextual information about the changes and the substances of concern for informed safety and prevention efforts, and informed decision-making.

MSU Denver makes clear here that it does not support or condone any psychoactive substance use that has any levels of illegality for users, or any substances that come through unregulated sources or markets.

MSU Denver provides the following information in efforts to ensure that space is made and sources are provided to enable community members reflection on the expensive and self-harming effects of the nation's War on Drugs, formalized in 1970-71 through the passage of the Controlled Substances Act of 1970 and subsequent presidential declaration of the policy that have inflicted ongoing intergenerational trauma to millions of Americans and others, but particularly to Americans belonging to marginalized communities and cultures, most prominently and severely to black and African American families.

Additionally, this space for reflection is here for community members to consider the manner in which they may engage with any state decriminalized psychedelic substances that were known to and used by many Indigenous cultures as parts of their ceremonies and rites since time immemorial. MSU Denver builds this section in effort to help it and its community members not blindly perpetuate old colonial practices of material and intellectual cultural theft and exploitation, or blindly contribute to new versions of economic and associated physical violence on traditional Indigenous people and nations through the demand for products, such as peyote and ibogaine, through organizations or companies that cannot validate their supply safe from violations of the lands of and the cultivation, care, and management practices of Indigenous nations that ultimately directly denies the caretakers of these plant medicines their right to manage and care for the continuance of what they hold sacred in ways that ensure that.

Regarding Colorado decriminalization of specific psychedelic substances and establishment of regulatory framework for psychedelic medicine-assisted therapy in the state –

Timeline of background since publication of most recent MSU Denver ASR (2021):

November 2022, Colorado voters amended the Colorado State Constitution through passage of Proposition 122, Access to Natural Psychedelic Substances. The passage of Proposition 122 directs the state government to establish a regulatory framework for licensed providers

to supervise and assist individuals aged 21 and over with psychedelic mushroom use by 2025 (to be established in the Department of Regulator Agencies (DORA), and for the decriminalization of possession and use of the following psychedelic psychoactive substances by adults 21 years or older under Colorado state law: psilocybin, psilocin, ibogaine, mescaline (excluding peyote), and dimethyltryptamine (DMT) (not making specific mention to ayahuasca).

January 2023, Appointment of inaugural members of Natural Medicine Advisory Board by Colorado Governor.

> Regarding representation and makeup of the NMAB it was announced that 40% of board comprised people of color with two Indigenous members and including 7 men, 7 women, and 1 non-binary individual, who collectively accounted for lived experiences and professional histories including: Purple Heart military veteran, local and county level government and law enforcement experience, and with approximately 60% board members with terminal degrees in fields of medicine, law, or academic research discipline.

May 2023, Colorado Legislature passed and Colorado Governor signed SB23-290: Natural Medicine Legalization and Regulation into law. This establishes an implementation timeframe for the Department of Regulatory Agencies (DORA) to establish regulatory framework for accepting applications from individuals interested in licensure for psychedelic-administering services.

Additionally, SB23-290 created a Federally Recognized American Tribes and Indigenous Working Group (pages 17-18 of SB23-290 as found through Colorado General Assembly scanned text of bill) that is directed to engage in and create dialogue to identify issues related to commercialization of natural psychedelic medicines including: guidance on how to avoid misappropriation and exploitation of tribal and Indigenous communities, cultures, and religions; as well as conservation concerns with sourcing and cultivation of natural medicines plants and fungi, particularly with concern for sustainability of peyote for Indigenous communities due to it being a source of mescaline and peyote being native to a specific region and climate that high demand from non-Indigenous markets would severely endanger.

> At time of 2022 ASR publication no information about the structure or any events involving this Working Group were yet available through Colorado state government sites searched.

At time of publication, in Fall 2023, there was limited information to report the progress of the Colorado Natural Medicine Advisory Board and its responsibilities for making recommendations to Colorado Department of Regulatory Agencies (DORA), that will begin to shape into regulatory framework and social and economic normalization similar to that of recreational cannabis a decade ago in Colorado enabled through federal judicial discretion published by the U.S. Department of Justice in 2013 after state constitutional approval of recreational marijuana provisions in Colorado and Washington in 2012.

In the spirit of efforts to provide MSU Denver community members with knowledge pathways for informed decision-making and efforts for harm reduction concerns, as well as for topical research and critical thinking supports of higher education efforts the following topical sources and materials are provided below:

Background topical sources providing intersectional view of public policy changes in Colorado through Proposition 122 and subsequent regulatory efforts –

Chacruna is an academically aligned organization studying clinical and policy aspects of psychedelic substances centering voices of women, queer people, Indigenous peoples, people of color and the Global South. Chacruna has previously reported on Proposition 122 including press releases and cross-disciplinary community forums. (Among programs supported: Indigenous Reciprocity Initiative)

Multidisciplinary Association for Psychedelic Studies (MAPS) is a research, education, and advocacy organization for scientific research into psychedelic substances to inform areas including medicine, law and policy, and culture.

> Note: MAPS is the organizing body of a series of conferences with most recent being Psychedelic Sciences 2023, held in Denver during Summer 2023. At time of publication aspects of the conference were available through a "pay what you can" model. Available sessions included lectures and panel discussions in areas of policy, society, science and medicine, indigenous sacred medicine, and business, including keynote addresses from a former US governor (Republican), current US governor (Democrat), and a Brazilian Indigenous chief.

Denver Post article providing multiple perspectives on concerns within Indigenous communities in Colorado with long established sacraments relating to psychedelic policy changes generally, and level of local Indigenous involvement in Psychedelic Sciences 2023 conference specifically.

As of 2022 ASR publication, one source was found with substantial reporting on the initial phase of Colorado Natural Medicine Advisory Board meetings, included in this report with note that the Psychedelic Alpha cannabis and psychedelic law newsletter is affiliated with a specific law firm specializing in cannabis and psychedelic law and business development.

Professional associations for physicians, therapists, and other health care professionals related to intersection of health care and psychedelic substances –

(Organizations presented in randomized order to eliminate any sense of favoritism by alphabetization)

Psychedelic Medicine Association (PMA) – PMA states to being a society of physicians, therapists, and health care professionals looking to advance their education on the therapeutic use of psychedelic medicines.

American Psychedelic Practitioners Association (APPA) – States to being established to fill need for a legitimizing, self-governing professional association in the reemerging field of psychedelics to advocate for the safe integration of psychedelic treatment into the wider United States healthcare system as psychedelic substances may be reclassified after approval for therapeutic use by the Food and Drug Administration (FDA).

American Association of Psychedelics (AAP) – AAP states to a mission of establishing ethical and safety standards for the emerging psychedelic medicine industry.

Established psychedelic-assisted therapy training programs known in Colorado region at time of publication –

Naropa University – Certificate in Psychedelic-Assisted Therapies

Integrative Psychiatry Institute (IPI) – Psychedelic-Assisted Therapy Provider training

Organizations centering on concerns of psychedelic substance education, informed decision-making, and harm reduction of potential use with relationship to specific communities and identities –

Among resources included below are organizations centering on psychedelic substances knowledge with relationship to specific shared communities and identities.

These are included particularly for those who identify and feel belonging to peoples historically marginalized in the United States and who have been particularly targeted through the federal War on Drugs formalized as national policy since 1971, and/or are often ignored or dismissed through the development and expansion of new programs, new products, and new services through dominant economic and media models in the United States, particularly those in Indigenous nations with traditional knowledge of many of the exact plants and fungi from which many psychedelic substances come.

MSU Denver includes these here in commitment to ensure as this and similar evolving landscape changes take place that the entirety of MSU Denver communities are included in and can feel resourced as audience by the presentation of these areas of individual and general public health-related safety and security concerns.

Organizations presented in randomized order to eliminate any sense of favoritism by alphabetization:

Nowak Society – Nowak Society states to being a Colorado-based open source and anti-oppression-focused education and community-building organization with professional support and personal use support programs.

Fireside Project – Fireside Project states to being a risk reduction peer support organization with programming that includes Safety Tips and a Peer Support Line for emotional support during and after psychedelic experiences staffed by volunteers from diverse backgrounds and who can listen deeply and from a place of non-judgment.

BIPOC Psychedelic Conference – States to fostering critical intersectional dialogues to nurture communal compassion and allyship through its inaugural conference in 2023.

Autistic Psychedelic Community – Autistic Psychedelic Community states to being a neurodivergent-centered community support space for those navigating autism, ADHD, and other neurological variation to discuss experiences with and questions about psychedelic medicine.

Heroic Hearts Project – Heroic Hearts Project states to being a military veteran founded and led organization researching and advocating for psychedelic-assisted resources for veterans suffering from and afflicted with disabling conditions including post-traumatic stress disorder.

Asian Psychedelic Collective – Asian Psychedelic Collective states to being an organization centering on building belonging and healing culture including working to destigmatize mental health challenges and mental health treatment within wide and diverse communities that share belonging to communities in and from Asia.

Zendo Project – Zendo Project states to being a harm reduction-focused psychedelic peer support training and applied practice organization. At time of publication Zendo offered trainings to build capacity of psychedelic peer support with particular focus on harm reduction for individuals that may use psychedelics in settings away from home or clinical environments such multicultural art festivals.

Chacruna – Chacruna states to being an academically aligned research and training organization relating to psychedelic medicines centered for voices of women, queer people, Indigenous peoples, people of color, and the Global South.

Arab Psychedelic Society – Arab Psychedelic Society states to bridging the gap between Arab communities and psychedelic science by promoting psychedelic research in the Arab world and working towards establishing a psychedelic research center in the region.

MSU Denver community members with mobility or sensory disabilities –

> As no broad organization or community of persons with disabilities with intersectional interest with psychedelic medicine found by Dean of Student Office at time of 2022 ASR publication, the following article (Physical Disability and Psychedelic Therapies: An Agenda for Inclusive Research and Practice) addressing mobility inclusivity in psychedelic research to better inform medical knowledge and recommendation beyond default structural ablism bias is included in efforts to provide some measure of equivalence to organizations for other communities to offer linkage to leaders and innovators within the community who may have some topical familiarity and awareness of emerging communities.
>
> Additionally, due to the diverse nature of injuries that military veterans face, Heroic Hearts Project included in this list may provide some intersectionality for community members with some mobility and sensory disabilities.

MSU Denver community members with connection to religious communities –

> As no broad interfaith organizations appeared to have an established subgroup or affinity group related to open discussions about questions or concerns with psychedelic substances within different faith traditions that could be found by the Dean of Students Office at time of 2022 ASR publication the following article published by Baylor Institute for Studies of Religion is included here, profiling interrelating concerns through which community members may find additional sources to explore their questions and concerns or help spark ideas of directions in which they may search for resources in their own faith traditions.

Indigenous Medicine Conservation Fund states to being an Indigenous-led philanthropic organization with advocacy and knowledge sharing resources to inform on general context of threats to Indigenous Peoples and their cultural and environmental rights and wisdom, and detail on specific biocultures from which several psychedelic substances come that are under increasing threats including cultural appropriation, environmental extractivism, and human rights violations through increasing demand without Indigenous leadership and partnership.

Sources of public health research relating to psychedelic substances –

National Institute on Drug Abuse (NIDA) – Research-based topical information of psychedelic substances from National Institute on Drug Abuse within the National Institutes of Health, which includes drop down menu of answers to frequently asked questions with embedded references for further context and to aid community members engaging in their own research.

Among concerns overviewed:

Manner in which NIDA conducts and supports research into psychedelic substances now that there is a relaxation of federal law enforcement-centered universal prohibition of medical research into these areas of possible treatment with substances that were placed in Schedule I of Controlled Substances Act.

Context of current psychedelic medicine research and approval for treatment with mental illness concerns, including recent Food and Drug Administration (FDA) approval of ketamine for treatment resistant depression, and Breakthrough Therapy designation by FDA that has been granted to psilocybin to aid in further clinical investigations.

Psychedelic Science and Medicine Interest Group in Office of Intramural Research within National Institutes of Health – Psychedelic Science and Medicine Interest Group is a recent proposal for inclusion among NIH OIR scientific interest groups (SIGs) to create a space for scientists to discuss clinical and translational research related to psychedelics. At time of 2022 ASR publication both a chair and group advisors were established as well as a group listserv that appeared available to join.

Background on Health and Safety Concerns with Psychoactive Substances

The following section addresses some common psychoactive substances of concern relating to health and safety, particularly risks of addiction, and with many substances a serious risk of death even with single use, such as powerful opioids like fentanyl.

> **A note on language:** Throughout this Annual Security Report all substances with some psychoactive properties included in the report, including caffeine, tobacco, alcohol, cannabis, and others will equally be referred to as members of a common term, psychoactive substances, rather than maintaining unacknowledged and long-standing bias and favoritism with certain substances, largely along racist lines, religious lines, and classist lines.
>
> Among antiracism efforts undertaken in the Dean of Students Office and Student Care Center was a review of systemic language used in the conduct and behavioral intervention and support programs. In acknowledgement of the racist origins of restriction and then prohibition of many substances in the decades prior to national formal policy known as the War on Drugs (in effort for dominance of white supremacy and Christian nationalism) the ASR will phase out usage of linguistic conventions that were established in or gained normalization through this inequitable and self-harming lens, such as separating alcohol from other mind-altering substances known as drugs, then parsed out as illicit or illegal drugs and medicinal drugs including prescription drugs as well as over the counter drugs.
>
> This is in efforts to institutionally support the MSU Denver community as the collective communities that share Colorado as home adjust to these changes about access to and use of psychoactive substances with growing public opinion support that has been informed through growing clinical research findings, now possible after decades of legal barrier for this science being able to be conducted, and broader and wider discussion of and acceptance of the systemic inequities in areas such as health care and law enforcement for many communities through the perpetuation of Drug War policies, with the colossal collateral damage to individuals, families, and whole communities that in an external war zone may well meet arguable definitions to be considered genocidal for the breadth and extent of familial and communal ruptures.

Most summaries are taken from the most recent MSU Denver Drug Free School and Communities Act (DFSCA) Biennial Report, accessible through the Campus Safety and Crime page, which rests under the Campus Safety and Compliance section of the Dean of Students Office site.

The information and resources shared from the DFSCA Biennial Review are provided in this ASR to enable community members to deepen their knowledge regarding controlled and/or regulated psychoactive substances in the State of Colorado, including safe use and preventative avoidance resources that may be appropriate for their own safety and security.

General psychoactive substance abuse

People who are addicted to a substance, either legal or illegal, are not able to control their substance use and may continue to do so even if the substance is causing harm. Substance addictions are serious and can be life-threatening. Addictions can cause cravings and many people need additional support and resources to enable them to be successful in their quit attempt.

Symptoms of drug addiction may include:

- Feeling that you have to use the drug regularly — this can be daily or even several times a day
- Having intense urges for the drug
- Over time, needing more of the drug to get the same effect
- Making certain that you maintain a supply of the drug
- Spending money on the drug, even though you can't afford it
- Not meeting obligations and work responsibilities, or cutting back on social or recreational activities because of drug use
- Doing things to get the drug that you normally wouldn't do, such as stealing
- Driving or doing other risky activities when you're under the influence of the drug
- Focusing more and more time and energy on getting and using the drug
- Failing in your attempts to stop using the drug
- Experiencing withdrawal symptoms when you attempt to stop taking the drug

* Bullet-point information from: http://www.mayoclinic.org/diseases-conditions/drug-addiction/basics/symptoms/con-20020970

Alcohol abuse specifically as the most prevalent and common psychoactive substance used in the United States

Community members are encouraged to take a brief online survey at National Institute of Health to assess if they may have concerns about alcohol use disorder.

Symptoms of alcohol addiction may include:

- Being unable to limit the amount of alcohol you drink
- Wanting to cut down on how much you drink or making unsuccessful attempts to do so
- Spending a lot of time drinking, getting alcohol or recovering from alcohol use
- Feeling a strong craving or urge to drink alcohol
- Failing to fulfill major obligations at work, school or home due to repeated alcohol use
- Continuing to drink alcohol even though you know it's causing physical, social or interpersonal problems
- Giving up or reducing social and work activities and hobbies
- Using alcohol in situations where it's not safe, such as when driving or swimming
- Developing a tolerance to alcohol so you need more to feel its effect or you have a reduced effect from the same amount
- Experiencing withdrawal symptoms — such as nausea, sweating and shaking — when you don't drink, or drinking to avoid these symptoms

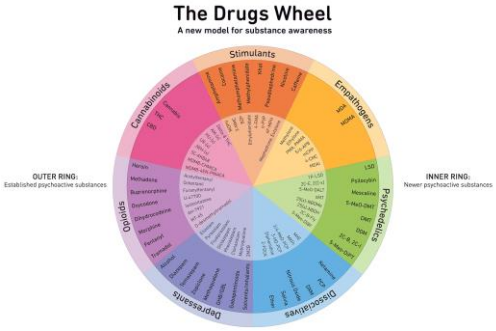
* Survey link and bullet-point information from: http://www.mayoclinic.org/diseases-conditions/alcohol-use-disorder/basics/symptoms/con-20020866

Summary Information and Health Risks of Common Substances of Concern

Most of the following summary information of common substances of concern in the community are built from source material from the National Institute on Drug Abuse. The link to each substance as research topic is available through the title of each. The main research topic site for NIDA can be found at the following address: https://nida.nih.gov/research-topics

[Notes in brackets of substance descriptions below are additional contextual detail included as part of MSU Denver ASR, not from the original cited material.]

Additionally, while not a source from within the United States, link is provided here to the Drugs Wheel hosted on the Alcohol and Drug Foundation of Australia website, which provides dynamic categorization and embedded links to ADF's summary information regarding psychoactive substances to help enable greater topical engagement by MSU Denver community members.



This work is based upon The Drugs Wheel by Mark Adley (www.thedrugswheel.com), and this work is also licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.

List of Common Psychoactive Substances

Fully legal psychoactive substances in Colorado

NICOTINE (TOBACCO and VAPING)

Tobacco and vaping devices contain nicotine, an ingredient that can lead to addiction, which is why so many people who smoke or vape find it difficult to quit. Both tobacco and vaping devices contain other harmful chemicals; burning tobacco can create these chemicals and vaping devices turn chemicals and flavorings into mist that combines with synthetic nicotine. Learn about the health effects of tobacco/nicotine and read the DrugFacts.

[At time of publication recently published research into risks that appear to be emerging in studies of ongoing, addictive vaping or e-cigarette use in included here through the lens of the American Heart Association from July 2023.

Recent study as of 2022 ASR publication of substance use trends among adults 19-60, broken down by subsets including college and non-college young adults, published by the University of Michigan Institute for Social Research, sponsored by National Institute on Drug Abuse. USA Today article providing overview of the study with statistics of increased prevalence of addictive usage of nicotine products.]

ALCOHOL

Alcohol is among the most used drugs, plays a large role in many societies and cultures around the world,[1] and greatly impacts public health.[2,3] More people over age 12 in the United States have used alcohol in the past year than any other drug or tobacco product, and alcohol use disorder is the most common type of substance use disorder in the United States.[4]

NIDA works closely with the National Institute on Alcohol Abuse and Alcoholism (NIAAA), the lead NIH institute supporting and conducting research on the impact of alcohol use on human health and well-being. For information on alcohol and alcohol use disorder, please visit the NIAAA website.

[Superscript links in the alcohol text above direct to cited sources used in the NIDA topic drafting, links active to citations at time of MSU Denver 2021 ASR drafting.]

[Link to discussion of alcohol relating to the most recent 2020-2025 Dietary Guidelines for Americans supported by USDA and HHS is included for additional resource.]

Psychoactive substances that have been decriminalized under State of Colorado laws and/or regulated as medicinal substances that remain illegal under Federal Law due to being classified as Schedule I Controlled Substances under the Controlled Substances Act of 1970 at time of publication of this 2022 ASR

CANNABIS (AKA: MARIJUANA / POT / WEED)

Marijuana refers to the dried leaves, flowers, stems, and seeds from the hemp plant, Cannabis sativa. The plant contains the mind-altering chemical delta-9-tetrahydrocannabinol, or THC. For more information, see the Marijuana Research Report.

[Cannabis is among substances included in federal Schedule I controlled substances that is involved in clinical trials for research into additional medical and psychological treatments.

While cannabis continues to be federally prohibited as Schedule I controlled substance at the time of this ASR report the substance has been legalized and regulated for medical use in Colorado since 2000, and later legalized and regulated for recreational use for adults 21 years of age or older since 2012, with purchase and usage regulation and enforcement that has some similarities to regulation and enforcement of Colorado state alcohol/liquor laws. Link to State of Colorado landing page about Colorado state cannabis/marijuana laws included here for reference as the page additionally includes tabs relating to research on health effects of the substance.

MSU Denver students and staff are encouraged to review important policy and expectation language relating to student or employee conduct in this report to ensure they stay in good standing with student and employment codes and standards with any use of cannabis in a manner similar to other regulated controlled substances in Colorado such as alcohol, nicotine products, and prescription drugs.]

HALLUCINOGENS (Class of drugs)

Hallucinogens are a diverse group of drugs that alter perception (awareness of surrounding objects and conditions), thoughts, and feelings. They cause hallucinations, or sensations and images that seem real though they are not. Hallucinogens can be found in some plants and mushrooms (or their extracts) or can be made synthetically by humans. People have used hallucinogens for centuries, often tied to religious and healing practices. Learn about the health effects of hallucinogens and read the DrugFacts.

PSILOCYBIN (AKA MAGIC MUSHROOMS / SHROOMS)

A psychedelic hallucinogen (along with psilocin) in certain types of mushrooms that grow in parts of South America, Mexico, and the United States. For more information, see the Hallucinogens and Dissociative Drugs Research Report.

[Psilocybin is among Schedule I substances involved in clinical trials approved by DEA through FDA granting Breakthrough Therapy Designation in 2019 to help better facilitate clinical research trails and evaluation, in treatment of treatment-resistant depression and major depressive disorder, in this case of psilocybin. Context of recent developments at time of 2022 ASR publication of these studies and recent clinical approval for use in Australia, and decriminalization of psilocybin at state levels in United States jurisdictions including Colorado included here to aid community members orientation to this rapidly evolving area of medicine.

Psilocybin, along with four other psychedelic substances, was decriminalized for adults 21 years and older in local and state laws in Colorado in November 2022 through voter approval of Proposition 122 for traditional medicinal and mental health therapeutic use.

At time of publication no regulated source of psylocibin is available to the public, consequently any sources known to be in community should be considered at high risk of possible contamination or lacing with additional substances that can cause unforeseen reactions and or safety/health concerns.]

IBOGAINE (Note: Initial substance information link in title of ibogaine directs to academic articles due to absence of equivalent summary information provided for other substances through NIDA or DEA sites at time of publication. Link directs to articles related to iboga hosted by ScienceDirect, Elsevier)

Ibogaine is a psychoactive substance with psychedelic or hallucinogenic effects that is derived from the Tabernanthe iboga plant native to Central and West Africa.

Ibogaine is categorized as a Schedule I substances under the Controlled Substances Act of 1970, indicated through DEA Diversion Orange Book and 2017 DEA Drug of Abuse Resource Guide with no context or details provided.

Ibogaine is included in this list with the contextual information linked here and in substance title above, and including scientific review of recent clinical trials of ibogaine in treatment of addiction to psychoactive substances including alcohol and opioids, to aid MSU Denver community member in some familiarity to it as the substance is among five substances that were decriminalized in Colorado in 2022 as part of voter passage of Proposition 122 Natural Medicine Health Act.

At time of publication no regulated source of ibogaine is available to the public, consequently any sources known to be in community should be considered at risk of possible lacing with additional substances that can cause unforeseen reactions and or safety/health concerns.

Addressing concerns for informed, ethical, use of this substance, the people and environment of Gabon - being central in the range of the iboga plant - have been facing the community-damaging ecological and economic effects of black market poaching and trafficking of iboga plants through recent years.

As with other psychoactive substances with psychedelic or hallucinogenic effects traditionally used by Indigenous nations, those community members in Colorado who may explore use of this substance in the future as regulations and licenses are established through Colorado Department of Regulatory Agencies (DORA) and want to minimize risks of harming the people and environment from which the substance came should review background information about the trade in the substance that, at time of publication, was largely illicit and unregulated. Following article included for background on current state of increased demand for iboga plant and concerns for how the people with possession and traditional knowledge of its use are involved and impacted by the swift change in demand for it.

MESCALINE

A hallucinogen that is naturally found in disk-shaped "buttons" in the crown of several cacti, including peyote. For more information, see the Hallucinogens DrugFacts.

[Mescaline, the active substance in certain cacti including peyote, is currently among Schedule I controlled substances involved in clinical trials, approved through the Diversion Control Division of the federal Drug Enforcement Administration (DEA) for research into possible medical and psychological treatments.

Additionally, peyote is among controlled substances that appear as fully prohibited in Controlled Substances Act of 1970 though subsequent judicial review of usage for bone fide religious ceremonies has been upheld in federal court in the decades since it was included as a Schedule I substance in 1970. In the case of peyote for members of Native American Nations under First Amendment religious freedom protections.

Cultivation and usage of traditional peyote has been centered in Native American cultural and religious traditions and is not regulated and marketed to the public. Consequently, any sources known to be available or advertised or marketed for purchase in the community should be considered at high risk of possible lacing with additional substances that can cause unforeseen reactions and or safety/health concerns, and may well be part of illicit looting from Indigenous communities.

Mescaline (excluding the peyote plant) was among five substances decriminalized for adults 21 years and older in local and state laws in Colorado in November 2022 through voter approval of Proposition 122.

DIMETHYLTRYPTAMINE (DMT)

Note: DMT is among five substances decriminalized in Colorado in 2022. Due to lack of specific equivalent link for nature and health effects of DMT on NIDA's website link above directs to DEA Division Control Division Dec 2022 summary.

Included here is contextual information about ayahuasca as well, as it is a source of DMT used in Indigenous communities, but is not specified in Colorado's Proposition 122.

> Ayahuasca is a tea made in the Amazon from a plant (Psychotria viridis) containing the hallucinogen DMT, along with another vine (Banisteriopsis caapi) that contains a MAO inhibitor preventing the natural breakdown of DMT in the digestive system, which enhances serotonergic activity. It has been used historically in Amazonian religious and healing rituals. For more information, see the Hallucinogens and Dissociative Drugs Research Report.
>
> [Ayahuasca is presently considered classified as a Schedule I substance, though along with peyote access to and usage of the substance in some communities for religious ceremonies have been upheld in federal court through religious freedom protections. At time of publication no regulated source of ayahuasca is available to the public, consequently any sources known to be in community should be considered at high risk of possible lacing with additional substances that can cause unforeseen reactions and or safety/health concerns.
>
> Cultivation and usage of ayahuasca has been centered in Native American cultural and religious traditions and is not regulated and marketed to the public. Consequently, any sources known to be available or advertised or marketed for purchase may have come through exploitative and culturally and ecologically harming practices.]

Psychoactive substances that are Schedule I substances under federal Controlled Substances Act and are matched in illegality in Colorado

MDMA (AKA: ECTASY / MOLLY)

3,4-methylenedioxy-methamphetamine (MDMA) is a synthetic drug that alters mood and perception (awareness of surrounding objects and conditions). It is chemically similar to both stimulants and hallucinogens, producing feelings of increased energy, pleasure, emotional warmth, and distorted sensory and time perception. Learn about the health effects of MDMA and read the DrugFacts.

> [MDMA is among Schedule I substances involved in clinical trials approved by DEA, after the Food and Drug Administration granted Breakthrough Therapy Designation to MDMA in 2017. At time of publication MDMA is undergoing review by the FDA for possible approval for use in clinical treatment of post-traumatic stress disorder (PTSD) and subsequent need for rescheduling by DEA. Background of the phase-3 clinical study being reviewed including context of FDA and DEA involvement through the process is included here along with context of FDA Breakthrough Therapy Designation.
>
> As MDMA has not been approved for clinical use and no regulated source of MDMA is available to the public, consequently any sources known to be in community should be considered at high risk of possible lacing with additional substances that can cause unforeseen reactions and or safety/health concerns.]

LSD (AKA: ACID)

A hallucinogen manufactured from lysergic acid, which is found in ergot, a fungus that grows on rye and other grains. LSD is an abbreviation of the scientific name lysergic acid diethylamide. For more information, see the Hallucinogens and Dissociative Drugs Research Report.

> [LSD is among Schedule I substances involved in clinical trials approved by DEA. At time of publication no regulated source of LSD is available, consequently any sources known to be in community should be considered at high risk of possible lacing with additional substances that can cause unforeseen reactions and or safety/health concerns.]

HEROIN

Heroin is an opioid drug made from morphine, a natural substance taken from the seed pod of the various opium poppy plants grown in Southeast and Southwest Asia, Mexico, and Colombia. Heroin can be a white or brown powder, or a black sticky substance known as black tar heroin. Learn about the health effects of heroin and read the DrugFacts.

GHB (GAMMA-HYDROXYBUTYRATE)

Gamma-hydroxybutyrate (GHB) is a depressant approved for use in the treatment of narcolepsy, a disorder that causes daytime "sleep attacks".

> [Note: GHB is included below rohypnol as it has also been used as a precursor to sexual assault by assailants attempting to have it consumed secretly by those they target.]

Psychoactive substances that are Schedule II-IV substances under federal Controlled Substances Act

COCAINE

Cocaine is a powerfully addictive stimulant drug made from the leaves of the coca plant native to South America. Although health care providers can use it for valid medical purposes, such as local anesthesia for some surgeries, cocaine is an illegal drug. As a street drug, cocaine looks like a fine, white, crystal powder. Street dealers often mix it with things like cornstarch, talcum powder, or flour to increase profits. They may also mix it with other drugs such as the stimulant amphetamine. Learn about the health effects of cocaine and read the DrugFacts.

KETAMINE

A dissociative drug used in past more exclusively for anesthetic properties. Dissociative drugs are hallucinogens that cause the user to feel detached from reality. For more information, see the Hallucinogens and Dissociative Drugs Research Report

After clinical research for use in treatment of depression the FDA approved use of ketamine for treatment resistant depression in 2019, through a nasal spray called esketamine. Article from Yale Medicine, published in 2019 and updated in 2022, included for background and context.

[At last review Ketamine was classified as a Schedule III (3) controlled substance, and is known to be involved in additional clinical trials relating to other mental health therapy at time of this 2022 ASR. As it is not listed as Schedule 1, clinical research of ketamine does not face same levels of near universal prohibition for access by researchers through DEA Diversion.

Ketamine, along with rohypnol and GHB, is among the most commonly used drugs linked to chemically induced sexual assaults where a person ingests it unknowingly through the lacing of food or drink by an assailant. Information and resources about these concerns is below the summaries of rohypnol and GHB later in this section.]

OPIOIDS (Class of substances)

Opioids are a class of drugs that include the illegal drug heroin, synthetic opioids such as fentanyl, and pain relievers available legally by prescription, such as oxycodone (OxyContin®), hydrocodone (Vicodin®), codeine, morphine, and many others. Learn about the health effects of prescription opioids and read the DrugFacts on Fentanyl, Heroin, and Prescription Opioids.

Of significant concern in and around Denver and throughout the United States at time of publication:

Increasing quantities of unregulated drugs, particularly opioids, available in community are being found to be laced with fentanyl, an extremely potent substance, leading to major increase in user overdoses.

Auraria Campus community members with concern for self or friends or family are encouraged to reach out to Health Center at Auraria to discuss, as HCA has an established opioid overdose education and intervention program including availability of Naloxone.

Naloxone is a Food and Drug Administration (FDA) approved drug that when administered appropriately to individuals that are in midst of an opioid overdose may be able to reverse the opioid overdose in order to help the victim survive through to professional emergency care and stabilization.

FENTANYL

Fentanyl is a powerful synthetic opioid analgesic that is similar to morphine but is 50 to 100 times more potent. It is a Schedule II prescription drug, and it is typically used to treat patients with severe pain or to manage pain after surgery. It is also sometimes used to treat patients with chronic pain who are physically tolerant to other opioids. In its prescription form, fentanyl is known by such names as Actiq®, Duragesic®, and Sublimaze®. Read the Fentanyl DrugFacts.

BENZODIAZAPINE – (Class of substances)
The benzodiazepine class of substances are those that work directly upon the central nervous system benzodiapine receptors. Among conditions that benzodiazepines are prescribed for include seizures.

Reference: https://www.ncbi.nlm.nih.gov/books/NBK470159/
Note regarding dangers of co-occurring usage of benzodiazepines and other psychoactive substances (including alcohol or opioids): https://nida.nih.gov/research-topics/opioids/benzodiazepines-opioids

ROHYPNOL (AKA ROOFIES / FLUNITRAZEPAM)

A benzodiazepine chemically similar to prescription sedatives such as Valium® and Xanax® that may be misused for its psychotropic effects. Rohypnol has been used to commit sexual assaults because of its strong sedation effects. In these cases, offenders may dissolve the drug in a person's drink without their knowledge.

Relating to controlled substances in the community that have been known to be used covertly by attackers in sexual assaults and attempted sexual assaults:

MSU Denver community students and staff are encouraged to reach out to the Phoenix Center at Auraria and the Health Center at Auraria for local, direct support about prevalence and perceived risks at any given time, as well as review resources and links through the Office of Women's Health at the US Department of Health and Human Services.

MSU Denver wants to make clear the concerns for drug-involved sexual assault and date rape is not a concern strictly for community members that identify as women.

The link is provided for the ease of access to the resources that can help inform all members of the MSU Denver community and their friends and family to be aware of and vigilant about these concerns, and to aid one another through improved bystander intervention should suspicious behavior possibly indicate presence of a would-be assailant, or detecting concerning behavior in a friend who may be beginning to feel under the influence of an unintended substance and needs immediate intervention.

METHAMPHETAMINE (AKA: CRYSTAL METH)

Methamphetamine is a stimulant drug usually used as a white, bitter-tasting powder or a pill. Crystal methamphetamine is a form of the drug that looks like glass fragments or shiny, bluish-white rocks. It is chemically similar to amphetamine (a drug used to treat attention-deficit/hyperactivity disorder [ADHD] and narcolepsy, a sleep disorder). Learn about the health effects of methamphetamine and read the DrugFacts.

STEROIDS (ANABOLIC)

Anabolic steroids are synthetic variations of the male sex hormone testosterone. The proper term for these compounds is anabolic-androgenic steroids. "Anabolic" refers to muscle building, and "androgenic" refers to increased male sex characteristics. Learn about the health effects of anabolic steroids and read the DrugFacts

OTHER PRESCRIPTION MEDICINES (Class of drugs)

When used as prescribed by a doctor, prescription medicines can be helpful in treating many illnesses. Stimulants are helpful in managing attention-deficit/hyperactivity disorder (ADHD) and narcolepsy. Central nervous system (CNS) depressants treat anxiety, panic, and sleep disorders. Opioids are prescribed to treat pain, coughing, and diarrhea. But when these medicines are misused, they can have serious consequences. Read the DrugFacts on Prescription CNS Depressants, Prescription Opioids, and Prescription Stimulants.

Additional controlled psychoactive substance contextual information and resources

Additional information on federally controlled psychoactive substances, including information on the compliance and regulatory nature of Schedule I controlled substances involved in clinical research can be accessed and explored through the US Department of Justice Drug Enforcement Administration (DEA).

At the time of drafting this 2022 ASR many substance descriptions available through DEA pages do not appear to have been revised through the past several years to provide any updated context on substances that are being provided to approved clinical research, often with federal grants, through the monitoring and access control of the DEA's Diversion Control Division.

MSU Denver notes this for community member awareness that while several substances are being talked about more openly in community – particularly those decriminalized at the state and local levels in Colorado in late 2022 – and may be being used privately in the community for therapeutic intents, the production of the substances likely is not through formal regulation and therefore will have risk of possible contaminants, or could potentially be laced with powerful additional controlled substances, such as fentanyl. (Please see page 69 for information on access to harm reduction information and tools through Health Center at Auraria to decrease risks associated with accidental opioid use.

Note: At the time of publication, community members are able to access updated publications of concerns about different substances to be aware of trends in the community through the DEA Fact Sheets website that includes dated notices about concerns in substances, such as new counterfeit (fake) prescription pills and other drugs laced with fentanyl that were published in Spring 2022.

MSU Denver community members with interest in further informing themselves on emerging clinical research and academic and professional career pathways that involve these areas of public health and policy may find the Research and Innovation Office at University of Colorado Boulder helpful as a local academic and applied science leader in these intersecting sectors of higher education, public health research, and commerce.

Laws and Policies Related to Possession or Use of Psychoactive Substances

The following section includes summary information about MSU Denver policies related to psychoactive substances including alcohol, cannabis, and other federally controlled substances, as well as State of Colorado and US federal laws and penalties possible for convictions as required of it for administrative compliance.

MSU Denver recognizes that for community members living in the State of Colorado, similar to a higher education institution operating in it, that daily living experience is made all the more complex because of the evolving nature of legalization and regulation of psychoactive substances at state level in Colorado that remain illegal within federal laws in the United States.

This state decriminalization and state governmental regulation and taxation of substances, coupled with the complexities of these and many other federally controlled substances considered universally prohibited as Schedule 1 substances now being allowed by federal law enforcement and regulatory agencies to be involved in clinical public health research trials after decades of full prohibition, makes it difficult for individuals, institutions, and communities to intellectually approach the topics and fields of study without major concerns for stigmatization or penalization.

The Dean of Students Office of MSU Denver recognizes that the basis for much regulation and standard business practices in most sectors of the economy, including in higher education, are nervously conducted presuming full enforcement of controlled substance legislation, at the same time that some layers of discretionary restraint are offered by some federal departments, for varying reasons or rationale, such as for the establishment of state regulated cannabis cultivation and retail businesses.

And this complex landscape exists while methods and rates of enforcement and possible prosecution likely remain inconsistent between different communities within given jurisdictions, following historical statistics.

Due to the vastly disproportionate criminalization and economic violence that has been historically inflicted on BIPOC individuals, families, and communities, in particular, through local, state, and federal law enforcement campaigns with public health and national interest justification since the origins of federal controlled substance legislation in 1970 that continues to present, MSU Denver adds this note for acknowledgement of elements of this white-supremacy originating system that it has operated under and has supported through silence in the decades since the institution's founding in 1965.

Namely, that community members that MSU Denver prided itself on trying to serve were stripped of equal access to higher education at MSU Denver and other colleges and universities, both in exclusion from institutions and dispossessed from federal financial aid programs, as well as vulnerable for personal savings, vehicles, and wealth-building assets including personal homes being seized by law enforcement agencies through arrest for controlled substance related charges, providing further barriers to higher education pathways. Like in other areas of state and federal law enforcement outcomes, these knock-on higher education access and inclusion barriers disproportionately impact and further inhibit historically marginalized BIPOC communities.

This is included as part of MSU Denver's Annual Security Report, like other additions to the 2022 ASR, to provide awareness of safety concerns that can affect community members beyond the traditional scope of the Clery Act.

As MSU Denver leadership began intently reflecting on its systems, and areas of complicity with maintaining white supremacy supporting systems, including the institution's place within wider higher education industry and state and national governmental systems, these concerns are now included in how MSU Denver reviews and evaluates its systems as they relate to individual and community safety and security concerns.

MSU Denver adds this as awareness of injustice MSU Denver community members have faced, and the institution's commitment to improve and expand in its use of its power and privilege as a higher education institution in seeking strategies that have far fewer counterproductive effects on individual and collective interests in the name of public health and national interests.

MSU Denver Alcohol and Controlled Substance Prohibitions and Disciplinary Options for Students and Staff

MSU Denver prohibits the unlawful use, possession, distribution, manufacture, or sale of alcohol and illegal controlled substances by students and staff while on Auraria Campus or as part of the activities of the University.

The University shall take action when its policies on the use, possession, distribution, manufacture, or sale of illegal drugs appear to have been violated that can include referral to ACPD. MSU Denver will cooperate, if necessary, with local, State, and federal authorities in the detection and prosecution of alcohol or drug offenses.

Students and staff who violate the MSU Denver standards of conduct relating to alcohol and controlled substances shall be subject to disciplinary sanctions which may include, without limitation, completion of an appropriate rehabilitation program, reprimand, probation, suspension from the University, expulsion from the University, corrective action, a fine, temporary adjustment of pay to a lower step in the assigned pay grade, demotion, reassignment with or without a salary adjustment, suspension with or without pay, and termination.

Disciplinary sanctions shall be consistent with local, State, and federal law and shall be administered in accordance with applicable student disciplinary procedures, state personnel system rules and procedures, and University policies.

MSU Denver Psychoactive Substance Use Prohibitions and Disciplinary Options Specific to Staff

Pursuant of the Drug-Free Workplace Act of 1988 and 41 U.S. Code § 8102, MSU Denver upholds its Drug-free Workplace Policy.

The Policy states that the unlawful manufacture, distribution, sale, dispensation, possession, or use of a controlled substance in the workplace or state-owned vehicle by employees of the University is prohibited. Employees shall notify the appropriate personnel officer of any criminal drug statute conviction for a violation occurring in the workplace or a state-owned vehicle no later than 5 days after such conviction. Any employee who violates the provisions of the Drug-free Workplace Policy shall be subject to appropriate disciplinary action, which may include termination.

Note regarding cannabis legalization in State of Colorado laws and MSU Denver policies for students and staff

Although in accordance with the requirements of the Colorado Constitution, possession and use of marijuana for certain medical conditions, and the possession and use of less than one ounce of marijuana by persons twenty-one years of age or older is legal, the possession and use of marijuana remains prohibited on the Auraria Campus and at all University-sponsored activities. In addition, federal law, particularly the Controlled Substances Act of 1970, Drug-Free Workplace Act, and the Drug Free Schools and Communities Act, prohibits the use and/or possession of marijuana while a student or staff or faculty member is on campus.

The possession or use of federally defined controlled psychoactive substances, including cannabis, remains prohibited under federal laws. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses.

MSU Denver Policies on Regulated or Controlled Psychoactive Substances

Student Code of Conduct – Article III, Section A, List Item 18

Possessing, using, manufacturing, distributing, or selling of narcotics or other controlled substances, or related drug paraphernalia, or prescription drugs in violation of law or University policies. Attending classes, University or campus functions, or being on campus while under the influence of drugs/illegal substances, shall also be considered a violation of this Code.

Student Code of Conduct – Article III, Section A, List Item 19

19. Public intoxication, and/or the use, possession, or distribution of alcoholic beverages or cannabis, except as expressly permitted by the law and University regulation. Attending classes, University or campus functions, or being on campus while under the influence of alcohol or drugs shall also be considered a violation of this Code.

Student Code of Conduct Amnesty Policy

MSU Denver recognizes that an individual who has been using or has recently consumed alcohol, cannabis, or other substances at the time of an incident may be hesitant to make a report because of potential, adverse Student Code of Conduct consequences for themselves. MSU Denver wants to make absolutely clear, an individual that reports a violation of the Code of Conduct, including sexual misconduct will not be subject to disciplinary action by MSU Denver for their own personal consumption or possession of alcohol or other substances at or near the time of the incident, provided that any such violations did not, and do not, place the health and safety of any other person at risk. MSU Denver may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs with the student's health and academic best interests in mind.

Colorado State Laws and Policies Concerning Psychoactive Substance Use and Possession Including Alcohol

Immunity for Persons Who Suffer or Report an Emergency Drug or Alcohol Overdose – C.R.S. § 18-1-711

A person is immune from arrest and prosecution for an offense if all of the following are satisfied:

a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, to the 911 system, or to a medical provider
b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives, or the person remains at the facilities of the medical provider until a law enforcement officer arrives
c) The person identifies themselves to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider
d) The offense arises from the same course of events from which the emergency drug or alcohol overdose event arose

The immunity described above also extends to the person who suffered the emergency drug or alcohol overdose event if all of the conditions described above are satisfied.

Driving Under the Influence - C.R.S. § 42-4-1301

A person who drives a motor vehicle or vehicle under the influence of alcohol or one or more drugs, or a combination of both alcohol and one or more drugs, commits driving under the influence. Driving under the influence is a misdemeanor, but it is a class 4 felony if the violation occurred after three or more prior convictions, arising out of separate and distinct criminal episodes, for DUI, DUI per se, or DWAI, vehicular homicide, vehicular assault, or any combination thereof.

I. First Conviction – minimum of 9 months loss of full driving privileges, possible imprisonment for up to one year, and maximum fine of $1,000
II. Second Conviction – minimum 5-year loss of full driving privileges for a second conviction in a 20-year period, mandatory 10 days imprisonment, minimum 48 hours of community service, possible imprisonment of up to one year, and maximum fine of $1,500.
III. Third Conviction – minimum 10-year loss of full driving privileges, mandatory 60-day periodic imprisonment, minimum 48 hours community service, possible imprisonment for up to one year, and maximum fine of $1,500.
IV. Aggravated DUI – Class 4 Felony (following a crash resulting in great bodily harm or permanent disfigurement) – minimum of one-year loss of full driving privileges, mandatory 10 days imprisonment or 480 hours of community services, possible imprisonment for up to 12 years, and maximum fine of $25,000.

Illegal Possession or Consumption of Ethyl Alcohol or Marijuana by an Underage Person – C.R.S. § 18-13-122.3a

Except as described by C.R.S. §18-1-711, a person under twenty-one years of age who possesses or consumes ethyl alcohol anywhere in the state of Colorado commits illegal possession or consumption of ethyl alcohol by an underage person. Illegal possession or consumption of ethyl alcohol by an underage person is a strict liability offense.

AHEC alcohol polices apply to the Auraria Campus and institution-sponsored activities. Administrators, alumni, faculty, guests, staff, and students must adhere to all applicable State, and local laws and regulations related to the sale and use of alcoholic beverages.

Those persons or organizations that control the service of alcoholic beverages are responsible for compliance with applicable laws and campus policies. Those policies are:

I. Service of alcoholic beverages is planned to stop before the close of the event.
II. The burden of proof for showing legal age is on the alcohol consumer. No alcohol will be served unless clear evidence of legal age is presented. It is the responsibility of those in charge of an event to ensure that no one who is underage is served or consumes any alcoholic beverages.
III. Alcohol may not be consumed or carried in open containers in common areas or "public" areas of any building or grounds except as follows: for group activities or events where a liquor license (if required) has been obtained and the scheduling officer has approved the event.

Colorado Sanctions for Violation of Alcohol Control Statutes –

Colorado Revised Statutes (C.R.S.) § 12-47-901, 903, 18-1.3-501

a) Class 1 Misdemeanor – unlawful use of an identification care
b) Class 4 Felony – fictitious or unlawfully altered identification care
c) Class 4 Felony – fraudulent identification card
d) Class 2 Misdemeanor to possess or sell alcohol if an individual is under 21
e) Class 1 Misdemeanor to sell, give, or deliver alcohol to individuals under 21 years of age. Local ordinances may also be enforced.

Class 1 Misdemeanors are punishable with a fine of $500 to $5,000 and up to 18 months in the county jail.

Class 2 Misdemeanors are punishable with a fine of $250 to $1,000 and up to 12 months in the county jail.

Unlawful Use of a Controlled Substance - C.R.S. §18-18-404

Except as described by C.R.S. §18-1-711, it is unlawful for any person knowingly to manufacture, dispense, sell or distribute, or to possess with intent to manufacture, dispense, sell, or distribute, a controlled substance; or induce, attempt to induce, or conspire with one or more other persons, to manufacture, dispense, sell, distribute, or possess with intent to manufacture, dispense, sell, or distribute, a controlled substance; or possess one or more chemicals or supplies or equipment with intent to manufacture a controlled substance.

Any person who uses any controlled substance, except when it is dispensed by or under the direction of a person licensed or authorized by law to prescribe, administer, or dispense the controlled substance for bona

fide medical needs, commits a Colorado Level 2 Drug Misdemeanor. These include, without limitation, commonly abused drugs, such as:

I. Cocaine
II. LSD
III. Heroin
IV. Codeine
V. Vicodin
VI. Oxycontin
VII. Fentanyl
VIII. Amphetamine
IX. Methamphetamine
X. Anabolic steroids
XI. Ecstasy
XII. GHB
XIII. Ketamine
XIV. Barbiturates

Notes about Colorado retail cannabis/marijuana –

MSU Denver makes clear in this 2022 ASR that it does not encourage or endorse students and staff or any other community members breaking Colorado ethyl alcohol or other psychoactive substance possession or consumption laws. Violating these can have serious and long-lasting consequences to higher educational pursuits and/or employment stability with MSU Denver.

However, in the interest in community members being aware of what is permissible under Colorado state constitution and regulatory policies to be able to avoid crossing unintended legal or policy violations, the following details are provided related to retail cannabis in Colorado during the 2022 reporting period and in place at the time of publication of this ASR.

Adults must be at least twenty-one years of age to buy, possess, or use Colorado state-regulated retail cannabis in Colorado. It is illegal to give or sell retail cannabis to minors or adults under the age of twenty-one (21) years. Adults twenty-one years and older can purchase and possess up to one ounce of retail cannabis at a time.

Retail cannabis is intended for private, personal use. Such use is generally only legal in certain locations not open or accessible to the public, and only if allowed by the property owner. Community members should generally assume that cannabis may not be consumed openly or publicly. This includes but is not limited to areas accessible to the public such transportation facilities, schools, amusement/sporting/music venues, parks, playgrounds, sidewalks and roads, and outdoor and rooftop cafes. It is also illegal to smoke at indoor-but-public accommodation locations like bars, restaurants, and common areas in buildings.

Regarding cannabis regulation and policies overall, and for additional context related to recent evolution of cannabis hospitality licenses being possible in the City and County of Denver following passage of Council Bill 21-0217 in 2021, the following links are provided to help interested or concerned community members gain familiarity with the relevant authorities regulating the emerging sector of the within the city and state in which MSU Denver operates.

> State of Colorado – Department of Revenue – Marijuana Enforcement Division that manages the licensing and regulating of medical and retail marijuana sectors in Colorado.
>
> Link to overview and timeline of regulated, licensed cannabis policy developments in Colorado generally and Denver specifically available through Denver City and County Agencies, Departments, and Offices Directory.
>
> Background and context about cannabis/marijuana hospitality policy in City and County of Denver from Office of Marijuana Policy in Department of Excise and Licenses.

Additionally the City and County of Denver provides a list of frequently asked questions (guidance only) addressing common concerns from resident point of view and from point of view of visitors to the city.

Note: At time of publication of 2022 ASR, an article published by Westword reporting on recent enforcement of cannabis public consumption laws in the City and County of Denver by Denver Police included here to provide MSU Denver community members context about how the Excise and License authorities in Denver interpret types of events that are permissible under marijuana hospitality licenses.

For additional historical context on changes to cannabis/marijuana laws and policy in Colorado over the past one hundred years, and the past decade in particular, additional Westword article included.

Notes about Colorado alcohol laws relating to community members not yet 21 years of age –

MSU Denver makes clear in this ASR that it does not encourage or endorse students and staff or any other community members breaking Colorado ethyl alcohol or possession, production, use or consumption laws. Violating these can have serious and long-lasting consequences to higher educational pursuits and/or employment stability with MSU Denver.

However, in the interest of community members being aware of occasionally applicable exceptions that are known to exist within the otherwise universal prohibition of possession and consumption of ethyl alcohol products by those under 21 years of age in the State of Colorado, MSU Denver provides the following summary information, and does so particularly because of the racial and socioeconomic disparities that have historically existed, and continue to exist at the time of this ASR, in the enforcement and prosecution of controlled substance laws in Colorado and throughout the country.

Thus, MSU Denver highlights a few nuances that exist in Colorado ethyl alcohol laws for community members' knowledge generally, and due to practical intersection of some of them with MSU Denver programming and safety concerns.

One, MSU Denver students who are under the age of 21 while being enrolled in any courses through the School of Hospitality that have product tasting aspects to coursework, such as wine, are authorized to "sip and spit" the alcoholic beverages being sampled under the supervision of the trained MSU Denver faculty and staff and follow all the regulations and controls that the School of Hospitality sets forth through exception that has been enacted in Colorado Revised Statutes.

Two, community members under 21 years old who are in the direct presence of their parent or guardian that authorizes the child's consumption of eythl alcohol beverages on private property, with the knowledge and support of the property owner, may meet exception to the charge of underage drinking during the time they remain in that place and with their own parent or guardian supervision. Summary details provided by Alcohol Policy Information System, under the National Institute on Alcohol Abuse and Alcoholism.

Three, for overall MSU Denver community safety and security concerns, in line with the MSU Denver Amnesty Policy included in this 2022 ASR, at the time of publication Colorado Revised Statutes 2021 Title 18 included the following language for **18-1-711 "Immunity for person who suffer or report an emergency drug or alcohol overdose event"** (page 41 of link) regarding those that would otherwise be subject to the illegal underage possession or consumption statute **18-13-122** (page 647 of link):

(1) A person is immune from arrest and prosecution for an offense described in subsection (3) of this section if:

(a) The person reports in good faith an emergency drug or alcohol overdose event to a law enforcement officer, to the 911 system, or to a medical provider;

(b) The person remains at the scene of the event until a law enforcement officer or an emergency medical responder arrives or the person remains at the facilities of the medical provider until a law enforcement officer arrives;

(c) The person identifies himself or herself to, and cooperates with, the law enforcement officer, emergency medical responder, or medical provider; and

(d) The offense arises from the same course of events from which the emergency drug or alcohol overdose event arose.

(2) The immunity described in subsection (1) of this section also extends to the person who suffered the emergency drug or alcohol overdose event if all of the conditions of subsection (1) of this section are satisfied.

(3) The immunity described in subsection (1) of this section applies to the following criminal offenses: 108

(a) Unlawful possession of a controlled substance, as described in section 18-18-403.5 (2);

(b) Unlawful use of a controlled substance, as described in section 18-18-404;

(c) If committed on or after March 1, 2020, unlawful possession of two ounces or less of marijuana, as described in section 18-18-406 (5)(a)(I) prior to its repeal in 2021; or more than two ounces of marijuana but not more than six ounces of marijuana or not more than three ounces of marijuana concentrate, as described in section 18-18-406 (4)(c); or more than six ounces of marijuana or more than three ounces of marijuana concentrate, as described in section 18-18-406 (4)(b);

(d) Open and public display, consumption, or use of less than two ounces of marijuana, as described in section 18-18-406 (5)(b)(I);

(e) Transferring or dispensing two ounces or less of marijuana from one person to another for no consideration, as described in section 18-18-406 (5)(c);

(f) Use or possession of synthetic cannabinoids or salvia divinorum, as described in section 18-18-406.1;

(g) Possession of drug paraphernalia, as described in section 18-18-428; and

(h) Illegal possession or consumption of ethyl alcohol or marijuana by an underage person or illegal possession of marijuana paraphernalia by an underage person, as described in section 18-13-122.

(4) Nothing in this section shall be interpreted to prohibit the prosecution of a person for an offense other than an offense listed in subsection (3) of this section or to limit the ability of a district attorney or a law enforcement officer to obtain or use evidence obtained from a report, recording, or any other statement provided pursuant to subsection (1) of this section to investigate and prosecute an offense other than an offense listed in subsection (3) of this section.

(5) As used in this section, unless the context otherwise requires, "emergency drug or alcohol overdose event" means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance, or of alcohol, or

another substance with which a controlled substance or alcohol was combined, and that a layperson would reasonably believe to be a drug or alcohol overdose that requires medical assistance.

The chart below provides examples of the penalties, which may be imposed on individuals convicted of drug possession, manufacturing, or delivery. Circumstances of the case and other factors may affect whether or not and to what extent penalties are imposed.

Possession or Sale	Type of Offense	Jail Term	Fine	Driver's License
Schedule I and II: Cocaine, opium, heroin, morphine, methadone, LSD, GHB	1st offense: Class 3 Felony 2nd offense: Class 2 Felony	4-12 years 8-24 years	$3,000 – 750,000 $5,000 – 1,000,000	Suspension, drug evaluation
Schedule III: PCP, codeine, dilaudid	1st offense: Class 4 Felony 2nd offense: Class 3 Felony	4-12 years 8-24 years	$2,000 – 500,000 $3,000 – 750,000	Suspension, drug evaluation
Schedule IV: Chloral hydrate, tranquilizers, some barbiturates, and stimulant	1st offense: Class 5 Felony 2nd offense: Class 4 Felony	1-3 years 2-5 years	$1,000 – 100,000 $2,000 – 500,000	Suspension, drug evaluation
Schedule V: Codeine and other narcotics	1st offense: Class 1 Misdemeanor Repeat: Class 5 Felony	6-18 months 1-3 years	$500 – 5,000 $1,000 – 100,000	Suspension, drug evaluation
Use	**Type of Offense**	**Jail Term**	**Fine**	**Driver's License**
Schedule I, II	Class 6 Felony	1 year – 18 months	$1,000 – 100,000	Suspension of minor driver's license
Schedule III, IV, V	Class 1 Misdemeanor	6 – 18 months	$500 – 5,000	Suspension of minor driver's license

Federal Laws and Policies Concerning Psychoactive Substance Use and Possession

Denial of Federal Aid - 20 U.S.C. § 1091

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work-study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

Forfeiture of Personal Property and Real Estate - 21 USC § 853

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties - 21 USC § 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The following list is a sample of the ranges and severity of federal penalties that have been previously published to provide context on how those convicted under these statutes have been prosecuted and sentenced. Penalties for subsequent convictions can be twice as severe.

If death or serious bodily injury result from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance can face amplified sentences that can include mandatory life sentence and fines ranging up to $8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a University (21 USC § 860) are subject to prison terms and fines that are double that of standard penalties for the convicted offenses, with a mandatory prison sentence of at least 1 year.

While not from US Attorney office in the District of Colorado, an equivalent US Attorney District Office provides the following context of frequently employed federal drug statutes on their office's website.

Federal Trafficking Penalties for Schedules, I, II, II, IV, and V (except marijuana)

Schedule	Substance/Qty.	Penalty	Substance/Qty.	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs., and no more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.
II	Cocaine base 28- 279 grams' mixture		Cocaine base 280 grams or more mixture	
II	Fentanyl 40-399 grams' mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl analogue 10-99 grams' mixture		Fentanyl analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture	Second Offense: Not less than 10 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.	Heroin 1 kilogram or more mixture	Second Offense: Not less than 20 yrs., and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
I	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	2 or more prior offenses: Life imprisonment. Fine of not more than $20 million if individual, $75 million if not an individual.

Substance/Quantity	Penalty
Any amount of other schedule I & II substances	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine $1 million if and individual, $5 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Any drug product containing gamma hydroxybutric acid	
Flunitrazepam (Schedule IV) 1 gram	
Any amount of other schedule III drugs	First Offense: Not more than 10 yrs. If death or serious bodily injury, not less than 15 years or more than life. Fine $500,000 if an individual, $2.5 million if not an individual. Second Offense: Not more than 20 years. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.
Any amount of all other schedule IV drugs (other than one gram or more of Flunitrazepam)	First Offense: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual. Second Offense: Not more than 10 years. Fine not more than $500,000 if an individual, $2 million if not an individual.
Any amount of all schedule V drugs	First Offense: Not more than 1 yrs. Fine not more than $100,000 if an individual, $250,000 if not an individual. Second Offense: Not more than 4 years. Fine not more than $200,000 if an individual, $500,000 if not an individual.
Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	First Offense: Not more than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine $10 million if an individual, $50 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Marijuana 100 to 999 kilograms marijuana mixture or 100-999 marijuana plants	First Offense: Not more than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine $5 million if an individual, $25 million if not an individual. Second Offense: Not more than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine $8 million if an individual, $50 million if not an individual.
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	

Hashish More than 10 kilograms	First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 years or more than life. Fine $1 million if an individual, $5 million if not an individual. Second Offense: Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Hashish oil More than 1 kilogram	
Marijuana Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	First Offense: Not more than 5 yrs. Fine not more than $250,000, $1 million if other than individual. Second Offense: Not more than 1 years. Fine $500,000 if an individual, $2 million if not an individual.
Hashish 10 kilograms or less	
Hashish oil 1 kilogram or less	

Annual Fire Safety Report

Metropolitan State University of Denver has not historically managed or maintained any of its own owned or controlled on-campus student housing facilities, including through the 2022 calendar year. However enabled by the institution's growth, informed by its 2030 Strategic Plan, and in response to the increasing complexity of socioeconomic factors in the Metropolitan Denver region affecting pursuit and completion of higher education programs for much of the regional population, MSU Denver is exploring the establishment of on campus residential student living operations in the coming years.

MSU Denver has established a partnership with University of Colorado Denver through a Memorandum of Understanding (MOU) for a set number of MSU Denver students to be able to reside in a CU Denver residential building on the Auraria Campus, Lynx Crossing. Through this partnership MSU Denver Dean of Students Office shares communication with and has access to applicable policies and procedures for Lynx Crossing from the CU Denver Dean of Students and Housing and Dining Services departments. Accordingly, MSU Denver receives and reviews Fire Safety Report policies and reports for Lynx Crossing.

MSU Denver includes Fire Safety Report and Missing Persons Policy information here including links to CU Denver's site of Emergency Management and Campus Safety and directly to the CU Denver 2022 Annual Security Report. Fire Safety and Missing Persons Policy elements are presented beginning on page 71 of that report, to aid in current and prospective MSU Denver students and staff to examine. MSU Denver does this in good faith efforts to meet the spirit and letter of the Annual Security Report requirements and to build capacity to support coming cohorts of students in ways that include providing stabilizing housing pathways to help students with their successful completion of their MSU Denver certificate and degree programs, and to be ready for launch into their next strategic goals for themselves and the communities that they will help lead.

Lynx Crossing Fire Reports

The CU Denver Housing & Dining department-maintained Fire Log for residential buildings including Lynx Crossing for 2022, which was shared with MSU Denver.

CU Denver confirms in its Annual Security Report that its Fire Log is actively maintained, with reported fires added to log within two (2) business days of the report. Additionally, CU Denver states to most recent 60 days Fire Report being available at front desk of residential facilities and is available for public review upon request during normal business hours.

Additionally, CU Denver Housing and Dining notifies that it will provide any portion of its report older than 60 days within 2 business days of request for public inspection.

Specific data relating to any fires, unplanned alarms during 2022 calendar year:

- Collection and review of CU Denver Housing & Dining Fire Log records indicate two (2) unplanned/unintentional testing fire alarms, and zero (0) fires at Lynx Crossing (381 Walnut St, Denver CO 80204) during calendar year 2022. The nature of the two unintentional alarms reported include (1) false alarm due to dust from cleaning vacuum; (2) false alarm due to testing of smoke machine.

Missing Student Notification

Under the MOU with CU Denver, summarized in the preceding section, Annual Fire Safety Report, MSU Denver student residents of Lynx Crossing are considered to be CU Denver students for the purposes of the Missing Residential Student Policy established by CU Denver for residents of its on campus residential buildings on Auraria Campus, including Lynx Crossing.

Included in the agreements that MSU Denver student residents of Lynx Crossing review and agree to in order to reside at the property, MSU Denver students register emergency contact information with the CU Denver Housing and Dining Services Department. Those emergency contacts will be utilized in attempt to locate a missing student should report be made concerning the student.

Under the effective policy for the 2022 calendar year, reviewed by MSU Denver Dean of Students, CU Denver deems a residential student will be missing:

a) If under the age of eighteen (18) years of age, and not considered a runaway: when the residential student's whereabouts cannot be determined by the student's associates including friends, family, or residential staff; or

b) If eighteen (18) years of age or older: when the resident student's whereabouts cannot be determined, and the absence is both a deviation from normal behavior patterns and cannot be explained within a limited time frame and from accessible resources.

Subsequently, in event of CU Denver deeming a residential student missing, it shall notify Auraria Campus Police Department, the law enforcement department responsible for the Auraria Higher Education Center, supporting MSU Denver and CU Denver, along with the third institution of higher education based at Auraria, Community College of Denver. Additionally, MSU Denver, CU Denver, and ACPD shall coordinate to ensure that any and all other appropriate law enforcement agencies are notified of the residential student deemed missing.

In addition to following the CU Denver policies and procedures, the CU Denver Dean of Students or designee will notify and provide report of missing residential student to MSU Denver Dean of Students or designee in the event that a MSU Denver student is deemed missing under this CU Denver Missing Residential Student Policy.

CU Denver site for Annual Security Report and associated campus safety information.

Definitions of Clery Reported Crimes

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

Criminal Homicide – Manslaughter by Negligence: The killing of another person through gross negligence.

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

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry without intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Burglary vs. Larceny: An incident must meet three conditions to be classified as a burglary:

- There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted.
- The unlawful entry must occur within a structure, which is defined as having four walls, a room, and a door.
- The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft.

If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classified as motor vehicle theft are all cases where automobiles are taken by persons not having lawful access even though the vehicle(s) are later abandoned, including joyriding).

Sex Offense: Any sexual act directed against another person, forcibly and/or against that person without consent of the victim, including instances where the victim is incapable of giving consent.

I. **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes rape of a person regardless of gender.
II. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

III. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
IV. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Hate Crimes: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. In addition to the above offenses, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, in which is motivated by bias of the actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability of the victim that are reported to Campus Security Authorities or local police agency. This data is collected and reported according to category of prejudice.

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapon offenses that are regulatory in nature.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: As the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Domestic Violence: A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabiting 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 domestic or family violence laws of the jurisdiction in which the crime violence occurred

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined 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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Stalking: A pattern of behavior (course of conduct) directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. Stalking behaviors include but are not limited to: non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, written letters, gifts, or any other communications that are undesired and place another person in fear. Course of conduct means two or more

acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

Unfounded: Reported crimes that are investigated by sworn or commissioned law enforcement personnel and found to be false or baseless.

Note regarding Clery reportable crime statistics in Residential Housing section –

MSU Denver had contract partnership with CU Denver throughout calendar year 2022 for some residential rooms at Lynx Crossing available for MSU Denver students to lease during academic terms. All Clery reportable crimes compiled by Auraria Police Department that took place at Lynx Crossing are included in the Residential Housing column, regardless whether or not crime involved MSU Denver student, honoring spirit of ASR crime statistic tracking.

Due to no MSU Denver students residing at other CU Denver residential building, City Heights, the tally of On Campus crimes that were additionally located at City Heights are not included in MSU Denver Residential Housing column in this ASR, though likely will be reflected in CU Denver 2022 ASR.

MSU Denver 2020-2022 Crime Statistics

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder & Non-Negligent Manslaughter	1	0	0	0	0	0	0	0	0	N/A	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	N/A	0	0
Rape	1	7	6	0	0	0	0	0	0	N/A	1	3
Fondling	1	2	5	0	1	0	0	0	0	N/A	0	1
Incest	0	0	0	0	0	0	0	0	0	N/A	0	0
Statutory Rape	0	1	0	0	0	0	0	0	0	N/A	0	0
Robbery	0	1	1	3	3	0	0	0	0	N/A	0	0
Aggravated Assault	3	6	3	3	6	3	0	0	0	N/A	0	1
Burglary	9	21	12	0	0	0	0	0	0	N/A	1	0
Motor Vehicle Theft	6	20	31	0	3	0	0	0	0	N/A	0	0
Arson	0	1	4	0	0	2	0	0	0	N/A	0	0

ARRESTS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Liquor Law Violations	5	10	1	0	5	0	0	0	0	N/A	0	0
Drug Law Violations	9	17	4	3	14	2	0	0	0	N/A	0	0

Illegal Weapons Possessions	6	8	3	2	4	4	0	0	0	N/A	0	0

REFERRALS	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Liquor Law Violations	0	0	16	0	0	0	0	0	0	N/A	0	5
Drug Law Violations	2	0	1	0	0	1	0	0	0	N/A	0	1
Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0	N/A	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Domestic Violence	0	4	3	0	5	2	0	0	0	N/A	0	0
Dating Violence	3	4	5	1	1	0	0	0	1	N/A	0	2
Stalking	2	4	11	0	0	0	0	0	0	N/A	0	2

HATE CRIMES	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
Assault - Race	0	0	0	0	0	0	0	0	0	N/A	0	0
Intimidation - Race	0	0	0	1	0	0	0	0	0	N/A	0	0
Intimidation - Religion	0	0	0	0	0	0	0	0	0	N/A	0	0

UNFOUNDED	ON CAMPUS			PUBLIC PROPERTY			NON CAMPUS			RESIDENTIAL HOUSING		
	2020	2021	2022	2020	2021	2022	2020	2021	2022	2020	2021	2022
	1	2	0	0	1	0	0	0	0	N/A	0	0

Anti-Racism Commitments, Campus Climate, and Summary of Efforts Toward Equity and Inclusion

Summary report from MSU Denver President and Vice President for Diversity and Inclusion relating to diversity, equity, and inclusion work established by Spring 2021 and to be built on through 2021-22 academic year.

Anti-Racist Work and Commitments established by the Dean of Students and Student Care Center during 2021 and remaining current at time of publication.

The CMEI Anti-Racist Statement in effect at time of this ASR publication.

In efforts to make the University a safe and welcoming environment, MSU Denver undertakes surveys of the student and staff current experiences with institutional culture and sense of belonging. The most recent Campus Climate Survey results are from Spring 2021 with new surveys expected in the 2023-2024 academic year after publication of this 2022 ASR.

Summary of faculty and staff supports in place at time of ASR publication for MSU Denver academic and student support programming to support development of anti-oppressive pedagogies that work to dismantle systemic and intersectional oppressive structures such as racism, sexism, ableism, and patriarchy.

Among MSU Denver programs available to staff in these efforts:

Restorative Justice Coalition – Reframing approach to conflict on campus

Writing Center – Equity Priorities

Gender Institute for Teaching and Advocacy – Trainings and Professional Development, including Anti-Racism, Decolonizing Professionalism, Implicit Bias, and Knowing Rights

Safer Spaces Resolution through leadership of the Gender Institute for Teaching and Advocacy, Department of Africana Studies, and Department of Chicana/o Studies Departments, with support of Art Department and the Center for Visual Art.

Fall 2022 President's Welcome Back Address – Most recent institutional summary of MSU Denver commitments and emerging efforts at time of ASR publication.

Conclusion

Reiterating the statement in the Setting of ASR in Service of the MSU Denver Community at the beginning on this Annual Security Report:

MSU Denver is committed to the rationale that a campus low in Clery crimes but that also remains low in belonging and inclusion for many historically marginalized communities of its neighbors, friends, colleagues, and family is not yet a safe or secure campus.

MSU Denver provides the additional knowledge and resources offered in this ASR threading between often intersecting concerns as part of that commitment, and through its Dean of Students Office will continue the expansion and broadening of its Annual Security Reports in the coming years beyond meeting the mandated scope of Clery Act requirements, with intent for the ASR to be both a direct support to current and prospective academic and professional community members, and to be among the corrective and restorative tools helping MSU Denver leadership to improve the University's vision and its operational dexterity in identifying structures and systems that inhibit a greater belonging for all the communities that have come to call Colorado home, along with MSU Denver.

As a higher education institution and community resource with privilege and power MSU Denver acknowledges and honors those who have helped it, and are helping it, identify areas of its operational practices and its structure that rely on oppression for their own stability, so that the institution can begin to see what it has accustomed itself to take for granted as integral, unquestioned standards of practice that do not respect those it seeks to serve, and to redesign itself with intention for more positive-sum oriented, consensus-based partnering with the growing diversity of Colorado.