



Burrell College of Osteopathic Medicine

2024 Annual Safety and Security Report

With Statistics from January 1, 2023 to December 31, 2023
Release Date: October 1, 2024



INTRODUCTION

This report contains information regarding safety and security programs, policies, and procedures in place at the Burrell College of Osteopathic Medicine. It complies with the requirements established by 20 USC 1092, also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as well as the requirements imposed by the amendments to the Violence Against Women Act (VAWA). Statistics from January 1, 2023 through December 31, 2023 required by this Act are included in this report for the Burrell College of Osteopathic Medicine – Las Cruces (NM) Campus. The College’s additional location in Melbourne (FL) did not matriculate students until July 2024, thus statistics from that campus location are not included in this report.

Due to the Burrell College of Osteopathic Medicine - Las Cruces (NM) campus (Burrell) being physically located on the New Mexico State University (NMSU) campus and its established agreements (such as housing and facility usage for Burrell students) with NMSU, statistics from the Las Cruces NMSU campus are required to be included in this report. While these numbers do not necessarily reflect reportable crimes on the Burrell campus itself, the statistics are reflective of Burrell’s geographic location. The statistics also include non-campus locations which can be found in the description of Clery geography in Section 4 of this report.

Campus Security Authorities and agencies that were utilized for the collection of statistics include the NMSU Police Department, Albuquerque (NM) Police Department, Las Cruces (NM) Police Department, Roswell (NM) Police Department, Taos Police Department, El Paso (TX) Police Department, and Los Alamos (NM) Police Department.

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SECTION 1 – OVERVIEW

ABOUT BURRELL

The Burrell College of Osteopathic Medicine is dedicated to improving the quality and access to healthcare in underserved communities through osteopathic medical education and training. While Burrell is a private and freestanding college, its Las Cruces (NM) campus maintains a unique partnership with New Mexico State University (NMSU) which allows students to enjoy student life and campus community benefits that come with a major public university. Burrell students have access to many NMSU facilities and services, such as athletics, intramural sports, health services and recreational facilities. Burrell students can also utilize NMSU's housing and meal services, at an additional cost. The College has two buildings, the main building is 80,000 square ft. and the second building is 10,500 square ft., both are located at the Arrowhead Research Park on the NMSU campus. Due to Burrell's geographic location, statistics from the Las Cruces NMSU campus are included in the report. Burrell has eleven, non-campus reporting locations which can be found in the description of Clery geography in Section 4 of this report.

PUBLIC SAFETY AGENCIES AFFILIATED WITH BURRELL

Burrell relies on support from the NMSU police and fire departments for assistance. The NMSU Police Department (<https://www.nmsupolice.com/>) provides patrol, criminal investigation, and emergency dispatching services for the NMSU campus inclusive of Burrell. All police officers are highly trained, certified, and have full arrest powers. All officers must complete a basic police officer academy and be certified by the New Mexico Law Enforcement Academy Board. In addition, a number have specialized training and work with other agencies in the region. Some are nationally certified handlers of explosives detection dogs, while others participate on regional response teams that investigate special crimes, as well as statewide task forces with a variety of state and federal agencies. All dispatchers working in the NMSU's Emergency Dispatch Center are also fully trained and certified by the State of New Mexico. They answer the 911 calls coming into the center from campus, and dispatch police, fire, and emergency medical services. The NMSU Fire and Emergency Services Department (<https://fire.nmsu.edu/>) provides fire protection and emergency medical response for the Burrell campus. A team of full-time, experienced fire professionals lead the department who are trained and certified as firefighters, emergency medical technicians, and even hazardous materials technicians.

While not a traditional public safety agency, the NMSU Environmental Health & Safety Department (<https://safety.nmsu.edu/>) also works to ensure a safe environment at university and college facilities throughout the state. The staff provides safety training and assists with development of safety procedures for laboratory safety, hazardous waste management, emergency planning and response, oversees laboratory safety and hazardous waste management, assists with emergency planning and response, and a host of other functions intended to help keep the campus safe. The department supports guidance for emergency preparedness from the New Mexico Department of Health and the Centers for Disease Control and Prevention.

SAFETY

A campus community relies on a safe and secure environment. Preserving this environment is a responsibility of the Burrell community. Members of the Burrell community are expected to be conscious of personal safety, be aware of policies and procedures of the College, and promptly report any crime or suspicious activity to campus security authorities. While the NMSU Police Department, and other campus safety entities work to keep the campus safe, they cannot do so when people intentionally choose to engage in risky activity. Everyone is encouraged to be aware of their surroundings and avoid suspicious or dangerous situations whenever possible. Burrell community members are also encouraged to follow common safety practices that include locking doors and windows, using seatbelts, and avoiding the over-consumption of alcohol. The College encourages the Burrell community to report situations where danger exists.

CAMPUS SECURITY AUTHORITIES

Campus Security Authorities (CSAs) are individuals who the institution has identified as individuals who can be approached regarding notification of a crime. Burrell College CSAs are as follows:

1. Police Officers
2. Emergency Dispatchers
3. Security Officers assigned to monitor or control access to Burrell property and/or NMSU property.
4. President of the College
5. Dean of the College
6. Vice President of Institutional Effectiveness; Chief of Staff
7. Associate Vice President of Administration
8. Assistant Vice President of Student Affairs or other Office of Student Affairs Staff
9. Assistant Vice President of Human Resources or other Office of Human Resources staff
10. Environmental Health and Safety Officer
11. Title IX Coordinator

Personnel in the above roles cannot offer nor guarantee confidentiality as it relates to reporting of crimes, though efforts are often made to protect the safety and privacy of crime victims to the extent allowed by law. The campus security authorities are encouraged to promptly and accurately report all crimes, even if they do not appear to be Clery-reportable crimes. The primary duty of CSA personnel designated is to report to the NMSU Police Department any allegation or information about a Clery Crime reported to them or any other emergency situation. It is not within the CSA's authority to investigate, to apprehend an alleged perpetrator, or to persuade an alleged victim to file a police report. CSA's are trained annually.

SECURITY OF BUILDINGS AND FACILITIES

Several systems and protocols are in place to make the Burrell campus as safe as possible for students and staff. Access to any part of the Burrell facility is managed by Burrell's Associate Vice President of Administration. All students and staff are issued photo ID badges and are required to wear them visibly when in the buildings. Access to the buildings, classrooms and offices, are provided by a combination of electronic access control keycards and/or physical keys. Electronic and physical access is granted based on an individual's status (e.g. staff or student) as well as job responsibilities. Students and staff have access to the buildings beyond the typical public hours, based on the access granted via their key card credentials. All uses of keycards are monitored and recorded. Individual cards can be immediately locked out if lost or misplaced. Student access hours vary, but typically end at midnight on weekdays and 10:00pm weekends. All keys are issued and inventoried by the Associate Vice President of Administration office.

Burrell Security is contracted through a third-party contractor. The security personnel are certified by the New Mexico Department of Public Safety and are thoroughly trained in all aspects of security and safety. Burrell Security monitor the College's campus anytime students are present in the buildings. The security officer is responsible for clearing and securing the buildings after hours. The buildings are typically open to the public from 8:00 am to 5:00 pm on weekdays. During these hours, entrances open to the public remain locked and monitored by personnel. All visitors are required to sign in and out, are provided with a temporary badge, and are typically escorted to the areas they are visiting. Burrell Security monitor an extensive network of security cameras which record activities 24 x 7 for both interior and exterior building areas. Access to this system is restricted to appropriate staff and security personnel. The system is primarily designed for forensic analysis after the fact. A public address system provides the capability for emergency announcements throughout the building and office areas.

Custodial services are provided by a third-party contractor. Ancillary contractors that may need access to the building for service or maintenance work sign in/out with the Security Office and may be temporarily issued keys from an inventoried key locker.

HOUSING POLICIES

Burrell students are allowed to utilize housing on the NMSU campus. Because the housing is owned and controlled by NMSU, the safety programs and information related to the housing is addressed in the NMSU Annual Security Report and the NMSU Annual Fire Safety Report (<https://www.nmsupolice.com/safety/annual-reports.html>). For more information about housing policies related specifically to NMSU safety and security, please visit <https://housing.nmsu.edu/>.

SECTION 2 – EMERGENCIES AND INCIDENTS

TIMELY WARNINGS, EMERGENCY NOTIFICATIONS, AND ADVISORIES

When there are major incidents or emergencies that affect a large number of people and that present an immediate threat to health or safety, Burrell and/or NMSU will issue advisories, alerts, or warnings as appropriate, to not impede the public safety response or further endanger lives. An **Emergency Notification** is used when there is immediate danger or threat. Examples include manmade and natural disasters, violent crimes in process, or similar emergency situations. A **Timely Warning** is used when there is an ongoing situation or crime trend that may pose a danger but is not immediately dangerous. Examples include murder, rape, robbery, aggravated assault, and hate crimes. Other crimes may warrant a timely warning based on the level of danger or risk present to the College community. An **Advisory** may be used for situations that do not involve immediate danger such as traffic situations or non-Clery reportable crimes. Advisories may be sent out via e-mail, news media, or Burrell’s social media pages.

The decision on whether to issue one of the above notices, and the information contained therein, rests with the NMSU’s Incident Commander (or Chief of Police, or designee, in the absence of an established Incident Command) and/or Burrell’s Associate Vice President of Administration (or designee). The NMSU Incident Commander and/or Burrell’s Associate Vice President of Administration may make the decision not to issue a notice if the situation is deemed not to warrant one, or if doing so might hamper the ability of public safety personnel to respond to and contain the incident. In a situation of inclement weather closure, Burrell will follow the decision(s) of the Las Cruces NMSU campus. Any deviation from that decision must be made by Burrell’s Executive Administration.

Emergency Notifications are sent out using Burrell’s Emergency Notification System. Participation in the electronic Emergency Notification System (ENS) is mandatory for all students and employees at Burrell, with e-mail being the default notification. Per Burrell policy, email is used as the College’s official communication. In order to receive text messages and phone calls, the student or employee must register the appropriate contact information with the IT Department. An emergency notification will generally contain the following information:

WHAT: This is a brief description of what is taking place. For example, it may indicate there is a tornado warning, a fire, a bomb threat, or a person shooting. If the message is not an emergency (e.g., a test message), it will be indicated here.

WHERE: This provides information about where the emergency is taking place. It will be as specific as the particular situation allows but should always include which campus(es) is being affected.

ACTION: This is where recipients will find specific guidance on what to do because of the emergency (e.g., be on the lookout, shelter in place, evacuate, etc.). To make the system work as fast as possible, these messages are necessarily kept very brief, and additional information will usually be made available via Burrell email. (NOTE: On-scene direction from public safety personnel, media releases, update e-mails, and other forms of communication may also be used as appropriate. Follow the most current and specific guidance provided.)

MORE INFO: This section will explain where to go for more detailed information regarding the emergency. This will usually include navigating to the NMSU or Burrell website.

In addition to or in lieu of the ENS activation, NMSU’s Incident Commander and/or Burrell’s Associate Vice President of Administration may utilize other means of notifying people in the immediate vicinity of a localized emergency. These may include establishing a perimeter to keep people away, making announcements on a public address system, and activating a building alarm. This type of localized notification may be made if the Incident Commander and/or Burrell’s Associate Vice President of Administration determines there is no danger to others outside the scene of the emergency, someone cannot

inadvertently become exposed to the emergency, and those inside the emergency can be properly notified and directed with the alternate means of communication.

The Associate Vice President of Administration works with the NMSU Police to evaluate the need for, and to issue, Timely Warnings in accordance with the Clery Act. The following are guidelines and considerations used when determining whether a Timely Warning should be issued:

- A. The following crimes are automatically considered to be “serious”, and a Timely Warning should be issued (absent exigent circumstances):
 - a. Murder, Rape, Robbery, Aggravated Assault, Hate Crimes
- B. The following crimes may be considered “serious” based on the totality of the circumstances, including the level of danger or risk present, and a Timely Warning might be issued if there is a danger to the university community:
 - a. Burglary (incl. residential vs. commercial), Motor Vehicle Theft, Arson, Domestic Violence (including Dating Violence), Stalking, Fondling, Incest, Arrests/Referrals for: Weapon Violations, Drug Law Violations, Alcohol Law Violations
- C. Before issuing a Timely Warning, the Associate Vice President of Administration and the NMSU Police evaluate whether there is a “continuing threat” to the university community. This may include a determination as to whether:
 - a. The suspect poses a danger to more people than the original victim (an example of when there might not be a danger to the university community is when the selection of the victim was based on something that others are unlikely to experience, such as domestic violence against a spouse or child of the suspect, cyber-stalking of a former girlfriend or boyfriend when the suspect is in another state or country, etc.); and/or,
 - b. A pattern of two or more incidents that are, as a result of evidence obtained during the investigation, determined to be related and likely to continue.
- D. The Associate Vice President of Administration and the NMSU Police Department personnel also consider other factors, on a case-by-case basis, including:
 - a. Are all suspects from the crime already in custody or otherwise positively controlled (thus, physically cannot repeat the crime, so the campus community is in no further danger)?
 - b. Has there been a significant delay between the time of the incident occurrence and when it was reported to police (thus it no longer serves a beneficial purpose to send out a Timely Warning)?
 - c. Will the sending of a Timely Warning aid in the prevention of similar crimes (even crimes not listed above)?
 - d. Was the crime likely to be a “one-off” crime of opportunity, as opposed to having been conducted by career criminals?
 - e. Is sending a Timely Warning going to compromise law enforcement efforts?

Since the Clery Act requires that Timely Warnings be “likely to reach the entire campus community”, and since Burrell policy indicates that every student, faculty, and staff member use their Burrell e-mail for official communication, Timely Warnings are issued via email (using the Burrell “all” e-mail lists for either individual campuses, or the system). A key factor going into the issuing of Timely Warnings via e-mail (as opposed to other methods available) are the requirements on content, including that each message include:

- Pertinent information about the crime that triggered the warning; and
- Information that would promote safety and that would aid community members in preventing a similar crime.

These requirements push message length well beyond the limits of SMS (text messaging), as well as what might be listened to and understood in a phone call/voicemail message. Since the Clery Act requires a “push” notification (affirmative message delivery by the institution), rather than a “pull” notification (posting it

somewhere that people can go to find the information), there also aren't any "shortcuts" to delivering the full message.

Industry practice is that the Timely Warning shouldn't have any "victim blaming" but should include information or tips that empower people to avoid committing the crime themselves, identify/stop/report crimes they may witness, and protect themselves from similar crime. Thus, the prevention tips usually are 5-10 items long, and are built specifically around the circumstances of the incident(s) that triggered the timely warning (so a person can prevent a "similar" crime).

An Advisory may be issued for crime or traffic situations that do not involve an immediate danger or are not Clery-reportable crimes (e.g., murder and rape are Clery-reportable crimes) may be sent out via official Burrell e-mail. These are usually sent in order to make the College community aware of a situation so it can be avoided. Planned road closures, heavy traffic due to special events, and ongoing crimes involving theft are examples of common advisories.

Again, the final decision on whether to issue one of the above notices, and the information contained therein, rests with the NMSU's Incident Commander (or Chief of Police, or designee, in the absence of an established Incident Command) and/or Burrell's Associate Vice President of Administration (or designee). They may make the decision not to issue a notice if the situation is deemed not to warrant one, or if doing so might hamper the ability of public safety personnel to respond to and contain the incident.

The NMSU Police and Fire Departments are able to handle all routine calls without reliance on outside entities for a crisis response. If an incident overwhelms the NMSU departments, mutual aid agreements are in place to for rapid assistance from other agencies in the area. If an emergency still overwhelms available resources, requests are directed to the New Mexico Department of Homeland Security and Emergency Management. The NMSU Emergency Dispatch Center works with the Mesilla Valley Regional Dispatch Authority to monitor significant off-campus incidents. The Police Department has also asked outside law enforcement agencies to notify NMSU authorities of incidents that may warrant warnings to the NMSU and Burrell communities. However, this is not a guarantee these outside agencies will do so in every incident, nor in a timely manner. As a result, anyone believing an alert or warning is needed in a particular instance should contact the NMSU Police Department or Burrell Security.

EMERGENCY PLANS, TESTS AND EVACUATIONS

Burrell annually trains faculty, staff and students on emergency preparedness. This includes annual active shooter training. The College's website contains emergency procedures to follow as well as resources related to support for emergency planning, response and recovery: <https://burrell.edu/campus-safety-and-security/>. Burrell tests the functionality of its plan through annual evacuation drills and tests of its emergency notification system.

EMERGENCY ACTIONS

If you are involved in a dangerous or life-threatening emergency, take the following steps immediately:

- Get to a safe place as quickly as possible. Generally, the further you can get away from the scene, the safer you will likely be.
- Report the emergency by calling 911. Say, "This is an **EMERGENCY**", give your **LOCATION**, and briefly tell **WHAT** is happening.
- Notify others of the danger so they can also stay away.
- Monitor the situation to see if it gets worse or if circumstances (like wind direction) change. Notify the emergency services dispatcher (911 operators) of the changes.

All students and employees are also encouraged to prepare in advance for emergencies, whether from natural disasters (such as floods, tornados, earthquakes, extreme heat, lightning, disease outbreak, etc.) or manmade incidents (including traffic crashes, hazardous chemical releases, downed electrical lines, criminal activity, terrorism, arson, etc.). The College provides Emergency Procedures to all faculty, staff and students within Burrell. Additional information is available on the College's website: <https://burrell.edu/campus-safety-and-security/>.

While Burrell conducts evacuation drills each year, students and employees should always be mindful of emergency evacuations. Anytime a person enters a building, they should also look to see what other avenues of emergency escape exist, whether through additional doors, designated fire exits, or even windows. Students and employees should also know where the designated escape routes and exits are in those buildings they live and/or work in, as well as any potential specific challenges (such as stairs might present for a person in a wheelchair).

[FIRE STATISTICS AND FIRE SAFETY REPORT](#)

Statistics on fires and fire responses (other than arson), as well as the Fire Log, are managed by the NMSU Fire and Emergency Services Department. Burrell produces an Annual Fire Safety Report which includes fire statistics for NMSU residence halls that were utilized by Burrell students. The report also includes fire prevention efforts conducted by Burrell on main campus. For further information please see the Annual Fire Safety Report: <https://burrell.edu/campus-safety-and-security/clery-report/>

[BURRELL POLICIES AND PROCEDURES](#)

Policies and procedures related to discrimination, sexual misconduct, harassment, alcohol, drugs, safety and security, weapons and firearms, missing person notification, code of academic and professional ethics and other related topics may be found on the College website at: <https://burrell.edu/faculty-staff/institutional-policies/> and <https://burrell.edu/about-bcom/sop/> .

If a person wishes to report a crime for inclusion in this report, or to report an emergency on campus, they should do so by contacting the NMSU Police Department by dialing 911, calling (575)-646-3311, or by going to the NMSU Police Department at 725 College Drive, University Park, NM 88003. Reporting may also be made to College campus security authorities.

[MISSING PERSON REPORTS](#)

Any report of a missing person is immediately investigated by the NMSU Police Department. There is no 24-hour waiting period, and attempts to locate the person will include contacting surrounding law enforcement agencies, notifying the missing person's designated contact(s), notifying parents or guardians if the missing person is less than 18 years of age, contacting known family members and friends, and posting of bulletins and news releases, as well as notifying the State of New Mexico Missing Person Information Clearinghouse (<http://www.missingpersons.dps.state.nm.us/>) In addition, the NMSU Police Department will notify appropriate Burrell officials that a person is missing. The College's Missing Person Notification policy can be found [here](#).

When a Burrell student is provided an ID, they are asked to provide Emergency Contact Information, and this confidential information is used by the Police Department and Burrell Officials in contacting family and/or friends. One or more of these people may be designated as a person to contact solely for purposes of trying to find a student should they be missing. The same person, or others, may also be designated for contact in other emergencies involving the student. All students are strongly encouraged to designate and provide the names and contact information of the people they would like contacted under these circumstances. This may be done at the website https://emergency.nmsu.edu/users/sign_in or through the Office of Student Affairs at Burrell.

Any Burrell employee who, through the course of their employment, is informed that a person is missing from campus is required to immediately notify the NMSU Police Department. If there is information an abduction has just taken place, the employee should call 911. Otherwise, the person should call 575-646-3311 and provide the information to the emergency services dispatcher. A police officer will then be dispatched to meet and gather additional information.

IF YOU ARE THE VICTIM OF A CRIME

If you are the victim of a crime, whether while on campus or off campus, or experience a fire or medical emergency, you are encouraged to report it immediately by calling 911. For non-emergencies taking place on campus, call (575) 646-3311. When you call, give your name, the location you are calling from, a brief description of what occurred, and whether there is still a danger present (e.g., the person who committed the crime is still present). Prompt reporting and specific information will increase the chances of solving your case. A police officer will be dispatched to meet with you and obtain all of the necessary information. Here are some guidelines regarding preserving evidence while you wait for an officer:

- If evidence from the crime is still intact, try not to move or destroy it. This includes avoiding trying to clean up the area, moving or throwing away items, or wiping down surfaces.
- If there are text messages, e-mails, voice mails, or other electronic evidence, preserve the original (if possible) or make a copy (if the original might be deleted, such as with Snapchat and similar programs) and provide this evidence to the police officer who responds;
- If you are being harassed or stalked, keep a log of any contact or sightings you have of the suspect, to include any third-party contacts where the suspect uses someone else to contact you or monitor your activities;
- If you are the victim of a sexual assault, avoid showering, changing clothes, or grooming, as these can destroy evidence. Protect any bedding or towels, clothes you were wearing, or other items where evidence may have been left. If possible, avoid the use of the bathroom, and consider getting a SANE Exam (described below) as soon as possible to identify and collect evidence that may be on your body. The first few hours are the most critical, but useful evidence can still be obtained 24 hours or more after some sexual assaults.
- If you chose to not report the crime immediately to police, you are still encouraged to write down as much as you can remember (when you are able to) so that if you decide to report at a later time, you will have something to remind you of critical details. Try to include as many details about what happened, as well as everything you can remember about the suspect. Include things you saw, heard, and even smelled, tasted, or felt. Also try to write down things like other people who were around and might be witnesses, locations where different things happened.
- If you are immediately contacting police, let officers gather the evidence. If you are not immediately notifying police, secure any possible evidence in separate clean paper bags or sheets to reduce the chances of contamination, loss, or destruction.

Even if you do not wish to file a police report right away, you may wish to preserve evidence using the above steps in case you later decide to contact police. This can help protect evidence that might assist later in the identification and/or prosecution of the person responsible for the crime. This can also preserve evidence you might want to use during an administrative hearing or civil lawsuit, should you choose either of those options.

Many students worry about reporting crimes to the police because they do not want to testify in a trial. Victims are nevertheless encouraged to at least contact the Las Cruces or the NMSU Police Department(s) so they can be made aware of other supportive services (counseling services, medical treatment, etc.) that might lessen the trauma of the incident. If the victim does not wish to pursue criminal charges, their wishes will be respected. Some of the most frequently accessed services include:

- **SANE Exam:** This is available through the La Piñon Rape Crisis Center and is a medical exam that is designed to identify damage to your body as a result of a sexual assault so it can be treated. In addition, evidence of sexual assault can be identified and collected during this exam. These exams are confidential and are conducted by specially trained medical practitioners. You also have a right to have someone of your choosing with you during these exams. If you would like, a victim services advocate can accompany you and help with any questions you might have.
- **Counseling:** This service is available for students through TimelyCare, as well as a number of off-campus entities. TimelyCare does not charge for student counseling services, and services are confidential.
- **Medical:** In addition to the SANE exam, medical services are available on campus through the NMSU Campus Health Center. In addition, there are three medical centers in Las Cruces, and a large number of urgent care centers and clinics in the area. The medical centers have 24-hour emergency departments, and many of the urgent care centers and clinics have hours that extend into the evenings and on weekends.
- **Protection Orders:** While certain Burrell officials can issue a “no contact” order against students or employees, such orders only apply on campus, and may only be helpful if the perpetrator of the crime is a student or employee. The NMSU Police Department’s Victim Services staff can assist victims of violence in obtaining temporary and permanent restraining orders from the state courts that will apply no matter where you might be, and no matter who the offender is. Victim services units with other police departments offer similar assistance.
- **Victim Services:** This is a unit of the NMSU Police Department, and is staffed with advocates who can assist with connecting to any of the above resources, getting protective orders through the courts, obtaining emergency food and shelter, etc. As mentioned above, victims do not need to file a police report in order to receive assistance from the Victim Services unit.

Under the College’s Title IX Policy, Burrell’s Title IX Coordinator may assist students with supportive measures such as no contact orders, even if the student is not ready to pursue an investigation. Any Burrell employees who are approached by a person who has been the victim of a sexual assault or other crime on either the Burrell or NMSU campus are encouraged to assist the person in notifying the police department. In no case will any College official discourage reporting of a crime to police when the victim wants to file a report.

Matters may also be reported through the College’s Office of Institutional Effectiveness for review of College policy violations. While this is not a substitute for the criminal justice system, students are afforded the right to have their complaints heard and, if a violation of College policy or College procedure is found, adjudication of the alleged violation. The level of disciplinary actions depends on the circumstances of the case, but could result in administrative withdrawal from the College or termination. Both victims and the accused are afforded due process.

SEXUAL ASSAULT, HARASSMENT, AND STALKING

Burrell specifically prohibits sexual misconduct and, upon receipt of a complaint the College’s Title IX Coordinator will provide written information pertaining to the availability of supportive measures and services (both internal and external) to the reporting party/Complainant and Respondent. Examples may include assisting the victim in seeking counseling (available either through TimelyCare or through several off-campus organizations), obtaining medical treatment (available through the Timely Care, the NMSU Health and Wellness Center, and/or local hospitals/clinics), victim advocacy, changing room assignments, making academic schedule changes, (if the victim so desires). Students, faculty and staff, and visitors are reminded that they can contact the NMSU Police Department for assistance at any time, and do not have to file an official police report in order to be helped. If a report is filed with the NMSU Police Department, it will be fully investigated with the findings being referred to the District Attorney’s Office for prosecutorial decisions. The College will ensure a student or employee will receive a written explanation of their rights and options

when a report is made. The College will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability to provide the accommodations or supportive measures.

When appropriate upon receipt of notice, Burrell investigates reported sexual misconduct (including dating violence, domestic violence, sexual assault, and stalking) through the Title IX Coordinator (the disciplinary investigation). The College has implemented policy and procedures in accordance with regulations promulgated by the U.S. Department of Education. Procedures regarding the investigation and resolution process under Title IX can be found on the College's website: <https://burrell.edu/students/title-ix/>

During Burrell's Title IX investigations, a preponderance of the evidence standard is used. Both the victim and the accused have the right to have an advisor of their choice to accompany them to a Title IX hearing. Title IX investigation findings are provided to a hearing panel/decision maker for adjudication. For students, this can result in any of the following sanctions based on the severity of the offense: expulsion from NMSU housing; mandatory completion of an education program; completion of mandatory counseling; suspension; or dismissal or ban from both the Burrell and NMSU campuses. For employees, the possible sanctions are: documented counseling (for minor offenses); written reprimand; suspension; or termination. More information regarding student misconduct and hearing procedures can be found at: https://burrell.edu/students/code_ethics/ and <https://burrell.edu/students/title-ix/>.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, the College utilizes a range of training and initiatives to provide awareness, educational, risk reduction and prevention programming. Trainings are offered annually to raise awareness for all students and employees, and are also conducted during new student and new employee orientation. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, identifying allies, and/or creating distractions.

MEASURES TAKEN BY BURRELL

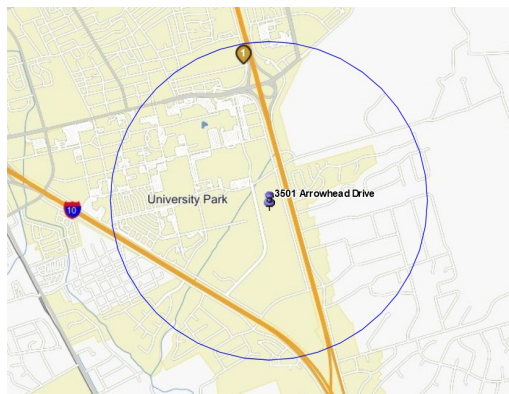
Procedurally, when the College receives a report of sexual misconduct, gender-based violence, sexual assault, stalking, dating violence or domestic violence, the College's Title IX Coordinator is notified. If the complainant wishes to access local community agencies or law enforcement, the College will assist the complainant in making these contacts. The Title IX Coordinator will also assist with supportive measures. No victim is required to take advantage of the services and resources that the College offers. The student may also report to NMSU Police or other law enforcement if they wish to pursue criminal charges. Burrell employees with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence are encouraged to report it immediately. For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions against student offenders range from warnings through expulsion. Serious and violent incidents and acts of sexual offenses by employees usually result in suspension, expulsion or termination of employment. When appropriate upon receipt of notice, the Title IX Coordinator will ensure prompt, fair and impartial processes to be initiated, which may include a formal investigation, which may lead to the imposition of sanctions based upon the preponderance of evidence standard.

The NMSU Police Department investigates all crimes reported to have taken place on the Burrell and Las Cruces campuses, including crimes involving these categories. However, students can also file (or file in lieu of a criminal report) an administrative report/complaint with the College for incidents involving sexual misconduct, gender-based violence, dating violence, domestic violence, sexual assault, or stalking by contacting the Burrell Title IX Coordinator. Please see the College's Title IX procedures that detail the investigation and resolution process at: <https://burrell.edu/students/title-ix/>.

The Title IX Coordinator is also responsible to assure that training is conducted annually for all employees and students, as well as Title IX investigators, advisors, and hearing officer(s). The College's Title IX Coordinator is Erica Hughey (ehughey@burrell.edu; 575-674-2279).

SEX OFFENDERS

In accordance with section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 USC 16921) the College is providing a link to the State of New Mexico Sex Offender Registry. All sex offenders are required to register in the state of New Mexico and to provide notice of each institution of higher education in New Mexico at which the person is employed, carries a vocation or is a student. The registry is maintained by the State of New Mexico and can be found at <https://communitynotification.com>. In addition to other legal requirements, any convicted sex offender who is a student or employee of NMSU is required to register with the NMSU Police Department, as well as make notification to either the Registrar's Office (if a student) or the department head of their employing department (if an employee), or both (if both a student and an employee). Students and employees of Burrell College are required to complete a background check prior to joining Burrell. Both students and employees are required to report charges or convictions to the appropriate offices. As of August 16, 2024, no known sex offenders lived on the NMSU campus based on a search of this database:



In addition to the above notice to the State of New Mexico, all sex offenders are required to deliver written notice of their status as a sex offender to the NMSU Police Department no later than three (3) business days **prior to** their enrollment in, employment with, volunteering at or residence in the NMSU. Such notification may be disseminated by NMSU to, and for the safety and well-being of, the NMSU community, and may be considered by NMSU/Burrell for enrollment and discipline purposes.

SECTION 3 – SAFETY AND SECURITY PROGRAMS

SAFETY CLASSES AND TRAINING

The NMSU Police Department regularly hosts a variety of programs that are available to members of the Burrell community. These are scheduled by the Police Department and announced through social media (www.facebook.com/nmsupolice) and e-mails. Anyone interested in these programs can visit <https://www.nmsupolice.com/safety/programs.html>, or call (575) 646-3311 and ask to be put in contact with the coordinator of whichever program they are interested in attending.

- Personal Self Defense and Jane Jitsu: learn and practice prevention, awareness, and escape techniques in these programs (FREQUENCY: Offered at least once each month on average. LENGTH: 4 hours or two, 2-hour sessions.)
- Defense Against Weapons: learn how to defend against an armed assailant during an attempted sexual assault. (FREQUENCY: Offered at least once each semester. LENGTH: 2 hours.)
- Pepper Spray: learn to use pepper sprays for self-defense (FREQUENCY: Offered at least once each semester. LENGTH: 1 hour.)
- Active Shooter/Killer Response: learn what to do if caught in an active shooter/killer incident, as well as any major emergency (FREQUENCY: Offered at least three times each semester. LENGTH: 90 minutes, with 1-hour and 2-hour versions available on demand.)
- Alcohol and Drug Awareness: learn facts about alcohol and drug issues students commonly encounter, and common signs and symptoms of abuse. (FREQUENCY: Offered at least once each semester. LENGTH: 1 hour.)
- Stop The Bleed: learn the national standard for stopping major bleeding in an emergency, including how to recognize it, how to get help, direct pressure, wound packing, and use of tourniquets. (FREQUENCY: Offered at least once each semester. LENGTH: 30 minutes.)

Additional information regarding safety can also be found at www.nmsupolice.com and <https://safety.nmsu.edu/>, as well as <https://burrell.edu/campus-safety-and-security/>.

Basic Life Support and Advanced Cardiac Life Support training is required for all Burrell students. Burrell also hosts periodic Stop The Bleed trainings.

NEW STUDENT ORIENTATION

The Burrell Office of Student Affairs presents information regarding the Student Code of Professional Conduct and Burrell's Office of Institutional Effectiveness provides general compliance related information inclusive of Title IX during new student orientation. This includes procedures regarding reporting and confidentiality and bystander behavior.

All Burrell students complete annual compliance training regarding Alcohol Awareness, Bloodborne Pathogen Exposure Prevention, Campus Fire Safety, Drug Awareness and Abuse, Electrical Safety, Sexual Violence Awareness and Security Awareness through SafeColleges. All Burrell employees complete annual compliance training regarding Title IX/Clery Act/VAWA, Drug Free Workplace Act, Preventing Slips/Trips/Falls, Fire Extinguishers, Emergency Preparedness, Bloodborne Pathogens, and Active Shooter Training through NeoGov.

DRUG FREE SCHOOLS AND COMMUNITIES

Burrell strongly discourages any conduct that is illegal or that violates the rights of another individual. This specifically includes laws concerning possession, use, and sale of alcohol and illegal drugs. The College maintains a Drug Free Schools and Communities Act policy: <https://burrell.edu/policy-b5050/>. Information regarding the College's substance abuse policies, alcohol and drug use laws, health risks of alcohol and other drugs, and resources are available on the College's website: <https://burrell.edu/students/drug-and-alcohol->

[free-campus/](#). This website also links to the College's also maintains a biennial review regarding its drug and alcohol abuse prevention program.

Anyone selling or distributing alcohol to a minor or selling or distributing illicit drugs is guilty of a felony in New Mexico. Any student who violates Burrell policies, including state and federal laws, may be subject to disciplinary action by the College. Violations of federal and state-controlled substance and liquor laws are investigated by the NMSU Police Department.

NMSU OFFICE OF HEALTH PROMOTION

The NMSU Office of Health Promotion (OPH) (<https://ohp.nmsu.edu/>) is a risk reduction and prevention program that educates issues of personal safety and well-being that is promoted by the Burrell Office of Student Affairs for Burrell students to utilize. NMSU OPH has staff and peer educators who provide students with information and strategies regarding topics related to personal health, safety, and overall well-being.

- 1) **RAINN Day** - an annual day of action to raise awareness and educate students about sexual violence on college campuses. It is a grassroots program designed to empower college students to educate their peers about risk reduction and recovery resources on their campus.
- 2) **Stand Up Speak Out**- bystander intervention training is provided approximately 10 times annually to student groups, programs, residential life, and includes student leaders.
- 3) **Safe Spring Break**-This is an annual event and includes topics such as: sexual assault/awareness, violence prevention, and sexual/personal safety.
- 4) **Consent Program**- Is a social media and condom distribution event that provides information on what consent is and sexual safety. This program was conducted monthly in all residence halls and as requested by student organizations and groups.

FACILITIES AND KEYCARD ACCESS

The College requires all students, faculty and staff to wear their College ID. College IDs are used for identification and for entrance into College facilities. The Associate Vice President of Administration maintains a procedure for access control via an electronic system. Students, faculty and staff are required to report lost keycards immediately to the Facilities Office. The College maintains a procedure for disabling keycards upon the exit of a student, faculty or staff.

Keys used by students who stay in NMSU residential facilities are controlled by and issued through NMSU's Housing and Residential Life.

NMSU RESIDENCE HALL SAFETY AND SECURITY PROGRAMS

Residence Life On-Call System

For Burrell students who utilize NMSU's housing, the NMSU Housing and Residential Life department has a comprehensive on-call duty rotation at both the student staff member (Resident Assistant) and professional staff member (Resident Director) level. These staff are "on-call" to respond to personal crisis, major facilities issues, or medical emergencies. After business hours (5pm-8am the following morning), a student staff member is on duty for each residential facility via a university-owned cellular phone.

The professional Resident Director on duty is responsible for all housing complexes and available 24/7, not just during the after-hours time period. This professional staff member is supported by a member of the Housing Leadership Team (Director or Associate Directors) who is available 24/7 to consult with the professional staff member that is available on campus. Professional staff members are on-call, even when the university is closed and/or on recognized holidays.

As a part of the Resident Assistant duty protocol, staff complete a nightly inspection of all exterior doors to each building to ensure that they are securing and functioning properly, additionally, Housing has

administrative staff who complete a weekly check of these doors to ensure all exterior gates and doors are latching and closing appropriately.

In addition to exterior door inspections, each evening NMSU staff complete a visual walk through of all housing spaces and have created a process to report all non-function exterior lighting. This includes frequent rounds each month at Student Family Housing for reporting yard and streetlights not working.

Public Safety Aides (PSAs)

In collaboration with the NMSU Police department, student Public Safety Aides (trained security officers) patrol all housing areas, Corbett Center Student Union (CCSU), and adjacent parking lots daily (especially during evening hours). Housing and Residential Life and CCSU initiated this safety program in late 2015 and are paying for it to reduce the number of issues, including false fire alarm pulls. This has helped to significantly reduce problems and has helped assist students who had health emergencies during this time period. Overall, the program has been a terrific initiative to benefit student health, safety, and security.

Housing Health & Safety Checks

Housing staff conduct health and safety checks at all facilities in the Housing inventory five times each year: late September (pre-Homecoming); November; winter Break (December); February; and, April. While this is an ideal time to connect with residents, assist with work order issues and check on the condition of the space, Housing staff also specifically look at areas that relate to safety:

- check and ensure all window locks are in place and functioning
- check and ensure all exterior door locks to space are functioning
- check and ensure all smoke detectors are in place and operating correctly

Additional Housing Safety and Security Measures

All exterior gates and doors contain signage about the seriousness of not propping doors, and that community safety is something where all residents/community members bear responsibility. Housing and Residential Life also conducts a monthly check of all exterior gates and doors to ensure educational signs are in place.

Additionally, Residential Life staff at each of the Operations Centers complete daily checks of all spare key cabinets, and twice per week a complete inventory of all key cabinets is conducted to identify and address any spare keys that have been checked out more than 24 hours and get those returned by residents. Housing and Residential Life also complies with the NMSU Fire Chief Compliance Statement and schedule for testing and inspection of Fire Alarm and Fire Suppression equipment across the NMSU System. This testing currently includes biannual testing of fire alarm systems in large residential buildings. This is supplemented with practice fire drills each Fall in all residential areas.

[BURRELL PHYSICAL AND BEHAVIORAL HEALTH SERVICES](#)

Burrell offers, physical health care services in collaboration with the NMSU Aggie Health and Wellness Center as well as other entities. Burrell students can utilize the NMSU Aggie Health and Wellness Center for non-emergency medical needs. The center has full-time providers, and offers x-ray, laboratory and pharmacy services for students. Burrell also contracts with TimelyCare, a student assistance program which provides students with physical and behavioral telehealth appointments. A complete list of resources and services with contact information can be found on the Burrell Student Affairs webpage at <https://burrell.edu/students/health-services/>.

On campus resources include: the Burrell Office of Student Affairs, the NMSU Campus Health Center, Burrell Office of Compliance, NMSU Housing & Residential Life Office; NMSU Pete's Pick Up', NMSU Police Department, and NMSU Office of Health Promotion. Community resources include: La Casa Domestic

Violence Shelter, La Piñon Rape Crisis Center, Las Cruces Police Department, Memorial Medical Center, Mountain View Regional Medical Center and the Doña Ana County Sheriff's Office's Victim Assistance Unit. Any victim is provided phone numbers and addresses of these services and is offered assistance with reaching these services. Students on rotation at Regional Academic Centers can find specific regional resources on our website: <https://burrell.edu/students/health-services/>.

TIPS TO PREVENT CRIME

The following are some things each person can do to reduce chances of becoming a victim of a crime:

- If you see something suspicious or that isn't right, notify security or other campus security authority.
- Mark or engrave all valuables (including textbooks) and keep a record of these in a safe place. Include their make, model, and serial numbers whenever possible.
- If there are problems with your room that may affect security (such as doors that don't lock well or windows that open easily), let your NMSU RA or property manager know immediately.
- Register your bicycle with the NMSU Police Department and always secure it to a bike rack on campus with a quality lock.
- Lock the doors and windows to your room and your vehicle every time you leave. Do not leave valuables where they can be easily seen by someone passing by, even if it is just for a few minutes.
- Always be aware of your surroundings and of any strangers near you. If you are going to be involved in activities where you are unable to focus on your environment and what is going on around you (e.g., when playing games on a smart phone), do so with friends so you can help each other watch for dangerous situations. If someone is acting suspiciously near you, move away toward large groups and well-lit areas. If the person follows you and/or continues to act in a suspicious manner, consider challenging them or call 911 for assistance.
- Don't leave valuables unattended in unlocked lockers, study areas, or classrooms.
- Alcohol and drug use can reduce your ability to recognize a dangerous situation and your ability to defend yourself. If you are going to drink alcohol, do it legally, responsibly, in a safe place, and with people you can trust.

In addition to the tips above, additional information can be found on the NMSU Police Department website (www.nmsupolice.com), or by contacting the Crime Prevention Office at 575-646-3311.

OTHER SERVICES AVAILABLE

Students seeking counseling services within the Las Cruces region or within the other Regional Academic Centers may contact the Burrell Office of Student Affairs or their Burrell Regional Academic Coordinator for more information. The Burrell Office of Student Affairs can assist students with contacting the La Piñon Rape Crisis Center, La Casa Shelter, Doña Ana Victims' Assistance, and numerous other public and private counseling services. Many of these are free of charge or are offered on a sliding fee scale.

For education about sexual assault, misconduct, and/or victims' assistance issues, Burrell students should contact the Title IX Coordinator or the Burrell Office of Student Affairs. Burrell and NMSU work specifically toward the goal of reducing the incidence of sexual crimes and providing better services for those victimized. Special assistance for victims in changing academic and living arrangements are available through Burrell's Office of Student Affairs.

Additional services exist throughout the community to deal with specific issues or problems. Students may contact Burrell's Office of Student Affairs for referral to the appropriate individuals or organizations.

SECTION 4 – CRIME STATISTICS

CRIME STATISTICS FROM JANUARY 1ST 2023 TO DECEMBER 31ST 2023

The NMSU Police Department is responsible for the investigation of all crimes that take place on university premises which includes the Burrell campus. The NMSU Police Department is responsible for the filing of appropriate police reports, annual reports and statistics. However, other agencies have concurrent jurisdiction in many cases. The NMSU Police Department takes efforts to encourage any other agency taking a report to notify the university so the incident can be reflected in the annual crime reports. Burrell also works with the law enforcement agencies for its non-campus locations to obtain statistics for reporting.

Burrell and NMSU Police will only consider removing a report as “unfounded” if the person who filed the report makes a written statement acknowledging that the initial report was fictitious, or if a court convicts the person for filing a false report. In all other circumstances, a report will still be included on crime statistics regardless of the result of hearings or trials.

Statistics on the following crimes and offenses are reported in the annual security report:

MURDER AND NONNEGLIGENT MANSLAUGHTER: The willful (nonnegligent) killing of one human being by another.

NEGLIGENT MANSLAUGHTER: The killing of another person through gross negligence.

RAPE (except Statutory Rape): the carnal knowledge of a person, without the consent of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

ROBBERY: The taking of anything of value from the control, custody, or care of another person by force or threat of force and/or by putting the victim in fear of immediate harm.

AGGRAVATED ASSAULT: An unlawful attack by one person upon another wherein the offender uses a dangerous weapon or displays it in a threatening manner or the victim suffers obvious severe or aggravated bodily injury, or where there was a risk for serious injury/intent to seriously injure.

BURGLARY: The unlawful entry into a building or some other structure to commit a felony or a theft.

MOTOR VEHICLE THEFT: The theft of a motor vehicle.

ARSON: To unlawfully and intentionally damage or attempt to damage any real or personal property of another person or entity by fire or incendiary device.

DRUG/NARCOTIC 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 substance.

LIQUOR LAW VIOLATIONS: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages.

WEAPONS-CARRYING, POSSESSING, ETC. 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.

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 unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

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

STATUTORY RAPE: Non-Forcible sexual intercourse with a person who is under the statutory age of consent. (NOTE: If force is used in these cases, it is counted as rape.)

A **hate crime** is “a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.” For purposes of this report, a bias is “a preformed negative opinion or attitude based on a person’s:

- Race;
- Religion;
- Gender;
- Gender identity;
- Sexual orientation;
- Ethnicity;
- National origin; or
- Disability

Hate crimes are counted in this report if they involve any of the following offenses:

- Murder and non-negligent manslaughter;
- Manslaughter by negligence;
- Rape;
- Fondling;
- Incest;
- Statutory Rape;
- Robbery;
- Aggravated assault;
- Simple assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Larceny/theft;
- Intimidation; or
- Destruction/Damage/Vandalism of Property.

The definitions of the additional terms are below:

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

DEFINITIONS OF CLERY ACT LOCATIONS (General)

“On-Campus” is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls. This also includes any building or property that is within or reasonably contiguous to the geographic area that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- **Dorms/Residential Facilities** for students on campus is a **subset** of the **“On-Campus”** category.
- Crimes reported in the Residential Facilities column are also included in the On-Campus Category.

“Non-Campus” is defined as any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. This also includes any building or property owned or controlled by a student organization that is officially recognized by the institution.

“Public Property” is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

CLERY GEOGRAPHY

Burrell is located on NMSU property and therefore distributes combined statistics with the NMSU Las Cruces Campus geographies. Burrell has ten non-campus locations that are also reported in the statistics. The statistics only cover crimes committed at the following locations:

Burrell College of Osteopathic Medicine – Las Cruces (NM) Campus: Located at 3501 and 3503 Arrowhead Drive, Burrell is a private and free-standing college located on the New Mexico State University campus.

New Mexico State University - Las Cruces Campus: The land located south of University Avenue, between Interstate 10 and Interstate 25, forming a triangle between the three (as the Interstates join on the southern boundary), excluding the Las Cruces Convention Center. Also included is the land owned by NMSU that extends west from Interstate 25 and south of University Avenue/Dripping Springs Road, reaching up the western face of “A” Mountain, and extending south for a little over a mile just past the intersection of Tellbrook Road and Sonoma Ranch Boulevard.

NMSU Las Cruces Campus - Doña Ana Community College – Espina Campus: Originally called the DACC “central campus”, this is located on the Las Cruces Campus, on the southwest side of the intersection of Gregg Street (which forms the north border) and Espina Street (forming the east border). It is bordered on the south by Wells Street, and on the west by Sam Steel Way.

NMSU Las Cruces Campus - Fabian Garcia Horticulture Center: This land is located immediately west of Interstate 10, straddling University Avenue. Most of this area is not fenced, but only crimes taking place within the university property are included in this report.

NMSU Las Cruces Campus - Horse Farm: Located on Union Avenue, this land consists of completely fenced pastures and paddocks, as well as some equipment barns, a horse barn, and a landscaped approach immediately adjacent to the street. Only crimes located south of Union Avenue and within the described area are included in this report.

NMSU Las Cruces Campus - Leyendecker Research Facility: This research property is located on the east side of the Rio Grande River, south of the Town of Mesilla.

NMSU Las Cruces Campus - Chihuahuan Desert Rangeland Research Center (CDRRC): This is a large, working research ranch located north of Las Cruces, and partially straddling the Doña Ana Mountains on the southern side, and extending to the Rio Grande River on the west and Jornada Experimental Station operated by the USDA on the east. Interstate 25, a rest area, and a US Border Patrol Checkpoint are located in a corridor running north/south through the CDRRC, but are not part of the NMSU land nor are they included in this report.

Non-Campus: Burrell College of Osteopathic Medicine Research Laboratories located at 9035 Advancement Avenue, Las Cruces, NM. Consists of three separate laboratory areas in two buildings leased for use by students and faculty engaged in research.

Non-Campus: Eastern New Mexico Medical Center Medical Office Building 2 located at 350 West Country Club Road, Roswell, New Mexico is not owned by Burrell; it is leased in a timeshare agreement for exclusive use.

Non-Campus: Albuquerque Center located at 4700 Lincoln Road, Suite 104 in Albuquerque, New Mexico. This location is leased by Burrell for student use while in Albuquerque at clinical rotations.

Non-Campus: El Paso Center located at 1700 E. Cliff Dr. Suite 100 in El Paso, Texas. This location is leased by Burrell for student testing and meetings while attending clinical rotations in El Paso.

Non-Campus: Single family home located at 313 Este Es Rd in Taos, New Mexico is not owned by Burrell; it is a student housing option for students while at their clinical rotations in in Taos, New Mexico.

Non-Campus: Apartment located at 2205 45th St in Los Alamos, New Mexico is not owned by Burrell; it is a student housing option for students while at their clinical rotations in Los Alamos, New Mexico.

CRIME STATISTICS: 2021, 2022, 2023

	Offense	Year	On-Campus Property	**Residential Facilities	On-Campus Total	Non-Campus Property	Public Property
Murder	Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Negligent Manslaughter	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
Sexual Assault/ Sex Offenses	Rape	2023	2	1	2	1	0
		2022	7	5	7	0	0
		2021	2	2	2	0	0
	Statutory Rape	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Fondling	2023	2	0	2	0	0
		2022	2	1	2	0	0
		2021	3	2	3	0	0
	Incest	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
VAWA Crimes	Domestic Violence	2023	7	3	7	1	0
		2022	2	1	2	0	0
		2021	6	5	6	0	0
	*Dating Violence	2023	*	*	*	*	*
		2022	*	*	*	*	*
		2021	*	*	*	*	*
	Stalking	2023	2	0	2	0	0
		2022	4	0	4	0	0
		2021	2	1	2	0	0
Other Clery Reportable Crimes	Robbery	2023	0	0	0	2	0
		2022	2	0	2	1	0
		2021	2	0	2	2	0
	Aggravated Assault	2023	3	1	3	0	0
		2022	1	0	1	1	1
		2021	1	0	1	0	0
	Burglary	2023	27	4	27	1	0
		2022	64	10	64	2	0
		2021	27	17	27	0	0
	Motor Vehicle Theft	2023	22	0	22	4	0
		2022	14	0	14	5	0
		2021	4	0	4	1	0
	Arson	2023	0	0	0	0	2
		2022	0	0	0	0	0
		2021	0	0	0	0	0

* Pursuant to the 34 CFR 668.46(a) Definitions, and the Federal Register, Volume 79, No. 202, page 62757, Column 3, NMSU includes all cases of 'dating violence' in the statistics for 'domestic violence', as New Mexico State Statutes already include dating violence in domestic violence violations and prosecutions. As a result, there are no cases of 'dating violence' listed individually.

** The NMSU controlled residential facilities are all located on campus, so the incidents taking place therein are also included in the "On-Campus Property" column.

	Type	Year	On-Campus Property	**Residential Facilities	On-Campus Total	Non-Campus Property	Public Property
ARRESTS	Weapons: Carrying, Possession, Etc.	2023	0	0	0	0	0
		2022	1	0	1	0	0
		2021	0	0	0	0	0
	Drug Abuse Violations	2023	9	2	9	0	1
		2022	15	6	15	0	3
		2021	11	7	11	0	0
	Liquor Law Violations	2023	11	7	11	0	1
		2022	12	7	12	0	1
		2021	11	6	11	0	0
REFERRALS	Weapons: Carrying, Possession, Etc.	2023	17	17	17	0	0
		2022	0	0	0	0	0
		2021	2	2	2	1	0
	Drug Abuse Violations	2023	33	26	33	0	2
		2022	19	17	19	1	0
		2021	0	0	0	0	0
	Liquor Law Violations	2023	94	77	94	2	1
		2022	67	60	67	1	0
		2021	108	106	108	0	0

**The NMSU controlled residential facilities are all located on campus, so the incidents taking place therein are also included in the "On-Campus Property" column.

Hate Crimes	
2023	0
2022	1
2021	0

There were no Clery-reportable crimes and no referrals reported for Burrell's Campus (3501 and 3503 Arrowhead Dr. Las Cruces, NM) or Non-Campus locations as identified in the Clery Geography section of this report.

CRIME LOG/BLOTTER AND INCIDENT REPORTS

The NMSU Police Department, Albuquerque (NM) Police Department, Las Cruces (NM) Police Department, Roswell (NM) Police Department, Taos Police Department, El Paso (TX) Police Department, and Los Alamos (NM) Police Department comply with New Mexico's Inspection of Public Records Act. The records can be viewed during normal business hours (Monday through Friday, 8 am – 5 pm, excluding holidays or posted closures) at the Police Department Records Office. These should not be considered official police reports for purposes of insurance or prosecution. Anyone needing official, stamped police reports must purchase them from the Records and Evidence Offices of the law enforcement agencies.

TRACKING CRIME INCIDENTS AND REPORTS

The College posts weekly crime logs received from the NMSU Police Department on the College website: <https://burrell.edu/campus-safety-and-security/clery-report/>. A hard copy of the Daily Crime Log is available for inspection at the NMSU Police Department Records and Evidence Office during regular business hours. The NMSU Police Department does reserve the right to temporarily withhold information from the crime log if there is clear and convincing evidence that the release would jeopardize an ongoing investigation, the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

People interested in the activities of the NMSU Police Department can find regular news reports on local radio and television stations, as well as articles in the local newspapers. The NMSU Police Department experiences a high degree of cooperation from the local news media and issues press releases on cases believed to be of public interest. Police Departments also submit their crime statistics to the U.S. Department of Justice's Uniform Crime Reports. Individual police reports are available for inspection and/or purchase through the New Mexico Inspection of Records Act.

Victim information is not contained in the weekly crime logs to ensure an individual victim cannot be easily identified. Police reports are considered public records. However, the NMSU Police Department will withhold a victim's personally identifying information from the public for Clery Act crimes, as well as other crimes allowed under state statute. If a question arises as to whether victim information should be disclosed pursuant to an Inspection of Public Records request, the determination of whether or not to release it will be made by the NMUS Chief of Police in consultation with the NMSU Office of the General Counsel. (NOTE: Victim information may be released to non-public entities, to include other law enforcement agencies, victim services, prosecutors, the courts, and university officials. In such cases, if the Chief of Police (or designee) indicates the information is confidential, the receiving party is asked to not provide it to others without specific authorization.) When assisting a victim with accommodations or protective measures, the university does not share personally identifying information with anyone who does not have a "need to know". Those who are identified as having a need to know are those who are responsible for instituting the accommodations or measures, such as changing a class schedule or room assignment. The Victim Services personnel from the Police Department who assist in these accommodations keep the victim informed at all stages, and obtain affirmative consent from the victim before taking action to implement accommodations or protective measures. The Police Department believes it is crucial to allow the victim to take part in deciding what happens to avoid causing further trauma.

OFF-CAMPUS CRIME

Crime occurring off campus involving students is reported to and handled by a variety of agencies, including the Las Cruces Police Department, the Doña Ana County Sheriff's Department, or other local, state, or federal law enforcement agencies having jurisdiction (Las Vegas Police Department, Roswell Police Department, Globe Police Department, Albuquerque Police Department, Farmington Police Department, Taos Police Department, El Prado Police Department, Las Cruces Police Department, and El Paso Police Department). While the NMSU Police Department assists other agencies when asked, pursuant to mutual aid agreements, the reporting and tracking of crime is done by the agency of primary jurisdiction. Burrell nor NMSU monitors or tracks incidents that are on private property or public property not owned or controlled by Burrell or NMSU. Anyone wanting specific information on off-campus crime should contact the appropriate agency(s). See the Phone Number Reference Guide on the last page of this report for contact information.

WE NEED YOUR HELP – REPORT CRIME!

Please help us in deterring crime on our campus by promptly notifying Burrell security at 575-674-2266 or by calling the NMSU Police Department at 575-646-3311 or 911 (in case of emergencies) to report suspicious activity, safety problems, or crimes. In accordance with state law, the NMSU Police Department cannot accept anonymous reports, and must disclose certain information to prosecutors and defense counsel. However, it will take steps in sensitive cases to keep personal information confidential to the extent possible. This includes cases of sexual assault, as well as cases where there is a concern of possible retaliation. The NMSU Police Department also encourages 3rd party reports from non-NMSU counselors, pastors, and other mental health practitioners and anyone a Burrell who may hold these roles.

RESPONSIBILITY FOR POLICY MONITORING AND ENFORCEMENT

Burrell has assigned responsibility for monitoring safety and security policies to the appropriate offices and agencies. If violations of policy are found to have occurred, the violations are referred to the appropriate offices for enforcement.

LEGAL DEFINITIONS

Rape is defined by the FBI as the penetration (no matter how slight) of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of a victim. It includes situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. In New Mexico, the term "rape" is not used in statute. Instead, the term is "criminal sexual penetration". New Mexico also does not specifically define consent during a sexual assault, but clearly indicates that any amount of force or coercion means it was not consensual, and that a person who is incapacitated by alcohol or drugs or who is too young cannot give consent. Many rapes are committed by someone the victim knows, such as a date or friend. Under New Mexico State Law, criminal sexual penetration is defined as follows:

30-9-11. Criminal sexual penetration.

- A. Criminal sexual penetration is the unlawful and intentional causing of a person to engage in sexual intercourse, cunnilingus, fellatio or anal intercourse or the causing of penetration, to any extent and with any object, of the genital or anal openings of another, whether or not there is any emission.
- B. Criminal sexual penetration does not include medically indicated procedures.
- C. Aggravated criminal sexual penetration consists of all criminal sexual penetration perpetrated on a child under thirteen years of age with an intent to kill or with a depraved mind regardless of human life. Whoever commits aggravated criminal sexual penetration is guilty of a first degree felony for aggravated criminal sexual penetration.
- D. Criminal sexual penetration in the first degree consists of all criminal sexual penetration perpetrated:
 - (1) on a child under thirteen years of age; or
 - (2) by the use of force or coercion that results in great bodily harm or great mental anguish to the victim. Whoever commits criminal sexual penetration in the first degree is guilty of a first degree felony.
- E. Criminal sexual penetration in the second degree consists of all criminal sexual penetration perpetrated:
 - (1) by the use of force or coercion on a child thirteen to eighteen years of age;
 - (2) on an inmate confined in a correctional facility or jail when the perpetrator is in a position of authority over the inmate;
 - (3) by the use of force or coercion that results in personal injury to the victim;
 - (4) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons;
 - (5) in the commission of any other felony; or
 - (6) when the perpetrator is armed with a deadly weapon. Whoever commits criminal sexual penetration in the second degree is guilty of a second degree felony. Whoever commits criminal sexual penetration in the second degree when the victim is a child who is thirteen to eighteen years of age is guilty of a second degree felony for a sexual offense against a child and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a minimum term of imprisonment of three years, which shall not be suspended or deferred. The imposition of a minimum, mandatory term of imprisonment pursuant to the provisions of this subsection shall not be interpreted to preclude the imposition of sentencing enhancements pursuant to the provisions of the Criminal Sentencing Act [31-18-12 NMSA 1978].
- F. Criminal sexual penetration in the third degree consists of all criminal sexual penetration perpetrated through the use of force or coercion not otherwise specified in this section. Whoever commits criminal sexual penetration in the third degree is guilty of a third degree felony.
- G. Criminal sexual penetration in the fourth degree consists of all criminal sexual penetration:

- (1) not defined in Subsections D through F of this section perpetrated on a child thirteen to sixteen years of age when the perpetrator is at least eighteen years of age and is at least four years older than the child and not the spouse of that child; or
- (2) perpetrated on a child thirteen to eighteen years of age when the perpetrator, who is a licensed school employee, an unlicensed school employee, a school contract employee, a school health service provider or a school volunteer, and who is at least eighteen years of age and is at least four years older than the child and not the spouse of that child, learns while performing services in or for a school that the child is a student in a school. Whoever commits criminal sexual penetration in the fourth degree is guilty of a fourth degree felony.

Other Sexual Offenses

Besides Criminal sexual penetration, other sexual offenses include the following:

30-9-12. Criminal sexual contact.

- A. Criminal sexual contact is the unlawful and intentional touching of or application of force, without consent, to the unclothed intimate parts of another who has reached his eighteenth birthday, or intentionally causing another who has reached his eighteenth birthday to touch one's intimate parts.
- B. Criminal sexual contact does not include touching by a psychotherapist on his patient that is:
 - (1) inadvertent;
 - (2) casual social contact not intended to be sexual in nature; or
 - (3) generally recognized by mental health professionals as being a legitimate element of psychotherapy.
- C. Criminal sexual contact in the fourth degree consists of all criminal sexual contact perpetrated:
 - (1) by the use of force or coercion that results in personal injury to the victim;
 - (2) by the use of force or coercion when the perpetrator is aided or abetted by one or more persons;
 - (3) or when the perpetrator is armed with a deadly weapon.Whoever commits criminal sexual contact in the fourth degree is guilty of a fourth degree felony.
- D. Criminal sexual contact is a misdemeanor when perpetrated with the use of force or coercion.
- E. For the purposes of this section, "intimate parts" means the primary genital area, groin, buttocks, anus or breast.

30-9-13. Criminal sexual contact of a minor.

- A. Criminal sexual contact of a minor is the unlawful and intentional touching of or applying force to the intimate parts of a minor or the unlawful and intentional causing of a minor to touch one's intimate parts. For the purposes of this section, "intimate parts" means the primary genital area, groin, buttocks, anus or breast.
- B. Criminal sexual contact of a minor in the second degree consists of all criminal sexual contact of the unclothed intimate parts of a minor perpetrated:
 - (1) on a child under thirteen years of age; or
 - (2) on a child thirteen to eighteen years of age when:
 - (a) the perpetrator is in a position of authority over the child and uses that authority to coerce the child to submit;
 - (b) the perpetrator uses force or coercion that results in personal injury to the child;
 - (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons;
 - (d) or the perpetrator is armed with a deadly weapon. Whoever commits criminal sexual contact of a minor in the second degree is guilty of a second degree felony for a sexual offense against a child and, notwithstanding the provisions of Section 31-18-15 NMSA 1978, shall be sentenced to a minimum term of imprisonment of three years, which shall not be suspended or deferred. The imposition of a minimum, mandatory term of imprisonment pursuant to the provisions of this subsection shall not be interpreted to preclude the

imposition of sentencing enhancements pursuant to the provisions of Sections 31-18-17, 31-18-25 and 31-18-26 NMSA 1978.

C. Criminal sexual contact of a minor in the third degree consists of all criminal sexual contact of a minor perpetrated:

- (1) on a child under thirteen years of age; or
- (2) on a child thirteen to eighteen years of age when:
 - (a) the perpetrator is in a position of authority over the child and uses this authority to coerce the child to submit;
 - (b) the perpetrator uses force or coercion which results in personal injury to the child;
 - (c) the perpetrator uses force or coercion and is aided or abetted by one or more persons;
 - (d) or the perpetrator is armed with a deadly weapon. Whoever commits criminal sexual contact of a minor in the third degree is guilty of a third degree felony for a sexual offense against a child.

D. Criminal sexual contact of a minor in the fourth degree consists of all criminal sexual contact:

- (1) not defined in Subsection C of this section, of a child thirteen to eighteen years of age perpetrated with force or coercion; or
- (2) of a minor perpetrated on a child thirteen to eighteen years of age when the perpetrator, who is a licensed school employee, an unlicensed school employee, a school contract employee, a school health service provider or a school volunteer, and who is at least eighteen years of age and is at least four years older than the child and not the spouse of that child, learns while performing services in or for a school that the child is a student in a school. Whoever commits criminal sexual contact in the fourth degree is guilty of a fourth degree felony.

30-9-14. Indecent exposure.

A. Indecent exposure consists of a person knowingly and intentionally exposing his primary genital area to public view.

B. As used in this section, "primary genital area" means the mons pubis, penis, testicles, mons veneris, vulva or vagina.

C. Whoever commits indecent exposure is guilty of a misdemeanor.

D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted for committing indecent exposure to participate in and complete a program of professional counseling at his own expense.

30-9-14.3. Aggravated indecent exposure.

A. Aggravated indecent exposure consists of a person knowingly and intentionally exposing his primary genital area to public view in a lewd and lascivious manner, with the intent to threaten or intimidate another person, while committing one or more of the following acts or criminal offenses:

- (1) exposure to a child less than eighteen years of age;
- (2) assault, as provided in Section 30-3-1 NMSA 1978;
- (3) aggravated assault, as provided in Section 30-3-2 NMSA 1978;
- (4) assault with intent to commit a violent felony, as provided in Section 30-3-3 NMSA 1978;
- (5) battery, as provided in Section 30-3-4 NMSA 1978;
- (6) aggravated battery, as provided in Section 30-3-5 NMSA 1978;
- (7) criminal sexual penetration, as provided in Section 30-9-11 NMSA 1978; or
- (8) abuse of a child, as provided in Section 30-6-1 NMSA 1978.

B. As used in this section, "primary genital area" means the mons pubis, penis, testicles, mons veneris, vulva or vagina.

C. Whoever commits aggravated indecent exposure is guilty of a fourth degree felony.

D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted for committing aggravated indecent exposure to participate in and complete a program of professional counseling at his own expense.

30-9-20. Voyeurism prohibited; penalties.

A. Voyeurism consists of intentionally using the unaided eye to view or intentionally using an instrumentality to view, photograph, videotape, film, webcast or record the intimate areas of another person without the knowledge and consent of that person:

- (1) while the person is in the interior of a bedroom, bathroom, changing room, fitting room, dressing room or tanning booth or the interior of any other area in which the person has a reasonable expectation of privacy; or
- (2) under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place.

B. Whoever commits voyeurism is guilty of a misdemeanor, except if the victim is less than eighteen years of age, the offender is guilty of a fourth degree felony.

C. As used in this section:

- (1) "intimate areas" means the primary genital area, groin, buttocks, anus or breasts or the undergarments that cover those areas; and
- (2) "instrumentality" means a periscope, telescope, binoculars, camcorder, computer, motion picture camera, digital camera, telephone camera, photographic camera or electronic device of any type.

30-37-2. Offenses; books; pictures.

It is unlawful for a person to knowingly sell, deliver, distribute, display for sale or provide to a minor, or knowingly to possess with intent to sell, deliver, distribute, display for sale or provide to a minor:

A. any picture, photograph, drawing, sculpture, motion picture film or similar visual representation or image of a person or portion of the human body, or any replica, article or device having the appearance of either male or female genitals which depicts nudity, sexual conduct, sexual excitement or sado-masochistic abuse and which is harmful to minors; or

B. any book, pamphlet, magazine, printed matter however produced or sound recording which contains any matter enumerated in Subsection A of this section or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors.

30-37-3.2. Child solicitation by electronic communication device.

A. Child solicitation by electronic communication device consists of a person knowingly and intentionally soliciting a child under sixteen years of age, by means of an electronic communication device, to engage in sexual intercourse, sexual contact or in a sexual or obscene performance, or to engage in any other sexual conduct when the perpetrator is at least four years older than the child.

B. Whoever commits child solicitation by electronic communication device is guilty of a:

- (1) fourth degree felony if the child is at least thirteen but under sixteen years of age; or
- (2) third degree felony if the child is under thirteen years of age.

C. Whoever commits child solicitation by electronic communication device and also appears for, attends or is present at a meeting that the person arranged pursuant to the solicitation is guilty of a:

- (1) third degree felony if the child is at least thirteen but under sixteen years of age; or
- (2) second degree felony if the child is under thirteen years of age.

D. In a prosecution for child solicitation by electronic communication device, it is not a defense that the intended victim of the defendant was a peace officer posing as a child under sixteen years of age.

E. For purposes of determining jurisdiction, child solicitation by electronic communication device is committed in this state if an electronic communication device transmission either originates or is received in this state.

F. As used in this section, "electronic communication device" means a computer, video recorder, digital camera, fax machine, telephone, cellular telephone, pager, audio equipment or any other device that can produce an electronically generated image, message or signal.

30-37-1. Definitions.

As used in this act:

- A. "minor" means any unmarried person who has not reached his eighteenth birthday;
- B. "nudity" means the showing of the male or female genitals, pubic area or buttocks with less than a full opaque covering, or the depiction of covered male genitals in a discernibly turgid state;
- C. "sexual conduct" means act of masturbation, homosexuality, sodomy, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be female, breast;
- D. "sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal;
- E. "sado-masochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained;
- F. "harmful to minors" means that quality of any description of representation, in whatever form, of nudity, sexual conduct, sexual excitement or sado-masochistic abuse, when it:
 - (1) predominantly appeals to the prurient, shameful or morbid interest of minors; and
 - (2) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
 - (3) is utterly without redeeming social importance for minors; and
- G. "knowingly" means having general knowledge of, or reason to know, or a belief or reasonable ground for belief which warrants further inspection or inquiry or both, of:
 - (1) the character and content of any material described herein, which is reasonably susceptible of examination by the defendant;
 - (2) the age of the minor.

The complete State of New Mexico rape and sexual assault offenses, definitions and penalties can be found in New Mexico State Statutes 30-9-1 through 20. Additionally, New Mexico State Statute 30-6A-1 through 4 provides definitions of the crime of Sexual Exploitation of Children.

Domestic Violence, Dating Violence and Stalking

The New Mexico State Statutes relating to domestic violence, dating violence and stalking are as follows;

30-3-11. Definitions.

As used in the Crimes Against Household Members Act:

- A. "household member" means a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, a co-parent of a child or a person with whom a person has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for the purposes of the Crimes Against Household Members Act; and
- B. "continuing personal relationship" means a dating or intimate relationship.

30-3-12. Assault against a household member.

- A. Assault against a household member consists of:
 - (1) an attempt to commit a battery against a household member; or
 - (2) any unlawful act, threat or menacing conduct that causes a household member to reasonably believe that he is in danger of receiving an immediate battery.
- B. Whoever commits assault against a household member is guilty of a petty misdemeanor.

30-3-13. Aggravated assault against a household member.

- A. Aggravated assault against a household member consists of:
 - (1) unlawfully assaulting or striking at a household member with a deadly weapon; or
 - (2) willfully and intentionally assaulting a household member with intent to commit any felony.

B. Whoever commits aggravated assault against a household member is guilty of a fourth degree felony.

30-3-14. Assault against a household member with intent to commit a violent felony.

A. Assault against a household member with intent to commit a violent felony consists of any person assaulting a household member with intent to kill or commit any murder, mayhem, criminal sexual penetration in the first, second or third degree, robbery, kidnapping, false imprisonment or burglary.

B. Whoever commits assault against a household member with intent to commit a violent felony is guilty of a third-degree felony.

30-3-15. Battery against a household member.

A. Battery against a household member consists of the unlawful, intentional touching or application of force to the person of a household member, when done in a rude, insolent or angry manner.

B. Whoever commits battery against a household member is guilty of a misdemeanor.

C. Upon conviction pursuant to this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.

D. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.

30-3-16. Aggravated battery against a household member.

A. Aggravated battery against a household member consists of the unlawful touching or application of force to the person of a household member with intent to injure that person or another.

B. Whoever commits aggravated battery against a household member by inflicting an injury to that person that is not likely to cause death or great bodily harm, but that does cause painful temporary disfigurement or temporary loss or impairment of the functions of any member or organ of the body, is guilty of a misdemeanor.

C. Whoever commits aggravated battery against a household member by inflicting great bodily harm or doing so with a deadly weapon or doing so in any manner whereby great bodily harm or death can be inflicted is guilty of a third degree felony.

D. Upon conviction pursuant to Subsection B of this section, an offender shall be required to participate in and complete a domestic violence offender treatment or intervention program approved by the children, youth and families department pursuant to rules promulgated by the department that define the criteria for such programs.

E. Notwithstanding any provision of law to the contrary, if a sentence imposed pursuant to the provisions of Subsection B of this section is suspended or deferred in whole or in part, the period of probation may extend beyond three hundred sixty-four days but may not exceed two years. If an offender violates a condition of probation, the court may impose any sentence that the court could originally have imposed and credit shall not be given for time served by the offender on probation; provided that the total period of incarceration shall not exceed three hundred sixty-four days and the combined period of incarceration and probation shall not exceed two years.

30-3-17. Multiple convictions of battery or aggravated battery.

A. Whoever commits three offenses of battery against a household member as provided in Section 30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a fourth degree felony.

B. Whoever commits four or more offenses of battery against a household member as provided in Section 30-3-15 NMSA 1978 or aggravated battery against a household member as provided in Subsection B of Section 30-3-16 NMSA 1978, or any combination thereof, when the household member is a spouse, a former spouse, a co-parent of a child or a person with whom the offender has had a continuing personal relationship is guilty of a third-degree felony.

C. For the purpose of determining the number of offenses committed, each offense must have been committed after conviction for the preceding offense.

30-3-18. Criminal damage to property of household member; deprivation of property of household member.

A. Criminal damage to the property of a household member consists of intentionally damaging real, personal, community or jointly owned property of a household member with the intent to intimidate, threaten or harass that household member.

B. Whoever commits criminal damage to the property of a household member is guilty of a misdemeanor, except that when the damage to the household member's interest in the property amounts to more than one thousand dollars (\$1,000), the offender is guilty of a fourth degree felony.

C. Deprivation of the property of a household member consists of intentionally depriving a household member of the use of separate, community or jointly owned personal property of the household member with the intent to intimidate or threaten that household member.

D. Whoever commits deprivation of the property of a household member is guilty of a misdemeanor.

30-3A-2. Harassment; penalties.

A. Harassment consists of knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress.

B. Whoever commits harassment is guilty of a misdemeanor.

30-3A-3. Stalking; penalties.

A. Stalking consists of knowingly pursuing a pattern of conduct, without lawful authority, directed at a specific individual when the person intends that the pattern of conduct would place the individual in reasonable apprehension of death, bodily harm, sexual assault, confinement or restraint of the individual or another individual.

B. As used in this section:

(1) "lawful authority" means within the scope of lawful employment or constitutionally protected activity; and

(2) "pattern of conduct" means two or more acts, on more than one occasion, in which the alleged stalker by any action, method, device or means, directly, indirectly or through third parties, follows, monitors, surveils, threatens or communicates to or about a person.

C. Whoever commits stalking is guilty of a misdemeanor. Upon a second or subsequent conviction, the offender is guilty of a fourth degree felony.

D. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of stalking to participate in and complete a program of professional counseling at the person's own expense or a domestic violence offender treatment or intervention program.

30-3A-3.1. Aggravated stalking; penalties.

A. Aggravated stalking consists of stalking perpetrated by a person:

(1) who knowingly violates a permanent or temporary order of protection issued by a court, except that mutual violations of such orders may constitute a defense to aggravated stalking;

(2) in violation of a court order setting conditions of release and bond;

(3) when the person is in possession of a deadly weapon; or

(4) when the victim is less than sixteen years of age.

B. Whoever commits aggravated stalking is guilty of a fourth degree felony. Upon a second or subsequent conviction, the offender is guilty of a third degree felony.

C. In addition to any punishment provided pursuant to the provisions of this section, the court shall order a person convicted of aggravated stalking to participate in and complete a program of professional counseling at his own expense.

30-3A-4. Exceptions.

The provisions of the [Harassment and] Stalking Act [30-3A-1 NMSA 1978] do not apply to:

A. picketing or public demonstrations that are lawful or that arise out of a bona fide labor dispute; or

B. a peace officer in the performance of his duties.

OTHER DEFINITIONS

The following are additional terms that are used in various places in this Report, and the definitions of what they mean at Burrell:

Awareness Program: An educational program delivered either in person or online that makes a person familiar with material surrounding a particular topic (in this case, sexual assault, domestic violence, dating violence, and stalking); should be culturally relevant and inclusive of all individuals and groups.

Bystander Intervention: Measures that can be taken by someone (other than the victim) to interrupt or discourage the actions of another that might be leading toward sexual assault, domestic violence, dating violence, or stalking; the measures may, but do not necessarily need to, include calling 911.

Consent: Knowingly and willingly agreeing to something; affirmative consent includes when a person specifically communicates that they agree; lack of an objection by a person does not mean they are consenting, as they might not be objecting due to fear, threat, or lack of comprehension.

Ongoing Prevention and Awareness Campaign: A regular program that includes both the information provided during initial awareness training, as well as additional or expanded information to further understanding; intended to assist people in avoiding or preventing an incident from taking place.

Primary Prevention Program: One designed to keep something (e.g., injury or assault) from ever occurring in the first place; often includes education and a prohibition on undesirable conduct.

Proceeding: The Burrell administrative disciplinary process, to include hearings and appeals, unless otherwise indicated.

Result: The findings, and any resulting sanctions issued, as a result of Burrell administrative disciplinary process, to include hearings and appeals, unless otherwise indicated.

Risk Reduction: Precautionary measures that may be taken by an individual or a group in order to lessen the chance of an incident, injury, or violence.

SECTION 5 - PHONE NUMBER REFERENCE GUIDE

ON-CAMPUS RESOURCE DIRECTORY

NMSU Police Department	EMERGENCY 911
	Non-emergency 575-646-3311
NMSU Fire Department	Non-emergency 575-646-2519
Burrell Security	..... 575-674-2299
Burrell Associate VP for Administration	..... 575-674-2391
Burrell Executive Director of Student Affairs	..... 575-674-2225
Burrell VP of Institutional Effectiveness	..... 575-674-2339
Burrell Title IX Coordinator	..... 575-674-2279
NMSU Campus Health Center	..... 575-646-1512
NMSU Department of Housing and Residence Life	..... 575-646-3202
WAVE Program	..... 575-646-2813
Crimson Cab	..... 575-888-7777
ASNMSU Pete’s Pickup (Safe Walk Service)	..... 575-646-1111
La Piñon Rape Crisis Center	..... 575-526-3427
La Casa Domestic Violence Shelter	..... 575-526-2819
Domestic Violence Hotline	..... 800-376-2272

OFF-CAMPUS LAW ENFORCEMENT AGENCIES

Doña Ana County non-emergency Dispatch	..... 575-526-0795
Las Cruces Police Department	..... 575-528-4200
Doña Ana County Sheriff’s Office	..... 575-525-1911
Mesilla Marshal’s Office	..... 575-525-8220
Roswell Police Department	..... 575-624-6770
Taos Police Department	..... 505-758-2216
Albuquerque Police Department	..... 505-764-3288
Los Alamos Police Department	..... 505-662-8222
El Paso Police Department	..... 915-212-8100
New Mexico State Police	..... 575-382-2500
Federal Bureau of Investigation	..... 575-526-2351
Drug Enforcement Administration	..... 575-526-0700
US Marshals Service	..... 575-527-6850
US Customs and Border Protection	..... 575-528-6600

APPENDIX – MAPS OF CAMPUS LOCATIONS
BURRELL COLLEGE OF OSTEOPATHIC MEDICINE – LAS CRUCES (NM) CAMPUS



NMSU LAS CRUCES CAMPUS – MAIN TRIANGLE AND DACC ESPINA CAMPUS



NMSU LAS CRUCES CAMPUS – EAST CAMPUS

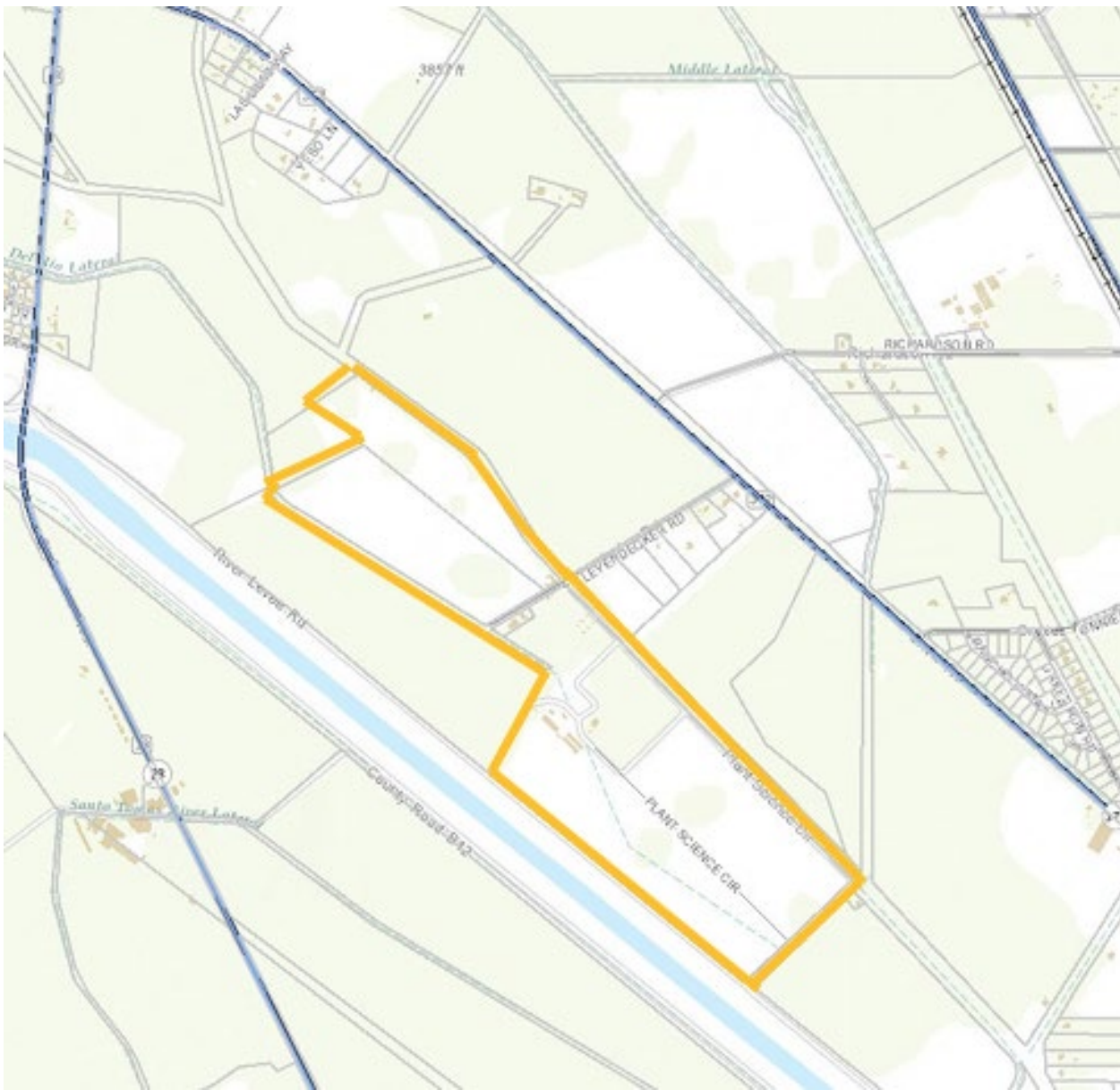




NMSU LAS CRUCES CAMPUS – HORSE FARM



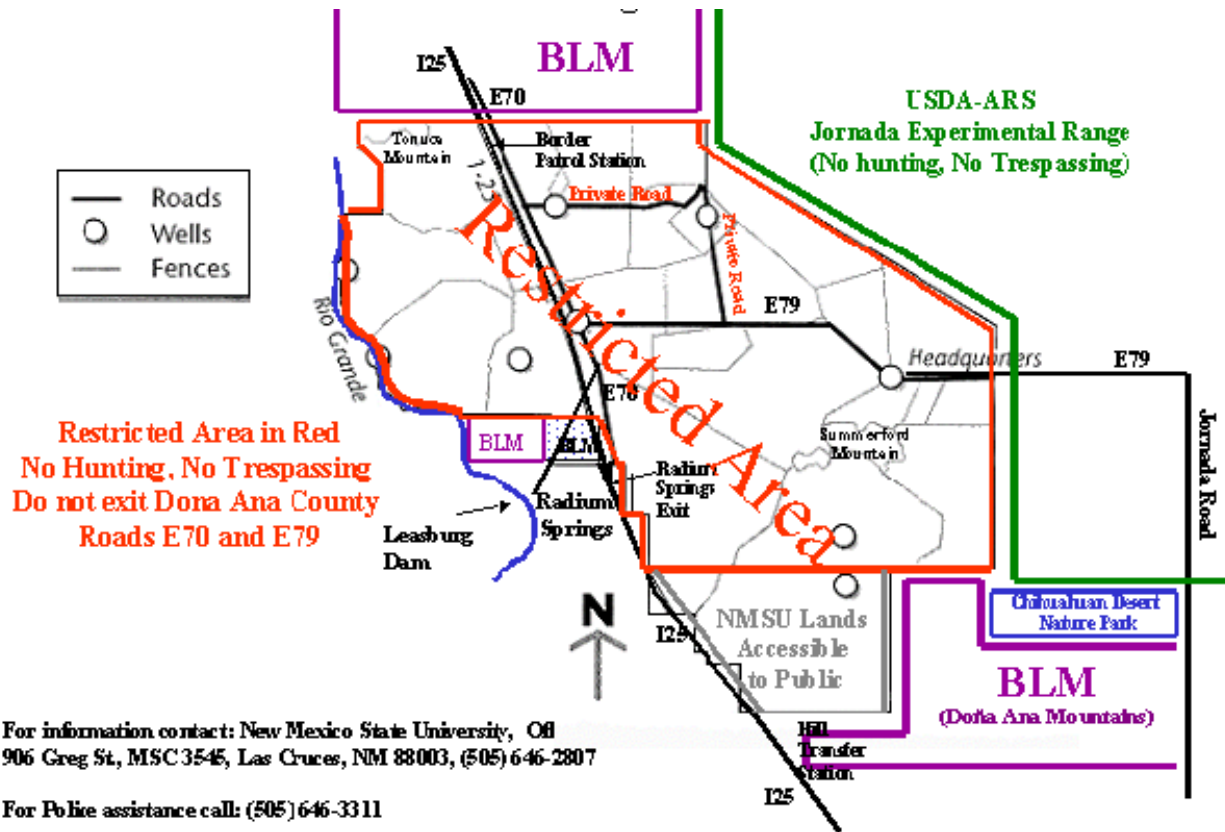
LEYENDECKER RESEARCH FACILITY



CDRRC – SECTIONS AND BOUNDARIES



CDRRC – NEIGHBORING PARCELS



CDRRC – ORTHOPHOTO WITH PASTURE LINES AND BOUNDRIES

