

MEDICAL CLEMENCY

Student safety comes first! In any emergency involving alcohol or other drugs, call 911 immediately for emergency medical assistance.

Linfield Medical Clemency Policy

Linfield University is strongly committed to the health, safety, and well-being of all its students. Students are encouraged to look out not only for their own health and well-being but also for that of their peers. When someone's health or safety is threatened or appears to be at risk, students should take immediate action to prevent injury, illness, or danger. Medical Clemency is a policy that allows students to seek help for themselves or others, involved in a drug or alcohol-related emergency, without being referred to the formal conduct process.

Linfield University is deeply concerned that, in a medical emergency involving alcohol or other drugs, some students may consider refraining from calling for help because of fear that doing so might subject them to disciplinary action. To address this concern, the following protocol will be used for addressing possible disciplinary consequences when medical emergencies result from the use of alcohol or other drugs. A student may only claim Medical Clemency prior to any report or discovery of an alcohol or drug violation by Residence Life or LPS staff.

Any individual who seeks campus or medical assistance on behalf of another student during an alcohol or other drug-related emergency will meet with the appropriate university official(s) to discuss the incident, but will not be subjected to disciplinary proceedings through Linfield University's conduct review process for possession or consumption of alcohol or other drugs.

The recipient of medical clemency will not be required to resolve the matter through Linfield University's conduct review process if the student agrees;

- a. to participate in a referral to an appropriate campus or community resource, which could include a conversation with the Office of Student Rights and Responsibilities and/or the Office of Student Care & Support and/or the Office of Student Wellness, and/or the Office of Student Health and Counseling.
- b. to comply with any possible recommendations set forth by that resource.

If the recipient of medical attention does not comply with provisions (a) and (b), then the student will be sent through the normal conduct review process.

Because the safety and well-being of our students are such a concern, students with multiple Medical Clemencies may be asked to seek a professional evaluation regarding their alcohol and/or drug use. Should illegal drugs be discovered as a result of medical clemency, the University is obligated to contact local law enforcement.

If an individual or representative of an organization hosting an event calls for medical assistance, this act of responsibility will alleviate any conduct review sanctions against the individual or organization that might arise from the possession or consumption of alcohol or other drugs. This condition will apply in isolated incidents only and will not excuse or protect those individuals or organizations that flagrantly or repeatedly violate the Linfield University Alcohol and Drug Policies. Similarly, failure to call for campus or medical assistance in an alcohol or drug-related emergency will be considered an "aggravating circumstance"

and may affect the conduct review resolution against the individual or organization, if violations of Linfield's Student Code of Conduct have occurred. This protocol refers only to incidents occurring at university and fraternity housing.

The responsibility for determining the applicability of this protocol rests solely with the Office of Student Rights & Responsibilities. This protocol is not intended to address possible violations of criminal laws or their consequences outside the Linfield campus.

State Clemency Policy

A person under 21 years of age is not in violation of, and is immune from prosecution under, this section if:

- a. The person contacted emergency medical services or a law enforcement agency in order to obtain medical assistance for another person who was in need of medical assistance due to alcohol consumption and the evidence of the violation of this section was obtained as a result of the person's having contacted emergency medical services or a law enforcement agency;

Or;

- b. The person was in need of medical assistance due to alcohol consumption and the evidence of the violation of this section was obtained as a result of the person's having sought or obtained the medical assistance.

Paragraph (a) of this subsection does not exclude the use of evidence obtained as a result of a person's having sought medical assistance in proceedings for crimes or offenses other than a violation of this section. Section 2. The amendments to ORS 471.430 by section 1 of this 2014 Act apply to conduct occurring on or after the effective date of this 2014 Act.