

University of Arkansas Little Rock
Annual Security Report/
The Clery Act for 2023

Background Information: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal statute requiring all colleges and universities participating in federal student aid programs to publish an annual security report that accurately discloses campus crime statistics and security information. The institution must make this report available to the campus community including current and prospective students, faculty and staff. In addition, the institution must annually submit to the U.S. Department of Education its campus crime statistics, which are compiled using the FBI's Uniform Crime Reporting Handbook (UCR) and Hate Crime Data Collection Guidelines or the UCR National Incident-Based Reporting System (NIBRS). These statistics are made available to the public at <https://ope.ed.gov/campussafety/> - /

In addition to the above requirements, the Violence Against Women Reauthorizations Act (VAWA) of 2013 was introduced and amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, stalking, and sexual assault and to include certain policies, procedures, and programs pertaining to these incidents in their Annual Security Reports (ASR).

The University of Arkansas Little Rock puts top priority on the safety and well-being of our campus community. Our Police Officers are expertly trained professionals who are highly visible and patrol the campus full-time, 24/7, 365 days a year. All UA Little Rock Police Officers are state-certified police officers and attend either the Black River Law Enforcement Training Academy or the Arkansas Law Enforcement Training Academy. They have the same arrest powers as city, county, and state police. In addition, our dispatch center is always staffed and ready to assist. The Department of Public Safety works in close partnership with local first responders to ensure the security of our students, faculty, staff and surrounding neighborhood. We are committed to excellence and building trust through leadership in all we do. We have Security Personnel, non-state certified, who are trained in assisting the campus community other than law enforcement duties, securing facilities, monitoring parking in the various parking lots on campus, to say the least for the duties they work in a day-to-day basis, 24/7 as well. All of our personnel work hand-in-hand with all local law enforcement agencies, especially the Little Rock Police Department, of course, due to the immediate location of the Campus within the city of Little Rock. Currently, there is an agreement for concurrent jurisdiction in the areas of the perimeter for the main campus, University Avenue, Fair Park Boulevard, and Asher Avenue. Used to connect to parts of the campus, if any violations are observed then officers are allowed to handle them in accordance with the laws of the city and state.

Reporting of All Crimes or Other Emergencies: UA Little Rock encourages accurate and prompt reporting of all crimes to the UA Little Rock Police Department and the Dean of Students. Each reported incident will be reviewed and if an investigation is necessary by law enforcement, it will be conducted. Investigative reports are prepared for other law enforcement agencies and local, state and federal prosecutors. Contact the UA Little Rock Police Department to report crimes at 501-916-3400, calls can be anonymous. In addition to reporting to the UA Little Rock Police, the campus community may also report to

designated Campus Security Authorities (CAS's) assigned by various departments through the Clery Committee. ***CSA's will use the online Campus Security Authority (CSA) Crime/Incident Report listed at the end of this publication at (APPENDIX 2).*** Those individuals can keep the complainant's personal information anonymous, but will still report to the Clery Committee the nature of the incident and where it took place. If the incident follows the guidelines for reporting used by the Clery Act requirements, then it will be reported statistically in the Annual Security Report (ASR). Keeping this in mind, police reports may be filed for statistical reporting purposes. A student's privacy concerns are weighed against the needs of the University of Arkansas Little Rock to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. In compelling situations, UA Little Rock reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate university departments or other law enforcement agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide "timely warning" as well as inclusions in the annual crime statistics.

Crime Alerts: In the event, a crime or an emergency should occur in the UA Little Rock campus community, procedures are in place to utilize a system to contact all student, staff, and faculty within a matter of minutes. This alert system is called the "Rave Emergency Alert System", available to all student, staff, and faculty to register their telephone information. All alerts would be sent out with the coordination of the UA Little Rock Office of Communications and the UA Little Rock Police Department. If for example, there was an Active Shooter situation in a particular area on the campus. An alert message would be sent out using appropriate methods, text message, email, and voice. The message will state the problem and instructions on dealing with the incident within a matter of minutes.

Annual Disclosure of Crime Statistics: The Annual Security Report, (Appendix 1), identifies types of crimes, suggests safety tips to help ensure one's safety and the safety of one's belongings, and identifies related safety programs and resources in an effort to promote a safe and secure environment. Safety is ultimately the responsibility of the individual, and his or her cooperation is essential to improve security for the individual and others. This document is organized into various categories to provide useful information. The report is prepared by the UA Little Rock Police Department. The statistical data comes from a tally of all police reports written by the UA Little Rock Police concerning Clery Crimes only. Data is also collected from the Campus Security Authorities in reference to all crimes that may have been reported. Keep in mind that victims and witnesses may report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report if those crimes fall under Clery Act definition and Clery location definition. Remember, any member of the campus community who is a victim or has knowledge of any criminal activity on campus may report confidentially to any campus official who has significant responsibilities for student or campus activities. These reports may be through a third party, over the phone, in person, or over the university website, by mail or any other available mode of communication. Again, In the event of a serious crime that may cause immediate concern for the safety and security of persons and property, the UA Little Rock Police Department will issue a Crime Alert for campus-wide distribution.

Police Notices are issued to alert the campus community to less serious crimes and to request public assistance in solving the crime.

Emergency Contacts: All students, faculty, and staff are encouraged to promptly and accurately report all threats to safety and suspicious activity to the UA Little Rock Police Department and/or other appropriate authority. The following is a list of those agencies;

Emergency Services (Fire, Police, Ambulance) 911
UA Little Rock Police Department 501-916-3400
Little Rock Police Department 501-371-4617
Little Rock Fire Department 501-918-3700
Poison Control 800-376-4766
UA Health Services 501-916-3188
UAMS Hospital Emergency Room 24 Hours 501-686-6333
St. Vincent Infirmary / Medical Center 501-552-3000
Baptist Medical Center 501-202-2300
University Hospital (UAMS) 501-686-6333
St. Vincent Doctors Hospital 501-603-6000
Rape Crisis Inc. 24 Hour Hotline 501-801-2700
Sexual Assault Center 24 Hour Hotline 501-801-2700
Employee Assistance Program (EAP) 24 Hours 501 686-2588/800-542-6021
National Domestic Violence 24 Hour Hotline TDD 800 799-7233/800-787-3224
Alcohol and Other Drug Information Hotline 800-729-6686
UA Counseling and Career Planning Services 501-916-3185
UA Office of Campus Life 501-916-3308
UA Dean of Students 501-916-3328
UA Disability Resource Center 501-916-3143
UA Office of Title IX 501-916-5716
Pulaski County Health Unit 501-280-3100

Committee/Campus Security Authorities (CSA's): Are those who provide crimes reported to them, crimes reported by persons who wish to remain anonymous and not want the report to police by themselves. This information is passed on to the police and used in the statistics reported in the annual security report.

Crime Statistics of all Clery Crimes Data from the most current three years, (to appear further on into this document).

The Crime Prevention Section details safety on-campus, offers crime prevention tips, and describes services available on and off-campus.

Crime Prevention: UA Little Rock encourages accurate and prompt reporting of all crimes to the UA Little Rock Police Department, appropriate police agencies and the dean of students. Each reported incident will be investigated by a law enforcement officer. Investigative reports are prepared for other law enforcement agencies and local, state and federal prosecutors.

Be Alert When Walking

Avoid walking alone at night.

Use the escort service provided by UA Little Rock Police Department and the Student Patrol.

Use any "Blue Light" Emergency Phone or call 916-3400.

Walk confidently, directly, and at a steady pace.

Walk on the side of the street facing traffic.

If a driver stops to ask directions, avoid getting near the vehicle.

If a car appears to be following you, turn and walk in the opposite direction.

Carry a whistle or body alarm and use it if you feel you are in danger.

If you are in trouble, attract help any way you can.

Yell for help, shout "fire", honk your horn, or even break a window.
Be aware of your surroundings and the people around you, even those you think you know.
Don't flaunt expensive jewelry or clothing.

Don't overburden yourself with packages, book bags, or groceries that make it hard to react.

Be alert in vehicles

Have your key ready when you approach your vehicle.
Check inside your vehicle before entering.
Always keep your vehicle locked, even while driving.
Park in well-lighted areas if possible.
Avoid isolated roads and shortcuts.
Keep your vehicle in good repair, make sure you have enough fuel.
If you are followed, drive to the nearest open business for help or go to a police or fire station.
When dropping someone off, wait until passengers have safely entered their residence or destination.

Jogging, Biking, Outdoor Activities

Choose routes in advance that are safe and well populated.
Vary your route and schedule.
Avoid jogging and biking at night.
Consider carrying a body alarm or pepper spray.
Consider not wearing stereo headphones, so as not to hinder your ability to hear your attacker. Sexual Assault
Know your defenses: Anyone can be a victim of sexual assault. You should think about the types of defense you would be willing to use. In some cases, resistance can frighten the attacker, but it can also lead an attacker to become more violent or increase efforts to subdue the victim.

There are several ways to react:

Passive Resistance

The goal of passive resistance is to think and talk your way out of the situation. With passive resistance, you can:
Try to calm the attacker.
Try to persuade him not to carry out the attack.
Claim to be sick or pregnant.
Tell him you have a sexually transmitted disease. This may intimidate the attacker.
Try to discourage him. Pretend to faint, cry hysterically, act insane or mentally incapacitated.
If you are at your residence, tell the attacker a friend is coming over or that your spouse or roommate will be back soon.

Active Resistance

Active resistance is intended to distract or temporarily injure your attacker, to buy time to escape. Remember, your goal is to escape not to win.
Yelling: A yell can surprise or frighten an attacker away if he fears people will come to help, but yelling won't help in isolated or noisy areas.

Struggling and fighting back: A forceful struggle may also discourage the attacker, but most will retaliate and have the potential to inflict serious injuries.

However, you must not be afraid to hurt an attacker. All kicks and blows must be forceful and should be aimed at vulnerable areas such as the groin, eyes, or instep.

Martial Arts: Special self-defense skills such as judo or karate are popular. If you are proficient in such techniques, they can be very effective, but proficiency requires practice.

Weapons: Some people carry weapons such as guns, knives, or spray chemicals to ward off attackers. Unless you are trained and not afraid to use these weapons, they can be extremely dangerous. The attacker might be able to turn them against you. Also, some weapons cannot be legally carried, so check local law enforcement authorities (guns are not allowed on state property even with a permit).

Submitting to an Attack

If you believe you might get hurt defending yourself or if you're afraid to fight back, don't. Sexual assault is still an assault and still a crime, even if you don't have a single cut or bruise. Victims who do not resist should never feel guilty; it is the assailant who committed the crime.

If attacked, escape. If trapped, stay alive.

If You Have Been Attacked

Contact the national sexual assault hotline at 1-800-656-HOPE (4673). If you are on campus, call 916-3400.

Don't blame yourself. If assaulted, memorize details.

Report the assault to the authorities, ASAP.

Seek medical treatment.

Do not bathe, shower, douche, or change clothes before you go to the hospital (doing so could destroy valuable evidence).

Active Shooter Situation: An Active Shooter Incident is defined as one or more persons who participate in a random or systematic shooting spree demonstrating their intent to continuously harm or kill others. These situations are dynamic and evolve rapidly, demanding immediate deployment of law enforcement resources to stop the shooting and limit harm or loss of life to innocent victims.

Immediate Action:

Lock the immediate area.

Barricade the door using whatever is available.

After locking the door, sit on the floor below window level, against a wall not visible through any door or window glass if possible.

Allow others to seek refuge with you if it is safe to do so.

Proactive Actions:

Close blinds.

Block windows.

Turn off radios and computer monitors.

Silence cell phones.

Consider placing signs in interior doors and windows to indicate the location of injured persons; keep in mind the assailant may see them as well.

Place a sign in an exterior window if available to mark your location and the location of injured persons for first responders. Attempt to keep others calm and quiet. Once the room is locked, try to position yourself and others out of sight and behind any available object that may offer additional protection.

Unlocked Areas:

If you find yourself in an open area, immediately seek protection.

Put something between you and the assailant.

Consider trying to escape if you know where the assailant is and there appears to be an escape route available.

If in doubt, find the safest area available and lock or barricade it as best you can. Call 911 or 916-3400 and be prepared to tell the dispatcher as much information as you can, such as: What is happening

Your location, including the building name and room number

Injuries, if any, including the number of injured and the type of injuries

Your name and any other information requested

Tip: Try to provide information in a calm clear manner so that the dispatcher can relay your information to responding law enforcement and emergency personnel.

What to Report:

Try to include as much information about the assailant as you can, such as:

Specific location and direction of the assailant

Number of assailants

Gender, age, and race

Language or commands used by the assailant

Clothing color and type

Physical features, such as height, weight, facial hair, glasses, tattoos, etc.

Type of weapons (handgun, rifle, shotgun, explosives)

Description of any backpack or bag

Whether you recognize the assailant or know his/her name

What you heard, such as gunshots, explosions

Assist the injured using basic first aid. Emergency medical personnel will not be able to respond until law enforcement has locked the area. You may have to help the injured as best you can until the area is locked.

Unsecuring the Area: The assailant may not stop until his/her objectives have been met or until engaged and stopped by law enforcement.

Always consider the risk exposure of opening the door for any reason.

Attempts to rescue other people should only be made if it can be done without further endangering the people inside a locked area.

Be aware that that the assailant may bang on the door, yell for help, or otherwise attempt to entice you to open the door of a locked area.

If there is any doubt about the safety of the individuals inside the room, the area must remain locked.

Law Enforcement Response: The UA Little Rock Police Department, Little Rock Police Department, and other law enforcement agencies will respond to an active shooter event on the UA Little Rock campus. It is important that you remember:

Remain inside the locked area.

Law enforcement will locate, contain and stop the assailant.

The safest place for you to be is inside a locked room.

The assailant may not flee when law enforcement enters the building but instead may target arriving officers.

Initial responding officers will not treat the injured or begin evacuation until the threat is stopped and the area is locked.

You may need to explain this to others to keep them calm. It is important that the responding officers are not confronted or distracted while they are looking for the assailant. Once the threat is neutralized, officers will begin treatment and evacuation.

Evacuation: Officers will establish safe corridors for evacuation. Follow their instructions. This may be time-consuming.

Stay in locked areas until instructed otherwise.

You may be instructed to keep your hands on your head.

You may be searched.

You may be escorted out of the building by law enforcement personnel.

After evacuation you may be taken to a staging or holding area for medical care, interviewing, counseling, etc.

Once you have been evacuated you will not be permitted to retrieve items or access the area until law enforcement releases the crime scene.

Weapons on Campus Policy: On April 25, 2018, Chancellor Andrew Rogerson approved a revision to [Policy 210.4 – Weapons](#) (formerly known as the Concealed Weapon policy). The purpose of the revision is to implement provisions of the new state laws that allow certain individuals to possess concealed handguns on college campuses. In addition, it addresses discharge or other use of weapons more fully. This policy was written using [UASP 290.1 – Weapons](#) and [UAF 224.0 – Weapons](#) as sources, in addition to having been approved by legal counsel.

Policy 210.4-Weapons: Except as permitted by law, including, but not limited to, Ark. Code Ann. §5-73-322(g), possession, discharge or other use of weapons including, but not limited to, firearms, firearm ammunition, air pistols, air rifles, fireworks, incendiary devices, lock blade or fixed blade knives with a blade length of four inches or greater, blackjacks, metal knuckles, bows, arrows, nunchucks, tasers, or other electrical stun devices, visible body armor and similar equipment, shields, smoke canisters, or any other such weapons of any description on any grounds, buildings, or vehicles owned or operated by the university, including university residence halls or sorority or fraternity houses is prohibited. Further, storage of any weapon, including handguns, is prohibited at any such location, except that a concealed handgun may be stored in a licensee's locked and unattended motor vehicle. Possession of tear gas type products in personal use quantities for the purpose of self-defense is permissible. The use of tear gas type products for other than self-defense is prohibited. The carrying of concealed weapons by licensed concealed carry holders with enhanced certification is addressed in detail by [UA Systemwide Policies and Procedures 290.1](#).

Violation of this policy may be punishable by disciplinary action, which may include suspension or expulsion from the university. Weapons for use by the University of Arkansas at Little Rock Police Department may be stored in their respective secured areas. UA SYSTEMWIDE POLICIES AND PROCEDURES UASP 290.1 WEAPONS Possession, discharge, or other use of any weapon is prohibited on the grounds or in the buildings of any campus, division, unit or other area controlled by the University of Arkansas System, except that a handgun may be possessed by an individual who has a concealed handgun permit and has completed enhanced certification training in accordance with Ark. Code Ann. § 5-73-322(g). Storage of any weapon, including handguns, is prohibited at any

location owned or operated by any campus, division or unit of the University of Arkansas System, except that a concealed handgun may be stored in a licensee's locked and unattended motor vehicle. Definitions A weapon is any object designed or used for inflicting bodily harm or physical damage. Weapons include, but are not limited to: firearms, air pistols, air rifles, fireworks, incendiary devices, knives with a blade length of four inches or greater, blackjacks, metal knuckles, bows, arrows, nunchucks, tasers or other electrical stun devices, or any other such offensive objects.

Ark. Code Ann. § 5-73-309 defines a handgun as "any firearm, other than a fully automatic firearm, with a barrel length of less than twelve inches (12") that is designed, made, or adapted to be fired with one (1) hand." A concealed handgun must be covered from observation so as to prevent public view. Exceptions carrying a concealed weapon at the following locations and events is prohibited, whether or not a person obtains enhanced licensure:

1. UAMS and collegiate athletic events as defined by Ark. Code Ann. § 5-73-101(11), provided they are posted as firearm sensitive areas and have a security plan approved by the Arkansas State Police.
2. A public K-12 school, prekindergarten, or daycare facility
3. Grievance or disciplinary meetings conducted in accordance with certain specifications of Act 562 In accordance with Ark. Code Ann. §§ 5-73-306 and -322, campus, division and unit policies shall specify locations, such as those identified above, at which individuals remain prohibited from carrying concealed handguns, and appropriate signage will be displayed.

This policy also does not apply to:

1. Law enforcement officers or other security personnel employed or contracted by a campus, division or unit of the UA System who are specifically authorized to carry a weapon in the scope of their employment.
2. Non-university law enforcement officers employed by local, state or federal law enforcement agencies engaged in work on university property and required to carry a weapon in the scope of their duties.

The campuses, divisions and units of the UA System are authorized to establish policies that create other specific exemptions permitting the use and storage of weapons related to the scope of an individual's employment or to regular educational or recreational activities conducted under the supervision of appropriate university personnel. Campus policies established under this subsection must be reviewed by the Office of General Counsel. Conduct of Licensed Concealed Carry Holders with Enhanced Certifications Ark. Code Ann. §§ 5-73-322(j) specifies that unless an employee is required to carry a concealed handgun as part of the employee's specific job duties, any possession or use of a concealed handgun by the employee is not considered to be within the scope of employment with the University. As such, any employee who chooses to possess or use a concealed handgun is acting in the employee's individual capacity and not as an agent of the University, and is not immune from personal liability with respect to possession or use of the concealed handgun. If the employee is injured by his or her own negligence in possessing or using a concealed handgun in the workplace, he or she will not be entitled to worker's compensation.

A person with a license and enhanced certification to carry a concealed handgun on campus:

1. Must comply with all relevant federal or state laws;
2. Must conceal the weapon at all times;
3. Must maintain possession and control of the weapon at all times, unless the weapon is stored in a locked and unattended vehicle

4. May not intentionally display or use the handgun in a threatening manner unless such display or use is allowed by federal or state law; and

5. May not discharge a concealed handgun on the grounds or in the building of any campus, division, unit or other area controlled by the University of Arkansas System unless such discharge is allowed by law. Enforcement Violations of the weapons policy or state law regarding carrying concealed handguns may result in disciplinary action, up to and including termination for employees, and up to and including dismissal from the University for students. Violations of the weapons policy or state law regarding carrying concealed handguns by contractors or visitors may result in the violator being removed from a University campus, unit or division. The various campuses, units and divisions of the University may adopt more specific guidance consistent with and in furtherance of this policy. Such policies must be reviewed by the Office of General Counsel. August 25, 2017. Campus Building Security: The University of Arkansas Little Rock is an open campus and a very safe and secure environment. In order to keep this type of environment, it is important to keep the facilities maintained as much as possible. The buildings are unlocked during business hours and closely patrolled by UA Little Rock Police and Security personnel at all times. Upon closing of the campus, the buildings are locked down and if certain building access is required, approval will be approved through the Facilities Management Office and UA Little Rock Police Department. Student, Staff, or Faculty may request an escort to and from their vehicles if they feel the need, allowing for availability at the time of the request if the officer is busy at the time. As to the security of residence halls/living areas, we have gated areas and non-gated areas. If the area is gated, access is granted through the use of the student ID swipe to physically open the gate for vehicle entry. Entry to the individual apartment suites is by key access. When accessing non-gated buildings, ID is required to swipe for the door to open at the building entrance and then to the individual suites. There is also personnel to assist the student within the residence main entryways, Residence Assistants, to help in any way from security to any type of assistance required by occupants.

Once a year, minimum, a group of people from Student Government, UA Little Rock Police, and Facilities Management walk the campus during the day and night to observe the status of facilities, grounds, and lighting to ensure they meet safety standards. Any brush that needs to be cut back or trimmed, lights that may need bulb changing or add more lighting to ensure a well-lighted and manicured area.

Security Awareness and Crime Prevention: There are a number of programs assisting students, staff, and faculty. To name a few we have the following;

Campus safety Month/Safety Awareness/Active Shooter Preparedness: This training program is designed to instill the survival mindset and teach realistic strategies for dealing with an active shooter situation on campus.

UA Little Rock Police instruct training classes during the year for self-defense.

The Office of Title IX teaches many different classes throughout the year concerning all forms of sexual assault, including rape, acquaintance rape, domestic violence, dating violence and other sex offenses.

Alcohol Awareness Week teaching awareness of drunk driving, injuries and even death associated with driving while intoxicated.

UA Little Rock Counseling Services is partnering with the Arkansas chapter of the American

Foundation for Suicide Prevention to hold an Out of Darkness Suicide Prevention Campus Walk. The intent for bringing the walk to campus is to encourage conversation about the serious issue of suicide.

Sexual Assault Issues: UA Little Rock explicitly condemns sexual assault as a violation of an individual's human rights and dignity. Therefore, it is the policy of UA Little Rock that members of the university community neither commit nor condone sexual assault in any form. This prohibition applies equally to male and female staff, faculty and students, to all other persons on premises subject to university control, and to those engaged to further the interests of the university. Sexual assault is unlawful and may subject those who engage in it to civil and criminal penalties. Employees and student who engage in sexual assault also will be subject to applicable disciplinary action.

The university is committed to providing an environment free from sexual assault. Therefore, the university administration strongly encourages all UA Little Rock community members to report incidents of sexual assault. To that end, reporting and investigation procedures are supportive of and sensitive to the victim. At the same time, they adequately safeguard the rights of the alleged offender.

What To Do If You Believe You Have Been Sexually Assaulted:

Get immediate help; report the assault

Pick up a blue light emergency phone, UA Little Rock Police will answer automatically
Dial 501-916-3400 or 911

These offices can help you get medical aid and provide other necessary support:

On-Campus Resources

[Office of Title IX](#) | 916-5716

[Dean of Students](#) | 916-3328

[Health Services/Donaghey Student Center, Suite 102](#) | 916-3188

[Office of Campus Life/Donaghey Student Center, Suite 216](#) | 916-3308

[Counseling and Career Planning Services/Ross Hall, Suite 417](#) | 916-3185

Off-campus Resources

Rape Crisis Hotline | 801-2700

Sexual Assault Center (24 hour hotline) | 801-2700

Prosecutor's Victim Assistance Program | 340-8000

Arkansas Victim Notification Program (VINE) | 1-800-510-0415

What is Sexual Assault?

Sexual assault is generally defined as attempted or actual unwanted sexual activity (Sandler, 1993). Sexual assaults generally fall into one of two categories: forcible and non-forcible sex offenses.

A forcible sex offense is "any sexual act directed against another person forcibly and/or against that person's will, or not forcibly or against a person's will where the victim is incapable of giving consent." These sex offenses include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

Non-forcible sex offenses are acts of "unlawful, non-forcible sexual intercourse," and include incest and statutory rape. Depending on the circumstances, acquaintance rape could be in either category.

As used in this policy, the term "sexual assault" is generally descriptive of conduct specifically proscribed as rape, carnal abuse, sexual misconduct, and sexual abuse, under the Arkansas Code.

Reporting the Assault

Addressing immediate physical and emotional trauma is of paramount importance. Due to the nature and value of evidence, it is important that any sexual assault be reported as soon as possible.

A complaint should be filed with the university within 30 days of the incident.

A victim of sexual assault has several options in reporting the incident. The initial complaint may be filed with any of these university offices:

UA Little Rock Police: will conduct an investigation of the complaint. Upon completion of the investigation, if the complainant chooses to file criminal charges, this department will assist in reporting the sexual assault to the prosecutor.

Dean of Students: The complaint will be reviewed by the Dean of Students or designee and will be investigated for internal judiciary proceedings.

Office of Title IX: The complaint will be reviewed by this office and also will be investigated for internal judiciary proceedings. Victims may choose to use any or all of the above options.

Disciplinary Sanctions

Sexual Assault/Forcible and Nonforcible Sex Offenses:

The university will not tolerate sexual assault in any form. A student or employee charged with sexual assault can be prosecuted under Arkansas criminal statutes and/or disciplined by the university.

Even if criminal prosecution is not pursued, the university can pursue disciplinary action. Where there is cause to believe that the campus regulations prohibiting sexual assault have been violated, the campus will pursue strong disciplinary action through its own internal judicial channels.

This discipline includes, but is not limited to, termination, expulsion, suspension, disciplinary probation, counseling, mediation or educational sanctions, or a combination.

Any conduct constituting a sexual offense under Arkansas law also shall be subject to disciplinary sanctions under this policy.

Your Rights as a Sexual Assault Victim

As a victim, you have the right to file criminal charges with local law enforcement authorities and, upon request, are entitled to assistance from the university in notifying the local law enforcement authorities.

The Office of the Dean of Students and/or Department of Human Resources will explain how to use the university internal complaint process. You have the right to file a complaint with the university, to have your sexual assault complaint investigated by the university, and to participate in any disciplinary proceedings regarding the sexual assault complaint. If you wish, you may have two nonparticipating support persons present with you at such proceedings.

The person accused also may have a representative/attorney present at such proceedings. The university will notify you as to the outcome of any disciplinary proceeding regarding your complaint, subject to the limitations of state and federal laws relating to data privacy practices. The person accused also will be notified of the outcome of such proceedings. The university will cooperate with law enforcement authorities in obtaining, securing, and maintaining evidence in connection with the sexual assault incident. The university also will assist you in preserving any materials relevant to the campus disciplinary proceedings. The university will, in cooperation with law enforcement authorities, make efforts to shield you

from unwanted contact with the alleged assailant, including the transfer of the victim to alternative classes or alternative university-owned housing, if these options are available and feasible.

On-Going Support

Because of the traumatic nature of sexual assault, victims are strongly encouraged to seek professional help. On campus, free and confidential counseling services and referrals are available at Counseling and Career Planning Services in Ross Hall 417. If you would like to receive more information about your options for pressing charges, for reporting an incident, for filing internal complaints, or for counseling, please contact the university staff members whose departments and phone numbers are listed in this policy. There are also support resources outside the UA Little Rock community. Counseling and Career Planning Services maintains a list of local therapists, including clinical psychologists, social workers, and psychiatrists in private practice. Students and employees may have private insurance benefits that cover all or part of the cost of such counseling. Also, there are clinics in the community that operate on a sliding scale or have delayed payment plans.

Registered Sex Offenders: Public information about registered sex offenders on-campus can be accessed through the UA Little Rock Police Department. Campus community members may obtain public Megan's Law information exclusively under "section (j) of the Wetterling Act," twenty-four hours a day, seven days a week online through the Arkansas Crime Information Center.

Alcohol and Drugs Policies: Diversity of opinion and freedom of choice are principles which have long been part of the higher education tradition. However, this freedom entails the exercise of personal responsibility, a responsibility that includes the obligation to make informed decisions regarding the use and abuse of alcohol and other drugs. The use of the term "drug" in this handbook refers to alcohol, any illegal drug, and abuse of legal drugs including, but not limited to, prescription drugs. Alcohol and other substance abuse is a university campus concern. When students abuse alcohol and other drugs, academic performance, health, personal relationships, and safety suffer. Abusive levels of alcohol use and other drugs often result in problems such as automobile and other accidents, student conflicts, property damage, aggravated physical illness, and sometimes death.

A reduction of problems related to the abuse of alcohol and other drugs cannot be achieved solely through student development programs, curricular offerings, or through the development of rules, regulations, and policies. However, rules and policies are important and necessary.

Students need to know what their responsibilities are as members of the university community, Registered Student Organizations (RSO's), and groups, and fully understand the university's expectations and regulations regarding the abuse of alcohol and other substances.

Registered Student Organizations

Students should be thoroughly familiar with the Code of Student Rights, Responsibilities and Behavior outlined in the UA Little Rock Student Handbook. The university has in operation a drug prevention program which is accessible to students and is committed to the elimination of drug abuse. The University:

Promotes an educational environment free from the abuse of drugs.

Educates members of the community for the purpose of preventing drug abuse, and

educates them about the use of legal drugs in ways that are not harmful to self and others.

Creates an environment that promotes and reinforces healthy, responsible living, respect for community laws and campus standards and regulations, individual responsibility within

the community, and the intellectual, social, emotional, spiritual or ethical, and physical well-being of its community members.

Provides for a reasonable level of care of alcohol and drug abusers through counseling, treatment, and/or referral service.

Exercises appropriate disciplinary action for alcohol and/or other drug policy violation. Disciplinary sanctions for the illegal sale or distribution of drugs on campus or within the institution's jurisdiction or at events controlled by the university may subject the student to separation from the university or referral for prosecution. Additional information can be obtained from the publication *Alcohol, Drugs, the Law and You*. This booklet may be acquired in the Office of Health Services.

University Requirements

The following alcohol policies and regulations have been adopted by the university for events sponsored by an RSO or group at fraternity/sorority lodges or at student centers: Possession, sale, consumption, or serving of alcoholic beverages on the premises of any fraternity, sorority, RSO or group, or at any entertainment or event sponsored by these groups shall be in compliance with all applicable laws and university regulations.

The use of alcoholic beverages during formal rush and/or at membership recruitment functions is prohibited.

Guidelines for events which involve alcoholic beverages are:

There shall be no open solicitation, encouragement of alcohol consumption, or promotion of a drinking contest.

Promotional materials including advertising of the event shall not refer to the number of alcoholic beverages, e.g., the number of beer kegs, available.

Alcoholic beverages shall not be provided as free awards to individual students or campus organizations.

The group sponsoring the event shall implement precautionary measures to ensure that alcoholic beverages are not accessible or served to or consumed by persons under the legal drinking age or to persons who appear intoxicated.

Where alcoholic beverages are provided by the group, direct access shall be limited to person(s) designated as the server(s).

Non-alcoholic beverages should be available at the same place and featured as prominently as the alcoholic beverages.

Food items shall be made available throughout the event.

Advertisement for the event where alcoholic beverages are included shall note the availability of non-alcoholic beverages as prominently as alcohol. Alcohol shall not be used as an inducement to participate in the event.

Constituted law officers or the faculty/staff advisor (alumni/advisor if a fraternity or sorority), shall be present at all times during an event if it is exclusively for members and invited guests.

A minimum of two (2) constituted law enforcement officers shall be present at all times during an event when the invited guests exceed one hundred (100).

The Application for Events Involving Alcoholic Beverages must be submitted with the calendarization form when alcoholic beverages are involved. Registration forms are available in OCL.

Legal Requirements:

Drinking age law for possession, consumption, and sale of alcoholic beverages as well as penalties for violation of such laws. Arkansas Code Ann. 3-3-203 and 3-3-204 provide that

it is unlawful for any person under age 21 to purchase or have in their possession any intoxicating liquor, wine, or beer. They also provide that it is unlawful for a minor to be allowed to handle alcoholic beverages in any way with this exception: minors are allowed to serve as cashiers and stock boys in grocery stores selling beer where those stores have gross sales of more than \$2 million per year. The charge of a minor in possession is a criminal matter and is adjudicated by the municipal courts. Possession, consumption, and sale of alcoholic beverages by persons under the lawful age are considered a Class C misdemeanor. The penalty is not to exceed a \$100 fine.

Open container law regarding alcoholic beverages being consumed in outdoor areas or automobiles prohibits drinking in public. Arkansas Code provides that a person commits the offense of drinking in public if he or she consumes any alcoholic beverage in any public place, on any highway, or street, or upon any passenger coach, streetcar, or in or upon any vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, or other public place other than a place of business licensed to sell alcoholic beverages for consumption on the premises. Drinking in public is a Class C misdemeanor. The penalty is not to exceed \$100 fine.

Dram Shop or Implied Consent. Arkansas does not have a dram shop law. The state does not have any provision in its statutes that imputes liability automatically to the dispenser of alcoholic beverages; however, the trend is moving toward holding those persons who give parties where alcoholic beverages are served, liable for any damages resulting from the actions of intoxicated guests.

Recent Arkansas legislative Acts have established new and stiffer penalties for DWI offenses. This is a schedule of the fines and jail sentences that are mandatory under these laws. All students should be aware of the severity of these penalties.

Counseling and Treatment Programs

Education:

The process of providing information concerning drug abuse to students, faculty, and staff is conducted through the classroom, self-help groups, literature, and individual counseling and campus-wide activities. Educational activities in the classroom are provided on undergraduate and graduate levels. A resource list of speakers, to provide classroom presentations or workshops on substance abuse are available at Health Services. Counseling and Career Planning Services and Health Services provide free literature, handouts, videos, individual counseling, one-on-one information sessions, and referrals. The university provides an annual Alcohol/Drug Awareness Week to educate the campus population in the areas of substance abuse, risk reduction, and self-assessment.

Treatment:

Counseling and Career Planning Services provides support services to individuals, couples, groups, and families. Available techniques include crisis intervention, problem-solving strategies, and group therapy and intervention techniques. Free confidential assistance is available to all UALR employees from the Arkansas Employee Assistance Program. Self-help groups such as Alcoholics Anonymous and Narcotics Anonymous meeting in the community. Counseling and Career Planning Services facilitates groups that deal with issues such as co-dependency and addictive personalities.

Referral:

Referrals to private and public facilities, outpatient and inpatient institutions and individual practitioners are provided by Counseling and Career Planning Services and Health Services. Resource lists of area treatment centers are available at Counseling and Career Planning Services.

A potentially dangerous situation exists whenever an individual consumes too much alcohol. A high blood alcohol concentration can result in bizarre, unpredictable behavior, unconsciousness, or even death. The degree of danger depends on the person's size, what and how much the person drinks, what time period is involved if the person took drugs besides alcohol and other circumstances.

Alcohol Consumption: Get help immediately if the person cannot be aroused by shaking or shouting, has a breathing rate that is shallow or irregular, drank alcohol in combination with a sedative or tranquilizer. Sustained a blow to the head or any injury which caused bleeding. Drank a large quantity (e.g., pint) of liquor, is disoriented, incoherent, or has collapsed.

Call 911 if a person is unconscious due to excessive alcohol consumption:
Check regularly for breathing and consciousness. Roommates and friends should stay with the person.

Make sure the person is lying on his/her side with knees bent. This position will help prevent choking should the person vomit.

If the person vomits, stay with him/her to see that he/she does not swallow or aspirate the vomit. Get immediate help if the person has difficulty expelling the vomit or gags on it. Rule of thumb: If you are not sure about what to do, but you think the person needs help, call 911.

Helpful Numbers:

Employee Assistance Program: 501.686.2588

UA Little Rock Counseling & Career Planning Services: 501.916.3185

UA Little Rock Health Services: 501.916.3188

UA Little Rock Police Department: 501.916.3400

Alcoholics Anonymous: 501.664.7303

Narcotics Anonymous: 501.373.8683

Student Housing Safety: In addition to a full-time, professional residence hall director with specially trained resident assistants and community advisors living within student housing, there are a number of security features including: Card access controlled exterior entrance doors

Gated, card access-controlled parking for residents

Room door lock is changed for lost keys

Wide angle viewer in suite entry door

Blue light emergency phones

Regular patrols inside and outside student housing by UA Little Rock police officers and security officers

Safety awareness programs

Reception desk staffed 24 hours a day, 7 days per week

Additional Safety Precautions:

Make a habit of keeping your doors locked. Lock your doors when sleeping or when leaving a roommate asleep inside.

Do not leave valuables in open view. Take valuables home during vacation.

Never prop open doors.

Never allow unknown persons to enter your room.

Report suspicious individuals to UA Little Rock Police Department.

Require identification and authorization from maintenance staff requesting access to your room.

Report all doors, locks, and windows that are in need of repair to the residence hall staff. Be suspicious of unknown persons loitering or checking doors in your hall, and call UA Little Rock Police at 916-3400.

Backpacks, purses, book bags, etc., should never be left unattended.

Suspicious Activity:

Since safety is everyone's responsibility, it is important for you to be aware of the types of behavior and actions that may signal criminal activities. In the university setting, these may include:

A person who seems to be wandering in the hallways or lurking about the building

Any unusual or suspicious noise that you can't explain, such as breaking glass or pounding

Vehicles moving slowly without lights or to no apparent destination

A stranger sitting in a vehicle for an extended period of time for no apparent reason

A person hanging around residence hall windows or parking lots

A person removing property from a building late at night

Remember, if you are in doubt; contact the UA Little Rock Police Department. The staff will be able to assist you in determining whether or not there is a cause for alarm and if it is necessary to respond. UA Little Rock Police suggests the following approach to reporting suspicious activity on campus:

Remain calm. Keep away from the suspicious person(s) or activity.

Call 916-3400, or pick up a campus blue light emergency phone.

Tell the police whether the crime is in progress or has already been committed. If you see a crime in progress, report it IMMEDIATELY. Observe as much as you can. Try to remember:

Color of hair, eyes, and skin, facial features, hats, gloves, and facial hair

Approximate age, height, and build

Unusual marks, scars, tattoos, speech peculiarities, accents, and jewelry and clothing

Type of weapon used by the criminal

Type of vehicle involved

Workplace Violence:

At UA Little Rock, all faculty and staff members share the responsibility to report threats, acts of aggression, and violence to a responsible authority, department head, or the UA Little Rock Police Department.

Threats, acts of aggression, and violence at the university will not be tolerated, by or toward faculty, staff, students or visitors. Such actions may result in disciplinary action, up to and including discharge or expulsion.

The prosecution may result if federal, state, or local laws are violated. Threats can be direct and immediate or vague and may occur either verbally or in writing. Acts of aggression include abusive behavior, stalking, and tampering with property and are intended to intimidate, create fear, inflict harm, or destroy property.

Violent behavior is behaving in a way that poses an immediate threat to self or others by acts of physical harm.

Acts of violence cannot be predicted with absolute certainty, although we can minimize the risk to everyone when behaviors that are observed are reported to appropriate authorities. Often threats or acts of aggression escalate to a level of violence when there is poor communication with the person, and the person cannot cope under stress. A violent person is often a person angry at the organization and seeking retaliation. It is important to recognize, however, the connection between domestic violence and workplace violence. Pay close attention to behavior and warning signs.

Your own response to the events will help prevent a crisis and enhance everyone's safety.

When interacting with a potentially aggressive or violent person, be aware of your reactions, report all behaviors to others, and follow the suggested guidelines:

Remain calm, and speak in a low voice; don't argue or agree with distortions. Let them know of the consequences. "I'll call security if you don't sit down and stop yelling. I can't help you if you don't calm down."

To avoid invasion of "personal space," keep safe distances of 3 to 6 feet.

Treat people with respect, regardless of their behavior, and avoid being judgmental. Do not make promises you cannot fulfill.

If the person has an appeal to a higher authority, then explain appeal options.

Report all violent behaviors or acts of aggression to appropriate authorities, or call UA Little Rock Police at 916-3400. If the behavior reaches the point of violence then:

Remain calm. Dealing with the person calmly and confidently will help reduce further communication problems.

Call UA Little Rock Police at 916-3400. If you cannot make the call yourself, have someone else call for you.

Do not try to physically force a person to leave.

Do not touch the person.

If violent behavior is occurring, escape, hide if not already seen, or cover up.

Position yourself, if possible, near an accessible exit route.

Never attempt to disarm or accept a weapon from the person in question.

Don't argue with or threaten the person, and don't block his/her exit.

The university offers many resources, (UA Little Rock Police Department, Department of Human Resources, Employee Assistance Program, Arkansas Department of Finance and Administration, Office of Personnel Management, InterAgency Training Program) to assist you and others with preventing problems.

Staff in these offices can conduct investigations, manage the workplace if a situation occurs, and help faculty and staff members cope with stress.

Fire Safety Disclosures/Requirements and Definition of a Fire:

For the purposes of fire safety reporting, a "fire" is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. This definition contains two descriptions of fire.

The first is "any instance of open flame or other burning in a place not intended to contain the burning.

- trash-can fire oven or microwave fire burning
- oven mitt on a stove grease fire on a stovetop
- flame coming from electric extension cord
- burning wall hanging or poster fire in an

overheated bathroom vent fan couch that is burning without any flame evident

The second type of fire is "any instance of open flame or other burning in an uncontrolled manner.

chimney fire gas stove
fire fuel burner or boiler
fire

Do not include sparks or smoke where there is no open flame or other burning.

such incidents as burnt microwave popcorn that trigger fire alarms or smoke detectors but where there are no open flames or other burning.

Campus living Policies and Regulations:

Appliances

UL (Underwriters Laboratories) approved electronics such as computers, stereos, televisions, DVD players, study lamps, clocks, irons, fans, electric blankets, heating pads, hair dryers, and other small kitchen appliances are allowed for use in student rooms. West Hall rooms are limited to mini-refrigerators, small coffee makers, and microwaves that are 900 watts or less. Sun lamps and electric heaters may NOT be used. Overloading circuits or using any appliance that poses a danger or fire hazard may not be used.

All cooking appliances must have UL approved cords. Appliances with open coil heating elements (i.e. hot plates) are not allowed. In North, South, & East Halls, residents may use toasters and toaster ovens, electric skillets, Foreman grills, electric woks, crock pots, and other small kitchen appliances. Because of potential fire hazard and because of limited ventilation, cooking with grease or oil (i.e. deep frying) is not allowed in East Hall.

Candles and Incense

Open flame devices and materials are prohibited in all campus buildings. Plug-in air fresheners are discouraged.

Fire Alarms

Whenever the building's general fire alarm sounds, residents must immediately evacuate the premises without question or delay, according to the designated emergency path exits. Fire drills will be scheduled each semester. It is important to understand that the Campus Living Staff responds to EVERY alarm and takes them ALL seriously. During the drills, all rooms will be checked; staff members will key into rooms. All residents are required to fully participate and cooperate during fire drills in an expeditious manner. Those who do not will face disciplinary actions.

Fire Equipment

All fire equipment (alarms, extinguishers, emergency lighting, fire hoses, and exit signs) are for the safety of all persons residing in the residence halls. Misuse of these items is a federal offense and will be prosecuted as such. Endangering the lives of residents by misusing, abusing, or tampering with the fire equipment is grounds for serious judicial

action including removal from residence. Automatic fire sprinkler systems and addressable fire alarm systems are monitored by an off campus monitoring station 24/7.

FIRE SAFETY PRECAUTIONS

Do not abuse the electrical supply – use of electrical devices to obtain an excessive number of outlets can result in an overload of circuits.

Trash should not be allowed to build up; it should be removed daily. Custodians will remove trash from the buildings daily. Flammable materials should not be left in trash containers inside the building. They should be placed securely in the dumpster located between North and East Halls.

Blocking exit paths is prohibited by law. Doorways, corridors, and stairs must be kept free of obstacles; therefore, no storage is allowed in public areas of the hallways.

IN CASE OF FIRE

Do not panic. Remain calm.

If there is smoke in the room, keep low on the floor.

Before opening a door, feel the door and its handle. If they are hot, do not open the door.

Before opening the door, brace yourself against it and open it slightly. If heat or heavy smoke is present, close the door and stay in the room.

If you leave the room, close all doors behind you and take your room key.

Emergency vehicles and personnel will be maneuvering around the building.

If all exits are blocked, stay in your room. Remain calm.

EVACUATION PLAN

Fire evacuation plans for each floor are posted by the elevators and stairwells. Please become familiar with the designated routes.

IN CASE ALL EXITS ARE BLOCKED

Try to call Public Safety. (916-3400) Tell them where you are and that you need help. Open the window slightly to let in fresh air. Take care not to draw smoke into the room or feed the fire by creating a draft.

Place wet towels and sheets around doors and cracks.

Draw water from the bathroom or kitchen to keep towels and sheets wet.

Hang an object out the window to attract Fire Department attention (sheet, blanket, jacket, etc.).

If heavy smoke is present, place a wet towel over your nose and mouth and keep low to the floor.

Flammable Items

Flammable items, such as fuel or car batteries, may not be stored in student rooms.

Grilling

Due to fire safety standards, no personal grills are allowed. Grilling patios are available on the east sides of North and South Halls. Only UA Little Rock provided grills might be used. Do not leave hot coals unattended. Dispose of coals in the provided receptacle.

Daily Fire Log: There is a daily fire log posted along with the Daily Crime Log as stated above. This log lists all fire related incidents to include, arson, fire alarms, and any fire related information. The data is collected reflecting 60 days, maintained for viewing any time at the Police Dispatch Office, and the old logs are kept on file.

Fire Statistics: The Annual Security Report (ASR) contains Fire Statistics following the Clery Act requirements and definitions. Refer to the ASR when it is accomplished. It is posted by 1 October of each year reflecting three years of statistics.

Disclosure to Victims of Alleged Crimes:

While student disciplinary records are protected as education records under *FERPA*, there are certain circumstances in which disciplinary records may be disclosed without the student's consent. A postsecondary institution may disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted by the institution against the alleged perpetrator of that crime, regardless of whether the institution concluded a violation was committed. An institution may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. See 34 CFR §§ 99.31(a)(13) and (14).

Clery Reporting and the Annual Security Report: As a result of the reported crimes to the UA Police Department and Campus Security Authorities, crime statistics are compiled following the guidelines of the Department of Education/Clery Act. Crimes reported to the UA Little Rock Police and Campus Security Authorities are gathered for reports which happen involving various campus properties and associated property. These properties follow certain defined locations as follows:

On-Campus: 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; and Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, 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).

Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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.

Residence/On-campus Subset: On-campus Student Housing: Any institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics. The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities and the number of crimes that occurred in on-campus student housing facilities as a subset of the total. The student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Public Property: 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 Crimes and Definitions:

1. Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another. Count one offense per victim. Include as Murder and Non-negligent Manslaughter: Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.
2. Sexual Assault (Sex Offenses). Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Include attempted Sexual Assaults, but do not include in your Clery Act statistics any Sexual Assaults other than the four types of Sexual Assaults described in this chapter.
 - a) Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females. Count one offense per victim. Include the crime as Rape, regardless of the age of the victim, if the victim did not consent or if the victim was incapable of giving consent. If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, including the crime as Statutory Rape.
 - b) Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. Count one offense per victim. Fondling is recognized as an element of the other sex offenses. Therefore, count Fondling only if it is the only sex offense.
 - c) Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Count one offense per victim.
 - d) Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. Count one offense per victim. The statutory age of consent differs by state.
3. Robbery. Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
4. Aggravated Assault. Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
5. Burglary. Burglary is the unlawful entry of a structure to commit a felony or a theft.
6. Motor Vehicle Theft. Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
7. Arson. Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Beyond the Basics—Additional Rules for Counting and Disclosing Crimes Hierarchy rule citation 34 CFR 668.46(c)(9) The Hierarchy Rule When counting multiple offenses, you must use the FBI's UCR Hierarchy Rule. Under this rule, when more than one Criminal Offense was committed during a single incident you should only count the most serious offense. A single incident means that the offenses were committed at the same time and place. That

is, the time interval between the offenses and the distance between the locations where they occurred were insignificant. Beginning with the most serious offense, the following list shows the hierarchy for Clery Act reporting: • Murder and Non-negligent Manslaughter • Manslaughter by Negligence • Sexual Assault • Robbery • Aggravated Assault • Burglary • Motor Vehicle Theft.

An example based on the Hierarchy Rule might be if a student is both raped and robbed during a single incident. In this case, include only the Rape in the statistics, because it is classified as the more serious crime in the hierarchy.

Hate Crimes Hate crime citation 34 CFR 668.46(c)(4) The second category of statistics you must disclose after Criminal Offenses is Hate Crimes. 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.

NOTE: For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias. • Murder and Non-negligent Manslaughter • Sexual Assault • Robbery • Aggravated Assault • Burglary • Motor Vehicle Theft • Arson • Larceny-Theft • Simple Assault • Intimidation • Destruction/Damage/Vandalism of Property.

Rules for Counting Hate Crimes Hate Crimes are counted in the same manner that the offenses are when they are not Hate Crimes except that the Hierarchy Rule does not apply to Hate Crimes.

Violence Against Women Offenses (VAWA): The third category of crime statistics you must disclose are those added to the Clery Act by the Violence Against Women Act. These are Sexual Assault is any type of sexual contact or behavior that occurs without the consent of the recipient. Falling under the definition of sexual assault is a sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Sexual assault is included by the FBI as a Criminal Offense and is discussed in the Criminal Offense section earlier in this chapter. Domestic Violence, Dating Violence, and Stalking are considered crimes for the purposes of Clery Act reporting and are defined and discussed in this section. Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed— • By a current or former spouse or intimate partner of the victim; • By a person with whom the victim shares a child in common; • By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; • By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; • By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to— • Fear for the person's safety or the safety of others, or • Suffer substantial emotional distress. For the purposes of this definition— • Course of

conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or Chapter 3. Crime Statistics: Classifying and Counting Clery Act Crimes The Handbook for Campus Safety and Security Reporting 3-39 about a person, or interferes with a person's property. • Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. • Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws Arrests and referrals citation 34 CFR 668.46(c)(1)(ii) category of crime statistics disclose is the number of arrests and the number of persons referred for disciplinary action for the following law violations:

1. Weapons: Carrying, Possessing, Etc.;
2. Drug Abuse Violations
3. Liquor Law Violations

NOTE: Do not combine statistics for arrests and persons referred for disciplinary action.

Referred for disciplinary action is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

The disciplinary process at your institution might be called "disciplinary action," "mediation," "judicial process" or some other term. The referral may, but doesn't have to, originate with the police. Regardless of what you call it, if the process involves the following three criteria, it's a disciplinary action under the Clery Act: • The official receiving the referral must initiate a disciplinary action, • A record of the action must be established, and • The action may, but does not have to, result in a sanction. Note that a disciplinary action can be initiated in an informal as well as a formal manner. It can include an interview or an initial review of names submitted to an official. So too, sanctions can be formal or informal, punitive or educational. Documentation of the referral must be maintained for purposes of Clery Act compliance for three years from the latest publication of the annual security report.

How to Classify the Law Violations

Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

NOTE: For all campuses reporting at UA Little Rock, the priority of the top three offenses is Weapons Violations. If it comes down to a violator, for example, with a gun, drugs, or alcohol illegally, the Gun violation would take priority in reporting for Clery/Annual Security Report.

Unfounded crimes citation 34 CFR 668.46(c)(2)(iii) Beginning with the reports due in 2015, institutions have been required to include in the Web-based survey and the annual security report statistics for the total number of crime reports that were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. As such, for Clery Act purposes, the determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

Excluded Crimes There are some crimes that you should not include in your institution’s Clery Act statistics and others that you may exclude under particular circumstances. They are:

- Non-Clery Act crimes. If you disclose statistics for non-Clery Act crimes, disclose them in a manner separate from your Clery Act statistics.
- Crimes not committed in geographic locations specified by the Clery Act. For example, although Rape is a Clery Act crime, where it was committed is important in determining if the crime must be included in the annual security report and the Web-based data collection. If a student reports being raped over spring break, the statistic for the Rape must be included if it occurred on campus, in or on a noncampus building or property, or on public property as defined by Clery Act regulations. If the Rape did not occur in one of these locations, do not include it in your Clery Act statistics. A Final Reminder ... Statistics for all Clery Act crimes must be reported by the type of crime that was committed, the year in which the crime was reported and the geographic location where the crime occurred. If you are uncertain about how to classify a specific incident for Clery Act reporting, we encourage you to contact any law enforcement in your area for assistance.

The Daily Crime Log: The purpose of the daily crime log is to record all criminal incidents and alleged criminal incidents that are reported to the campus police or security department. The log contains the incident number (for references), nature of the crime, date, time, location, the status of the incident. An entry, in addition to an entry or a change in the disposition of a complaint, must be recorded within two business days of the

reporting of the information to the campus police or the campus security department. The crime log differs from other disclosure requirements in some important ways:

- Crime log entries include all crimes reported to the campus police or security department for the required geographic locations, not just Clery Act crimes.
- The crime log includes specific information about criminal incidents, not crime statistics.
- The log is designed to provide crime information on a more timely basis than the annual statistical disclosures. A crime must be entered into the log within two business days of when it was reported to the campus police or security department. This includes crimes that are reported directly to the campus police or security department, as well as crimes that are initially reported to another campus security authority or to a local law enforcement agency, which subsequently reports them to the campus police or security department.
- The UCR Hierarchy Rule does not apply to the crime log. If multiple Criminal Offenses are committed during a single incident, all of the offenses must be recorded in the log.
- The log has a more specific location focus than the statistical disclosures.

Along with the Daily Crime Log, there is another log called the Fire Log. This log contains the same information as the Crime log but only referring to Fire/Fire Alarm issues. This log follows the same rules as the Crime Log. Both logs are generated counting 60 days worth of data. The crime and fire log contains the most recent 60-day period and is open to public inspection, free of charge, upon request, during normal business hours at the Police Dispatch Office.

On-Campus Student Housing Missing Persons Protocol: Events that could cause a person to be considered missing include contact from a concerned individual, including university officials, about an individual's absence or lack of contact that is contrary to his/her normal behavior and/or if unusual circumstances may have caused the absence.

When a housing staff member becomes aware of a potential missing resident, an incident report is initiated that begins the Missing Person Protocol. The 24-hour period begins at the time the report is generated, and the housing staff will follow the missing person procedures to report and investigate the missing person.

Resident Assistant Role:

Gather information from the reporting source: name and contact information of the source, relationship to the missing person; name, age, description, campus address and contact information of the missing person; last seen date/ time/location; the reason for the concern; any other information that may be helpful. Record all this information on the Incident Report (IR). Record "Missing Person" on the "other" category of the IR.

Immediately notify the Hall Manager of the missing person report.

Perform routine checks within the hall community:

Check with roommates to see when the missing person was last there.

Try to call, email, or text message the person.

Check with their friends to ask when they last communicated with the person.

If possible, check social network sites for useful information.

Continually update the Hall Manager with new information, including finding the missing student.

Hall Manager Role:

Gather as much information as possible from the Resident Assistant and the source of the initial report such as reasons why they believe the resident is missing and what actions have been taken to try and locate the person. Continue the investigation by:

Checking the student's room

Interviewing roommates and asking them to watch for the student

Leaving a note on the student's door to contact you as soon as they return.

Instructing the Lobby Manager to watch for the student to enter the building

Update the incident report with any new information

Notify the Director of Housing if the missing resident has not been found within twelve hours.

Director of Housing Role:

Review the IR and gather information from the Hall Manager.

Inspect the missing person's housing file for verification of vital information such as age, contact information, and ID number.

Check the person's mailbox to determine if they have been picking up their mail.

If the person registered a vehicle, check the housing parking lots for their car.

Check Banner for ID photo, registration verification, and class schedule.

Consult with the Office of the Dean of Students.

Contact the Office of Records and Registration to determine attendance.

Contact Computing Services to investigate when/where the person may have used their ID or logged onto the university network.

Continue to check in with roommates, hall staff and others for updates or additional information.

All housing investigating procedures should be completed by 24 hours after first notification of the missing student. If the resident has not been located, the designated contact or the custodial parent or guardian, and the Director UA Little Rock Police Department will be notified by the Dean of Students.

Circumstances to notify UA Little Rock Police Department without following the Missing Student Procedures include:

Suspected foul play or danger including expressed suicidal ideology

A known medical condition that could cause a life-threatening situation

Natural disaster or other force of nature in which the student may have been involved

The missing student has no designated contact on file

Individuals who believe a student resident is missing should contact student housing personnel to file an IR and initiate a student housing investigation. If the missing resident is not yet 18 years old, the custodial parent or guardian will be contacted by the university within 24 hours of notification. UA Little Rock will initiate official notification procedures for any resident who is determined to be missing for more than 24 hours.

Designated Contact: All residents have the option to designate a person to be contacted by UA Little Rock should the resident be determined to be missing for more than 24 hours. A Confidential Contact Information Card is available from the Housing Office, East Hall Reception Desk, Hall Managers, or the UA Little Rock Housing website (<https://ualr.edu/housing>.) All residents are encouraged to complete and submit a confidential contact information card.

Law Enforcement Notification: If a resident chooses not to designate a contact and/or is not yet 18 years of age, the Dean of Students will notify the Director UA Little Rock Police

Department when a resident has been determined to be missing for more than 24 hours.

Emergency Preparedness:

Crisis Communications

In the time of crisis, UA will follow the Emergency Management Plan to ensure the safety of our campus community.

The following methods of communication will be used:

Campus alert text notifications

Campus alert telephone notifications

Campus alert email notification

The outdoor emergency alert siren/PA system

Public address systems on UA Little Rock Police Department's patrol vehicles

Marquee located at 28th and University

To receive a text message and/or a telephone campus alert, students must enter the BOSS system and provide the necessary contact information.

UA will test the capabilities of the emergency alert text message, telephone and email systems at the beginning of the fall and spring semesters.

The outdoor emergency alert siren/PA system will be activated automatically anytime the Little Rock Office of Emergency Services activates the city-wide system. A test is conducted every Wednesday at noon.

For tornado alerts, the outdoor emergency alert system will be the method used to warn the campus initially. The text message, telephone, and email feature will be used for follow up information.

The ranking UA Little Rock Police Department officer on duty is authorized to have emergency alerts sent out to the campus community and to determine the content and scope of the message. UA administration, through the Office of Communications and Marketing, will also use the system for follow-up announcements as needed in the recovery phase of the emergency.

Internal Systems Operations

The use of these systems will be initiated by UA Little Rock Police Department when it is necessary to transmit brief urgent messages to large segments of the university community. The Office of Communications and Marketing will program the marquee. After the situation is stabilized, informational messages will be sent with input from the Emergency Response Team (ERT).

Messages transmitted will typically include information concerning emergency weather and other events, as defined in this document, affecting the entire campus. Each campus department is responsible for making certain that individuals under its supervision are aware of the notification systems and how the messages received are to be transmitted to other offices under its jurisdiction.

The ERT may also employ other methods for notifying those within the university community including telephone calling lists, public announcement systems, cell phones, two-way radios, UA Little Rock Police Department Officers and other university personnel.

Authorized Spokespersons:

The Office of Communications and Marketing serves as the authorized spokesperson for the university. All public information must be coordinated and disseminated by Communications staff with assistance from other university departments and/or personnel.

University policy requires that only certain administrators may speak on behalf of the university. These spokespersons are the chancellor, communications director, or the provost. These administrators may designate others as spokespersons. Official information will be made available as quickly as possible. During emergency events, the Office of Communications and Marketing will work with each organizational unit to gather accurate and substantial information regarding the situation and details regarding the university response. Communications, working with other ERT members, will provide notification to students, employees, and the general public on progress toward recovery.

Damage Assessment & Recovery:

Departmental Notification: The UA Little Rock Police Department shall be responsible for securing an incident site and notifying the designated representative (or alternate in designee's absence) of the following departments:

Facilities Management

Finance

Computing Services

Communications

Student Services

Individuals so notified shall immediately respond, meeting for the purpose of determining the extent of damages, recovery activities, relocation needs, and public information needs that are immediately required.

Each department listed above will ensure that contact information on file with UA Little Rock Police Department is current.

When it is suspected that hazardous materials or chemicals are involved, UA Little Rock Police Department shall notify the Environmental Health & Safety (EHS) office. All emergency clean-up and recovery activities shall be coordinated by EHS in accordance with the requirements of public authorities.

When damage is minimal and relocation of activities is not required, Facilities Management shall be responsible for all site clean-up, debris removal, and emergency or minor repairs.

In the event that major remodeling or rebuilding is necessary, Facilities Management shall be responsible for preparation of plans, specifications or cost estimates for building remodeling, and equipment repair/replacement.

Preliminary reports regarding the cause of the loss, the extent of damage, and the plans for recovery and relocation shall be estimated by Finance and reported to the Chancellor.

Dealing With A Disrupted Work Or Academic Environment:

The university seeks to provide a work environment that supports people and the business of the university. In those situations that, due to equipment malfunction, weather, or other crisis situations, workspace is uninhabitable because of heat, cold, water, smoke, or other conditions that make the work site unsafe or uninhabitable, supervisors will make a decision relative to the continuation of services at that location.

If the supervisor, based on consultation with appropriate university officials, his/her knowledge of the term and severity of the condition, and based on a reasonable person standard, decides to vacate the work site he/she shall use the following guidance: If possible, services to students, faculty, staff and the public should be continued at an

alternate work location within the college. Supervisors should identify these alternate work locations in advance and advise faculty and staff of the location and the situations which would require relocation to the alternate work site (i.e., lack of heat, fumes, a threat to safety/security).

If space is not available in locations noted above for all or a portion of the affected staff, they should meet at the Public Facilities office on campus. To the extent possible, normal workflow should be maintained. If computers, phones, and other necessary equipment are not available, staff should engage in planning, evaluation, or training activities, which require staff presence but not operational equipment.

If the options listed above are not feasible, the supervisor can authorize staff to work at home (if appropriate) or they may approve an alternate work schedule to make up the time. If none of the above options are feasible, staff may be required to utilize paid leave (vacation) or unpaid leave, during periods of disruption. It is the university's intent to avoid this option if possible.

Supervisors are responsible for monitoring the availability of the original workspace and for notifying staff and faculty when it is appropriate to return to the regular work area. Determinations regarding classes will be made by the academic units in coordination with the Provost's Office.

The business continuity plan will be followed as required.

Emergency Response Strategies

Bomb Threat

Civil Protest

Earthquake

Explosion

Fire

Flood

Hazardous Materials Incident

Infrastructure Failure

Pandemic

Snow or Ice Storm

Tornado

Violent Incident

Evacuation And Relocation

In the event evacuation of any part of the campus is necessary, the campus community will be informed of the area(s) to avoid with the campus emergency notification system. First responders will determine the safest route.

It is important that their instructions, as well as the directives, relayed via the emergency notification system be followed.

Do not try to reenter an area that has been evacuated until the all-clear has been given.

You may not be able to retrieve your automobile or other belongings for an extended period of time.

Transportation of persons shall be coordinated with appropriate UA Little Rock Police Department, Facilities Management, and Student Services personnel for the purpose of evacuation and relocation of persons threatened by or displaced by the emergency event. A temporary shelter will be selected if needed. Coordination for assistance, equipment, and supplies will be determined at the relocation site as required.

Find out about Evacuation/Refuge Plan for Persons with Disabilities.

Learn more about additional procedures for Student Housing.

Immediate medical assistance shall be requested for injured persons. If mass injuries have occurred, the City of Little Rock Disaster Plan will be activated.

The primary responsibility for the protection of property, assessment of damage, and restoration of normal operations shall be given to the appropriate university service unit, including:

Facilities Management:

Coordinates all services for the restoration of electrical, plumbing, heating, and other support systems as well as structural integrity. Assesses damage and makes a prognosis for the occupancy of the structure affected by the disaster. Manages periods of minimal building occupancy.

Computing Services:

Coordinates support for data processing resources at the main data center and the designated recovery sites; provides alternate voice and data communications capability in the event normal telecommunication lines and equipment are disrupted by the disaster. Evaluates the requirements and selects appropriate means of backing up the telecommunications network.

UA Little Rock Police Department:

Provides safety and security for people and facilities, as well as emergency support to affected areas, and notification mechanisms for problems that are or could be emergency events. Extends a security perimeter around the functional area affected by the event.

The Emergency Management Plan's emergency response and evacuation procedures are tested annually.

The exercise will alternate tabletop scenarios and field scenarios or will consist of a combination of the two.

The exercise will normally be announced in advance but will be unannounced in random years.

The UA Little Rock Police Department will collaborate with Student Services and the Facilities Management in planning and executing the annual exercise. A summary of the exercise stating date and time, whether it was announced or unannounced, the exercise scenario, university departments involved, any outside agencies involved, and notification systems tested will be included in the Annual Safety Report.

Additionally, the plan will be reviewed following an event that requires the activation of the Emergency Response Team. They will convene within 2 weeks of the restoration of normal business to recommend any changes to the emergency management plan. The Emergency Management Plan may be reviewed at the request of the UA Little Rock administration at any time.

Campus Alert Notifications

The Rave emergency alert system is a service provided to all students, faculty, and staff.

Instructions for changing your contact preferences:

Access BOSS using your nine-digit T number.

Select *Personal Information*.

Select last entry titled *Campus Alert Settings* (This is the Rave Emergency Alert).

Enter a cell phone number to receive texts.

Enter a phone number to receive voice calls. This can be the same cell phone number above, a landline, or an alternative cell phone.

Leave the opt-out checkbox unchecked, and click the *Submit* button.

If you no longer wish to receive campus alerts sent to your phone, follow the same procedures above and select the opt-out checkbox. This service is free from UA Little Rock, but charges from your cell phone provider for usage may apply. Contact your service provider for details. You may enter updated information as needed. If your phone number changes in the future, please make a change in BOSS to ensure you receive campus alert notifications.

CRIME STATISTICS 2020 through 2022: <https://ualr.edu/safety/crime-statistics/>

APPENDIX

Campus Security Authority and Reporting Form

“Campus Security Authority” is a Clery Act-specific term that encompasses four groups of individuals and organizations associated with an institution.

A campus police department or a campus security department of an institution.

Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).

Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.

An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. **An official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

What Does a Campus Security Authority Do? The function

of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of Clery Act crimes that he or she receives. CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner. <https://ualr.edu/safety/campus-security-authority-csa-crime-incident-report/>

The following are the incidents to be reported using the above form:

1. Criminal Homicide. These offenses are separated into two categories: Murder and Non-negligent Manslaughter, and Manslaughter by Negligence.

Murder and Non-negligent Manslaughter is defined as *the willful (non-negligent) killing of one human being by another*. **Count one offense per victim.**

Include as Murder and Non-negligent Manslaughter:

Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

Manslaughter by Negligence is defined as *the killing of another person through gross negligence*. **Count one offense per victim.**

Include as Manslaughter by Negligence:

Any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.

2. Sexual Assault (Sex Offenses). *Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent*. Include attempted Sexual Assaults, but do not include in your Clery Act statistics any Sexual Assaults other than the four types of Sexual Assaults described in this chapter.

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

Fondling is *the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity*. Fondling is recognized as an element of the other sex offenses. Therefore, count Fondling only if it is the only sex offense.

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

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

3. Robbery. Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. In any instance of Robbery, **count one offense for each distinct operation (i.e., incident), including attempts.** Do not count the number of victims robbed, the number of those present at the Robbery or the number of offenders.

Essential Elements of a Robbery:

Committed in the presence of a victim (usually the owner or person having custody of the property).

Victim is directly confronted by the perpetrator.

Victim is threatened with force or put in fear that force will be used.

Involves a Theft or Larceny.

4. Aggravated Assault. Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. **Count one offense per victim.** However, if a number of persons are involved in a dispute or disturbance, and the aggressors cannot be distinguished from the victims, count the number of persons assaulted as the number of offenses.

Include as Aggravated Assaults:

Assaults or attempts to kill or Murder.

Poisoning (including the use of date rape drugs).

Assault with a dangerous or deadly weapon.

Maiming.

Mayhem.

Assault with explosives.

Assault with disease (as in cases when the offender is aware that he or she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.).

5. Burglary. Burglary is the unlawful entry of a structure to commit a felony or a theft. **Count one offense per each distinct operation.** It is imperative that institutions carefully evaluate the operative facts of each reported incident to determine if it fits into any subpart of this definition.

6. Motor Vehicle Theft. Motor Vehicle Theft is the theft or attempted theft of a motor vehicle. **Count one offense for each stolen vehicle.**

7. Arson. Arson is *any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.* **Count one offense for each distinct incident of Arson occurring on your Clery Act geography.**

Hate Crimes

The second category of statistics you must disclose after Criminal Offenses is Hate Crimes. 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.*

OTHER OFFENSES:

VAWA Offenses

The third category of crime statistics you must disclose are those added to the Clery Act by the Violence Against Women Act. These are Dating Violence, Domestic Violence, Sexual Assault and Stalking. Sexual assault is included by the FBI as a Criminal Offense and is discussed in the Criminal Offense section earlier in this chapter. Domestic Violence, Dating Violence and Stalking are considered crimes for the purposes of Clery Act reporting and are defined and discussed in this section.

Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed—
By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

Fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or

means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, interferes with a person's property.

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

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