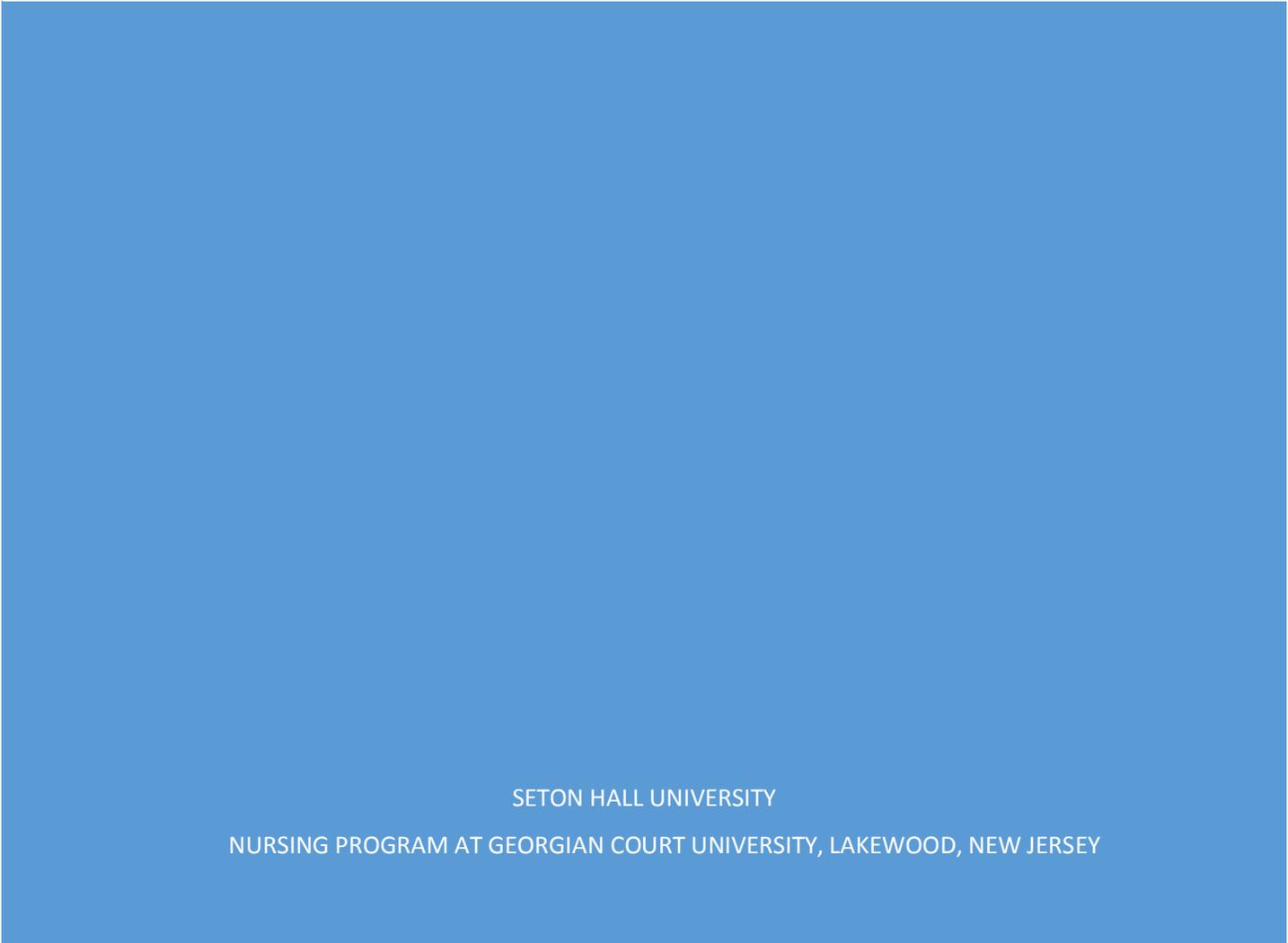




# CAMPUS SECURITY AND FIRE SAFETY REPORT

2016 REPORT – CALENDAR YEAR 2015



SETON HALL UNIVERSITY  
NURSING PROGRAM AT GEORGIAN COURT UNIVERSITY, LAKEWOOD, NEW JERSEY

**CAMPUS SECURITY AND FIRE SAFETY REPORT**  
**2016 R6PORT – Calendar Year 2015**  
**Seton Hall University – Georgian Court University Campus**

This report is published annually in compliance with the United States Code Section 1092 (f) the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (hereinafter referred to as the Campus Security Act) and the Code of Federal Regulations (CFR).

Seton Hall University provides undergraduate and graduate educational programs to almost 10,000 students in three different locations. The University is committed to an engaging, vibrant educational experience in which student can thrive and reach their potential.

The Department of Public Safety and Security takes the issue of campus safety seriously. The men and women of this department work 24 hours per day, 365 days per year to provide a safe environment for the students, employees, and guest of the University. Safety is a shared responsibility that involves all members of the community. It is hoped that the information about safety and security programs contained in this report will be valuable in this pursuit.

**CAMPUS SECURITY ACT**

This law requires all colleges and universities receiving Title IV funds to:

- Collect, classify and count crime reports and crime statistics for specific crimes (Clery Crimes).
- Issue campus alerts in the event of an emergency and/or an ongoing threat to the safety of the campus community.
- Publish an annual report that must contain crime statistics for three years and certain campus safety policy statements and information.
- Submit crime statistics to the Department of Education by October 1<sup>st</sup> of each year.
- Maintain a daily crime log open to public inspection.
- Disclose missing student notification procedures for resident students.
- Disclose fire safety information for residence facilities via maintenance of a fire log, publishing of annual fire safety report, and submit fire statistics to the Department of Education by October 1<sup>st</sup> of each year.

Note: The University will not retaliate or allow any retaliation toward a person(s) who reports alleged violations of the Act.

**LOCATION INFORMATION**

**Campus Location – Georgian Court University, Lakewood, NJ**

Seton Hall University offers a nursing degree program on the campus of Georgian Court University (GCU) in Lakewood, NJ. Students in this program have access to all student service buildings on the Georgian Court campus with the exception of the residence halls. Seton Hall students are not permitted to reside in the Georgian Court University residence halls.

Seton Hall students at the GCU campus are covered by all Seton Hall University policies and services. For purposes of security information, students are encouraged to be familiar with the policies and

services of both campuses. The GCU Annual Security Report can be accessed at - <http://cdn.georgian.edu/wp-content/uploads/campus-security.pdf>.

### **Reporting Locations/Clery Geography**

**On Campus** includes the campus property and campus buildings, with the exception of the residence halls. The main address for the campus is 900 Lakewood Ave., Lakewood, N.J.

**Non Campus**, as defined by the Campus Security Act, includes 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.

**Public Property**, as defined by the Campus Security Act, includes thoroughfares, streets, sidewalks, parking facilities, and public park or park-like settings immediately adjacent to and accessible from the campus.

### **Facility Access**

As stated in the Georgian Court University Annual Security Report:

“Access to Campus Facilities University offices are generally open weekdays from 8:30 am to 4:30 pm. Classes begin at 8:00 am, and evening classes are in session until 10:00 p.m. Buildings are generally open prior to 8:00 am and secured by 11:00 pm. The Ninth Street Gate is open 24 hours a day, 7 days a week. The Seventh Street Gate is open from 7:00 am to 10:00 pm Monday through Friday and is normally secured Saturday and Sunday.

“A majority of our buildings are equipped with card access, which opens and secures doors at designated times. Individuals who wish to access university offices and buildings outside of these designated times should contact the appropriate department or office head, the Office of Student Life, or Security.”

Note that Seton Hall students only have access to the residence halls at Georgian Court as a guest; there is no regular or automatic access to the residence areas for Seton Hall students.

## **EMERGENCY RESPONSE**

**Emergency Response Plan** – As stated in the Georgian Court Annual Security Report:

“Georgian Court University's Emergency Operation Plan provides important information in the event of an emergency or the occurrence of a natural disaster within the general area of the university's campus that impact academic or other operations. The basic emergency procedures contained in the Emergency Operation Plan are designed to protect lives and property through effective use of university and community resources. A copy of the manual can be found at: [www.georgian.edu](http://www.georgian.edu); at the bottom of the page, click on Campus Security then University Emergency Operation Plan. At the beginning of each academic year, Security sends students, faculty, and staff a copy of the Emergency Operation Plan via e-mail, reminding them to review it, outlining how the university's emergency communication system works, and alerting them that the system will be tested. Georgian Court University tests its emergency communication system and its emergency plans at least annually. Testing may be announced or unannounced at the discretion of the chief of security. For each test it

conducts, Security will document a description of the exercise, the date, the time and whether it was announced or unannounced. All emergency test documentation will be retained for seven years.

#### “Emergency Evacuation Procedures

“The designated building marshals will direct evacuation procedures for each campus building.

1. When a fire alarm sounds, the building marshal will assist persons in their assigned area to evacuate the building using the nearest exit.
2. Instructors should collect their class list and escort students out of the building following the instructions of the building marshal.
3. Once outside, you must report to one of the building marshals in the assembly area for the building.
4. If a person with a disability is present, assist the individual in finding a safe refuge (e.g., balcony, lower floor, etc.). Immediately notify the building marshal, security, police, or fire official of that location so that they can act on the situation.
5. When the marshal determines that everyone has evacuated his or her assigned area, he/she will leave the building.
6. When outside the building, the building marshal will assist the security officers in keeping all unauthorized persons from blocking fire lanes or from re-entering buildings. No one may re-enter the building until permission is received from the building marshal, security, police or fire officials (even if the alarm stops ringing).
7. If the university is declared closed, evacuate the university via routes designated by Security or police officers after logging in with your building marshal.

“See the university’s Emergency Operation Plan for additional procedures to follow for other campus emergencies: [www.georgian.edu](http://www.georgian.edu); at the bottom of the page, click on Campus Security then University Emergency Operation Plan.”

#### **Emergency Notification Systems –**

Seton Hall students at Georgian Court University are included in the GCU Emergency Notification System as described in the Georgian Court University Annual Security Report:

“Georgian Court University is committed to immediately notifying the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. In the event of an emergency situation, the university will use Blackboard Connect 5, an emergency communication system, to notify members of the campus community via phone, text messaging, and e-mail of an emergency situations.”

In addition to the GCU notification system, Seton Hall will also activate its emergency notification or timely warning notice as follows. Upon confirmation of a serious, immediate threat to the health and safety of SHU students at GCU, the emergency protocol will be enacted. This will include any one or combination of the following systems: PirateAlert System, SHU Website, and SHU E-mail.

PirateAlert System - This is the University’s electronic mass notification system through which warnings and instructions are transmitted to the University community via cellular voice, cellular text, landline telephone, and e-mail. All SHU community members are automatically registered to receive e-mail messages and are urged to register with PirateAlert to receive messages through the other modes. In addition, all community members who provide a cell phone number as part of their application automatically have that number entered into the system. PirateAlert is used throughout an emergency event to alert and warn the community of an impending or occurring hazard, to provide instructions such as “shelter-in-place,” or to inform the community when the hazard has been abated.

The PirateAlert system may also be used to alert the community to hazards that are beyond the scope of crimes and locations specified by the Campus Security Act. The PirateAlert system is tested twice per year in a pre-announced test.

SHU Web Site and E-mail Alerts - For emergency events for which there is adequate warning time to alert the SHU community, warnings and detailed emergency instructions may be posted on the SHU web site and broadcast via E-mail Community Alerts. A SHU Emergency Web Site can also be activated to replace the regular web site during emergency events.

See above under “Emergency Response Plan” for information about the testing of Georgian Court’s emergency notification system.

**Notification to the Larger Community** - An emergency affecting the SHU community would generate concern from groups beyond the individual location. Emergency notification may be disseminated to the larger community through the University website and local, regional, or national media.

## **TIMELY WARNING & EMERGENCY NOTIFICATION**

**Timely Warning** – shall be issued whenever a Clery Crime that is considered to represent an ongoing or continuing serious threat to students and employees is reported to Public Safety or to local law enforcement and has occurred within the University’s Clery Geography. Whenever a timely warning is sent, it may be sent to the entire campus community or to the relevant population if technology allows.

**Emergency Notification** – shall be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on the campus. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Anyone who becomes aware of a situation which may require the issuing of a Timely Warning or Emergency Notification is instructed to notify Public Safety immediately.

### **Issuing a Timely Warning**

The Vice President for Student Services, or designee, in conjunction with the Assistant Vice President for Public Safety, or designee, will determine the need and content for a Timely Warning based upon and as soon as the pertinent information is available. The Warning may be issued via any of the Emergency Notification Systems listed above. The exact system(s) used will be determined by the nature of the incident. Similarly, the Warning may be sent to the entire campus community or to a segment of the community as determined by the nature of the incident. The Vice President for Student Services, or designee, will write the content of the Warning, determine the system(s) used, to whom it will be sent. The Assistant Director for Emergency Management and the Associate Director for Public Safety have both been trained in the administration of all Emergency Notification Systems, and will be instructed by the Assistant Vice President for Public Safety to issue the determined Warning.

## **Issuing an Emergency Notification**

Upon confirmation by a Public Safety officer that an immediate emergency situation exists, the senior officer on site will direct the use of the Emergency Siren System and/or Fire Alarm System, as determined by the nature and location of the emergency. Subsequent notifications, and for other emergency or dangerous situations, the Vice President for Student Services will determine the content of the notifications and the Emergency Notification Systems to be used.

Seton Hall students at Georgian Court University will also receive Timely Warnings and Emergency Notification via the GCU Emergency Communication System. The following information is from the GCU Annual Security Report:

“Procedures Used to Notify the Campus of an Emergency –

“Security will respond to all reports of emergencies or dangerous situations on campus. Upon confirmation by Security personnel of an emergency or dangerous situation involving an imminent threat to the health or safety of students or employees, Security will contact the president or, in his or her absence, a member of the Emergency Response Team.

“When the president determines in collaboration with members of the Emergency Response Team that a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on campus exists, the university will, without delay, determine the content of the notification and initiate the emergency communication system, unless issuing a notification will, in the judgment of the president after consultation with Emergency Response Team members, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The president, also in consultation with appropriate Emergency Response Team members, will determine the appropriate segment or segments of the campus to receive the notification; determine the content of the notification, including recommendations to shelter in place, evacuate a facility, avoid portions of the campus, or other appropriate actions.

“In addition to using the emergency communication system, the university’s e-mail and phone systems may be used upon authorization of the president. The university will also post updates during a critical incident on the homepage at [www.georgian.edu](http://www.georgian.edu). If the situation warrants, the university will establish a telephone call-in center to communicate with the university community during an emergency situation that will be posted on the university homepage.

“Timely Warnings –

“Georgian Court University will issue a Timely Warning Notice in the event it receives notice of an alleged Clery Act crime (identified below) occurring on campus, on public property within or immediately adjacent to the university’s campus, or in or on non-campus buildings or property controlled by the university, where the university determines, in its judgment, that the allegations present a serious or continuing threat to the Georgian Court University community. For purposes of this policy, “timely” means as soon as reasonably practicable after an incident has been reported to: Security, a campus security authority (CSA), or a local police agency. The university president, or in his or her absence or unavailability, his or her designee (generally the chief of security), is responsible for determining whether to issue a Timely Warning Notice to the campus community.

“Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes....Timely Warning Notices may also be issued for other crimes as determined necessary by the President. The university will document and retain the justification for determining whether to issue a Timely Warning Notice for a seven-year period.

“The university issues timely notice to the Georgian Court University community through campus flyers, brochures, etc. The university will make timely reports to the community via GCU Lion Safety Alert Bulletins, e-mail messages, voice mail messages, and the Blackboard Connect 5 mass notification system for incidents considered to be a threat to the safety and welfare of our students and employees. Safety alerts will be available on the Web at [www.georgian.edu](http://www.georgian.edu) under Campus Security.

“Timely Warning Notices typically contain in the subject line the phrase ‘Timely Warning Notice’ or ‘Crime Alert’ depending on the nature and severity of the threat. The body of each Timely Warning Notice will include a short description of the crime or incident, giving the time and date, location, reported offense, suspect description, weapon used (if any), suspect vehicle (if any), and method of operation used to facilitate the crime. The notice will also include personal safety information to aid members of the university community in protecting themselves from becoming victims of a similar crime and to promote overall safety for the university community. In no instance, however, will a Timely Warning Notice include the name of the victim or other identifying information about the victim. Finally, in developing the content of the Timely Warning Notice, the university will take all reasonable efforts not to compromise ongoing law enforcement efforts.”

## **REPORTING CRIMES**

### **How to Report a Crime**

Important Phone #'s:

**In an emergency, dial 911.**

Security, Georgian Court University –732-987-2611, located at the Main Entrance, Ninth Street and Private Way.

Lakewood Police Department – 732-363-0200

Seton Hall Public Safety & Security – 973-761-9300, located at the Ward Gate Entrance.

All members of the University community are encouraged to report all crimes and unusual incidents to Public Safety and Security personnel.

The Public Safety website provides a way for people to anonymously report crimes or to provide information to authorities <http://www.shu.edu/offices/public-safety/anonymous-witness.cfm>.

Students on the Georgian Court campus may also use any of the Blue Light phones located throughout the campus.

### **Notification to Disciplinary Results to Alleged Victims of Violent Crimes**

Alleged victims of violent crimes will be notified of the results of any disciplinary proceeding conducted related to the report of the crime. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for this purpose.

**Confidential Reporting** – Crimes reported to member of the clergy, of Counseling & Psychological Services (CAPS), or of Health Services, when that member is acting in performance of his/her role as clergy, counselor, or medical provider, are considered confidential and will not be reported without the consent of the reporting individual. As a matter of practice, victims and witnesses are provided information as to how they may report a crime on or off campus. By law, members of CAPS and

Health Services are required to report when an individual has expressed intent to harm him/herself or others.

**Campus Security Authorities** – The University strongly encourages all members of the community to report any crime to Public Safety as soon as possible. In accordance with the Campus Security Act, the University has identified individuals as Campus Security Authorities (CSA’s). CSA’s are required to immediately notify Public Safety of any crime of which they become aware. CSA’s include but are not limited to:

- Nursing Program Administration at Georgian Court – 732-987-2621, 517 Ninth St., GCU campus
- Public Safety & Security – 973-761-9300, Public Safety Building adjacent to Ward Gate
- Dean of Students Office – 973-761-9076, Rm. 237, University Center
- Student Conduct Office – 973-761-9076, Rm. 237, University Center
- Housing & Residence Life – 973-761-9593, Rm. 64, Duffy Hall
- Athletics – 973-761-9498, Rm. 4006, Recreation Center
- Director of EEO Compliance, Title IX Coordinator, Lori Brown – 973-313-6132, Rm. 3, President’s Hall

Campus Security Authorities are required to be trained annually in their responsibilities. This is accomplished through completion of the Campus Security Authority Tutorial available at <http://www.shu.edu/offices/public-safety/campus-security-act.cfm>.

**Crime Log** – In accordance with the Campus Security Act, the University maintains a Crime Log of all crimes reported to Public Safety. Seton Hall University does not provide security personnel for the Nursing Program at Georgian Court University. The Department of Public Safety and Security maintains a separate crime log for any crime reports made to Campus Security Authorities or local law enforcement for the Georgian Court University campus. The log is available for inspection at the Public Safety building, adjacent to the Ward Gate, during business hours.

In addition, as stated in the Georgian Court University Annual Security Report:

“In compliance with federal law, the Georgian Court University Office of Security maintains a Crime Log and a Fire Log, which lists all crimes and fires on campus that have been reported to Security for the most recent 60-day period. The Crime and Fire Logs are updated daily, Monday through Friday.

“The Crime Log includes the following information:

- the date the crime was reported;
- the date and time the crime occurred;
- the nature of the crime;
- the general location of the crime; and
- the disposition of the complaint, if known.

“The Fire Log includes the following information:

- the date the fire was reported;
- the nature of the fire;
- the date and time of the fire; and
- the general location of the fire.

“Interested individuals with proper identification may review the Crime and Fire Logs for the most recent 60-day period at the Security Gatehouse, 24 hours a day, seven days a week. Any portions of the Crime and Fire Logs that are older than 60 days will be made available within two business days of a request for public inspection. Archived Crime and Fire Logs are maintained by the university for a period of seven years.

**Criminal Activity Off-campus** –When a Seton Hall student is involved in a violation of local, state, or federal law off-campus and the University is made aware, the student may be referred for disciplinary action. The matter is adjudicated through the campus Student Conduct process separate and apart from any civic or criminal court action.

**Preparation of the Campus Security & Fire Safety Report** – The Public Safety & Security Office prepares this report to comply with the Campus Security Act. The full report is available at <http://www.shu.edu/offices/public-safety/students-right-to-know.cfm> and can also be accessed from the SHU homepage at [www.shu.edu](http://www.shu.edu). The report is prepared in cooperation with the Dean of Students Office

Campus crime, arrest and referral statistics include those reported to Public Safety, to Campus Security Authorities, and to local law enforcement agencies.

Each year an email notification is made to all enrolled students and to all employees that provides the website to access this report. Copies of the report may also be obtained at the Public Safety Office, located adjacent to the Ward Gate, or by calling 973-275-2818.

**Security Awareness & Crime Prevention** – The University encourages all members of the community to be active participants in the prevention of crime. Public Safety leads this effort with the support of other campus departments through educational programs held throughout the year.

Crime prevention information is provided to students, staff and faculty through crime prevention packets, security alerts, poster displays, and videos on the Public Safety website. Public Safety regularly collaborates with other departments within Student Services to provide programming on such topics as personal safety, sexual assault prevention, alcohol and other drug abuse, dating and domestic violence and other important topics.

Rape Aggression Defense – R.A.D. - Seton Hall University offers free RAD training taught by our own certified instructors for female members of the University community four to six times per year. It is a realistic course that teaches self-defense tactics and techniques. For more information visit: <http://www.shu.edu/offices/public-safety/rad-training.cfm>.

Seton Hall students on the Georgian Court campus also have access to educational materials promoted by GCU’s Security Office. As stated in the Georgian Court Annual Security Report, these include:

“Larceny 101. This program alerts and informs participants how to reduce the chances of becoming a victim of a theft.

“Operation ID. This program offers engraving of student/employee ID/department numbers on personal property.

“Self-Defense. This program by martial arts experts empowers students and employees to protect themselves.

“Alcohol Awareness. This program teaches participants about the dangers of intoxication. Fatal Vision goggles, videos and other sources are utilized.

“Car Safety/Maintenance. In this program, participants learn how to be safe when entering, exiting, and driving their vehicles. Demonstrations of how to change a tire, jump start a car, and check fluids are also included.

“Cyber Crime Awareness. This program informs participants of the dangers in cyber-space, specifically in divulging too much information.

“Dissemination of Crime Prevention Literature. Literature is distributed during Open Houses, Mini-Orientation Fairs, Orientation, RA Orientation, Orientation Leader Training, and other events as necessary.”

## **SAFETY AND SECURITY RESPONSIBILITY**

The safety of our campus and community is a responsibility shared by all of us. While this is led by the Department of Public Safety and Security, there are other key areas who contribute significantly to our efforts.

### **Department of Public Safety and Security**

The Department of Public Safety and Security is located in the Public Safety building adjacent to the Ward Place Gate and provides direction for the 24-hour security services to the University community. The department operates within the Division of Student Services. The Assistant Vice President/Director of Public Safety and Security reports directly to the Vice President for Student Services. The Department works closely with Security Office at Georgian Court University in the interest of SHU students, faculty, and administration at that location.

### **Department of Security, Georgian Court University**

As stated in GCU’s Annual Security Report – “Security at Georgian Court University is comprised of 11 full-time officers, 4 part-time officers and 9 on-call officers. Security patrols the campus 24 hours a day, responds to all on-campus calls, and investigates and documents all reports. In addition, university security officers also assist local fire/paramedic personnel as well as other local, county, state, and federal law enforcement agencies when they respond to campus.

“The university security officers perform vehicle and foot patrols on campus 24 hours a day, seven days a week, year-round. Golf cart, Segway and bike patrols are also conducted on campus. Students, staff and faculty are encouraged to report all crimes, incidents, suspicious activity and emergencies to Security at extension 2611 or 732.987.2611.

“The Office of Security reports directly to the vice president for finance and administration and maintains close and direct contact with the provost, his support staff, and the director of residence life.

“All students, employees, and visitors are strongly encouraged to be responsible for their own safety.

“Enforcement Authority - Georgian Court University (GCU) security officers are unarmed and do not have arrest powers. The university has an excellent working relationship with the Lakewood Police Department, which responds to and investigates incidents upon request, and routinely patrols the campus. Further, the Office of Security has an established relationship with the Ocean County Prosecutor’s Office, Ocean County Sheriff’s Office, and state and federal agencies. The Lakewood Police Department, as well as other stated law enforcement agencies, have arrest authority at Georgian Court University.

“There is a Memorandum of Understanding between the Lakewood Police Department and Georgian Court University in which Lakewood has agreed to respond and aid Georgian Court as needed; respond to calls regarding investigations of alleged criminal offenses on the university campus; and advise GCU Security of any imminent danger to the university as soon as possible. Georgian Court University will assist the Lakewood Police Department as needed.”

### **Behavioral Intervention Team**

The Behavioral Intervention Team consists of administrators from within the Division of Student Services including Dean of Students Office, Counseling and Psychological Services, Public Safety and Security, Health Services, Housing and Residence Life, and Disability Support Services. This team takes a case management approach to identifying students who exhibit specific concerning or alarming behaviors. The Team will develop plans of action designed to intervene and support the student at risk. Students, staff and faculty are encouraged to report concerns about any individual to the Dean of Students at (973) 761-9076.

## **GOOD SAMARITAN POLICY**

Student health and safety are fundamental to our community. Whenever there is concern for another student or belief that assistance is needed, students are expected to contact Public Safety or Security. In the case of a medical emergency, students should immediately call 911.

Students who seek medical assistance for themselves or for an individual who is intoxicated or experiencing an alcohol-related emergency will not be subject to University disciplinary action related to the alcohol policy. Furthermore, the intoxicated student who receives medical assistance will not be subject to University disciplinary action.

When an incident that falls under the Good Samaritan Policy occurs, the student(s) involved will be required to meet with the Office of the Dean of Students to review the matter. While no formal disciplinary sanction (i.e. Probation) will be applied, an appropriate educational response may be. This may include participation in an educational class, mandated counseling assessment, additional fee for ambulance service, and/or parental notification. Failure to complete the educational requirements will result in referral to the University discipline system.

The following is also of important note:

- Other violations of the Student Code related to the same incident may be referred for disciplinary review and sanction.
- A student involved in more than one incident that falls under the Good Samaritan Policy may be subject to disciplinary sanction.
- Students may still be subject to local and state law for their behavior.
- The University reserves the right to review each incident on a case-by-case basis.

For information about New Jersey's 9-1-1 Lifeline Legislation, please see <http://www.njpn.org/wp-content/uploads/File/911%20lifeline%20legislation.pdf>.

## ALCOHOL AND OTHER DRUGS

The possession, sale, or the furnishing of alcohol on the University campus is governed by University policy and New Jersey state law. The enforcement of policies on campus is the responsibility of the Housing & Residence Life staff and Public Safety & Security personnel.

Per New Jersey state law it is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal. The University policy mirrors state law and further restricts the possession and use of alcohol as describe in the Residence Hall Alcohol policy (<http://www.shu.edu/offices/policies-procedures/housing-residence-hall-alcohol-policy.cfm>). The University also prohibits the possession of alcohol by any student in all public locations on campus.

The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the University.

Violators of the University's alcohol and/or drug policies are subject to disciplinary sanction which may range to University expulsion. In addition, individuals may be referred for criminal prosecution that may include fine and imprisonment.

Seton Hall University is committed to a healthy environment for all member of our community. The University's comprehensive education programs exceed the requirements of the Higher Education Act of 1965, as amended. The biennial review of these programs and more detail about the programs offered can be found at <http://www.shu.edu/offices/student-life/community-standards/index.cfm>.

**Compliance & Enforcement for Employees** - Substance abuse is detrimental to an individual's health and may jeopardize safety in the workplace. For these and other reason, the unauthorized use, possession, storage, manufacture, distribution and sale of alcohol, controlled substances, and illegal drugs is prohibited on Seton Hall's campus. For more information consult Human Resources or the "Drug and Alcohol Free Workplace Policy" at <http://www.shu.edu/offices/policies-procedures/drug-and-alcohol-free-workplace.cfm>.

**Educational Programs** – The University provides numerous educational programs and multi-media campaigns to inform students about risks associated with alcohol and other drug misuse and abuse. While these programs are typically offered on the South Orange campus, they can be provided to students on the Georgian Court campus upon request. These programs include:

- Electronic Check-up to Go – an online educational program for all freshmen before they begin their first semester.
- BUZZ – a highly interactive program to educate students about facts concerning alcohol use, risks of misuse, applicable University policies.
- CHOICES – an intensive educational program for students found responsible for violating University policy.
- Anatomy of the Red Cup – Helping students to understand standard drink size and to make informed decisions about their alcohol use.
- Drink Like a Lady, Act Like a Woman – a workshop to help students understand how alcohol affects women differently than men while gaining an understanding of the health risks of long term/binge drinking on the female body.
- How to Help a Friend – a program for students who are concerned about a friend’s alcohol use, this is a step-by-step guide on how to talk with a friend, how to get help, and how to care for yourself in the process.
- Seton Hall University’s Guide to Hosting Safe Parties – advice for students who want to host a party that is fun and safe. Information includes tips for hosting a safe party, South Orange regulations, coupons to local restaurants, and more.
- Alcohol Use and Sexual Assault – a workshop for students based on statistics that show most sexual assaults involving college students usually occur when the victim, perpetrator, or both, have been drinking. Students learn why being under the influence of drugs or alcohol changes everything, and how to reduce your risk of becoming a victim OR perpetrator of sexual assault.
- Stay in the SHU Blue: The ABC’s of BAC – students learn how factors such as weight, gender, and time play into this important equation, and will keep you within the legal limit (the SHU Blue).
- Rage Responsibly – a multi-phased poster campaign cautioning students about the effects of alcohol misuse and binge drinking.

### **SEXUAL MISCONDUCT and ASSISTANCE for VICTIMS**

Seton Hall University is committed to creating and maintaining an educational environment free from all forms of sex discrimination including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated.

Specifically, the University strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. Upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation, work with State and local law enforcement if appropriate, supporting the victim, and imposing sanctions on the perpetrator pending adjudication of the incident.

Seton Hall University prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking, and cyber stalking. **The University**

**strongly encourages accurate and prompt reporting of these crimes to both campus officials and to local law enforcement.** There are, however, options available for students who wish to maintain confidentiality while getting the support they need.

**Confidential Reporting** – Crimes reported to member of the clergy, of Counseling & Psychological Services (CAPS), or of Health Services, when that member is acting in performance of his/her role as clergy, counselor, or medical provider, are considered confidential and will not be reported without the consent of the reporting individual. As a matter of practice, victims and witnesses are provided information as to how they may report a crime on or off campus. By law, members of CAPS and Health Services are required to report when an individual has expressed intent to harm him/herself or others.

### **Campus Reporting**

Victims should report an incident of sexual violence (sexual assault, domestic violence, dating violence, stalking) to any of the following:

Public Safety – 973-761-9300, Public Safety building adjacent to the Ward Gate

Dean of Students- 973-761-9076, Rm. 237, University Center

GCU Security – 732-987-2611, Raymond Hall, GCU Campus

Director of EEO Compliance, Title IX Coordinator, Lori Brown – 973-313-6132, Rm. 3, President’s Hall

Associate Vice President & Dean of Students, Title IX Deputy Coordinator, Karen Van Norman – 973-761-9076, Rm. 237, University Center

### **Local Law Enforcement Reporting**

Victims are encouraged to pursue a criminal complaint and the University will support a victim in doing so. The Department of Public Safety and Security will assist a victim in contacting local law enforcement agencies to initiate an investigation if they so choose.

Lakewood Police Department – 732-363-0200

**Reporting a crime to Public Safety or to a campus office does not obligate the victim to pursue criminal prosecution.** For students, in addition to criminal charges, sexual misconduct is prohibited conduct as specified in the Student Code of Conduct found at <http://www.shu.edu/offices/student-life/community-standards/index.cfm>. Both the victim and the accused are afforded equitable rights during the investigative process. This applies to all members of the University community including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct that occurs on the University campus which includes any building or property owned or controlled by Seton Hall University and used in direct support of or in a manner related to the University’s educational purposes including residence halls, dining halls, and public property within or immediately adjacent to and accessible from campus. This policy also covers conduct that takes place off-campus that may have a nexus to the University community. This applies to all educational, extracurricular, athletic, or other campus programs, all University-related activities including, but not limited to, student organizations (academic, Greek, multicultural, religious, service, social and support, sports and recreational), community organizations with students and/or faculty participation, and all other educational or extracurricular events hosted by or at the University. This also applies to incidents occurring between individuals in varying types of relationships – students, faculty, staff, visitor, contracted employee, supervisor, subordinate, coach, student athlete or any combination thereof. These acts may be committed against an individual or against a group or organization and by a stranger, acquaintance, or someone with whom the victim has a social, romantic

or intimate relationship. These acts may be committed by or against any individual, regardless of sexual orientation or gender identity.

To promote a safe and secure campus environment and prevent acts of sexual misconduct, the University provides ongoing prevention and awareness educational programs. Programs on these topics are specifically provided for all incoming students and new employees. In addition, all members of the University community are encouraged to participate throughout the year in ongoing campaigns and trainings on this subject.

### **Advice for Victims Following an Act of Sexual Violence**

- Immediately get to a place where you feel safe. Call 911 for assistance.
- Try to preserve all evidence. Even if you are unsure of pursuing charges now, having the evidence will be important if you do decide to pursue charges at any point. Avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed.
- Have a sexual assault examination done at the hospital.
- Report the incident to Public Safety (973-761-9300) and/or GCU Security (732-987-2611) and/or Lakewood Police (732-363-0200).
- Reach out for counseling or victim advocacy support. See below for important phone #'s.

### **Important Phone #'s EMERGENCY—911**

#### **On-Campus Resources**

Public Safety and Security  
Phone: 973-761-9300

GCU Security  
Phone: 732-987-2611

Dean of Students Office  
Phone: 973- 761-9076

Counseling & Psychological Services (CAPS)  
Phone: 973-761-9500

*After hours & on weekends—for both the Dean's Office and Counseling—contact Public Safety to be connected to the person on-call. There is someone available 24/7.*

Health Services  
Phone: 973-761-9175

Campus Ministry  
Phone: 973-761-9545

## **Local Resources**

Lakewood Police Department

Phone: 732-363-0200

St. Francis Counseling Center

Phone: 609-494-1554

Rape Crisis Services, Ocean County

Phone: 609-494-1090

180/Turning Lives Around

Phone: 732-264-4111

## **National Resources**

National Teen Dating Abuse Hotline

Phone: 1-866-331-9474

National Domestic Violence Hotline

Phone: 1-800-799-7233

National Sexual Assault Hotline

Phone: 1-800-656-4673

RAINN (Rape, Abuse, & Incest National Network) [www.rainn.org](http://www.rainn.org)

## **Victim Bill of Rights**

The University adheres to the New Jersey Campus Sexual Assault Victim's Bill of Rights (pursuant to NJSA 18A, Chapter 61E) as quoted below:

“A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the college community in achieving these ends. The boundaries of personal freedom are limited to applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault and nonconsensual sexual contact, respect for the individual and human dignity are of paramount importance. The State of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to insure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

*Bill of Rights-The following Rights shall be accorded to victims of sexual assault that occur:*

- On the campus of any public or independent institution of higher education in the State of

- New Jersey, and
- Where the victim or alleged perpetrator is a student at that institution, and/or
- When the victim is a student involved in an off-campus sexual assault.

*Human Dignity Rights:*

- To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy.
- To have any allegations of sexual assault treated seriously, the right to be treated with dignity.
- To be free from any suggestion that victims are responsible for the commission of crimes against them.
- To be free from any pressure from campus personnel to:
  - A) Report crimes if the victim does not wish to do so.
  - B) Report crimes as lesser offenses than the victim perceives the crime to be.
  - C) Refrain from reporting crimes.
  - D) Refrain from reporting crimes to avoid unwanted personal publicity.

*Rights to Resources On and Off Campus:*

- To be notified of existing campus and community based medical, counseling, mental health and student services for victims of sexual assault whether or not the crime is formally reported to campus or civil authorities.
- To have access to campus counseling under the same terms and conditions which apply to other students in their institution seeking such counseling.
- To be informed of and assisted in exercising:
  - A) Any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus, and/or pregnancy.
  - B) Any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

*Campus Judicial Rights:*

- To be afforded the same access to legal assistance as the accused.
- To be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused.
- To be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

*Legal Rights:*

- To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported.
- To receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.
- To receive full, prompt, and victim sensitive cooperation of campus personnel with regard to obtaining, securing, and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.
- To be free from any suggestion that victims were contributory negligent or assumed the risk of being assaulted.

*Campus Intervention Rights:*

- To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants.

To be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonably available.”

### **Student Code of Conduct Procedures in Cases of Sexual Violence**

The University disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects student safety and promotes accountability. Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, but cannot participate in the hearing, meeting, or interview, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process, the availability of any appeal procedures, and when the results become final after any appeals.

The disciplinary process available for victims of sexual violence are the Student Code of Conduct procedures available in full at <http://www.shu.edu/offices/student-life/community-standards/index.cfm>. The steps taken are:

1. Official report taken by Public Safety and Deputy Title IX Coordinator.
2. Investigation by Public Safety, including interview of all parties and any identified witnesses. The investigation will be completed as quickly as possible, normally within four weeks of the official report.
3. The respondent will have an initial meeting to review the potential charges and be made aware of options available to him/her (to accept responsibility and be sanctioned, to deny responsibility and request a hearing, to permanently withdraw from the University prior to adjudication). The respondent will be given forty-eight hours to choose which option he/she wishes to pursue.
4. If the matter is referred for student conduct hearing, the complainant and the respondent will be notified in writing of the official charges, the time and date of the hearing, and copies of any incident reports, statements recorded, and interview summaries. The hearing will be scheduled to accommodate the parties' class schedules only. The hearing will normally be scheduled within twenty days of the official notification of the hearing.
5. Both the complainant and respondent are encouraged to meet with the Board Chair to review hearing procedures at least one week prior to the hearing.
6. Both the victim and respondent will be notified in writing of the decision of the Board, normally within ten days of the decision being final. Such notification will include the effective date(s) of any sanction(s) issued.
7. Both the victim and respondent will have the opportunity to appeal within five days of receiving the Board decision. The grounds for appeal are and detailed appeal procedures are listed in the Student Code of Conduct and included in the written notification of the Board's decision.
8. Both the victim and respondent will be notified in writing of the decision of any appeal within 20 days of receipt of the appeal. The appeal authority may increase any sanction issued, decrease any sanction issued, or refer the case for review by a new Board. The written notification will include any change to the original sanction, including any change to the effective date. The decision of the appeal authority is final.

Note: “Days” refers to academic days, or when the University is in normal session for the fall and spring semesters. Matters falling outside of this time frame may proceed on a different time schedule as determined by the Dean of Students.

**Pending resolution of the complaint**, the respondent may be prohibited from contacting the complainant and may be placed on interim suspension or otherwise denied access to the campus. The University may change the course schedule or residence assignment of the respondent. In the case of a non-student, the respondent may be declared Persona-Non-Grata denying him/her access to the campus and campus activities otherwise afforded to the public.

A student who has reported/is a victim of sexual misconduct may request an academic accommodation or change in residence and will receive an appropriate and reasonable accommodation. These include a change in academic or work schedule, withdraw from class without academic penalty, access to tutoring services, and change in residence hall assignment. Off-campus students may be offered on-campus accommodations.

### **Determining Process to be Used**

If a student complainant presents a complaint against an employee of the University for alleged violation of the University’s sexual harassment or misconduct policy, the complaint is referred to the Title IX Coordinator. The full guidelines for investigating and responding to such complaints are available here - <http://www.shu.edu/offices/policies-procedures/guidelines-for-responding-to-complaints-discrimination-harassment-retaliation.cfm>.

If a student complainant presents a complaint against a student of the University for alleged violation of the Student Sexual Misconduct policy, the complaint is referred to the Deputy Title IX Coordinator and the Student Conduct process (as described above) is followed.

### **University Definition of Consent**

The term “consent” refers to clear, unambiguous and voluntary agreement between the participants to engage in specific sexual activity.

Past consent between the participants does not imply future consent. Silence or the absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Someone who is incapacitated cannot give consent. Incapacitation may be due to the use of alcohol and/or other drugs, may be if a person is asleep or unconscious, or may be due to an intellectual or other disability that prevents the student from having the capacity to give consent.

### **Standard of Evidence**

The standard of evidence used in all student disciplinary conduct hearings at Seton Hall University is preponderance of the evidence or a “more likely than not” standard.

### **Sanctions**

A student who is found responsible for violation of the University’s policy of sexual misconduct is subject to any of the following possible sanctions.

Responsible for sexual assault – University Suspension for one semester, University Suspension for two semesters, University Suspension for three semesters, University Suspension for four semesters, or University Expulsion.

Responsible for dating violence, domestic violence, stalking, or other sexual misconduct (i.e. unwanted touching or fondling) – Probation II for one semester, Probation II for two semesters, Probation II for three semesters, Probation II for four semesters, Probation II for the remainder of time enrolled at the University, Residence Hall Suspension for one semesters, Residence Hall Suspension for two semesters, Residence Hall Suspension for three semesters, Residence Hall Suspension for three semesters, Residence Hall Suspension for four semesters, Residence Hall Expulsion, University Suspension for one semester, University Suspension for two semesters, University Suspension for three semesters, University Suspension for four semesters, or University Expulsion.

In addition to the above issued sanction(s), we may require an educational or developmental sanction such as required counseling, mandated change in residence, restricted access to campus or programs, or required service. Note that this type of sanction is additional and is not a sanction for sexual misconduct by itself.

Sanctions of University Suspension for any period of time and University Expulsion are noted on the academic transcript.

### **Privacy**

The University will maintain as private any accommodations or protective measures provided to a victim as long as it does not impair the ability to provide such measures. Personally identifiable information about victims will not be included in any publicly available record keeping, including the reporting and disclosure of crime statistics.

### **Additional Notes on Victim’s Rights in Pursuing a Complaint**

Victims have the right to pursue criminal charges against the accused/respondent. If the respondent is a student, complainants can also pursue campus action through the Student Conduct Office regardless of where the offense occurred. Because of the sensitive nature of sex offenses, the case would be heard administratively or by an administrative board rather than through a student conduct board.

- Victims have the right to choose counseling and medical treatment and to report and prosecute their case through the University’s student conduct system and/or the off-campus court system. They have the right to refuse these options without reproach from any University personnel.
- Victims have the right to be treated with dignity and seriousness by University personnel.
- Victims of personal crimes have the right to be reasonable free from intimidation and harm.
- University personnel should inform victims that: 1) they are not responsible for crimes committed against them; 2) they should not consider themselves negligent or in any way a contributor to the crime; and 3) that adverse publicity for the college will NOT be a factor in deciding the best course of action.
- Victims will be made aware of appropriate support services, including counseling.

### **Due Process Rights – Student Code of Conduct Violations**

For Student Code of Conduct proceedings, a student has the following rights:

- To a hearing by an unbiased hearing body.

- To have an advisor present at the hearing.
- To written notice of the charges which indicates the time and place of the hearing. Proper written notification shall be defined as delivery of mail to a student's on-campus mailbox, hand-delivered by campus staff; delivery of information via electronic message to a student's assigned campus e-mail account, or delivered by the U.S. Post Office to a student's local address. Students shall be held responsible for the contents of mail for which they have refused receipt.
- To receive a copy of the written report(s) stating the circumstances and allegations involved. This information shall generally be given to the student at the time they receive notification of the time and place of the hearing.
- To object to a Board member who is serving in the capacity of the hearing body on the basis of bias. The board chair will determine the validity of the objection.
- Not to present information against herself/himself.
- To hear and respond to all information presented against her/him. This includes the right to question all parties directly or through the hearing body, as determined by the Board chair.
- To present information and witnesses in his/her own behalf.
- To written notification of the results of a hearing normally within ten days after the conclusion of the hearing. Both the victim and the accused will be informed of the decision at the same time.
- To appeal the outcome of a hearing, except in cases where the accused accepts responsibility for violation of the stated policy(ies). A student must be informed of her/his right to appeal and the process by which to do so.

For more information on victim's rights and/or the rights of the accused contact the Dean of Students Office, 973-761-9076.

### **Written Notification to Students, Employees and Victims of VAWA Crimes**

The University will provide written notification to students and employees about existing and available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available in the community and on campus to victims of dating violence, domestic violence, sexual assault, and stalking. The University will also provide information about these services in writing to victims of domestic violence, dating violence, sexual assault, and stalking, whether the offense occurred on or off-campus. This information is provided in this Annual Security Report, on the University's website at <http://www.shu.edu/offices/student-life/titleix/index.cfm>, and through related brochures placed throughout the campus.

The University will provide written notification to victims regarding rights and options, including: available and existing on- and off-campus services such as victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance; available and applicable institutional disciplinary procedures, and an explanation of those procedures; confidentiality in protective measures and Clery reporting and disclosure; and reasonable and available options and assistance with changing academic, living, transportation, and working situations, regardless of whether the victim chooses to report the crime to law enforcement.

### **Non-Retaliation Policy**

Retaliation against an individual who has made a good faith complaint of sexual violence, participated

in the investigation of a complaint or otherwise exercised his/her rights under University policy or the law is prohibited. Retaliation is a serious violation and will, upon a finding that retaliation has occurred, subject the actor to disciplinary action up to and including separation from the University.

### **Campus Sex Crimes Prevention Act**

A law requiring convicted sex offenders to report to appropriate state and local agencies responsible for sex offender registration and document their enrollment as a student, volunteer or acceptance of employment at educational institutions. The University will be notified of all offenders who fit the criteria. The New Jersey State Police website for information on registered sex offenders can be found at [http://www.njsp.org/info/reg\\_sexoffend.html](http://www.njsp.org/info/reg_sexoffend.html).

### **Educational and Awareness Programming**

Seton Hall University has education programs to promote the awareness of rape, acquaintance rape, dating violence, domestic violence, sexual assault, and stalking. These education programs include primary prevention and awareness programs for all incoming students and new employees. These education programs include: a statement that these crimes are prohibited at the University; definitions of consent, domestic violence, dating violence, sexual assault, and stalking in the University's jurisdiction; safe and positive bystander intervention where there's a risk of one of those incidents; information on risk reduction to recognize warning signs of abusive behavior and avoiding potential attacks; and information about the University's disciplinary procedures. While these programs are primarily offered on the South Orange campus, they are available to students at all locations.

- Campus Clarity/Think About It – an online interactive program for all freshmen to complete before they begin their first semester.
- Bystander Intervention – a workshop designed to empower students to be proactive in responding to and stopping harmful situations and potential sexual assaults.
- Students Challenging Realities and Educating Against Myths (SCREAM) - An improvisational theater program created at Rutgers University to address issues of sexual, dating, and domestic violence.
- Know the Code – an interactive workshop for all freshmen to learn about University policies and resources, including those related to sexual misconduct.
- Multi-media and Social Media Campaigns – designed to raise awareness and educate
- The Clothesline Project - a display of tee shirts designed by survivors of violence to increase awareness about the impact of violence to encourage others to break the cycle of abuse.
- Printed Publications - Prepared by the Office of Dean of Students provide resource information for victims of sexual assault, dating or domestic violence and stalking. Other information is provided for issues related to Title IX including sexual harassment and sexual violence.
- Stalking Awareness – Information from the National Center for Victims of Crime providing about the issues surrounding stalking are provided to community members in pamphlets and poster form.

### **Bystander Intervention**

The University provides Bystander Intervention programs to help students be comfortable recognizing situations where they can step in, take action, and prevent possible sexual violence. These programs help students to weigh the pros and cons of a situation, be motivated to take responsibility, and develop skills to know what to do.

Safe and positive actions which students can take as a bystander may include:

- Making a plan to stay with friends throughout the evening and watching for one another.
- Diverting the attention of a possible perpetrator.
- Assisting a potential victim to safely leave the area.
- Calling authorities for assistance.

### **Risk Reduction**

The University provides information for students about Risk Reduction, or steps they can take to reduce their risk of being a victim of crime. This information included:

- Making a plan to stay with friends throughout the evening and watching for one another.
- Never leave a drink unattended.
- Always be aware of one's surroundings.

## **CRIME DEFINITIONS – FEDERAL**

The Campus Security Act delineates what violations need to be reported. The offense definitions are excerpted from the Uniform Crime Reporting Handbook. The definitions of sex offenses are excerpted from the national-incident based reporting edition of the Uniform Crime Reporting Handbook (FBI Uniform Crime Reporting (UCR) / National Incident-Based Reporting System (NIBRS) definitions).

**Criminal Homicide, Murder and Non-Negligent Manslaughter:** The willful killing of one human being by another.

**Criminal Homicide, Manslaughter by Negligence:** The killing of another person through gross negligence.

**Arson:** Willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling, house, public building, motor vehicle, personal property of another.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm although it is not necessary that injury result when a weapon is used.

**Robbery:** The taking or attempted taking of anything of value from the care, custody or control of a person by force, threat of force or violence and/or by putting the victim in fear.

**Burglary:** Unlawful entry of a structure to commit a crime and all attempts to do so.

**Motor Vehicle Theft:** The taking or attempted taking or use of a motor vehicle by persons without lawful access.

**Liquor Law Violations:** Violations and attempted violations of laws and ordinances prohibiting the manufacturing, sale, transportation, possession or furnishing of intoxicating liquor including, but not

limited to, maintaining unlawful drinking places; furnishing liquor to a minor or intoxicated person; and drinking on a common carrier.

**Drug Abuse Violations:** Violations of state and local laws related to possession, sale, use, growing or manufacturing narcotic drugs.

**Weapons Law Violations:** Violations of laws or ordinances dealing with weapons offenses that are regulatory in nature such as the manufacture, sale, or possession of deadly weapons, and all attempts to commit any of the aforementioned.

### **Weapons Policy**

Firearms and dangerous weapons are not permitted on Seton Hall University property unless the possessor is a sworn law enforcement officer. The intentional use, possession and/or sale of weapons is a violation of New Jersey state law and Seton Hall University policy.

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age (age of consent in NJ is 17) or because of his/her temporary or permanent mental incapacity.

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's personal safety or the safety of others or suffer substantial emotional distress.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating 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 violence laws of the jurisdiction in which the crime of violence occurred OR by any other person against an adult or youth victim who is protected under the domestic violence laws of the jurisdiction in which the crime of violence occurred.

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

## CRIME DEFINITIONS – STATE OF NEW JERSEY

The Violence Against Women Act requires the inclusion of certain state definitions in the Campus Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include consent, dating violence, domestic violence, sexual assault, and stalking. Note that the crime statistics listed later in this document are based upon federal definitions as required by the Campus Security Act.

**Consent:** New Jersey State does not define consent in a separate statute.

**Dating Violence:** New Jersey State does not specifically define “dating violence.” However, under New Jersey Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an “intimate relationship” with the victim.

**Domestic Violence: Section 2C:25-19**

**Universal Citation:** NJ Rev Stat § 2C:25-19 (2013)

### 2C:25-19. Definitions

3. As used in this act:

a. "Domestic violence" means the occurrence of one or more of the following acts inflicted upon a person protected under this act by an adult or an emancipated minor:

- (1) Homicide N.J.S.2C:11-1 et seq.
- (2) Assault N.J.S.2C:12-1
- (3) Terroristic threats N.J.S.2C:12-3
- (4) Kidnapping N.J.S.2C:13-1
- (5) Criminal restraint N.J.S.2C:13-2
- (6) False imprisonment N.J.S.2C:13-3
- (7) Sexual assault N.J.S.2C:14-2
- (8) Criminal sexual contact N.J.S.2C:14-3
- (9) Lewdness N.J.S.2C:14-4
- (10) Criminal mischief N.J.S.2C:17-3
- (11) Burglary N.J.S.2C:18-2
- (12) Criminal trespass N.J.S.2C:18-3
- (13) Harassment N.J.S.2C:33-4
- (14) Stalking P.L.1992, c.209 (C.2C:12-10)

When one or more of these acts is inflicted by an unemancipated minor upon a person protected under this act, the occurrence shall not constitute "domestic violence," but may be the basis for the filing of a petition or complaint pursuant to the provisions of section 11 of P.L.1982, c.77 (C.2A:4A-30).

b. "Law enforcement agency" means a department, division, bureau, commission, board or other authority of the State or of any political subdivision thereof which employs law enforcement officers.

c. "Law enforcement officer" means a person whose public duties include the power to act as an officer for the detection, apprehension, arrest and conviction of offenders against the laws of this State.

d. "Victim of domestic violence" means a person protected under this act and shall include any person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present or former household member. "Victim of domestic violence" also includes any person, regardless of age, who has been subjected to domestic violence by a person with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant. "Victim of domestic violence" also includes any person who has been subjected to domestic violence by a person with whom the victim has had a dating relationship.

e. "Emancipated minor" means a person who is under 18 years of age but who has been married, has entered military service, has a child or is pregnant or has been previously declared by a court or an administrative agency to be emancipated.

**Sexual Assault:2C:14-2 Sexual assault.**

2C:14-2. Sexual assault. a. An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The victim is less than 13 years old;
- (2) The victim is at least 13 but less than 16 years old; and
  - (a) The actor is related to the victim by blood or affinity to the third degree, or
  - (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
  - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape;
- (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
- (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
- (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;
- (7) The victim is one whom the actor knew or should have known was physically helpless, mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

Aggravated sexual assault is a crime of the first degree.

b. An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim.

c. An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

(1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury;  
(2) The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;

(3) The victim is at least 16 but less than 18 years old and:

(a) The actor is related to the victim by blood or affinity to the third degree; or

(b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim;  
or

(c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;

(4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.

Sexual assault is a crime of the second degree.

### **2C:14-3 Aggravated criminal sexual contact; criminal sexual contact**

a. An actor is guilty of aggravated criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a. (2) through(7).

Aggravated criminal sexual contact is a crime of the third degree.

b. An actor is guilty of criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in section 2C:14-2c. (1) through(4).

Criminal sexual contact is a crime of the fourth degree.

### **Stalking: Section 2C:12-10**

**Universal Citation:** NJ Rev Stat § 2C:12-10 (2013)

**2C:12-10 Definitions; stalking designated a crime; degrees.**

1. a. As used in this act:

(1) "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.

(2) "Repeatedly" means on two or more occasions.

(3) "Emotional distress" means significant mental suffering or distress.

(4) "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

b .A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.

d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.

e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.

**CLERY REPORTABLE CRIMES (including Hate Crimes)**

**Note:** These statistics include all reports of crimes made to Campus Security Authorities, to Public Safety & Security, and to local law enforcement agencies. These are reports of crimes, and do not necessarily represent actual, investigated or adjudicated crimes.

**CRIMINAL OFFENSES**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Manslaughter by Negligence	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Rape	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Fondling	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Incest	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Statutory Rape	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Robbery	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Aggravated Assault	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Burglary	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	1	NA	0	0
Motor Vehicle Theft	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Arson	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0

**VAWA OFFENSES**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Domestic Violence	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Dating Violence	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Stalking	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	1	NA	0	0

**ARRESTS & DISCIPLINARY REFERRALS**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Arrests: Weapons, Carrying, Possessing, etc.	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Arrests: Drug Abuse Violations	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Disciplinary Referrals: Drug Abuse Violations	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Arrests: Liquor Law Violations	2013	0	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0
Disciplinary Referrals: Liquor Law Violations	2013	6	NA	0	0
	2014	0	NA	0	0
	2015	0	NA	0	0

## **Hate Crimes**

There were no hate crimes reported in 2013, 2014, or 2015.

Seton Hall University does not tolerate bias activity and will ensure that any reported incident is fully investigated. To report a bias crime, contact the Lakewood Police Department at (732)363-0200, GCU Security at (732)987-2611, or the Seton Hall University Department of Public Safety at (973)761-9300.

### **For Emergency Assistance call 911**

#### **What should I do if I have a medical emergency?**

If you or someone else is suffering a medical emergency, **CALL 911** from any telephone.

Some examples of emergencies are requesting help for an unconscious person, severe medical conditions, and/or injuries and immediate threat to the safety of a person or property.

#### **What should I do if I have a psychological (mental health) emergency?**

If you or someone else is suffering a psychological emergency please CALL (973) 761-9500 (Counseling and Psychological Services) Monday-Friday 9-5 PM. After hours/weekends, CALL extension **973-761-9300** to reach Public Safety and Security and an on-call Counselor will be contacted. If a suicide attempt or threat has been made, **CALL 911**.

Some examples of a psychological emergency include severe emotional distress and suicidal thoughts.