

Capital University Annual Security Report

Law School Campus

Fall 2009 Report on Calendar Year 2008

I. INTRODUCTION

Capital University complies with the requirements of the Federal Student Right to Know and Campus Security Act. The University prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the university's website via Capital University's homepage at www.capital.edu. This report is prepared in cooperation with the university's Public Safety office, Law School security, local law enforcement, University Counsel, and the Law School Dean's office. Each entity provides updated information on their programs and crime statistics to comply with the Act. Campus crime statistics include those reported to the Law School's security services, dean's office and local law enforcement. Each year an e-mail notification is sent to all students, faculty, and staff that provides access to this report. Copies of the report may also be obtained from the department of Public Safety or the Law School Dean's office.

Capital University is concerned about the safety and welfare of all of its students, faculty, staff, and guests, and seeks to provide a safe environment at its main campus in Bexley and its Law School in Columbus. Over the years, Capital has not experienced a significant number of serious crimes, but no campus is isolated or immune from crime. Therefore, the university has developed policies and procedures designed to enhance campus security for members and guests of the campus community.

A significant part of every campus security program is prevention, including cooperative and precautionary steps by students themselves. Accordingly, the Law School has developed a Critical Incident Management Plan that designates areas of responsibility and detailed response plans for incidents at the Law School. The Manual of Policies and Procedures of the Law School provides information to students about building and parking regulations. In addition, the Law School works closely with student organizations throughout the year to educate students about safety and security at the law school, using resources such as the Safety & Security section on the Current Students webpage.

The following statement of security policies of the Law School is issued according to the provisions of the federal Student Right to Know and Campus Security Act. Under the Act, the university's main campus and Law School are regarded as separate campuses for reporting purposes, and there are separate reports for those locations. The university reserves the right to amend or add to such policies in the future, and will notify students, employees and others of such changes.

Law enforcement agency information concerning registered sex offenders may be obtained from the Franklin County Sheriff's Office on-line at <http://www.sheriff.franklin.oh.us/>

II. PROCEDURES FOR REPORTING CRIMINAL ACTIONS

Incidents of crime occurring at the Law School should be reported and requests for assistance made to the Columbus Police Department (645-4545), or by using the 911 number for emergencies. Reports may also be made to the Law School Security at 236-6161 or its security company, Ohio Support Services, at 443-0291.

A report of criminal activity should contain sufficient information to provide reasonable grounds for the university to investigate or refer the matter to local authorities for investigation and prosecution. The university will investigate reports of criminal activity and will refer for prosecution or investigation by local police authorities, reports of the crimes of murder, rape, robbery, aggravated assault, burglary and motor vehicle theft as required by law.

III. SECURITY AND ACCESS TO LAW SCHOOL FACILITIES

A. Law School Facilities. The Law School, located at 303 E. Broad Street in Columbus, is open to students, employees and guests during normal business hours (8:00 A.M. to 11:00 P.M. Monday through Friday.) Students, faculty, and staff with current law school identification cards have access to the facility after hours. As an independent institution, Capital University's facilities are private property, and persons who do not have legitimate business at the Law School may be removed or arrested as trespassers.

B. Security Program. The university contracts with a private security company, Ohio Support Services, to provide security at the Law School. The security firm trains its officers in CPR, AED, first aid and appropriate security procedures. The security program includes the following features:

1. Weekdays: one officer from 8:00 A.M. to 4:00 P.M., one officer in the parking lot from 7:30 A.M. to 3:30 P.M. and one officer who provides shuttle service for students to and from one of the parking lots from 8:00 A.M. to 6:00 P.M.; one officer from 4:00 P.M. to 12:00 A.M. midnight and one officer in the parking lot from 3:30 P.M. – 11:30 P.M; one security officer on duty from 12:00 A.M. to 8:00 A.M. An indoor security officer is available 24 hours on weekends.
2. Exterior doors of the Law School are locked except for normal business hours and the security officer periodically checks the building after hours. The Broad Street doors are locked at all times and accessible only with a Capital University Law School ID.
3. The security officer provides escort or shuttle service from the building to parking areas during evening hours upon request by students and staff.

4. The facility is equipped with fire protection systems including smoke alarms. State and local authorities routinely inspect fire extinguishers and other safety equipment.
5. Surveillance monitors are located at the Security Desk to enable monitoring of security cameras.

C. Authority of Security Officers. The private security officers are not commissioned police officers. They do not carry weapons. They do not have power to arrest. They are, however, available to assist in maintaining a safe and orderly environment. In addition, the Law School and private security firm have a good working relationship with the Columbus Police Department, which can respond promptly to security requests.

IV. OFF-CAMPUS STUDENT ORGANIZATIONS

The Law School and the University do not recognize off-campus student organizations and therefore have no policy for monitoring the activity of such organizations.

V. ALCOHOL AND DRUG POLICIES, EDUCATION PROGRAMS

The University adopted a Drug Free Workplace Act Policy in 1989 in compliance with the federal Drug-Free Schools and Communities Act and the federal Drug-Free Workplace Act. The university sponsors educational programs, which seek to improve student and employee awareness regarding alcohol and drug problems, personal safety precautions, and campus security procedures.

VI. SEXUAL ASSAULT PROCEDURES

A sexual assault includes any physical sexual act directed against another person forcibly, against the victim's will, when the victim is incapable of giving consent (e.g. when the victim is intoxicated), or when the act constitutes statutory rape. Sexual assault is unacceptable regardless of the prior or current relationship of the perpetrator and the victim, and includes date or acquaintance rape.

Students are strongly encouraged to report any alleged sexual assault to the Associate Dean or Assistant Dean of Student Administration, campus security, and/or the police. This report should be made as soon as possible after the incident for medical reasons and to preserve evidence of the assault. University personnel who receive such reports will attempt to help comfort the survivor and obtain preliminary details so they can ascertain the best way to assist. Emergency health care will be summoned if needed or requested. In all cases, the survivor will be urged to seek medical care. There are rape crisis centers located at both Grant Medical Center and Riverside Hospital emergency rooms, which are specifically equipped to treat sexual assault survivors. If transportation to either of these facilities is requested, university personnel will assist in providing it. Attending university personnel will also notify the police department and urge the complainant to

file a report and/or charges. The decision whether to file, however, ultimately rests with the individual. University health services and counseling personnel are available to complainants for care and support. The University will assist sexual assault victims with changes in academic and living arrangements if the victim desires and if available, however the Law School does not have residence halls for its students.

Perpetrators of sexual assault will be subject to university disciplinary action up to and including suspension or dismissal from Capital University Law School, and referral to authorities for prosecution. To the extent required and permitted by law, the complainant and the accused will be given notice of the outcome of the campus disciplinary hearing on the complaint.

When a complaint of sexual assault is filed, normal administrative procedures will be followed. Students should contact the Associate Dean or Assistant Dean of Student Administration. Complainants are strongly encouraged to report promptly sexual assault to the local police department. Campus disciplinary proceedings may occur before, during or after pending criminal or civil proceedings for sexual assault charges.

Capital University presents ongoing programs, primarily through campus counseling services and student organizations, to inform students about how they can prevent being perpetrators or victims of sexual assault. Such programs involve presentations about the significant role alcohol and other drugs can have in fostering sexual assault, ways to promote positive interpersonal relationships and eliminate abusive ones, and enhancing personal safety and health.

VII. LAW SCHOOL REPORTS OF CRIME AND ARREST STATISTICS

Consistent with federal law, the university compiles and reports certain crime statistics annually. It is the policy of the University and the Law School to make timely reports to students and staff on incidents of criminal activity considered a threat to other students and employees. Timely warnings of such threats are issued by the dean's office and may be distributed by email, the Campus Security Bulletin, and/or by flyers distributed around the law school. By federal law, effective October 1998, data of reported incidents of arson and manslaughter are to be included in Campus Security Report statistics.

Also effective October 1998, data is to be reported "according to category of prejudice" for the specified crimes "in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim". None of the reported crime statistics for 2006, 2007, or 2008 appear to have been crimes of prejudice.

A. Reports of Crimes

As required by federal law, the university compiles statistics of the following reported crimes, including attempts, at the University's Law School using Uniform Crime Reporting System definitions. The Law School does not have residence halls.

Capital Law School Reported Campus Crime Statistics

Criminal Homicide	<u>2008</u>	<u>2007</u>	<u>2006</u>
Murder	0	0	0
Non-negligent	0	0	0
Manslaughter	0	0	0
Negligent	0	0	0
Manslaughter	0	0	0
Sexual Offenses	0		
Forcible		0	0
Non-forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	5 (c)	6 (b)	5 (a)
Motor Vehicle Theft	0	1 (d)	0
Arson	0	0	0

- (a) Of the five reported burglaries, two were bicycle thefts. Both thefts took place in the parking lot and were reported to the police. Two other incidents were thefts from staff offices. Money in the amount of \$290 was taken from one office, and a bag that contained personal gifts was taken from another office. The other incident involved a theft from a vehicle. A part from a CD player was reported stolen. All incidents were reported to the police.
- (b) Of the six reported burglaries, two were bicycle thefts. Both thefts took place in the parking lot and were reported to the police. One other incident was theft from an employee office. A wallet was stolen with credit cards and approximately \$150 in cash. Two other incidents involved thefts from vehicles. Items stolen were a set of golf clubs valued at \$250, a purse, a digital camera, and a bookbag. One incident involved a vehicle that was broken into, but nothing was stolen.
- (c) Of the five reported burglaries, one was theft from an employee office (a wallet with credit cards was stolen) and one was theft from a vehicle in the parking lot (a stereo was stolen). Both were reported to the police. In other burglaries, a bicycle was taken from the bicycle rack and replaced with a bicycle of lesser value, and books were taken from the student locker room on two separate occasions.
- (d) The reported motor vehicle theft involved a student-owned vehicle that was not parked on Capital University property

B. Reports of Arrests and Referrals

The Law School also compiles available statistics on the number of arrests by local police authorities for the following crimes thought to have occurred on its campus, as defined by the Uniform Crime Reporting System: liquor law violations, drug abuse violations, and weapons possessions. By federal law, effective October 1998, all incidents of violations referred for the campus disciplinary action, regardless of outcome, are to be included in these statistics. Effective 1999, arrests and referral statistics are reported separately.

<u>Arrest and Referral Statistics</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>
Liquor Law Violations			
Arrests	0	0	0
Referrals	0	0	0
Drug Abuse Violations			
Arrests	0	0	0
Referrals	0	0	0
Weapons Possession			
Arrests	0	0	0
Referrals	0	0	0

C. Reports of Off-Campus Crimes

Effective 1999, colleges and universities are to report crimes on public property “reasonably contiguous” to the campus (going through, immediately touching or creating a border around the campus). Consistent with this definition, the reported off-campus crimes statistics would include the following areas: 303-329 E. Broad Street from Sixth Street to Grant Street; Grant Street from E. Broad Street to Oak Street; Sixth Street from 303 E. Broad Street to Oak Street; Capital Street from Sixth Street to the Egan Ryan Funeral Home; and Oak Street from Grant Street to 329 Oak Street.

In the past, the Columbus Division of Police has been unable to provide data for these reasonably contiguous public property areas. Instead, Columbus Police provided data for the substantially larger area of “cruiser district #163” whose data collection boundaries are: *North: E. Broad Street; South: I-70; West: S. Third Street; and East: I-70.* Data reported by Columbus Police for this larger geographical district in the City were: murder/manslaughter, 0 in 2006, 0 in 2007, and 0 in 2008; forcible sexual offenses, 3 in 2006, 1 in 2007, and 1 in 2008; robbery, 19 in 2006, 18 in 2007, and 15 in 2008; assault (only aggravated assault is now reported on the Columbus Police reports), 8 in 2006, 2 in 2007, and 5 in 2008; burglary, 78 in 2006, 44 in 2007, and 29 in 2008; motor vehicle theft, 34 in 2006, 20 in 2007; and 13 in 2008.

The Discovery Special Improvement District is now able to provide data for the area that is “reasonably contiguous” to the campus (going through, immediately touching or

creating a border around the campus) as defined above, and these statistics are: murder/manslaughter, 0 in 2008; forcible sexual offenses, 0 in 2008; robbery, 1 in 2008; assault, 0 in 2008; burglary, 0 in 2008; motor vehicle theft, 1 in 2008.

D. Definitions of Crime Categories

In reporting crime statistics, colleges and universities are to use the following definitions from the FBI's crime reporting system:

Murder and Non-negligent Manslaughter. The willful killing of one human being by another.

Manslaughter by Negligence. The killing of another person through gross negligence.

Sexual Offenses – Forcible. A sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

Sexual Offenses-Nonforcible. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law (incest), and nonforcible sexual intercourse with a person who is under the statutory age of consent (statutory rape).

Robbery. Taking or attempting to take anything of value from the care, custody, or control of a person(s) by force or threat of force or violence and/or putting the victim in fear.

Aggravated Assault. An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary. The unlawful entry of a structure with intent to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft. The theft or attempted theft of a motor vehicle. Statistics are to include all cases where vehicles are taken by a person not having lawful access even though the vehicle may later be abandoned, including joyriding.

Arson. Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

Crimes of Prejudice. Any crime described above or involving bodily injury in which the victim is intentionally selected because of actual or perceived race, gender, religion, sexual orientation, ethnicity or disability. Crime should categorize and reported as crimes of Prejudice.

Weapons Law Violations. Violation of law or ordinances dealing with weapons offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; and all attempts to commit any of the aforementioned.

Drug Abuse Violations. Violation of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

Liquor Law Violations. Violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition).