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Campus Security

Policy Discussion
August 8, 2013



University of North Carolina

If UNC were a city, it would be North Carolina's third largest:

1. Charlotte (population 775,202)
2. Raleigh (population 423,179)
3. **University of North Carolina system + UNC Health Care System (population 285,000 students, faculty, and staff)**
4. Greensboro (population 277,080)

Source: 2012 U.S. Census Estimates

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The New York Times

College Groups Connect to Fight Sexual Assault

Frustrated and angry over the handling of sexual assault cases at Occidental College in Los Angeles, a group of students and faculty members recently decided to take the matter to the federal government as a civil rights case. Few people had explored this legal terrain, so the Occidental group reached out to women at the University of North Carolina at Chapel Hill, who had filed a similar complaint — which this month prompted a federal investigation — for insights on how to press their case.

Are Campus Police Equipped and Trained to Handle Serious Crimes?



newsobserver

More campuses join UNC-CH in debate about sexual assault

THE WALL STREET JOURNAL.

U.S. EDITION - Wednesday, May 22, 2013 As of 4:51 PM EDT

Complaints filed against 4 colleges over rapes

Los Angeles Times

Parents worry about safety after USC shooting

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Security in the University

- Shared concern
 - Parents
 - Students
 - Faculty
 - Staff
 - Communities

Campus Public Safety Departments

UNC Campus Police Departments

- 17 Chiefs of Police
- Director of Security (NCSSM)
- 480 sworn police officers
- 280 non-sworn personnel
- 365,052 calls for service 2012
- 2,965 buildings/84,934,100 square feet
- 6,985 acres of main campuses



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Staffing UNC Police Departments

- UNC Chiefs of Police: 400+ years of cumulative law enforcement experience.
- Many UNC officers have earned the NC Advanced Training Certificate.
- All UNC sworn officers certified through the NC Justice Academy, Basic Law Enforcement Training (BLET) program.
- Command Staff Training:
 - FBI National Academy
 - LE Executive Program – UNC School of Government
 - Administrative Officer Management Program for LE – NCSU
 - Justice Academy Management Development Program

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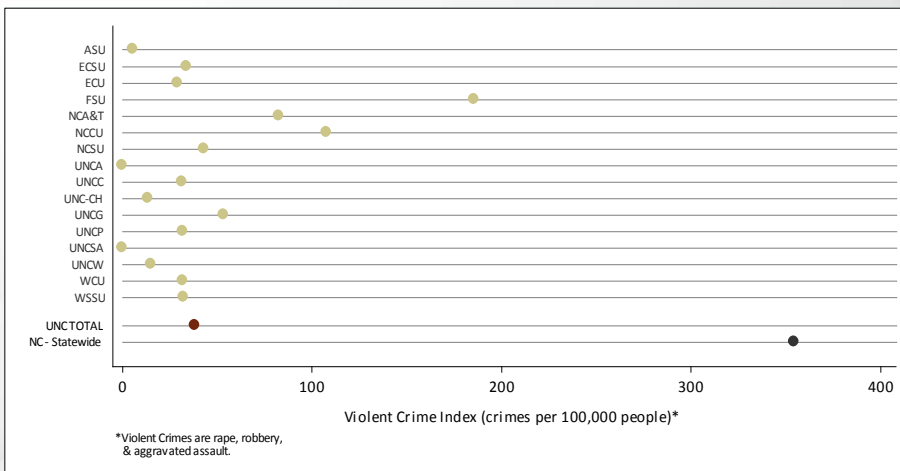


Campus Law Enforcement

- Campus law enforcement officers - same powers as municipal and county police officers to conduct investigations and make arrests.
- Territorial jurisdiction - all property owned or leased to the institution; any public road or highway passing through such property or immediately adjoining it.
- Mutual Aid Agreement.



UNC Violent Crime Rates Compared to State of North Carolina



Based on 2011 Uniform Crime Reporting, Federal Bureau of Investigation

Legislation and Enforcement

- **Clery Act**
 - Office of Federal Student Aid
 - Complaints, media reports, audits by schools
 - E. Michigan (\$357,000); Yale (\$165,000); North Dakota (\$115,000)
 - Linked to Title IV funds

- **Title IX of the Education Amendments of 1972**
 - Office of Civil Rights
 - 24% increase in complaints
 - 1,100 complaints based on sexual violence/harassment
 - Resolution agreements: University of Montana; Notre Dame; Yale

- **National Center for Campus Public Safety - U.S. Department of Justice**

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Legal and Regulatory Environment

- **Recent complaints to Department of Education**

- **Title IX – Civil Liability**
 - University of Colorado (Sexual Assault) - \$2.5 million
 - Arizona State University (Sexual Assault) - \$850,000
 - Liability insurance claims data

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Public Disclosure of Safety and Security Information

The Clery Act

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Clery Act Requirements

- Maintain daily crime logs
- Annual Report
 - Information on Alcohol & Drug Policy
 - Sexual Assault Policy
 - Missing Students Policy
 - Workplace Violence Policy
 - Emergency Notification Policy
 - Fire Safety Information
 - Campus-area Crime Data
 - Timely warnings

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2011 Clery Act Violent Crimes						
Campus	Fall Pop.	Murder	Robbery	Sexual Assault	Aggravated Assault	Total Violent Crimes
ASU	17,344	0	1	4	0	5
ECU	27,386	0	4	8	2	14
ECSU	2,930	0	1	0	0	1
FSU	5,930	0	7	0	1	8
NC A&T	10,881	0	2	4	3	9
NCCU	8,359	0	3	5	4	12
NCSU	34,767	0	6	7	9	22
UNCA	3,863	0	0	3	0	3
UNCCH	29,137	0	3	12	3	18
UNCC	25,277	0	6	2	1	9
UNCG	18,627	0	3	0	1	4
UNCP	6,251	0	3	0	2	5
UNCW	13,145	0	0	3	0	3
UNCSA	893	0	1	2	0	3
WCU	9,352	0	0	3	1	4
WSSU	6,163	0	1	0	1	2
UNC Totals	220,305	0	41	53	28	122

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Campus Responsibilities

- Ensure campus leaders are aware of Clery requirements.
- Update and maintain policies and reporting requirements.
- Provide training to right people.
- Gather and report crime statistics as required by Clery Act.
- Develop and maintain accountability measures - disclosure.

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Campus Procedures for Responding to Offenses Against Persons

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Responding to and Adjudicating Offenses

- Campuses must address student conduct and discipline.
- Chancellor is responsible for student discipline under *The Code*.
- Institutional rules must define prohibited conduct and specify sanctions.
- Disciplinary process is separate from and parallel to criminal process.
- Campus procedures must meet due process standards: Notice/Hearing.

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Responding to and Adjudicating Offenses

- Student may offer witnesses and documentary evidence in proceeding.
- Conduct charges may be heard/decided by a campus official, or by a panel of students and/or campus personnel.
- Appeals permitted to Board of Trustees for suspension; Board of Governors for expulsion.
- New state law now requires University institutions to allow attorneys to represent students and participate fully in proceedings.

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Title IX and Sexual Violence

- A form of sex discrimination.
- One incident may create a “hostile environment.”
- The University must respond:
 - Investigate
 - Grievance procedures
 - Education and prevention
- Offenses may be addressed by police and student disciplinary process.
- Federal standards for proceedings involving sex offenses.

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Standards for Student Hearings Involving Allegations of Sexual Assault

- Must have procedures for investigating and addressing the complaint.
- May follow the student disciplinary hearing process.
- Must apply “preponderance of the evidence” standard.
- Must be equitable in all respects – same for accused and accuser.
- Strongly discourages cross examination or other direct confrontation between accuser and accused.

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Previous UNC Initiatives on Safety and Security

- **2004 Task Force evaluated overall safety of the University community:**
 1. Strengthened admissions practices to include risk assessment
 2. Assessed policies and regulations
- **2007 Task Force focused on campus violence prevention in the wake of the Virginia Tech tragedy:**
 1. Assessed capacity to respond to violent crime and extreme events
 2. Recommended enhanced safety and disaster training/planning

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Campus Security Initiative - 2013

- Build on work from 2004 and 2007
- Focus on three areas:
 - Campus public safety operations;
 - Public disclosure of security and crime information; and
 - Policies and processes for responding to offenses against persons.
- Role of alcohol and drugs
- Sexual assault and other violent crimes
- Supported by Expert Advisory Committee

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UNC Campus Security Initiative

Charge

1. Evaluate current policies and practices on the campus and system levels.
2. Gather and evaluate best thinking and practices.
3. Develop recommendations for system-level policies, tools, and training.
4. Identify solutions that result in consistent and effective responses and awareness across each campus.
5. Address role of alcohol and drug use.
6. Evaluate and improve responses to sexual assault and other violent crimes.
7. Identify resources needed for implementation.

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Campus Public Safety Work Group

- Review policies/procedures for criminal investigations of offenses against persons.
- Evaluate relations with campus community, local law enforcement and other entities.
- Identify needs for education and training.

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Public Disclosure/Clery Work Group

- Evaluate approaches to gathering, classifying and reporting crime and security information.
- Consider need for ensuring accurate and timely reporting of campus crime and security information, with particular focus on compliance with federal requirements.
 - Review how **campuses** fulfill obligations
 - Evaluate need for system-level policies or procedures
 - Identify best practices, systems, and procedures
- Review compliance and auditing practices.

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Responding to Offenses Against Persons Work Group

- Review system-level policies for due process.
- Consider impact of new state law requiring campuses to permit attorneys to “fully participate” in disciplinary proceedings.
- Evaluate interaction with criminal justice procedures.
- Consider role of students in hearing disciplinary cases.
- Review investigative procedures and qualifications of investigators.

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Organization and Deliverables

- Two co-chairs, designated by the President.
- Three work groups, with chairs designated by the President.
- Expert Advisory Committee.
- Single report, including recommendations and resource needs.
- Report expected in Spring 2014.
- Presentation to the Board of Governors.

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