



2009 ANNUAL SECURITY REPORT

INTRODUCTION

This report has been prepared to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990. This publication is part of John Carroll University's effort to provide information and services that help maintain a safe and secure environment for its students, faculty, staff and visitors.

Crimes and student conduct referrals reported to the following offices, agencies and individuals are included in the annual crime report. This information is compiled and distributed annually by Campus Safety Services/Campus Police.

- Campus Safety Services/Campus Police
- University Heights Police (university owned properties)
- Shaker Heights Police (university owned apartments)
- Geauga County Sheriff (Carrollodge & Thornacres)
- Office of the Dean of Students
- Office of Residence Life
- Athletic Coaching Staff
- Advisors of Student Organizations
- Other University officials to whom crimes have been reported

CAMPUS POLICE

Campus Safety Services operates a campus police department under Section 1713.50 of the Ohio Revised Code. Campus police officers are sworn police officers, certified through the Ohio Peace Officers Training Council and have arrest authority and police powers on the JCU campus. Officers receive 600 hours of basic police training and additional in-service training annually.

Officers patrol the campus grounds, buildings and parking lots 24 hours a day. Campus police are first responders to criminal, medical, fire and other emergencies on campus, and coordinate response with other campus and community responders. Additionally; campus police officers provide escorts, vehicle assistance, lost and found services, parking enforcement, and support of campus events. Officers also take reports and investigate criminal and university conduct violations. The training, orientation and philosophy of the department is to provide professional services which enhance the safety of the John Carroll University campus community.

REPORTING CRIMES AND OTHER EMERGENCIES

Crimes or other emergencies should be reported 24 hours a day to Campus Police at 397-1234. Other options for reporting, or advice/guidance if you are unsure if a crime has occurred are:

- E-mail Campus Police at jcucss@jcu.edu
- Visit the Campus Police office in room 14 of the Rec Plex.
- Call University Heights Police at 216-932-1800, or visit their offices at 2300 Warrensville Center Road.

For any emergency, call the campus police dispatcher at the 397-1234 number and give the following information:

- Your name.
- Your location.
- The nature of the emergency (person bleeding, not breathing, fire etc.).
- The exact location of the emergency (Student Center, Jardine Room).
- A phone number for the dispatcher to call you back if needed.
- Any other information the dispatcher asks you.
- Don't hang up until the dispatcher indicates you should do so.

By calling 397-1234 instead of 911 directly; campus police, JCUEMS and other campus responders can respond to the emergency while the campus police dispatcher calls 911. This enables help to be on scene quickly while campus responders meet and take local responders directly to the emergency location (avoiding delays by local responders unfamiliar with the campus and/or unable to access areas). If you do call 911, call the campus police dispatcher immediately giving the information above, and tell them that you called 911.

Reported incidents are investigated by Campus Police with, the assistance of local, state, or other police agencies as needed. All criminal matters should be reported to Campus Police, even if additional reports are made to residence hall assistants or other personnel.

CONFIDENTIAL REPORTING

Individuals may report crimes anonymously to the Campus Police tip line by calling 216-397-1515. If an individual wishes to report a crime to a university official in confidence, every effort will be made to keep the information confidential. However, if the university official believes that there is a safety risk to the person reporting or to others; he/she must report the crime to appropriate campus authorities. An individual may report a crime to a privileged resource person or office with legal confidential requirements. These include:

- Licensed counselors, psychologists & psychiatrists in the Campus Counseling Center or off-campus agencies/offices.
- Licensed healthcare professionals in Campus Health Service or in a hospital, clinic or doctor's office.
- Members of the Clergy
- Licensed attorneys

Privileged resources can only share information if imminent harm to self or others is evident.

Additionally, Ohio law dictates that felony crimes be reported to a police authority. This means any felony crimes reported on campus will be reported to Campus Police.

FACILITY SECURITY

Exterior doors of all residence halls are locked at all times. Non-residents are not permitted in residence halls without a resident escort. Each residence hall lobby has a courtesy phone for this purpose. Residents are responsible for the behavior of their guests.

Classroom, library, and recreational facility hours are posted each semester. Employees working after normal hours or on weekends should notify Campus Police of their location and approximate time they will be in the building. Students, faculty and staff are encouraged to call Campus Police immediately if suspicious persons or activities are noticed in campus buildings or anywhere on campus.

TIMELY WARNING POLICY

The **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990** requires Universities and Colleges to notify the campus community (*Timely Warning*) to any crimes or situation that presents an ongoing threat to persons or property.

This "*Timely Warning*" provision may take two forms:

1. A "*Security Alert*" will be issued when Campus Safety Services is made aware of a crime that has occurred on or near campus that may pose a threat to the safety of the campus community. Examples include, but are not limited to: homicide, sexual assault, assault or robbery.
2. A "*Security Advisory*" will be issued when a pattern of property theft has been identified on campus. Examples include but are not limited to: thefts from buildings or vehicles.

Campus Safety Services works closely with the University Heights Police and other neighboring police agencies, sharing information regarding crimes and crime trends.

Campus Safety Services will make a determination on sending the alert or advisory once information from police reports and/or other sources is verified. Other factors considered include: the immediate and long term safety of the campus community, privacy interests of persons involved and impact on police and university investigations. Names and other personal identifiers will not be used in the alerts or advisories.

Information provided in the alert or advisory will be: a description of the crime, the date(s), time(s) and location(s) as well as suspect(s) description if known. Other relevant information may be included that will help protect and inform, but will not hinder investigation of the crime. Prevention strategies and Campus Safety Services contact information will also be provided.

Alerts and advisories will be sent via e-mail and posted on the Campus Safety Services web site: <http://www.jcu.edu/campuslife/css/>. Other distribution methods may be used as necessary.

DAILY CRIME LOGS

A daily crime log, which summarizes crimes reported to Campus, is posted on the Campus Police web-site at <http://www.jcu.edu/campuslife/Campus Police/>. Hard copies are kept in the Campus Police office, RecPlex room 14. The daily crime log is updated within 48 hours of a report.

Items included on the crime log are:

1. The nature of the crime
2. The date and time the incident occurred
3. The location of the crime
4. The disposition of the complaint, if known.

CRIME PREVENTION

The Campus Police offer programs for faculty, staff and students in crime prevention and awareness, personal safety, emergency procedures and response and other related topics. More crime prevention information can be found at the campus police website: http://www.jcu.edu/campuslife/Campus Police/crime_prevention.htm.

Courtesy telephones are located in the lobbies or corridors of buildings. Assistance from campus police can be summoned from these locations. These are campus telephones only: *University Heights Police or Fire Departments cannot be reached from these telephones*. Campus escorts are available 24 hours from Campus Police at 397-1234.

Campus Police and Plant Services routinely survey the campus to maintain safety through proper lighting and maintenance of facilities.

For students - Staying safe on campus

- *Control* - Being aware and being in control of yourself and your surroundings is the best way to keep safe. If you are intoxicated, you are less in control of yourself and less aware of your surroundings.
- *Be a friend* – don't let friends get into unsafe situations. Worry less about someone getting in trouble and focus on your friend's safety, health and welfare.
- *Your home* - Be aware of "tailgaters". Don't let anyone you don't know follow you into your building. If they are visiting someone, direct them to a campus phone to call the resident.
- *My stuff* - Lock your room even if you're leaving for just a minute. It only takes a "minute" for a thief to help himself to your stuff. Inside your room, keep valuables and easy-to-carry items out of sight and secured.

For students - Staying safe off campus

- *No worries* - Let someone know where you are going and when you expect to be back. This lets your friends, roommates and parents know if they should worry if they can't get in touch with you.
- *Think ahead* – If you use public transportation; know the schedules and routes so you don't get stuck or lost.
- *On your feet* – When walking, go where you know and avoid unfamiliar areas, shortcuts and poorly lit areas. Pay attention to your surroundings; don't be distracted by I-pods, cell phones etc. and walk with a purpose
- *Don't advertise* - Avoid carrying large amounts of cash. Leave valuables, such as expensive jewelry at home.
- *Trust your gut* - Always trust your instincts, if something or someone seems suspicious, or just doesn't feel right, get away from the situation to a safe place.

CRIME STATISTICS

CATEGORY	Location	2006	2007	2008
CRIMINAL HOMICIDE: Murder and Non-Negligent Manslaughter	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0
Negligent Manslaughter	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0
SEX OFFENSES: Forcible:	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	3	1	3
	• Total On Campus*	4	2	4
Nonforcible:	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0
ROBBERY	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0
AGGRAVATED ASSAULT	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	1	0	0
	• Total On Campus*	1	0	0
BURGLARY	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	13	22	14
	• Total On Campus*	14	22	14
ARSON	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	1	0
	• Total On Campus*	0	1	0
MOTOR VEHICLE THEFT	• In or on a noncampus building or property	0	0	0
	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0

ARREST FOR:	• In or on a noncampus building or property	0	1	0
Liquor Law Violations	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	2
	• Total On Campus*	4	0	2
	Drug-Related Violations	• In or on a noncampus building or property	0	0
Drug-Related Violations	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0
	Weapons Possession	• In or on a noncampus building or property	0	0
Weapons Possession	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	1
	• Total On Campus*	0	0	1
	DISCIPLINARY REFERRALS:	• In or on a noncampus building or property	0	0
Liquor Law Violations	• On public property	0	0	0
	• In dormitories or other residential facilities	217	150	291
	• Total On Campus*	261	195	307
	Drug-Related Violations	• In or on a noncampus building or property	0	0
Drug-Related Violations	• On public property	0	0	0
	• In dormitories or other residential facilities	5	12	13
	• Total On Campus*	7	13	20
	Weapons Possession	• In or on a noncampus building or property	0	0
Weapons Possession	• On public property	0	0	0
	• In dormitories or other residential facilities	0	0	0
	• Total On Campus*	0	0	0

KEY TO HATE CRIMES NOTATIONS:

Type of Bias or Prejudice: Race = rac, Gender = gdr, Religion = rel, Sexual Orientation = sxo, Ethnicity/National origin = eth, Disability = dis

HATE CRIMES

The University must report any of the above listed crimes or any other crime involving bodily injury that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The areas of bias include: race, gender, religion, sexual orientation, ethnicity/national origin and disability.

CRIME STATISTIC DEFINITIONS

Murder/Non-Negligent Manslaughter: The willful (non-Negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Forcible Sex Offense: Any sexual act directed against another person, forcibly and against that person's will; or not forcibly or against that person's will where the person is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). Crimes included in this category are: forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

Non-Forcible Sex Offenses: Unlawful, non-forcible sexual intercourse. This category includes: Incest and statutory rape.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a 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.) Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned-including joy riding).

Arson: The 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 kind.

* Hate Crimes: Hate crimes that must be reported include any of the aforementioned offenses, incidents of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, as well as any other crime **involving bodily injury** reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Categories of bias are: race, gender, religion, sexual orientation, ethnicity/national origin, and disability.

The below offenses are to be reported by both arrests *and* University judicial referrals.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations 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, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

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

SEXUAL ASSAULT POLICIES

Policy

John Carroll University seeks to provide a community for students that promotes personal growth and development. The University asserts that respect for the rights and dignity of all people must be protected. This goal is an integral part of all aspects of University life, rooted in our Catholic and Ignatian identity, and is essential to our learning environment and academic community. It is the policy of John Carroll University, consistent with aforementioned beliefs and values, that any sex offense is prohibited and will not be tolerated. Thus, the University reserves the right to pursue disciplinary action for sex offenses against students without regard to prosecution by criminal justice authorities. The Sex Offense Policy covers violations committed by students at John Carroll University.

Your Options

The University urges a person who believes a sex offense has been perpetrated against him/her to seek assistance from any of the available on-campus or off-campus resources. The University encourages persons who have been sexually assaulted to report the assault, seek assistance, pursue criminal and campus judicial action for their own protection and that of the entire campus community. On and off-campus resources for reporting and assistance are:

JCU Violence Prevention and Action Center	216-397-2255.....	www.jcu.edu/vpac
JCU Campus Police.....	216-397-1234.....	www.jcu.edu/campuslife/css
JCU Counseling Center.....	216- 397-4201.....	www.jcu.edu/counseling
JCU Health Center.....	216-397-4349.....	www.jcu.edu/health
JCU Dean of Students Office.....	216-397-3010.....	www.jcu.edu/campuslife/dean
JCU Residence Life.....	216-397-4408.....	www.jcu.edu/campuslife/reslife
Cleveland Rape Crisis Center.....	216-619-6192.....	www.clevelandrapecrisis.org
University Heights Police.....	216-932-1800.....	www.universityheights.com/police

If you are the survivor of a sexual assault, the following steps are recommended:

- Go to a safe place where you feel comfortable.
- Contact John Carroll Campus Police at 216-397-1234 or the JCU 24/7 hotline at **216-397-CALL**. Campus Police can provide immediate referral information, access to the university counselor on-call, and/or investigative assistance. The JCU 24-hour hotline can provide immediate and confidential support and crisis intervention, educate victims and/or supportive others about reporting options and medical care, and coordinate an in-person advocacy response when appropriate.
- If you were sexually assaulted in the last 96 hours, seek immediate medical attention at a SANE (Sexual Assault Nurse Examiner) Unit. If possible, do not bathe, urinate, douche, brush teeth, or consume liquids or food before seeking medical attention. A Sexual Assault Nurse Examiner is a registered nurse with expertise in forensic evidence collection and medical care following trauma, such as sexual assault. At the hospital, you will be treated for injuries, sexually transmitted infections, etc. Hillcrest Hospital is the SANE unit in closest in proximity to John Carroll University.
- Seek assistance from on or off-campus resources for advocacy, counseling, information, and/or referrals.

Any survivor of a rape or sexual assault you has the right to be treated with respect, dignity and without prejudice; to be made aware of and receive medical, social and counseling services, and to have access to all legal and medical options.

Definitions

Sexual Assault, Non-Consensual Sexual Contact, Sexual Exploitation, Sexual Harassment, and/or Stalking can be committed by a man, woman, or group against a person or persons of the same or opposite sex. These offenses can be committed by strangers, current or former partners, friends, and acquaintances.

Sexual Assault is engaging in, or attempting to engage in, oral, vaginal, or anal penetration through any means (i.e., penis, tongue, finger, foreign object, etc.) without the consent (see University Consent Standard) of the other person.

Non-Consensual Sexual Contact includes any touching of any sexual body parts (i.e., breasts, buttocks, groin, genitals, mouth, etc.) or the touching of another with these body parts without consent. It also includes disrobing or exposure of another without consent.

Sexual Exploitation occurs when one engages in activity of a sexual nature which involves another person, other than Sexual Assault and Non-Consensual Sexual Contact, without the other person's consent. Examples of sexual exploitation include (but are not limited to): the non-consensual filming, photographing or otherwise recording and/or transmission of sexual activity or nudity; voyeurism or complicity in voyeurism; the knowing transmission of a sexually transmitted infection.

Sexual Harassment means any unwelcome sexual advances, requests for sexual favors, offensive references to gender or sexual orientation or other conduct of a sexual nature when:

- Toleration of such conduct is made either explicitly or implicitly a term or condition of an individual's employment, professional or student status; or
- Toleration of or rejection of such conduct is used as the basis for employment or academic decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creates an intimidating, hostile, or offensive work or educational environment.
- Sexual harassment can be verbal, written, physical or pictorial in nature.

Stalking is a pattern of two or more incidents of unwanted attention, harassment, contact, or course of conduct directed at a specific person that would cause reasonable persons to fear harm to their physical health, mental or emotional health, safety, friends, family or property. Stalking may include, but is not limited to telephone calls, text messaging, social networking, instant messaging, monitoring behavior, being in physical proximity to the person, or taking pictures.

Incapacitation is defined as being in a state in which a person sufficiently lacks the cognitive ability to realize that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of that situation.

University Consent Standard

Consent is the freely given and mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent is mutually understandable when a reasonable person would consider the actions of the parties to have manifested an agreement to engage in the particular sexual activity. In the absence of mutually understandable affirmative words or actions, it becomes the responsibility of the initiator (the person who wants to engage in a specific sexual activity) to obtain affirmative consent from the other partner. Consent once given, may be withdrawn. If one partner initially offers words or actions that indicate consent, that partner may withdraw consent by indicating by word or action that consent has been discontinued. Consent for one sexual activity does not indicate consent for other forms of sexual activity. Similarly, past sexual consent does not imply future consent.

Capacity for Consent

Consent can only be given by those with capacity to consent. Minors younger than 16 do not have the capacity to consent to sexual activity. For adults, capacity to consent is on a case by case basis. Mentally disabled persons and physically incapacitated persons may not have the capacity to give consent. One may be incapacitated temporarily as a result of mental illness, unconsciousness, or as a result of alcohol or drug consumption.

One may not engage in sexual activity with another person when one knows or has reasonable cause to believe that person to be incapacitated due to alcohol or drug consumption or other incapacitation.

Coercion

Consent which is obtained through the use of fraud or force, whether by physical force, threats, intimidation or coercion is invalid.

Applicability

This policy applies to all John Carroll University students. All students are encouraged to report alleged sex offenses as soon as possible. Sex offenses may be reported whether they occurred on-campus, at a University sponsored event, or off-campus.

Confidentiality and Reporting

To the extent possible, the University will maintain the confidentiality of all parties involved in alleged sex offenses. Confidentiality, however, cannot be guaranteed. All University employees (excluding licensed professionals from the University Counseling Center and pastoral counselors) must contact John Carroll's Campus Safety Services Department or the University Heights Police Department when an allegation of a sex offense has been made. Under Ohio law, persons who know that a felony has been committed must report that information to law enforcement. For that reason, all University employees (excluding licensed professionals from the University Counseling Center and pastoral counselors [i.e. priests acting as pastoral counselors]) must comply with this policy.

Consequences

Any student found responsible for a violation of the Sex Offense Policy will be subject to disciplinary action up to, and including, expulsion. Specific conduct procedures may be found in the Community Standards Manual. Even if John Carroll University members are not criminally prosecuted, the University can pursue disciplinary action. During university disciplinary proceedings on sexual offenses, both the accuser and the accused are entitled to the same opportunities to have others present during the hearing. In addition, both the accused and the accuser will be notified of the final outcome of the disciplinary proceeding. The university will alter housing accommodations or course schedule of an assault survivor, upon request when alternatives are reasonably available. In accordance with the Student Code of Conduct, the University reserves the right to impose an interim suspension on any student accused of a sex offense pending the outcome of an investigation and/or conduct hearing. The University reserves the right to issue a no-contact directive to the students involved pending the outcome of a conduct hearing. Any student found to be harassing or intimidating another who has filed a sex offense complaint, faces serious disciplinary consequences as outlined in the Community Standards Manual.

Prevention

It is the responsibility of each member of the university community to prevent sexual assault. The university offers programs for all students on sexual assault and rape prevention during freshman orientation in the first week of the fall semester. Resident students are encouraged to attend floor meetings and programs where the issues of rape and sexual assault are discussed. The Safe Space: Violence Prevention and Action Center, the Residence Life Office, the Dean of Students Office, and Campus Police work together on providing programming and educational opportunities regarding awareness, prevention and response to incidents of sexual violence.

CAMPUS SEX CRIME PREVENTION ACT

The 2000 Campus Sex Crime Prevention Act requires that certain convicted sex-offenders identify themselves to colleges and universities if they; a) attend classes, b) work on a college or university campus, or c) volunteer on a college or university campus. Colleges and universities are required inform their communities of where sex-offender information can be obtained.

In Cuyahoga County, information on registered sex-offenders is available from Sex-Offender Unit at (216) 443-5567 or by visiting the Sheriff's Office website at www.cuyahoga.oh.us/sheriff

For Ohio, information on registered sex offenders can be obtained at: <http://ohio.esorn.net>

DRUG AND ALCOHOL POLICIES

Members of the University community are expected to be aware of and obey federal, state, and municipal laws or ordinances regulating the use, possession or sale of alcoholic beverages, illegal drugs, or controlled substances. Persons under the age of 21 are not permitted to consume alcohol under any circumstances on University property, or at any university event, regardless of where the event takes place. The University prohibits the illegal use possession, or distribution of illegal drugs or controlled substances or association with gatherings involving such use, possession, or distribution. Those cited for violations of law or ordinances by state, federal, or municipal authorities may face University disciplinary proceedings. The university reserves the right to take disciplinary action against any student for off-campus behavior that violates this policy