



# UNIVERSITY OF RICHMOND

## Policy Manual

<b>Policy #:</b>	SEC-2006	<b>Policy Title:</b>	Timely Warning – Clery Act
<b>Effective:</b>	08/01/2022	<b>Responsible Office:</b>	Public Safety - Police Department
<b>Date Approved:</b>	08/12/2019	<b>Approval:</b>	VP and University General Counsel
<b>Replaces Policy Dated:</b>	08/13/2019	<b>Responsible University Official:</b>	A.V.P. of Public Safety and Chief of Police

### PURPOSE:

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), this policy serves to ensure the issuance of timely warnings regarding crimes posing a serious or ongoing threat to the campus community or risk of additional future incidents by outlining the procedures that the University follows regarding the circumstances and delivery of these warnings.

### SCOPE:

This policy applies to reported Clery crimes that occurred on property that is owned or controlled by the University of Richmond. The issuance of a Timely Warning is decided on a case-by-case basis in light of all the facts surrounding a crime.

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# SEC-2006 – Timely Warning

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## POLICY STATEMENT:

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### *SEC-2006.1 Definitions*

- *Clery Act Crimes*

Crimes required by the Clery Act to be reported annually to the university community include: Homicide (murder and negligent/non-negligent manslaughter); sex offenses (rape, fondling, statutory rape and incest); robbery; aggravated assault; burglary; motor vehicle theft; arson; hate crimes (including larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias); dating violence; domestic violence; stalking; and arrests and referrals for disciplinary action for any of the following: Liquor law violations, drug law violations, and carrying or possessing a firearm illegally.

- *Timely Warning:*

An e-mail notification issued to all students, faculty, and staff when any Clery Act crime occurs on University property, is reported to campus security authorities, University or local police, and is considered by the University Chief of Police or designee to represent a serious or continuing threat to students and employees. Timely warnings are intended to enable individuals to take reasonable precautions for their safety and to aid in the prevention of similar crimes.

- *Campus Security Authority (CSA):*

An individual designated by the University who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. These individuals have an obligation under the Clery Act to notify the University Police Department of alleged Clery crimes that are reported to them in good faith, or alleged Clery crimes that they may personally witness.

Campus Security Authorities are notified in writing of their obligations and are required to complete training on their responsibilities. The University reviews Campus Security Authority designations annually.

- *University Property (as defined by the Clery Act):*

Property that is owned, leased, or controlled by the University which includes: (1) on campus; (2) on public property within or immediately adjacent to the campus, and; (3) in or on non-campus buildings or property that the University owns, controls, or leases, is frequented by students and used in support of educational purposes.

### *SEC-2006.2 Policy Statement:*

Timely Warnings will be issued in response to Clery Act crimes that have already occurred on University property and in the judgment of the University Chief of Police or designee, may pose a serious or ongoing threat to students and employees. The Timely Warning will be issued as soon as pertinent information is available.

A Timely Warning may also be issued for a non-Clery crime based upon the totality of circumstances of an incident.

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### *SEC-2006.3 Criteria for Issuing a Timely Warning:*

URPD will issue a Timely Warning based upon the following criteria: 1) A Clery Act crime is reported by a Campus Security Authority or any individual who reports an incident in good faith; 2) the crime occurred in a Clery reportable location; 3) The perpetrator has not been apprehended; and 4) there is a serious or ongoing threat to the campus community because of this crime. The decision to issue a timely warning may be further informed by use of the following factors:

- Was the perpetrator identified?
- If known, does the perpetrator have prior arrests, reports, or complaints, or any other history of violence?
- If known, does the perpetrator have a history of failure to comply with University No-Contact directives, or other preventive measures to include violation of protective orders?
- Has the perpetrator threatened to commit future acts of violence?
- The continuing danger to the community.
- Does it appear to be an isolated incident involving a specific targeted victim or is there a pattern of reported crimes?
- Does the information include the use of “date-rape” or similar drugs or intoxicants?
- Were there other aggravating circumstances reported?

### *SEC-2006.4 Content of a Timely Warning*

The following information will be included in a Timely Warning notification:

- A statement of the incident, including the nature of the crime.
- Location and time of the incident.
- Timely Warning involving Sexual Assault shall have the header - Timely Warning- Possible Triggering Content.
- Other relevant and important information (if known) related to the incident.
- Appropriate prevention tips related to the crime.
- Contact information for on and off campus resources to assist our community members.

Personal information related to a complainant or victim shall never be included in a Timely Warning.

### *SEC-2006.5 Applicable Regulations*

Appendix F of the 2020 2021 Federal Student Aid (FSA) Handbook

<https://www2.ed.gov/admins/lead/safety/cleryappendixfinal.pdf>

<https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2020-2021/appendices/appx-f-institutional-reporting-and-disclosure-requirements>

### **POLICY BACKGROUND:**

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Policy was reviewed by President’s Cabinet before approval in 2019

### **POLICY CONTACTS:**

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Associate Vice President for Public Safety and Chief of Police  
Director of Compliance