

UNCW Police Department

Campus Crime and Security Report

Published June 28, 2006



The UNCW Campus Crime and Security Report is published and distributed each year in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act [20 USC 1092 (f)]. The crime Statistics for 2004 and 2005 are in compliance with guidelines set forth in U.S. Department of Education, Office of Postsecondary Education, The Handbook for Campus Crime Reporting, Washington, DC, 2005.

The UNCW Police Department is responsible for providing police and security services to the university community. These services include programs such as Operation I.D. and Rape Aggression Defense (RAD) that provide information and techniques that, if properly applied, can significantly reduce the chances of becoming a victim of crime. Other services, including Police And Community Networking (PAC'N) and Bike Patrol, are designed to provide additional opportunities for personnel of the police department to interact with members of the community creating partnerships to solve problems and prevent crimes. The police department operates 24 hours a day each day of the year and is the point of origin for all emergency services, as well as a variety of university services after normal business hours.

I encourage you to closely review this report; in doing so, you will note the tragic murder of Jessica Lee Faulkner, which occurred May 5, 2004, the first murder to ever occur on the UNCW campus. You will also note that the murder of another student, Christen Marie Naujoks, which occurred a month after the end of the academic year, on June 4, 2004, is not included in these statistics because her tragic death occurred at a non-campus apartment complex in New Hanover County. The location of that crime is outside the jurisdiction of UNCW police and not a reportable statistic under the Clery Act. With further review of this document you will recognize that among the predominant crimes on campus are offenses involving property theft from buildings, labeled in this report as burglaries, or regulatory involving the enforcement of alcohol and drug laws and policies.

All members of the community share the responsibility for providing a safe campus. At a minimum, you should be educated and aware of the vast array of services available both on and off campus. Since the murders of Jessica and Christen, a number of measures have been implemented to increase safety on campus. Among the initiatives are revisions to the admissions process, expanded dissemination and marketing of information regarding safety, and additional staffing and increased response capabilities of the police department. The Campus Violence Prevention Task Force and the Campus Training and Education Task Force for Campus Violence Prevention reports are available online to review.

Safety and security are shared responsibilities. My commitment to you is to provide a professional police department staffed and equipped to serve this community. In return, I ask that you consider what you can do to protect yourself and your property.

A handwritten signature in dark ink, appearing to read "David M. Donaldson", with a long horizontal flourish extending to the right.

David M. Donaldson,
Chief of police

Enforcement Authority of the UNCW Police Department

The University of North Carolina Wilmington provides a fully functional police agency empowered under North Carolina General Statute 116-40.5. Police Officers are certified under the North Carolina Department of Justice Criminal Justice Education and Standards Commission and possess arrest authority. The police department is authorized for 29 sworn police officers, four full-time non-sworn security guards, five Police Telecommunicators, one records manager, one administrative assistant, one systems administrator, and approximately 15 part-time non-sworn security guards. The Police Department has three main divisions: Patrol, Community Services, and Investigations.

The **Patrol Division** is the largest and most visible division of the police department. Staffed by more than 20 personnel, the Patrol Division operates 24 hours a day, seven days a week, patrolling university property in marked and unmarked patrol vehicles, on bicycle and on foot. One of the primary responsibilities of the division is conducting preventative patrol, serving as a visible deterrent to and intervening in criminal activity, in addition to remaining accessible to members of the community for service functions such as jump starting and unlocking cars, conducting security checks, and providing security escorts. Patrol vehicles are equipped with countywide radio communication systems, Mobile Data Terminals, RADAR, and video recording systems. The Bike Squad members spearhead the community policing initiative of the department and have specialized training and expertise in areas of vital concern to the community, including crime prevention, special event planning and security. This team provides key components and capabilities for the community in response to complex and dynamic incidents. Additionally, the team delivers PAC'N Programs, crime prevention, self-defense, crime interdiction, victim rights, and facilitates community solutions for quality of campus life. The Bike Squad fields a team of highly motivated and trained police officers who competed for and earned the opportunity to deliver a superior police service to the community

The **Community Services Division** consists of telecommunications, security, and administrative personnel. Police Telecommunicators staff the police department's Communications Center, assisting community members in accessing departmental services by routing all in-coming telephone calls and responding to emergency call boxes; monitoring and dispatching law enforcement, fire, and EMS personnel; operating federal, state, and local criminal justice databases; documenting departmental activities and initiating after-hours institutional support for community members; assisting with locking and unlocking academic and administrative buildings; conducting surveillance; providing security escorts; and otherwise supporting departmental operations through program coordination and supervision, trend analysis, marketing, committee representation, records management, planning and compliance measures.

The **Investigations Division** conducts follow-up investigations of reported crimes and provides expert insight into matters of crime prevention, substance abuse, sexual assault, and other areas of concern to the university community. Dedicated to assisting and supporting crime victims, the division is committed to identifying and prosecuting perpetrators of crimes occurring on the UNCW campus. To that end, the division cooperates with local, state, and federal agencies, having access to these agencies' resources for broader technical and logistical support.

UNCW Police Department's Relationship with Other Law Enforcement Agencies

The UNCW Police Department benefits from an excellent working relationship with surrounding law enforcement agencies. The Wilmington Police Department, New Hanover County Sheriff's Department, Wrightsville Beach Police Department, Kure Beach Police Department, NC State Highway Patrol, NC Alcohol Law Enforcement, and NC State Bureau of Investigation are all participants in a comprehensive countywide communication system that allows direct linkage between the various agencies. Each of the above agencies has supported and continues to support the UNCW Police Department when requested. Additionally, the UNCW Police Department has Mutual Aid Agreements in effect with the Wilmington Police Department and the New Hanover County Sheriff's Department.

How to Report Crimes and other Emergencies

Students, employees, and visitors should report all crimes to the UNCW Police Department.

Report all crimes to the UNCW Police Department:

Emergency 911

Non-emergency 962-3184

Anonymously 962-TIPS or www.uncw.edu/ba/police/crime_report.htm

The police department is located on the East side of campus on Walton Drive, and is open 24-hours a day, 365 days a year providing around the clock police and security services to the University community. The police department operates a communications center that is staffed and equipped to receive and respond to telephone, electronic, and radio communications 24 hours a day.

The police department maintains and monitors a network of Emergency Call Boxes that have been strategically located on the campuses. These call boxes are readily identified by the blue light mounted on top of the call boxes and are available as needed to contact the police department. The police department also provides security patrols, by police officers and security guards, and security escort services throughout the University community. Each resident student has a telephone available to him/her in their room that may be used for emergency purposes, in addition to its customary use. Elevators are equipped with emergency telecommunications equipment that connects directly to the UNCW Police Department.

For more information regarding any of these services, contact the UNCW Police Department at 910-962-3184 or www.uncw.edu/ba/police/. For information concerning sexual assaults, please see the section **University Policies and Procedures Regarding Sexual Assault**.

The UNCW Police Department is committed to providing the best quality of law enforcement services to the community. The police department has a formal internal procedure for investigating complaints against officers and support personnel. Students, staff, faculty, or members of the larger community should contact the Chief of Police or the Assistant Chief of Police anytime he or she feels there has been unfair or unjust treatment.

UNCW Police Department's response to Crimes and other Emergencies

Generally, the UNCW Police Department is responsible for responding to and investigating reports of criminal actions and/or initiating or providing assistance to other agencies and departments for other types of emergencies occurring on UNCW Property. For more information regarding the off-campus properties and public properties, see the crime statistics.

Crime Warnings and Timely Notifications

In an effort to provide timely notice to the university community, crime warnings or Police Alerts are usually posted when a crime poses an ongoing threat to students and employees. Notice will usually be given when one of the following incidents is reported to the UNCW Police Department: Arson, Aggravated Assault, Murder/Criminal Homicide, Robbery, Sex Offenses, and other incidents as deemed appropriate.

Notifications may be disseminated by any of the following methods:

E-mail	Print Media
Broadcast Voicemail	Televised Media
Web Site Postings	Public Postings
Community Meetings	

A daily crime log is available for review in the UNCW Police Department 24 hours a day. A Crime Log can also be accessed through a link on the UNCW Police Department's website <http://www.uncw.edu/police>. The information in the log typically includes the nature, date, time, general location, and disposition of each crime. The Crime Log is normally updated within two business days, excluding days UNCW is closed.

Preparing the UNCW Campus Crime and Security Report

Crime statistics represent alleged criminal offenses reported to the UNCW Police Department or other law enforcement agency. Therefore, the data collected does not necessarily reflect prosecutions or convictions for crime. Since some statistics are provided by non-police authorities and anonymous reports, the data are not directly comparable to data from the FBI's Uniform Crime Reporting System which only collects statistics from police authorities.

Incidents reported to the UNCW Police Department that fall into one of the required reporting classifications will be disclosed as a statistic in the UNCW Campus Crime and Security Report which is published in September of each year for the previous calendar year.

Crime terms and definitions are provided in the section titled Crime Definitions.

The UNCW Police Department allows victims and witnesses to report sexual assaults (Forcible and Non-Forcible Sex Offenses) on a voluntary, anonymous, and confidential basis. These reports are collected for statistical purposes only. For more information regarding this procedure, please review the section University Policies and Procedures Regarding Sexual Assault.

The UNCW Police Department requests required statistical data from the law enforcement agency with primary jurisdiction for providing law enforcement services to locations referenced as "Non-Campus Property" and "Public Property".

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

- **Card Access** – All ground floor accessible doors to all traditional-style residence halls are locked twenty-four hours per day, seven days per week. All the front doors (main entrance doors) of residence halls have a card reader which only admits residents of that hall. All other ground accessible doors are alarmed
- **Desk Receptionist (DR)** – DR's are student staff members who work at the front desk of each of the traditional residence halls between the hours of 8:00 a.m. to 12:00 a.m. DR's are responsible for answering the front desk telephone, providing loaner keys and issuing supplies. By maintaining an awareness of residents and others entering and leaving the building, the DR is also responsible for providing security in the hall. The DR may request individuals entering the building to show a UNCW ID and may inspect bags/backpacks.
- **Night Security Staff** – Night Security officers work at the front desks in each residential area from the hours of 12:00 a.m. to 8:00 a.m., seven days a week whenever each building is open for residents. These individuals perform many of the same duties as the Desk Receptionist staff, and they closely monitor access to each of the residential areas.
- **Resident Assistant (RA)** – RA's are UNCW students of sophomore standing or above who are responsible for: (1) getting to know each person on the floor or in the assigned area, (2) familiarizing students with residence hall and university rules and regulations, (3) assisting with the enforcement of these rules and regulations, (4) helping residents to maintain an environment conducive to studying and learning, (5) acting as a liaison between residents and the Office of Housing and Residence Life, (6) facilitating student-to-student and student-to-staff interaction, (7) assisting in the development of educational and social programs and (8) being on duty in the evening from 5:00 p.m. until 8:00 a.m. and on the weekend from 5:00 pm on Friday until 8:00 am on Monday on a rotating basis.
- **Residence Coordinator (RC)** – RC's are full-time, master's degreed live-in professionals who report to the Associate Director of Residence Life. These individuals are assigned to administer a specific residence hall or area, supervise a Graduate Assistant, the Resident Assistants, coordinate the educational, social, and recreational programs and enforce university policy. Each Residence Coordinator is also a campus judicial officer who adjudicates on-campus student discipline. In addition, they assist the Office of Housing and Residence Life by performing specific administrative duties. It is the responsibility of the Residence Coordinator to work actively with staff and students to promote a positive community environment. One of these professional staff members is on duty each evening to respond to emergencies in the residential facilities.
- **Graduate Assistants** – The Office of Housing and Residence Life employs seven graduate assistants in the following areas: 1) Publications—Assists with the production of all Housing and Residence Life publications, Web sites and promotional mailers; 2) Six Graduate Assistants serve in an area of campus where they assist the Residence Coordinator by helping supervise a RA staff and DR staff, advising hall government and coordinating area programming efforts.

- Residence hall rules and regulations may be accessed through the following link: <http://www.uncw.edu/stuaff/housing/rules-regulations.htm>.
- Maintenance of lighting in the residence areas is the responsibility of Housing and Residence Life and/or the Physical Plant. Light bulbs or fluorescent tubes that are burned out are considered top priority and are changed out immediately. Housing staff is also responsible for lighting in the stairwells of the University Apartments and the University Suites. Routine checks in the evening by the Housing and Residence Life staff are done in order to report any lights not working.
- Police Officers randomly patrol common hallways throughout residence halls and the exterior grounds. The University Apartments and Suites are considered private residences, as are rooms within the traditional residence halls; therefore the interior spaces of these facilities are not randomly patrolled
- Fire safety is an A-1 priority. All campus housing facilities have fire detection/alarm systems. Galloway Hall, Graham Hall, Hewlett Hall, Cornerstone Hall, International House, and Honors House all have state-of-the-art fire alarm systems. Sprinkler systems exist in the University Apartments, Galloway Hall, the connector building of Graham Hall and Hewlett Hall, Cornerstone Hall, International House, and Honors House. The systems are tested and certified on a yearly basis and is done in conjunction with the Department of Insurance, the Department of Environmental Health and Safety (EH&S), and the Physical Plant electrical shop. Fire drills are conducted by the Housing and Residence Life staff and EH&S once each during the fall and spring semesters. The vacating of the buildings during these drills is overseen by the HRL staff, the UNCW Police Department, and EH&S. The Wilmington Fire Department and the UNCW Police Department respond to every general fire alarm.
- Each resident student has a dedicated telephone line available to him/her in their room that may be used for emergency purposes, in addition to its customary use. Resident students must provide their own telephones.
- Academic, administrative, and support buildings are secured each evening at the conclusion of the scheduled activity for facilities by building staff, Housekeeping Staff of the UNCW Physical Plant, staff of the UNCW Police Department, or electronically through a computerized access control system administered by the Applications Office in conjunction with the Auxiliary Services Department.
- Reservations and requests for facility use are administered by the Reservations Office, Division of Student Affairs, or department building coordinators.

Crimes occurring at Off-campus locations/By recognized Student Organizations

Reports of criminal activity at off-campus locations or by organizations officially recognized by the University are reported either directly by the local police to the UNCW Police Department or by request of the UNCW Police Department by location.

Community Policing and Crime Prevention

Every student, faculty member, and staff member shares the responsibility for providing a safe campus. At a minimum, every community member should be **educated** and **aware** of available services. The police department is founded on this concept and the philosophies of community policing and crime prevention. To this end the department provides crime prevention information, materials, and education to the campus community throughout the year.

Police and Community Networking (PAC'N)

For more than a decade the police department has coordinated crime prevention and community policing activities through the PAC'N Program. PAC'N Officers, who are assigned to the Bike Squad, primarily focus their efforts on the residential areas of the campus. These specially trained and selected police officers work especially close with resident students, as well as Resident Assistants and Resident Coordinators of the Office of Housing and Residence Life. PAC'N Officers assist these community members in defining problems, developing solutions, and implementing strategies to solve problems and prevent crimes. In addition to this, PAC'N Officers conduct investigations and facilitate a variety of educational programs throughout the campus, including the following:

- Sexual Assault Education and Prevention
- Bike Registration, Safety and Security
- Property Security - Operation Identification
- Drug and Alcohol Awareness
- Traffic Injury Prevention
- Personal Safety and Property Security
- Basic Car Maintenance
- For more information contact the PAC'N Office at 910-962-3933.

Rape Aggression Defense (RAD)

As part of its crime prevention effort, the police department offers RAD – Rape Aggression Defense – classes throughout the year. The Rape Aggression Defense System is a program of realistic self-defense tactics and techniques. The RAD Program is a comprehensive course for women that begins with awareness, prevention, risk reduction, and avoidance. RAD teaches physical self-defense as a viable option for a woman who is attacked. In addition to being offered as an extracurricular activity, RAD is an elective lab in PED 101. Multiple sessions of RAD are offered each semester and are promoted on the police department's website, through academic classes, on public bulletin boards, and discussed in community meetings. For more information contact the police department.

Alcohol Policies

University of North Carolina Wilmington permits alcohol to be consumed at special activities and programs and in the privacy of residence hall rooms. There is no intent to encourage the increased use of alcoholic beverages or to force their consumption upon those who object to the use of alcohol on moral, ethical, or religious grounds. This policy is designed to promote the positive, healthy use or non-use of alcoholic beverages in a responsible manner.

I. University policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption.

A. Effective September 1, 1986, the North Carolina Alcoholic Beverage Control Laws make it illegal for any person under 21 years of age to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages.

B. Under no circumstances may any type of alcoholic beverages be sold by any person, organization or corporation on the campus of the University.

C. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk, or other publicly owned or leased place within the city of Wilmington.

D. Student fees collected by UNCW cannot be used to purchase alcoholic beverages.

E. Student events at which alcoholic beverages may be consumed can be held only under circumstances in which the host organization demonstrates reasonable means of insuring the safety of participants and adherence to state law.

II. Possession and consumption of alcoholic beverages at University events must adhere to the following guidelines.

A. Possession and consumption of alcoholic beverages on the University campus shall be restricted to areas specified by the Dean of Students. Exceptions may be designated by the Chancellor.

B. The use of alcoholic beverages at a campus event shall be subject to the approval of the Chancellor.

1. The UNCW Alcohol Beverage Permit and Statement of Responsibility must be filed with the Office of the Dean of Students seven (7) days prior to the event.

2. The advisor to the sponsoring organization must be present for the entire event.

C. Alcohol must be served by the UNCW Food Service Contractor.

D. Alcoholic beverages may be used only as complements to an event, not as the main focus.

E. Non-alcoholic beverages must be available at the same place as the alcoholic beverages and featured as prominently as the alcoholic beverages.

F. A reasonable portion of the budget for the event shall be designated for the purchase of food items.

G. Consumption of alcoholic beverages is only permitted within the approved area designated for the event.

H. At least two people shall check every person entering an event for proof of legal drinking age. Only the following will be accepted for valid identification.

1. Driver's license with picture.

2. Driver's license without a picture along with both a Social Security card and another form of picture identification.

3. Military identification card.

4. Passport.

5. Special identification card obtained from the N.C. Department of Motor Vehicles. Persons of legal drinking age shall be given a nontransferable form of identification.

I. Alcohol shall not be served to those exhibiting unusual behavior or impaired speech or motor coordination when such behavior appears to be the result of substance abuse.

J. Alcohol service will be discontinued one (1) hour before the event ends.

K. Failure to comply with conditions for alcohol consumption on campus will result in disciplinary action.

III. Alcohol Beverage Quantity Guidelines are designed in compliance with guidelines set forth by the National Institute on Alcohol Abuse and Alcoholism. These quantities are intended as a guide for persons purchasing alcohol for a function.

A. Beer - 12 oz. Per person per hour

B. Wine - 4 oz. Per person per hour.

Alcohol Use/Possession in Residential Areas

The University of North Carolina Wilmington abides by North Carolina State laws and statutes. Students 21 years of age and older may possess and consume beverages within the privacy of their bedroom or private living area. Underage students are subject to an alcohol fine, through the Campus Judicial System, of at least \$35.00 on the first offense and at least \$50.00 thereafter.

In accordance with University Policy, alcoholic beverages may not be consumed in public areas, including hallways, lounges, and apartment balconies/porches or outside the buildings. The sale of any alcoholic beverage on the UNCW campus is prohibited. Students are not permitted to possess kegs, or any other common source container of alcohol including beer bongs in the Residence Life area. Students are not allowed to construct or own a table used for the purpose of beer pong.

Residents who are under 21 years of age are not allowed to host people with alcohol regardless of the guest's age. No guest of a resident will be allowed to bring in alcohol when visiting student residences. The Office of Housing and Residence Life staff reserves the right to stop people from bringing alcohol into the building(s).

A student and his/her guest may be asked to open all backpacks, bags, coolers and other containers when entering a residence hall. This procedure is a safety and security measure, which prevents most unwanted or unauthorized materials from being brought into the halls. All students' cooperation with staff requests is expected and appreciated. A resident and his/her guests may be denied entrance if they choose not to cooperate with this request.

UNCW 04.110 POLICY ON ILLEGAL DRUGS

The fundamental purpose of University of North Carolina Wilmington (UNCW) is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use. Therefore, all members of the academic community, students, faculty members, administrators and other University employees, share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

I. Purpose - The fundamental purpose of the university is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use. Therefore, all members of the academic community, students, faculty members, administrators and other university employees, share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

II. POLICY AND PROGRAM

A. The illegal use, possession, sale, delivery and/or manufacture of drugs will not be tolerated and may be grounds for immediate suspension or dismissal of students, faculty members, administrators and other University employees.

B. UNCW policies and programs are intended to emphasize:

1. The incompatibility of the use or sale of illegal drugs with the goals of the University.
2. The legal consequences of involvement with illegal drugs.
3. The medical implications of the use of illegal drugs.
4. The ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities.

C. UNCW provides a systematic substance abuse education and prevention program designed to reach all segments of the campus community. To assist in accomplishing this mission, CROSSROADS, the Substance Abuse Prevention and Education Program, has developed a well-integrated centralized program that is a focal point for campus substance abuse education, training, and prevention which monitors the effectiveness of programs for constituencies served. The Counseling Center provides substance abuse counseling and referral services on campus and in the external community. It also provides consultative services to offices and agencies in the University environment and collaborates with the Employee Assistance Coordinator in Human Resources to develop counseling and referral services for faculty and staff desirous of seeking assistance off-campus. This policy on illegal drugs is presented within the four areas of education, counseling and rehabilitations, enforcement and penalties and assessment.

III. EDUCATION

UNCW provides a program of education designed to help all members of the University Community avoid involvement with illegal drugs. Education programs:

- A. Provide system of accurate, current information exchange on the health risks and symptoms of drug use for students, faculty and staff.
- B. Promote and support institutional activity programming that discourages substance abuse.
- C. Establish collaborative relationships between community groups and agencies and the institution for education, treatment and referral.
- D. Provide training programs for students, faculty and staff to enable them to detect problems related to drug use, and refer persons with these problems to appropriate assistance.
- E. Include information about drugs for students and family members in the student orientation programs. The use of prescription and over-the-counter drugs will be addressed.
- F. Support and encourage faculty in incorporating education about drugs into the curriculum where appropriate.
- G. Develop a coordinated effort across campus for drug related education, treatment and referral.

IV. COUNSELING AND REHABILITATION

A. UNCW provides information about drug counseling and rehabilitation services to members of the University community. Persons who voluntarily avail themselves of University services can be assured that applicable professional standards of confidentiality will be observed. Counseling and rehabilitation services include:

1. Provision of training for professional staff and student staff on drug abuse information, intervention and referral.
2. Education programs for students who have demonstrated abusive behavior with drugs.
3. Assessment, counseling, and referrals for students.
4. Consultation, information and referrals for students, staff and faculty.

B. In providing the above prevention strategies, it is recognized that some campus constituents may prefer professional assistance external to the campus. Therefore, CROSSROADS: Substance Abuse Prevention and Education Program will collaborate with the Counseling Center in the development of appropriate referral mechanism for these individuals. A listing of off-campus resources for assistance and referral is available for those who choose that option. In the development of this program, it is desired that faculty, students, administrators and other employees be comfortable in the manner in which they are served and have a choice in the selection of appropriate assistance. Individuals served in the Counseling Center on campus can be assured that confidentiality will be maintained.

V. ENFORCEMENT AND PENALTIES

A. Enforcement - In seeking to enforce established University policy, University of North Carolina Wilmington will:

1. Publicize all drug policies.
2. Consistently enforce drug policies.
3. Exercise appropriate disciplinary action for drug policy violations.

B. Penalties

1. The university shall take actions necessary, consistent with state and federal law and applicable university policy, to eliminate illegal drugs from the university community. University policy on illegal drugs is publicized in the university catalog, student and faculty handbooks, student orientation materials, letters to students and parents, residence hall meetings and faculty and employee meetings.

2. Students and faculty members, administrators and other employees are responsible as citizens for knowing about and complying with the provisions of the North Carolina law that makes it a crime to possess, sell, deliver or manufacture drugs designated collectively as "controlled substances" in Article V, Chapter 90 of the North Carolina General Statutes (See State Law I). Any member of the university community who violates that law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by the university. It is not "double jeopardy" for both the civil authorities and the university to proceed against and adjudicate a person for the same specified conduct. The university will initiate its own disciplinary proceedings against the student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interest of the university.

3. Penalties will be imposed by the university in accordance with procedural safeguards applicable to disciplinary actions against students (see Code of Student Life, Section II), faculty members (see Policies of Academic Freedom and Tenure, UNCW, Section VII), and administrators and other employees (see Procedure No. PER 6.10 and Personnel Policies for Designated Employment Exempt from State Personnel Act-EPA Administrative Positions).

4. The penalties to be imposed by the university may range from written warning with probationary status to expulsion from enrollment and discharge from employment; however, the following minimum penalties shall be imposed for the particular offenses described.

a. Trafficking in Illegal Drugs

- i. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified in Schedule I, North Carolina General Statutes 90-89, or Schedule II, North Carolina General Statutes, 90-90 (including,

but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled and any faculty member, administrator, or other employee shall be discharged

ii. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver any controlled substance identified in Schedules III through VI, North Carolina General Statutes 90-91 through 90-94, (including, but not limited to, marijuana, Phenobarbitals, codeine), the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled, and any faculty member, administrator, or other employee shall be discharged.

b. Illegal Possession of Drugs

i. For a first offense involving the illegal possession of any controlled substance identified in Schedule I, North Carolina General Statute 90-89, or Schedule II, North Carolina General Statutes 90-90, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent.

ii. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, North Carolina General Statutes 90-91 through 90-94, the minimum penalty shall be probation for period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the chancellor or chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or employment for any unexpired balance of the prescribed period of the probation

iii. For the second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators, and employees.

c. When a student, faculty member, administrator or university employee has been charged by the university with a violation of policies concerning illegal drugs, he/she may be suspended from enrollment and/or employment before the initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the chancellor, or the chancellor's designee concludes that the person's continued presence within the university community would constitute a clear and immediate danger to the health or welfare of other members of the university community; provided that, if such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held as promptly as possible thereafter.

VI. ASSESSMENT

A. UNCW shall in its effort to continually assess the campus environment:

1. Appraise the institutional environment as in underlying cause of drug abuse.
2. Assess campus awareness, attitudes and behaviors regarding the use of drugs and employ results in program development.
3. Collect and use drug related summary information from police and security reports to guide program development
4. Collect and use summary data regarding health, counseling and client information to guide program development.
5. Collect summary data regarding drug related disciplinary actions and use it to guide program development

B. Annually, the Chancellor shall submit to the Board of Trustees a report of campus activities related to illegal drugs for the proceeding year. The report shall include the following:

1. A listing of major education activities conducted during the year
2. An report on any illegal drug related incidents, including any sanctions imposed
3. An assessment by the Chancellor of the effectiveness of the campus program
4. Any proposed changes in University policy on illegal drugs. The Chancellor shall provide a copy of his report to the President.

C. The Chancellor shall provide a copy of his report to the President.

UNCW 04.130 Sexual Assault Policy

I. Purpose - The university takes all forms of sexual violence very seriously. In order to provide a safe campus community within which all members are valued and respected, policies and procedures for addressing sexual violence have been established and [are reproduced in this report]. Acts of sexual violence carried out by and/or against university community members will not be tolerated and are punishable under university policies and North Carolina law.

II. To appropriately address sexual violence, the University provides comprehensive services including:

- ? Educational programs, awareness events and print and video resources addressing a variety of topics related to sexual violence
- ? Policies addressing sexual assault behaviors.
- ? Counseling and intervention services for those who have been assaulted or who have concerns regarding sexual violence.

- ? Referral to off-campus agencies that provide services for persons who have been sexually assaulted.
- ? Procedures for assisting persons who have been sexually assaulted in obtaining medical and counseling services.
- ? Procedures for campus judicial action when persons who have been assaulted wish to pursue campus disciplinary action against the assailant.
- ? Procedures for assisting persons who have been sexually assaulted in pursuing criminal action against the assailant.

III. Definition of Terms

A. For the purpose of this appendix, the terms "sexual violence" and "sexual assault" are used interchangeably.

1. Sexual Assault - Any attempted or actual sexual activity that is unwanted or nonconsensual including oral or anal penetration, sexual touching, fondling, rape and a variety of other acts. Sexual assault is a crime under North Carolina law.

2. Rape - Under North Carolina law is defined as:

a. Vaginal intercourse

b. By Force

c. Against a person's will

3. Stranger Rape - Rape in which the victim does not know the rapist. This type of rape occurs the least often of the three types listed here, but is the one most often reported.

4. Acquaintance Rape - Rape in which the victim knows or is acquainted with the rapist. Also called "date rape" when the victim is or has been dating the rapist. Ninety percent of college rapes occur between people who know each other. This type of rape occurs the most often, but is least often reported.

5. Gang Rape - Rape in which there are two or more rapists involved.

B. Other definitions regarding what sexual assault is are necessary to ensure that the University policies are clearly understood.

1. Any sexual behavior to which all persons involved do not clearly, verbally, and freely consent MAY be considered sexual assault or sexual violence.

a. Any sexual behavior in which a person engages because of coercion, threats, emotional or verbal abuse, physical force or threat, intimidation, intoxication or other instances in which consent CANNOT be freely given constitutes sexual assault.

b. A person who is impaired because of their use of alcohol or other drugs is assumed to be unable to give consent.

- c. Consent requires that the person has:
 - i. adequate and correct information for decision-making.
 - ii. the power to freely choose
 - iii. the freedom to have their choice respected by others.

2. Behaviors that are considered sexual assault and which can result in criminal, civil or campus judicial action include (but are not limited to) any of the following to which all parties involved DO NOT or CANNOT freely consent (as defined above) are:

- a. any touching of a sexual nature
- b. penetration of the vagina by the penis (the definition of "rape" according to North Carolina law)
- c. any sexual activity with a person who is too impaired by alcohol or other drugs to meet the above definition of consent
- d. any sexual activity with a person who is mentally defective, mentally incapacitated or physically helpless
- e. oral, anal or vaginal penetration with the penis, fingers or any object
- f. any sexual behavior with a person under the age of 16 (according to North Carolina law)

IV. Reporting Policy Violations

If you are raped or sexually assaulted:

- A. Get to a safe place- one that is well lit and where there are other people, preferably people you know and trust.
- B. Do not bathe, douche, brush your teeth, drink, change clothing or even comb your hair before seeking medical attention. It is only natural to want to do so, but you may be destroying physical evidence that could be needed later if you decide to prosecute.
- C. Call for help! People who care and who will provide you with support and information are available 24 hours a day at the Rape Crisis Center at 392-7460. Or, call the UNCW Counseling Center at 962-3746. Staff members at both centers can help you consider your reporting options and decide what to do next.
- D. To report the assault, call University Police at 962-3184 or ext. 4911 on-campus. Reporting does not mean that you have to prosecute. See the next section for more on reporting options.
- E. Get immediate medical attention. You may have injuries of which you are unaware.

F. If you wish, call a friend, family member, or other trusted person to be with you.

V. Reporting Alternatives After a Sexual Assault

It is important to report ANY sexual assault. To do so does not obligate a person to prosecute their assailant. There are several ways to take action- Anonymous Notification, Adjudication through the UNCW judicial system, and Criminal prosecution. In any case, we recommend that victims report the crime to the University Police or local law enforcement officials as soon as possible to ensure proper evidence collection and investigation. This will be of great importance should the person choose later to prosecute. Reporting options may be discussed with any of the University resources listed under "Filing an Anonymous Notification" later in this policy.

A. Anonymous Notification - An anonymous notification may be filed with any of the University resources listed in PART II, SECTION B. In this notification, your identity will remain anonymous. By using this reporting option, you can provide the University or law enforcement agencies with important information that may prevent other assaults or may alert police and others to specific high risk areas while maintaining your anonymity.

B. UNCW Campus Judicial System - Whether or not you choose to pursue criminal prosecution, if the assailant is a UNCW student, you may file a report through the UNCW Campus Judicial System. A hearing will be conducted and a University administrator or the Campus Judicial Board will hear your case. If the assailant is found responsible, sanctions can range from probation to indefinite suspension from the University. For more information, contact the Office of the Dean of Students, Room 200 - University Union, 962-3119.

C. Criminal Prosecution - If you decide to pursue formal prosecution, local law enforcement officials will need assistance in identifying and apprehending the assailant. Information concerning the time and location of the assault, as well as a complete description of the assailant (if possible) will be important. The more information and details you can provide, the better the chances of identification and prosecution. If the assailant is identified, the New Hanover County District Attorney's Office will determine if there is sufficient evidence to prosecute. Be aware that your past sexual history cannot be discussed except for past relations with the assailant.

VI. The University's Response to a Sexual Assault Report

A. The University takes all incidents of sexual violence very seriously. Persons who have been assaulted are encouraged to report the incident to someone, whether a friend, parent, spouse, counselor or any other trusted individual. This is an important step in the healing process.

B. The University also encourages those assaulted to report the incident to University or local law enforcement officers or to University administrators. Reporting the assault does not automatically require prosecution. Whether to request that the case be adjudicated, either through the campus judicial system

or through the criminal or civil justice system, is a decision that only the person assaulted can make. Even if that person chooses not to pursue charges against the assailant, reporting the incident enables the University administrators to have a clearer understanding of what our students are experiencing and what services are needed.

VII. Filing an Anonymous Notification -

A. Designated University employees are required by law to notify University Police of any alleged sexual assault that occurs on designated University property. This is only a notification that an incident has occurred. However, information shared with counselors in the Counseling Center will not be forwarded, unless the victim consents, because confidentiality laws protect information shared with these staff members. The University member to whom the report is made will aid the person reporting in obtaining care and assistance.

1. University Resources

UNCW University Police Emergency 911

UNCW University Police Non-Emergency 962-3184

CARE-Center for Assault Response and Education 962-CARE (2273)

Counseling Center 962-3746

Student Health Center 962-3280

Office of the Dean of Students 962-3119

Housing & Residence Life 962-3241

2. Local Resources

Wilmington City Police Emergency 911 or 343-3600

Rape Crisis Center 392-7460

Sheriff's Department 341-4200

Wilmington Health Access for Teens 790-9949

New Hanover Regional Medical Center 343-7799

Cape Fear Memorial Hospital 452-8100

B. An Anonymous Notification contains information required by state and federal law, and in compliance with the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Anonymous Notification is then forwarded to University Police where it is filed and used for compiling the annual Campus Crime and Security Report.

VIII. Usage of Assault Notification Information

Anonymous information regarding sexual assaults is used for compiling the University Police Department Yearly Report in accordance with state and federal law and the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act.

IX. Pursuing Legal and/or Judicial Action

A. The University cannot initiate disciplinary/judicial or criminal action unless the person who has been assaulted chooses to do so even if the alleged assailant is named in the Anonymous Notification.

B. If you are interested in pursuing legal action, you should contact University Police at 962.3184 or emergency 4911. The University Police will also discuss other options that include, but are not limited to, confidentiality issues and judicial action through the Office of the Dean of Students.

C. Statement of the Right of Victims of Sexual Violence Who Pursue Campus Judicial Action

1. The right to have a person or persons of her/his choice to accompany her/him throughout the disciplinary hearing.
2. The right to remain present during the entire proceeding, excluding deliberation.
3. The protection afforded by NC Shield Law in effect at the time of the hearing, currently codified as NCGS8 C-1, Rule 412 (1983)
4. If the accused is found in violation of the Code, the victim has the right to make a "victim impact statement" and to suggest an appropriate penalty.
5. The right to be informed immediately of the outcome of the hearing.
6. The victim may request of the Office of the Dean of Students a change in living arrangements.

Sex Offender Registry

North Carolina law currently requires sex offenders and individuals adjudged to be sexually violent predators to register with the sheriff of the county where they are living, and the sheriff maintains a registry of this information that is available to the public upon request. Registrants must furnish the following information: name, sex, address, physical description, picture, conviction date, offense for which registration was required, the sentence imposed as a result of the conviction, and registration status. Offenders who are non-resident students or non-resident workers must maintain registration with the Sheriff of the county where the offender works or attends school and must also identify the school he or she is attending or his/her place of employment. Sex offender registration information is available on a searchable website maintained by The North Carolina Department of Justice Division of Criminal Statistics - <http://sbi.jus.state.nc.us/DOJHAHT/SOR/Default.htm>

Crime Definitions

The following definitions are used for reporting the crimes for purposes of the UNCW Campus Crime and Security Report. The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug law violations, and weapon law violations, are excerpted in part from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted in part from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

Criminal Homicide-Murder and Non-negligent Manslaughter - The willful (non-negligent) killing of one human being by another.

Sex Offenses-Forcible - Any 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.

Sex Offenses-Non-forcible - Unlawful, non-forcible sexual intercourse; includes incest, non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law, and statutory rape, non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery - The taking or attempting to take anything of value from 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.

Burglary - The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle includes 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, personal property of another, etc.

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

Liquor Law Violations - The 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. (Drunkenness, driving under the influence and university policy violations are not included in this definition).

Drug Law Violations - Violations of State and local laws relating to other unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. University policy violations are not included.

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; and all attempts to commit any of the aforementioned.

Crime Report

Published July 1, 2006

Criminal Offenses - On Campus ¹	2003	2004	2005
Murder/Non-negligent Manslaughter	0	1	0
Forcible Sex Offenses (Incl. Forcible Rape)	3	1	7
Nonforcible Sex Offenses	0	0	0
Robbery	1	0	1
Aggravated Assault	1	4	1
Burglary	56	47	38
Motor Vehicle Theft	6	5	1
Arson	0	1	0
Negligent Manslaughter	0	0	0
Hate Crimes (All Categories)	0	0	0

Criminal Offenses - On Campus Residence Halls ¹	2003	2004	2005
Murder/Non-negligent Manslaughter	0	1	0
Forcible Sex Offenses (Incl. Forcible Rape)	3	1	7
Nonforcible Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	0
Burglary	45	17	23
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Negligent Manslaughter	0	0	0
Hate Crimes (All Categories)	0	0	0

These offenses are also reported in **Criminal Offenses - On-Campus**

Criminal Offenses - Non-Campus ²	2003	2004	2005
Murder/Non-negligent Manslaughter	0	0	0
Forcible Sex Offenses (Incl. Forcible Rape)	0	0	0
Nonforcible Sex Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	3	1	1
Motor Vehicle Theft	2	0	0
Arson	0	0	0
Negligent Manslaughter	0	0	0
Hate Crimes (All Categories)	0	0	0

Criminal Offenses - Public Property ³	2003	2004	2005
Murder/Non-negligent Manslaughter	0	0	0
Forcible Sex Offenses (Incl. Forcible Rape)	3	0	0
Nonforcible Sex Offenses	0	0	0
Robbery	1	0	0
Aggravated Assault	11	0	0
Burglary	27	0	0
Motor Vehicle Theft	5	0	0
Arson	0	0	0
Negligent Manslaughter	0	0	0
Hate Crimes (All Categories)	0	0	0

Arrests - On-Campus ¹	2003	2004	2005
Liquor Law Violations	11	7	18
Drug Law Violations	16	11	2
Illegal Weapons Violations	2	4	4

Arrests - On-Campus Residence Halls¹	2003	2004	2005
Liquor Law Violations	8	2	6
Drug Law Violations	10	5	0
Illegal Weapons Violations	0	0	0

These offenses are also reported in **Arrests - On-Campus**

Disciplinary Actions/Judicial Referrals - On-Campus ¹	2003	2004	2005
Liquor Law Violations	346	365	261
Drug Law Violations	77	38	47
Illegal Weapons Violations	8	4	10

Disciplinary Actions/Judicial Referrals - On-Campus Residence Halls ¹	2003	2004	2005
Liquor Law Violations	312	314	178
Drug Law Violations	57	30	28
Illegal Weapons Violations	7	2	7

These offenses are also reported in **Disciplinary Actions/Judicial Referrals - On-Campus**

Arrests - Non-Campus ²	2003	2004	2005
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0

Disciplinary Actions/Judicial Referrals - Non-Campus ²	2003	2004	2005
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Violations	0	0	0

Arrests - Public Property ³	2003	2004	2005
Liquor Law Violations	n/a	n/a	n/a
Drug Law Violations	n/a	n/a	n/a
Illegal Weapons Violations	n/a	n/a	n/a

Disciplinary Actions/Judicial Referrals - Public Property ³	2003	2004	2005
Liquor Law Violations	n/a	n/a	n/a
Drug Law Violations	n/a	n/a	n/a
Illegal Weapons Violations	n/a	n/a	n/a

CLEARY CRIME STATS EXPLANATION

Crime Report Statistics for 2004 are in compliance with guidelines set forth in "U.S. Department of Education, Office of Postsecondary Education, The Handbook for Campus Crime Reporting, Washington, DC, 2005.

1. On-campus includes CMS, CMSR, leased space at 5051 New Centre Drive, and Park-and-Ride (1700 block of St. James Drive).

2. Non-Campus Includes Coastal Carolina Community College (444 Western Boulevard, Jacksonville, NC 28546-6816), Camp Lejeune Learning Center (Camp Lejeune, Jacksonville NC while classes are being taught), Bolton Health and Wellness Center (213 Ninth Street, Bolton, North Carolina 28423-0327), 1702 Fontenay Place, UNCW Research Vessels.

3. Public Property includes City jurisdictional property abutting UNCW. This includes the 600 block of South College Road to West Side of pavement (or sidewalk), 200 and 300 blocks of Rose Avenue to the East Side of pavement, 5100 Block of Masonboro Loop Rd. to the West Side of the pavement, McMillian Ave to South Side pavement at Hamilton Drive, 5000 block of New Center Drive to the South Side of pavement, and the 5100 block of Campus View Circle.