

**FAYETTEVILLE STATE UNIVERSITY
SECURITY REPORT
OCTOBER 1, 2008**

INTRODUCTION

The Student Right to Know and Campus Security Act was signed into law in 1990. It requires higher education institutions to prepare, publish and distribute by October 1 of each year, to all current students and employees, information pertaining to crime awareness and personal safety. The information is available upon request to any applicant for enrollment or employment. Fayetteville State University (FSU) is publishing this annual Security Report pursuant to this regulation.

Fayetteville State University, located in Fayetteville, North Carolina, is a constituent institution of the University of North Carolina. It has an enrollment of approximately 6,217 students for the fall 2008 semester. There are 873 employees reported as of August 1, 2008. The University is committed to providing a safe and secure environment for its students and employees. It offers various educational programs on crime and crime prevention. Members of the campus community are encouraged to be responsible for their personal safety and that of others.

In this report, members of the campus community will find information on how to prevent and report crimes. Information is also included on how the university responds to the reporting of crimes and how it secures its facilities. Policies governing the use and/or sale of alcoholic beverages and illegal drugs are detailed in this report. Additionally, the university's sexual offense policy and disciplinary procedures are discussed. More detailed information on the above subjects may be obtained from the Office of Student Affairs or the Police/Public Safety Department.

**REPORTING CRIMES/EMERGENCIES
OCCURRING ON CAMPUS**

The Department of Public Safety is responsible for the enforcement of laws, policies, rules and regulations set forth by the State of North Carolina, the University of North Carolina and FSU. It operates a Telecommunications Center with emergency dispatch services 24 hours a day, 365 days a year for the purpose of reporting criminal activity and other emergencies that occur on campus. The center is staffed by trained emergency services telecommunicators.

To report a crime or an emergency, an individual should either call the Police/Public Safety Department's Telecommunications Center (**672-1911 or Ext. 1911**) or activate one of twenty-seven (27) call boxes located on campus. The police telecommunicator is capable of instantaneously accessing the Fayetteville City Police Department and the Cumberland County Sheriff's Department.

Once contacted, the telecommunicator will request certain specific information and contact university Police, along with additional personnel such as fire and rescue squads. If needed, the Chief of Police will contact members of the university's administrative staff.

An individual may also report a crime or an emergency to one of the following individuals:

Chief, FSU Police/Public Safety Department	672-1341
FSU Police Officer	672-1341
Vice Chancellor for Student Affairs	672-1201
Associate Vice Chancellor for Student Affairs	672-1208
Dean of Students	672-1385
Director, Residence Life	672-1284
Vice Chancellor for Academic Affairs	672-1460
University Legal Counsel	672-1141

Victims or witnesses may report crimes on a voluntary, confidential basis for statistical reporting purposes only to any of the individuals listed above.

FSU'S RESPONSE TO THE REPORTING OF CRIMES/EMERGENCIES

Upon receipt of a criminal complaint or report of an emergency, initial police actions are focused on ensuring the safety of the persons involved in the incident. Subsequently, an officer will interview all available witnesses to obtain information about the incident. A written report will be filed, normally the same day. Serious crimes and incidents receive further investigation or action and may involve members of the Fayetteville City Police Department and/or the State Bureau of Investigation. Additionally, timely police reports are made available to the university community in order to inform them of emergency or criminal incidents and where concerns exist for the safety, health and welfare of the university community.

The *Code of Student Conduct* also includes procedures established to address cases in which students, whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, may be immediately suspended by the Vice Chancellor for Student Affairs. Other disciplinary actions against students are taken in conformance with the policy and procedures, which are outlined in the *Code of Student Conduct*. Questions concerning both policies and procedures should be directed to the Dean of Students of Student Conduct.

ACCESS AND SECURITY TO CAMPUS FACILITIES Instructional and Administrative Facilities

Normally the public can access instructional and administrative facilities during regular business hours. After regular business hours, the Department of Public Safety secures these facilities. The general public cannot access the facilities after regular business hours.

Deans and vice chancellors may request keys to their facilities. Key control is also delegated to these individuals and facilities are rekeyed upon their request. Only these individuals are provided keys to exterior doors. Police personnel may provide access to employees without keys, but not without first viewing a picture identification and then ascertaining their university affiliation.

Police personnel also frequently patrol the grounds and facilities after hours to observe any suspicious activity. While observing these areas, they look for damage to security hardware, non-operational lights and other potential security problems. Also a lighting survey is conducted frequently to ensure that walkways and corridors throughout the campus are well lighted and clear of overgrown shrubbery.

Athletic Facilities

Security policies pertaining to major athletic and entertainment events held in university athletic facilities are under the jurisdiction of the Department of Athletics in coordination with the Police/Public Safety Department.

Residence Life Facilities

Each student is issued a key or access card, which allows the student access to his/her residence hall room and the locked exterior doors. Keys and access cards remain the property of the university and are issued at the beginning of the semester and collected when the student's residence life contract is terminated. Students who lose their keys or do not return them at the end of the semester are charged for the cost of changing the lock. Locks are changed within twenty-four (24) hours of the resident notifying the hall director or the Director of Residence Life of a lost key.

Local law enforcement officers, contracted by Residence Life and supervised by the Police/Public Safety Department, work shifts varying in length between the hours of 9:00 pm and 3:00 am, seven (7) days per week during the period when school is in session. These officers supplement the law enforcement services provided by the Police/Public Safety Department. These officers patrol the perimeter of each residence hall.

SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Athletic, Instructional and Administrative Facilities

There are building managers for athletic, instructional and administrative facilities. The manager is responsible for the inspection of the building and the reporting of the need for maintenance or repairs to FSU's Facilities, Maintenance, Planning and Construction (FMP&C) department. Upon receipt of the request, a work order is issued to the appropriate shop within FMP&C.

Residence Life Facilities

Students are responsible for notifying the residence hall director or the Director of Residence Life when they are in need of maintenance or repair service.

When a work request is received, the request is forwarded to the FMP&C department who will assign a maintenance technician to work on the request. After hours, emergency repairs are requested through the Police/Public Safety Department, which then contacts the appropriate maintenance technician.

ENFORCEMENT AUTHORITY OF THE CAMPUS POLICE DEPARTMENT

North Carolina General Statute 116.40.5 allows for the establishment of a campus law enforcement agency with all the powers of law enforcement generally, including the power to arrest. The territorial jurisdiction of the university's Police/Public Safety Department includes all property owned or leased to the university and that portion of any public road or highway passing through such property and immediately adjoining it, wherever located.

The Police/Public Safety Department works closely with the City of Fayetteville Police Department and the Cumberland County Sheriff's Department.

CAMPUS LAW ENFORCEMENT REPORTING POLICY

The Police/Public Safety Department encourages the prompt reporting of criminal activity through its educational literature and programs. All reports are investigated to the fullest extent possible.

Sexual Assaults

Anonymous reports are acceptable as informational reports in cases of reported rape or sexual assault if the victim does not want to pursue criminal charges against the alleged perpetrator, or if the report is not from the victim. No investigative activity is undertaken without specific authorization from the victim. The victim is encouraged to initially provide as much information and evidence as possible, even if s/he does not want to pursue criminal charges, in case there is a decision to pursue such charges later.

CAMPUS SECURITY AND CRIME PREVENTION PROGRAMS

The university community relies heavily on the crime prevention officer in the Police/Public Safety Department to educate employees and students about crime prevention and personal safety. The crime prevention officer often conducts informational and educational programs on drug and alcohol awareness, personal safety, sexual assault prevention, and other special topics throughout the year. Educational materials are often provided.

**MONITORING AND RECORDING CRIMINAL ACTIVITY
ENGAGED IN BY OFF-CAMUS PROPERTY OF RECOGNIZED
STUDENT ORGANIZATIONS**

There are no recognized off-campus student properties associated with FSU.

POLICIES GOVERNING ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS

*Possession, Use and Sale of Alcoholic Beverages
Possession, Use and Sale of Illegal Drugs*

The sale of alcohol beverages at the university is strictly prohibited. The serving of Alcohol at university sponsored events only must conform to the laws of the State of North Carolina, the city of Fayetteville and the university's policy on the serving of alcohol at university sponsored events. Unless otherwise stated in university policy, alcohol beverages are prohibited on any portion of the university's property including, but not limited to, residence halls, parking lots, the student center, the football stadium and the Health and Physical Education complex.

Illegal drugs are prohibited on the campus of FSU. This includes the possession, sale, distribution or consumption of any alcoholic beverage and/or illegal drugs. The Police/Public Safety Department enforces all laws on underage drinking. It is also responsible for enforcing federal and state drug laws.

University disciplinary proceedings will be instituted against students and employees who violate the university's policies regarding the possession, use and sale of alcoholic beverages and/or illegal drugs. Penalties will be imposed for violations in accordance with the disciplinary policy. The penalties range from written warnings to expulsion from enrollment or discharge from employment.

Alcohol and Drug Abuse Educational Programs

The university's Center for Personal Development conducts drug and alcohol education programs for students. It also provides counseling, support and referrals for students seeking help with substance abuse problems. In addition, the Center sponsors an annual *Drug Awareness Week* and provides classroom and residence hall presentations.

The Athletic Department provides drug and alcohol abuse seminars for all student athletes and conducts random drug screening as required by the NCAA and the University of North Carolina system.

The State Employees' Assistance Program provides free, confidential assessment, counseling, consultation and referral service for all employees and their families. The university also provides employees with referrals to local community mental health agencies, personal physicians, local chapters of Alcoholics Anonymous and Narcotics Anonymous and others who are able to identify and treat employees with substance abuse problems.

In compliance with the federal Drug Free Schools and Communities Act and the Drug Free Workplace Act, the chancellor of the university annually notifies all university employees and students of the university's position on illegal drugs. The notification includes a description of the health risks associated with the use of illegal drugs and the abuse of alcohol; a description in summary form of the applicable legal sanctions for the unlawful possession or distribution of illegal drugs; and, a description in summary form of university sanctions that will be imposed, at a minimum, for the unlawful possession, use or distribution of illegal drugs by student or employees on university property or as a part of any university activity.

SEXUAL OFFENSES POLICY AND PROCEDURES

Sexual Offense will not be tolerated or condoned by FSU. The university's policy on sexual offenses prohibits not only those acts commonly understood to constitute a sexual assault but all attempts to coerce sexual activity as well.

The university community believes that excessive use of alcohol and other drugs often precede incidents of sexual assault. Use of these substances may interfere with one's capacity either to consent to or refuse sexual activity. Use of these substances may also interfere with one's judgment regarding sexual aggression. The use of alcohol or other drugs does not diminish personal responsibility for aggressive or any other socially unacceptable behavior.

Procedures To Follow If A Sexual Offense Occurs

Any student who alleges that a sexual offense has been committed against him/her has the right to file a complaint. If the offense occurred on campus, the individual should notify the campus police and/or the Dean of Students or a staff member at the university's Center for Personal Development. If the assault occurred off campus, the individual should file a report with the appropriate law enforcement agency. The FSU Police/Public Safety Department offers assistance to victims in filing complaints in other jurisdictions outside the university campus.

If you have been assaulted you should do the following:

- (1) Preserve all evidence, do not wash or otherwise cleanse any body parts;
- (2) Remain in your clothes (or if clothes have been changed, retain all clothing worn when the assault was committed);
- (3) Do not disturb anything in the location where the assault took place; and,
- (4) If possible, remain in the general location where the assault took place until police arrive.

Services for Victims

Services for victims are offered both on and off campus. **On-campus** services include:

- (1) *The Center for Personal Development (Center)*. The Center provides counseling

to students who are victims of any sexual offense and makes referrals to community resources. The Center also assists victims in notifying proper authorities, to include academic arrangements in conjunction with Academic Affairs. The Center's consultations with the victims are of a confidential nature.

- (2) *The Student Health Services.* The staff at the Student Health Services may provide medical treatment and referrals to community agencies. The staff also assist victims in notifying proper authorities, if the student so chooses.
- (3) *The Department of Residence Life.* If requested by the victim, the Residence Life staff will provide reasonably available options for and assistance in changing the living and/or academic environment for the victim.

Off-campus resources in the Cumberland County area include:

Rape Crisis Volunteers of Cumberland County	485-7273*
Victim Assistance Program	433-1849
Care Domestic Violence Program	677-2532*
Contact of Fayetteville, Inc.	485-4134*
Cumberland County Mental Health Center	323-0601*

* **Answered 24 hours a day.**

Addresses and a brief description of the services provided by each of the off-campus resources are available from the Division of Student Affairs.

Disciplinary Procedures

The primary objective of the FSU disciplinary system is to respond to all violations of the *Code of Student Conduct*. This includes responding to non-forcible or forcible sexual offenses. The *Code of Student Conduct* specifically recognizes the following sexual offenses:

- (1) **Rape**, which is defined as sexual intercourse with a person by force and/or without that person's consent.
- (2) **Sexual Assault** is defined as a sexual act, other than intercourse, with a person by force or without that person's consent.
- (3) **Sexual Harassment**, which is defined as unwelcome sexual, advances, request for sexual favors or other verbal or physical conduct of a sexual nature when such conduct creates an intimidating, hostile, or demeaning environment.

An individual who is the victim of a sexual offense may file a complaint with the FSU Police/Public Safety Department and/or the Dean of Students. (Please note that the university reserves the right to implement its procedures before, during or after any criminal proceedings held in a court of law.)

If a complaint is filed with the Police/Public Safety Department, a campus appearance ticket (CAT) will be issued. The issuance of a CAT shall serve as notification that a charge against a student has been filed. Public Safety or the Dean of Students may amend the CAT to

reflect additional charges or a more accurate description of charges. A student who receives a CAT is expected to contact the Dean of Students within the next two (2) days or face contempt charges.

A member of the campus community may file a charge against a student by submitting in writing to the Dean of Students the following information: student(s) name, the allegation of misconduct, date, time and place of the alleged violation and witnesses present (if any). Additionally, the individual filing the charge may include any other information s/he considers relevant. The charge must be filed within five (5) days of the alleged incident. The student will be notified, in writing, of the allegation within two (2) days of the receipt of such a charge by the Dean of Students.

The Dean of Students will investigate the charge to determine whether the allegation, if proven, would constitute an offense under the *Code*; and, based upon the facts of the allegation, there is reasonable belief that such a violation may have occurred.

If the Dean of Students determines that the individual should be charged, the Dean of Students will formally charge the student by providing the student with a written notice, which shall include the specific charge(s), reference to the rights of the accused under the *Code* and information concerning arrangements for a prehearing conference at which to discuss the charges.

The Prehearing Conference will be scheduled with the accused no less than two (2) days from the date of the notice of the charge. At the pre-hearing conference the accused shall be informed of his or her rights and options available for resolution of the disciplinary charge(s). If the Dean of Students makes a determination that there is sufficient evidence to proceed with the case, the Dean of Students shall refer the entire case to the Judicial Hearing Board (Board) for appropriate action. The Board, without regard to the findings made or the review conducted previously by the Dean of Students, will conduct a hearing. The referral must be submitted to the Chairperson of the Board within five (5) days after the Dean of Students has notified the accused of the charges.

If the Dean of Students makes a determination that the case is of such a sensitive nature that the Board should not hear it, the Dean of Students shall refer the entire case to the Vice Chancellor for Student Affairs (Vice Chancellor) for appropriate action. Additionally, a student who does not wish to have his or her case referred to the Board may request that the Vice Chancellor hear the case. A student who does not wish to have his or her case heard before the Board shall sign a statement indicating their preference to have their hearing heard before the Vice Chancellor.

In either case, a hearing will be conducted by the Vice Chancellor without regard to the findings made or the review conducted previously by the Dean of Students. The referral must be submitted to the Vice Chancellor within two (2) days after the Dean of Students has notified the accused of the charges.

At the hearing, both the accused and the accuser are allowed to present witnesses or any

documentary evidence they feel is relevant. Both parties will be informed of the outcome of any disciplinary proceeding brought alleging a sex offense.

The following sanctions, individually or collectively, may be imposed if an accused is found guilty of a sex offense:

- Community Service Counseling
- Disciplinary Eviction from a Residence Hall
- Disciplinary Probation
- Expulsion
- Restitution
- Restriction of On-Campus Privileges
- Suspension
- Written Reprimand

Educational Programs

Educational programs concerning such issues as date rape, domestic violence and sexual assaults are presented annually by the university's Center for Personal Development. The presentations are usually made in the residence halls. For more information on individual programs, contact the Center for Personal Development.

INFORMATION REGARDING REGISTERED SEX OFFENDERS

Members of the campus community may obtain information concerning registered sex offenders at the following web site: <http://sbi.jus.state.nc.us/DOJHAHT/SOR/>. If an individual does not have access to the web site such information can be obtained from the Police/Public Safety Department, Fayetteville Police Department or the Cumberland County Sheriffs Office.

SUMMARY

Members of the campus community should find the information obtained in this report on how to prevent and report crimes helpful. More detailed information on any of the subjects discussed in this report may be obtained from the Division of Student Affairs and/or the Police/Public Safety Department.

**FAYETTEVILLE STATE UNIVERSITY
CRIME STATISTICS**

CRIMINAL OFFENSES

	2005	2006	2007
FSU CAMPUS¹			
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sexual Offenses (including forcible rape)	0	1	2
Non-Forcible Sexual Offenses	0	0	0
Robbery	0	0	2
Aggravated Assault	1	1	0
Burglary	1	3	7
Motor Vehicle Theft	4	9	7
Arson	0	0	0
RESIDENCE HALLS²			
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sexual Offenses (including forcible rape)	0	0	2
Non-Forcible Sexual Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	1	0
Burglary	1	2	5
Motor Vehicle Theft	0	4	0
Arson	0	0	0
NON-CAMPUS			
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sexual Offenses (including forcible rape)	0	0	0
Non-Forcible Sexual Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

	2005	2006	2007
PUBLIC PROPERTY³			
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Forcible Sexual Offenses (including forcible rape)	0	0	0
Non-Forcible Sexual Offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0

HATE OFFENSES

FSU CAMPUS¹

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
All Forcible Sexual Offenses (including forcible rape)	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Simple Assault	0	0	0
Arson	0	0	0

RESIDENCE HALLS²

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
All Forcible Sexual Offenses (including forcible rape)	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Simple Assault	0	0	0
Arson	0	0	0

NON-CAMPUS

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
All Forcible Sexual Offenses (including forcible rape)	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Simple Assault	0	0	0
Arson	0	0	0

	2005	2006	2007
PUBLIC PROPERTY³			
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
All Forcible Sexual Offenses (including forcible rape)	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Simple Assault	0	0	0
Arson	0	0	0

ARRESTS

FSU CAMPUS¹

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	2	0	1

RESIDENCE HALLS²

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

NON-CAMPUS

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

PUBLIC PROPERTY³

Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

DISCIPLINARY ACTIONS/JUDICIAL

REFERRALS

FSU CAMPUS¹

Liquor Law Violations	3	15	12
Drug Law Violations	9	9	11
Illegal Weapons Possession	2	2	6

	2005	2006	2007
NON-CAMPUS			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0
PUBLIC PROPERTY³			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

Notes

¹ Includes the central campus and all campus streets, sidewalks, and parking lots.

² Includes property leased by the University during the 2007-2008 academic year that was used to house residential students.

³ Includes public streets and sidewalks adjacent to university owned or controlled facilities.