2022 Annual Security Report
Containing Information for the 2022-2023 Academic Year

From the Chief of Police:

As we enter a new academic year, The University of Alabama in Huntsville (UAH) Police Department continues to work hard to provide a campus that is reasonably safe and conducive to the goals of education and research. However, like most universities, we share many of the same challenges that exist in the surrounding community. While it doesn’t happen as often, crime is one such concerning issue.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act--20 USC § 1092(f), this report prepared by the UAH Police Department includes information about security related policies and programs along with statistics reflecting reported Clery crimes from the last three calendar years.

Each year, an e-mail notification is made to all enrolled students, faculty, and staff that provides the web site link to access this report. Printed copies may be obtained at the University Police Department during normal business hours. Prospective students and employees may also view this report, and the fire safety report, by following the webpage link http://www.uah.edu/safety or by visiting the University Police Department in person.

I hope you will join us in our efforts to keep the campus as safe as possible by taking responsibility for your own personal security.

Brian R. Cozby
Chief of Police
# 2022 Annual Security Report
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INTRODUCTION

In accordance with the federal regulations of the Campus Security Act of 1990, as amended by the Higher Education Opportunity Act of 2008 and Section 304 of the Violence Against Women Act (VAWA) in 2013, UAH publishes an Annual Security Report that contains security-related policies and procedures and certain required crime statistics for the three most recent calendar years. This information is made available to enrolled students and current employees, as well as to prospective students and employees. The Annual Security Report informs our prospective and current students, faculty, and staff of the general procedures for reporting crimes both on and off campus and includes tips on preventing theft of property and crimes of violence, including physical and sexual assaults.

In compliance with 1998 amendments to the Campus Security Act (also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act) and Department of Education regulations, the crime statistics published in this report illustrate: 1) the reporting of crime categories as specified below, 2) the reporting of specified hate crimes by category of bias against the victim (race, gender, religion, sexual orientation, ethnicity, national origin, gender identity and disability) and, 3) the reporting of arrests and student conduct referrals for disciplinary action as specified below. Each of these statistical categories are further broken down by specific geographic areas. These are: **On-Campus** (includes On-Campus Student Residential Facilities), **Non-Campus** property; and **Public Property** (includes public streets and sidewalks within the campus boundaries or immediately adjacent to it).

The University Police Department makes an annual request to the Huntsville Police Department for crime statistics recorded in the **public areas** within the campus boundaries or immediately adjacent to campus. These are added to the crime statistics table annotated in this report.

The Annual Security Report includes crime statistics for the following categories of crimes, as reported to the UAH Police, other Campus Security Authorities, and The Huntsville Police Department: Criminal Homicide which includes Murder, Non-Negligent Manslaughter & Negligent Manslaughter; Sex Offenses, which includes Rape, Fondling, Incest, and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Dating Violence; Domestic Violence; and Stalking. The report also includes statistics of hate crimes associated with these offenses: Larceny/Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property or other crimes involving bodily injury. Also included are arrests and conduct board referrals for violations of the following: liquor laws, drug laws, and weapons laws.

The Fire Safety Report is available at: [https://www.uah.edu/images/administrative/police/safety/annual_fire_report.pdf](https://www.uah.edu/images/administrative/police/safety/annual_fire_report.pdf)
OVERVIEW OF THE UNIVERSITY

The University of Alabama in Huntsville is one of the nation's premier research universities, offering a challenging hands-on curriculum that ensures our graduates are prepared to become tomorrow's leaders.

UAH is a public university within a nearly 500-acre campus. With 9,237 students and over 2,100 employees, it's a small city within a city. Located in Huntsville, Alabama, at the southern foothills of the Appalachian Mountains, Huntsville is also known by its nickname “The Rocket City”, because of the important role it played in the nation’s earliest space missions. Southern Living magazine has named Huntsville one of the best college towns in the South.

The University boasts 17 high-tech research centers and labs responsible for $149.8 million in annual research expenditures and serves as the anchor tenant for Cummings Research Park, the second-largest research park in the nation. It also maintains strong partnerships with federal, state, and local agencies, commercial industry, and academic and not-for-profit organizations, including but not limited to: the U.S. Army, NASA's Marshall Space Flight Center, the DoD’s Missile Defense Agency, the U.S. Defense Intelligence Agency’s Missile and Space Intelligence Center, the Federal Bureau of Investigation, NOAA’s National Weather Service, the U.S. Space and Rocket Center, the Hudson Alpha Institute for Biotechnology, and many others.

UAH is an open and vibrant campus. University academic and business facilities are generally open to the public during regular business hours. Buildings are locked on outside of normal hours, and at times when the University is closed. Only authorized
persons affiliated with the individual departments housed inside may have access during non-business hours when facilities are locked. Residence halls are locked with card access.

UAH Facilities and Operations (F&O) maintains the University’s 77 academic, residential, and recreational buildings and grounds, with careful attention to repairing nonfunctional lighting, broken windows, and locks. The UAH Police Department helps F&O by reporting potential safety and security hazards when discovered.

All persons who come to campus are expected to obey laws and University policies related to safety and security. Those who fail to comply are subject to arrest, issuance of a criminal trespass warning, and in the case of students, disciplinary action through the Student Conduct Board.
LAW ENFORCEMENT ON CAMPUS

The University Police Department

The UAH Police Department (UAH PD) is a subunit within the Finance and Administration division. The Department is a full-service, state law enforcement agency located at 501 John Wright Drive inside the first level of the Intermodal Facility (parking garage). The Department is open twenty-four hours a day, seven days a week, including weekends, holidays, and semester breaks. UAH PD is the preferred receiver of crime reports.
The Department’s Mission

The Department’s mission is to serve and support UAH by recognizing the ever-changing needs of a growing university and the role its police department has in addressing those needs. To that end, the department pledges EXCELLENCE, INITIATIVE, and INTEGRITY while fulfilling its fundamental duties to preserve the peace, reduce criminal opportunity, and promote a quality of life that is conducive to learning and working.

Responsibilities

Primarily responsible for protecting the life and property of people on the UAH campus, officers patrol the campus on a 24 hour basis and provide a full range of public safety services including:

- Patrolling campus streets, parking areas, public streets running through and adjacent to the campus, as well as nearby neighborhoods.
- Providing first response to on-campus medical emergencies.
- Investigating criminal incidents and making every reasonable effort to identify the offenders.
- Enforcing state and local traffic laws along with investigating and documenting motor vehicle accidents.
- Maintaining and controlling the primary building access control system.
- Coordinating security for University sponsored on-campus events.
- Providing crime prevention and security presentations.
- Maintaining a ‘Lost and Found’ repository.
- Offering fingerprinting service for individuals who must submit fingerprint cards for background checks, licenses, employment, etc. Individuals requiring this service must provide their own fingerprint cards and the fee is $15.00 per card. Appointments are highly encouraged.
- Storage of firearms and other weapons for resident students living on campus.
- Providing on-campus safety escorts when the service is available.

POLICE AUTHORITY

Code of Alabama (1975) §16-47-10: Police Officers - Appointed by President; Powers and Duties Generally

The President of the university may appoint or employ one or more suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property of the university. Such person shall be charged with all the duties and invested with all the powers of police officers. The officer may eject trespassers from the university buildings and grounds. The officer may, without warrant, arrest persons who commit disorderly conduct, or trespasses on the property of the institution, or in any circumstance in which an arrest by a police officer without a warrant is authorized
by law, and carry them before the nearest district court or municipal court charged with the trial of such offenders. Upon proper affidavit charging the offense, the person arrested may be tried by the court and convicted as in case of persons brought before the court on a warrant.

Law Enforcement Jurisdiction


A police officer appointed pursuant to the provisions of this section, is a peace officer whose authority extends to any place in the state; provided, that the primary duty of any such police or peace officer shall be the enforcement of the law on property owned or leased by the institution of higher education employing said peace officers;

Training

Officers are professionally trained and certified in accordance with the Alabama Peace Officer’s Standards and Training Council (APOSTC). Each officer must attend state-mandated, continuing in-service training taught by certified police instructors and subject matter experts from around the country. Topics include, but are not limited to: legal updates; arrest, search and seizure procedures; rules of evidence; community relations; first aid; CPR/defibrillator recertification; use of force (includes proficiency training with lethal and non-lethal weapons); tactical maneuvering such as that used for a response to an active shooter incident; drug identification; and many others.

RELATIONSHIP WITH LOCAL LAW ENFORCEMENT

The UAH campus is located geographically within the City of Huntsville, Alabama. Therefore, Huntsville Police Officers have concurrent jurisdiction on the campus. Through a Memorandum of Understanding with the Huntsville Police Department (HPD), UAH officers shall have initial and primary jurisdiction to investigate crimes occurring on campus. However, the UAH Chief of Police may request assistance from the Huntsville Chief of Police, asking for the deployment of available specialized units and investigative personnel. HPD may also assume primary investigative responsibility for major criminal incidents if deemed necessary. HPD provides statistics for reportable criminal activity at noncampus locations.

The prosecution of all criminal offenses committed on campus is conducted in the Federal District Court of Northern Alabama for federal felonies or misdemeanors, the state circuit or district courts of Madison County for state felonies or misdemeanors, or the Huntsville municipal court for breaches of municipal ordinances. The UAH PD maintains a cooperative working relationship with other state and surrounding local agencies and senior leaders hold active memberships in both state and national campus law enforcement associations.
National Crime Information Center (NCIC)

The UAH PD has an authorized NCIC terminal for official use during criminal investigations. It allows the department to check persons for criminal histories and active arrest warrants, and to verify vehicle registrations and driver license validity. It also provides real-time criminal intelligence that is made available from federal, state, and local law enforcement agencies nationwide regarding serious crimes, reported stolen vehicles, missing persons and other matters.

REPORTING CRIMINAL INCIDENTS AND OTHER EMERGENCIES

The University encourages students, employees, and visitors to promptly contact the UAH Police Department to report any violation of law, potential criminal incident, suspicious behavior, on-campus motor vehicle accidents, or medical emergencies. The preferred receiver of reports is the UAH Police Department.

For violations of law that occur off campus, people should file a report with the Huntsville Police Department or the appropriate law enforcement agency having jurisdiction where the alleged criminal act took place. Reporting a crime does not mean you must press criminal charges against a suspected violator. However, doing so may help law enforcement stop further incidents and help them keep the community better informed about criminal activity.

To file a police report in person, an individual should go to the UAH Police Department, located in the Intermodal Facility at 501 John Wright Drive.

You may also call the Department anytime and an officer will be dispatched to your location. The same actions should be followed to report a fire, medical emergency, or motor vehicle accident, occurring on or near the campus.

For a non-emergency report by phone, call 256-824-6596. Be prepared to describe the situation to the police dispatcher. For more urgent situations, including fires and medical emergencies, call 911 or UAH PD at 256-824-6911.

NOTE: All 911 calls made from campus office phones or emergency call box stations, go directly to the UAH Police Communications Center. All cell phone 911 calls are answered by the Madison County 911 Center and will be routed to the UAH PD.

Reports Using Emergency Two-Way (Blue Light) Call Boxes

The University has several emergency two-way (blue light) phones. By pressing the red button, users can communicate directly with the UAH Police Communications Center. They are located on each level of IMF (the parking garage), John Wright Drive near IMF and John Wright Drive near Charger Village.
MAKING A REPORT TO A CAMPUS SECURITY AUTHORITY (CSA)

The preferred receiver of reports is the UAH Police Department.

In cases where an individual does not want to speak with law enforcement (UAH PD is the preferred receiver of reports), a victim or witness of a crime may speak with a CSA on a voluntary, confidential basis.

In addition to the UAH Police Department, Campus Security Authorities include:
- Any individual or individuals who have responsibility for campus security but are not employees of the UAH Police Department.
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- Any official at UAH who has significant responsibility for student and campus activities,
  - including, but not limited to, student housing, student discipline and campus judicial proceedings.

Examples of CSAs at UAH include:
- The Vice President for Diversity, Equity and Inclusion
- Title IX Coordinator and Deputy Title IX Coordinators
- The Associate Vice President for Human Resources
- The Vice President and Assistant Vice President for Student Affairs
- The Dean of Students and Assistant Dean of Students
- The Director of Housing and Residence Life, Assistant Director of Housing Operations and Associate Director of Residence Life
- The Director of Student Life
- The Director of University Recreation
- Any Resident Director, Resident Assistant or Residence Hall Front Desk Monitor
- The Athletic Director, any team head coach or assistant coach, student assistant coaches, volunteer coaches, and athletic trainers
- Nursing staff in the Student Health Center

These officials may encourage a crime victim to speak with law enforcement, but they cannot compel the person to do it. Still, federal regulations require the CSA to document the reported incident for inclusion in the annual disclosure of campus crime statistics. Information about the crime, its location, time date and basic descriptive information are required for the Daily Crime Log. However, no personally identifiable information will be disclosed.

CSA Reporting Form
https://www.uah.edu/images/administrative/police/crimeincident.pdf
Confidential Reporting to Pastoral and Professional Counselors

Under the law, campus pastoral and professional counselors, when acting in their official capacity, are not considered a Campus Security Authority and are not required to report crimes for inclusion in the annual disclosure of campus crime statistics. The University of Alabama in Huntsville encourages its professional staff at the Student Counseling Center if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report. All verified and unverified confidential reports of offenses that meet the reporting criteria as determined by the UAH Police are included in the campus crime statistics. Crimes reported to campus pastoral and other professional counselors, are not included unless the victim chooses to report to one of the other Campus Security Authorities.

DAILY CRIME AND FIRE LOG
(Summary of reported crimes on and around campus and fires in residence halls)

The Police Department maintains an online Daily Crime and Fire Log for the past 60 days. A paper copy is available for public inspection at the Police Department. Disclosure of some information may be withheld from the log if the Chief of Police determines it may endanger someone, jeopardize an ongoing criminal investigation, or delay the apprehension of an offender. The online log can be viewed at this link: http://www.uah.edu/police/daily-log.

Older Daily Crime and Fire Log entries will be made available at the police station (501 John Wright Drive) within two business days, upon request.

The Daily Crime and Fire Log is a chronological record of all reported crimes made to the UAH Police Department or a Campus Security Authority and occurring within the geographical boundaries of UAH. Information includes the nature, date, and general location of each crime, as well as the disposition of any investigation associated with the reported crime. No names of victims, complainants, or witnesses are ever included in the Daily Crime and Fire Log.

MISSING RESIDENTIAL STUDENT PROCEDURES

The missing student procedures applies to all students who reside in on-campus student housing facilities. Every student living in on-campus student housing will be given the opportunity to designate an emergency contact person during room sign-up. Emergency contacts will be notified by the University within 24 hours of an official determination that the student has been declared missing. Resident Assistants will also advise the students how to register their emergency contact information during their first hall floor meeting. Students are encouraged to update their emergency contact information if it changes. This emergency contact information will be stored confidentially in the Housing Portal and will be accessible only to authorized campus officials.
In the case of a student who is under 18 years of age and not emancipated, the Dean of Students will notify the custodial parent or guardian within 24 hours of the determination that the student is missing for 24 hours. A notification will also be made to any additional contact person designated by the student.

Regardless of whether a student has designated an emergency contact person, is above the age of 18, or is an emancipated minor, the UAH Police Department will investigate and attempt to locate the student.

**Reporting and Investigation Procedures**

A student may be considered to be missing if the student’s absence from campus is contrary to his or her usual pattern of behavior and the University has reason to believe that unusual circumstances may have caused the absence. Such circumstances may include, but are not limited to: a report or suspicion that the student may be a victim of foul play (e.g., a reported abduction); that the student has expressed suicidal thoughts or may be in a life threatening situation; that the student has exhibited behavior suggesting that the student is unable to care for himself or herself; or that the student is overdue returning to campus and has not been heard from after giving a specific return time to family or friends.

Any individual on campus with information or reason to believe that a student off campus may be a missing person should notify the Police immediately.

The UAH Police will gather essential information about the individual from persons with knowledge of the missing student and from University confidential information resources.

Police will keep the Dean of Students and other appropriate officials informed of the progress of the search and investigation.

**Release of Communications about a Missing Student**

The Executive Director of Marketing and Communications is the designated spokesperson for the University. All media inquiries will be forwarded to that individual. The Chief of Police will be consulted prior to any information release from the University so as not to jeopardize any investigation.
CRISIS COMMUNICATIONS

Timely Warning

Timely Warning notices, also known as Crime Alerts, are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students, employees and visitors whenever there is a Clery Act crime that has been reported that is a serious and ongoing threat so that the campus community members can protect themselves. The Clery Act requires a Timely Warning be issued once it has been determined that a Clery crime occurring on UAH geography is a serious on ongoing threat. A Timely Warning may be issued for non-Clercy crimes or for crimes outside of the UAH geography if it’s determined to be a serious or ongoing threat to the university. Timely Warnings will be issued to the entire UAH community.

A Timely Warning will not reveal the identities of either victims or reporting persons. Crimes reported to Professional or Pastoral Counselors are confidential and will not result in a Timely Warning.

Timing, Content, and Decision Criteria for Issuing a Crime Alert:

- The Clery Act does not define what is timely. However, the warning should be issued as soon as pertinent information is available, because the intent of a Clery Timely Warning is to alert the campus community of a criminal event and any continuing threats that are believed to exist.
- Clery Act regulations do not specify what should be included in a timely warning. However, the warning should include information that would promote actions to encourage security awareness.
- The issuance of a Timely Warning should be decided on a case-by-case basis in light of all of the facts surrounding a crime. These include factors such as the nature of the crime, a continuing danger to the community, and the possible risk of compromising law enforcement efforts to apprehend the suspect(s) if certain information is made public.
- Generally, the Timely Warning should specify the type of reported crime, the time and location where the crime occurred, and specific advice to the community regarding steps to take to avoid becoming a victim of similar crimes. A suspect description may not be included if there isn't a description or the information is too vague to be of use.

The decision to issue a Timely Warning and the content is made by the Chief of Police or his designees, at times after consulting with the Vice President for Finance and Administration and others if necessary.

A Timely Warning can be disseminated campus wide using a variety of methods that may include official UAH e-mail, text messages, phone calls, the RAVE Guardian app, public address systems, the UAH web page, and/or social media such as Facebook and Twitter.
The UAlert system can be used to issue Timely Warnings. Information on the UAlert system and RAVE Guardian, including how to sign up to receive warnings or update your contact information, is at https://www.uah.edu/ualert.

**Emergency Notification**

An Emergency Notification will be issued upon confirmation of a significant emergency or dangerous situation on campus that is an immediate threat to the health or safety of persons on the campus. Confirmation can be made by the UAH Police Department of the UAH Office of Risk Management. An Emergency Notification may be issued for a significant emergency or dangerous situation near the campus that has a significant probability of affecting the campus.

An Emergency Notification may be sent to the entire university or a segment of the community when appropriate, as determined by either the UAH Police Department of the UAH Office of Risk Management, who will also determine the content of the messages, Vice President for Finance and Administration and others if necessary.

The Emergency Notification will be created and issued without delay unless in the professional judgement of the UAH Police Department of the UAH Office of Risk Management issuing a warning will compromise the efforts to assist victims, or to contain, respond to or otherwise mitigate the emergency.

At a minimum an Emergency Notification will include the nature and location of the emergency, and when necessary steps to mitigate risk.

An Emergency Notification can be disseminated using a variety of methods that may include official UAH e-mail, text messages, phone calls, the RAVE Guardian app, public address systems, in-person notifications, the UAH web page, and/or social media such as Facebook and Twitter. A follow-up will be sent if there is a significant update to the emergency or when the emergency no longer exists.

A Timely Warning is not required for the same circumstances if an Emergency Notification has also been issued, but follow-up information is required.

The UAlert system can be used to issue Emergency Notifications. Information on the UAlert system and RAVE Guardian, including how to sign up to receive notifications or update your contact information, is at https://www.uah.edu/ualert.
UALERT EMERGENCY MASS NOTIFICATION SYSTEM

If a potentially life-threatening emergency exists that necessitates an urgent notification to the greater university population (such as a tornado warning), the institution’s UAlert system will be used. This message will be promulgated through telephone calls, text messages, and official UAH email. UAlert also integrates Facebook and Twitter. The way an individual gets UAlert messages, or if they opt out of receiving them, is entirely their decision. More information, including how to sign up or updated your contact information, is at https://www.uah.edu/ualert

CAMPUS OUTDOOR ANNOUNCEMENT SYSTEM

The University has incorporated an external “Giant Voice” alert system comprised of two outdoor arrays - one on top of Material Science Building and another on top of Roberts Hall. Several facilities have indoor building mass notification systems (BMNS) installed.

These systems allow for real-time verbal broadcasts of instructions and information across campus.

SECURITY CONSIDERATIONS REGARDING MAINTENANCE

No campus is isolated from crime. However, UAH employs a variety of physical security measures to help protect the campus community. This includes Crime Prevention Through Environmental Design (CPTED). Exterior lighting and landscape control is a critical part of instituting CPTED principles used to reduce crime and enhance security. This combined with controlled access of buildings, security cameras, enhanced visibility and aggressive maintenance of facilities all promote a more secure campus.

Facility Security Maintenance

The Facilities and Operations Department inspects buildings regularly. If F&O locates a problem or receives a security related report such as a broken exterior door locking mechanism or access control component, malfunctioning fire alarm system, elevator problems, or similar matter, a priority work order for the necessary repairs is initiated. The UAH PD works closely with the Office of the Vice President for Student Affairs, the Housing & Residence Life professional staff, and other campus staff to ensure that safety policies and procedures are uniformly executed and are conveyed in a clear and consistent manner to students and employees. Members of the University community are
encouraged to contact any of the above-mentioned offices if they have security concerns regarding a particular area on campus.

BUILDING ACCESS CONTROL SYSTEM

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, authorized contractors, and certain escorted guests. The University encourages an open environment with reasonable constraints to aid in the protection of the community. Except for residence halls, most campus facilities are open during weekday regular business hours. Individuals who wish to access University academic and administrative buildings or specific rooms during non-business hours or for days when the university is closed, MUST be included on an approved Charger Card (Card Key) Access Request Form or Key Request Form provided to the Police Department by the appropriate Dean or Department Chair/Administrator. Those not having pre-approved access must arrange with the aforementioned individuals for inclusion. The Police Department will grant access upon receiving official notification in writing and on the required form(s).

Exterior doors of the residence halls are locked twenty-four hours a day. Only assigned residents may gain access using their Charger Card. Each resident is issued a separate private room key. In the event of a lost Charger Card or room key, it is the student’s responsibility to make a report to the Charger Card Office and to the Housing and Residence Life staff so the room locks may be changed. Visitors must sign in and be escorted through the residence halls by their host.

Students and staff who have key or card access to buildings for after-hours work must lock the doors behind them after they enter and are encouraged to follow personal safety precautions. A door to a building or residence hall should never be propped open. If anyone observes a propped open door, it is their responsibility to close it. UAH officers check academic and administrative building doors at night and look for signs of unauthorized entry, fires, or other irregular activity.
HOUSING AND RESIDENCE LIFE STAFF TRAINING

Housing and Residence Life staff undergo training in enforcing security procedures. As part of the responsibility for residence hall security, those staff members participate in seminars conducted by University and Police trainers.

A Resident Director (RD) and Undergraduate Resident Assistant (RA) live in the Central Campus Residence Hall, Bevill Center, Frank Franz Hall, North Campus Residence Hall, and Charger Village. An RD and RAs also live in Southeast Campus Housing apartments. A full-time Housing staff member is on call 24 hours a day, and RAs participate in an on-call duty rotation in their respective residence halls whenever the Housing Office is closed (5:00 p.m. - 8:15 a.m. weekdays and 24 hours a day on weekends and University holidays). In the Central Campus Residence Hall, Frank Franz Hall, North Campus Residence Hall and Charger Village, student assistants are assigned to the desk in the main lobby 24 hours a day, seven days a week. All RAs and desk assistants receive training on topics relating to campus safety and security.

During the regular academic year, all exterior doors in the Central Campus Residence Hall, Bevill Center, Frank Franz Hall, North Campus Residence Hall and Charger Village are locked 24 hours a day. During those hours, access to the buildings is by proximity card only. Housing and Residence Life manages building access for all residential facilities. Building access is only granted to residents of their respective building and authorized staff only. Student front desk assistants monitor the front doors 24 hours a day, seven days a week, throughout the year. Electronic alarms on all doors alert Desk Assistants of unlocked or opened EXIT doors. Due to repairs or other unusual circumstances, occasionally it becomes necessary, due to repairs or other unusual circumstances, for a door to be unlocked or disarmed for a limited period of time. In those instances, residents are notified in advance. Visitors must be signed in and out at the main desk, by the resident host and leave a photo ID while they are in the building. All housing facilities offer 24-hour visitation. Each resident is responsible for his or her guest(s). Doors to student suites and to individual student rooms in the Central Campus Residence Hall, Bevill Center, Frank Franz Residence Hall, North Campus Residence Hall, and Charger Village Residence Hall have deadbolt locks. All windows have locking devices.

During the summer, the Central Campus Residence Hall, Frank Franz Hall, North Campus Residence Hall, or Charger Village may be used by conference groups. Guests are granted building access by a key card issued upon arrival and collected upon departure.

On-Campus Residence Halls

All first-year, full-time undergraduate students with a permanent legal residence beyond a 30-mile radius from campus are required to live in the campus residence halls. Any exemptions to this rule must be approved through University Housing and Residence
Life. All other students may live on or off campus. Off-campus housing includes apartments, individual homes, and individual rooms in private homes.

Students may reside on campus in the apartment-style Southeast Campus Housing residences or the more traditional Central Campus Residence Hall, Frank Franz Hall, North Campus Residence Hall, or Charger Village Residence Hall. These living facilities offer suite-style community living. The Bevill Center provides single student rooms. All residence halls on campus are coeducational by floor, not suite. Southeast Campus Housing is constructed with apartment entrances that open to a breezeway. Married students and students with families are assigned to two buildings in this nine-building complex.

**EMERGENCY PREPAREDNESS, RESPONSE, AND EVACUATION**

The University of Alabama in Huntsville has long recognized the need to be prepared for critical incidents. Various departments work together to ensure the University is doing all it can to prepare for, respond to, and recover from a large-scale emergency incident. In conjunction with local first responders, such as the Huntsville Police Department, Huntsville Fire & Rescue, and Huntsville Emergency Medical Services, Inc. (HEMSI), the University is well prepared to respond to a full range of critical incidents.

Certain University officials, referred to as Responsible Authorizers, have been granted authority to authorize emergency notifications. They include the following: Chief of Police, or any command level police officer, Executive Vice President for Academic Affairs & Provost, and Vice President for Finance and Administration, Emergency Incident Commander, and other University officials if they are directly involved with and have situational awareness of the emergency situation.

The UAlert activation process is normally initiated when a verified, life-threatening situation exists. The Responsible Authorizer approves the release of a pre-approved standard (canned) message, modified message, or new message to more closely fit a given situation.

**CRIME PREVENTION**

With the exercise of due caution, students and employees can reduce their chances of becoming a victim of crime. The University’s crime prevention efforts are premised upon the dual concepts of eliminating or minimizing criminal opportunities, and encouraging individuals to be responsible for their own security and the security of others.

The cooperation and involvement of students and employees in a campus safety program is absolutely necessary. Students and employees must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. For example, although campus facilities and areas are lighted during normal class hours, it is always prudent for students to be accompanied by
a friend to their residence or vehicle on campus late at night. Bedroom doors in residence suites should be locked at night and when the room is unoccupied. Resident suites and apartment entrance doors should be locked at all times. Valuable items such as stereos, cameras, and televisions should be marked or engraved with the serial number or a personal code. This number should then be kept in a safe place so that it is available should the item be stolen. Bicycles should be registered with the Parking Management Office and should be secured with a sturdy lock. Students with cars must park them in the authorized parking areas and should keep them locked at all times. Valuable items like backpacks, books, and sporting equipment should be locked in the trunk. Students observing an unusual object or individuals exhibiting suspicious behavior, in and around a residence hall should report those to the Housing and Residence Life office or Police.

To make students and employees more aware of the importance of crime prevention, UAH carries out the following programs and projects:

- University Police participate in new student and parent orientation programs.
- Police meet with the RAs during their training, which usually takes place before the fall semester.
- If and when circumstances warrant, special printed Crime Alerts are prepared and distributed either selectively or throughout the campus. (See: Timely Warnings)
- Housing and Residence Life staff arranges one program each term on some aspect of campus safety and security. All housing residents are encouraged to attend.

**Security Enhancement and Crime Prevention Programs**

- **Operation ID**: A nationally recognized program that allows UAH community members to discreetly mark personal property. The voluntary registration and recording of valuable items deters theft and increases the probability of recovering stolen property.
- **Rape Aggression Defense R.A.D.**: (Women’s Self Defense) Classes offered periodically throughout the year.
- **Fatal Vision**: Alcohol Impairment Education through the use of “Beer Goggles” on an obstacle course setting. This program is offered at least once each fall and spring Semester.
- **Drug and Alcohol Abuse**: This program is designed to educate our students on the cause and effect of drugs and alcohol abuse.
• Charger Watch: UAH campus version of Neighborhood Watch increases awareness and deters criminal activity.

• Table Top Tips: Monthly crime prevention tips distributed throughout campus on table tops, bulletin boards, and electronically.

• Bicycle Safety Campaign: Encourages safe habits and adherence to traffic policies especially while crossing busy streets using the pedestrian crosswalks.

• Ripped-Off Cards: Friendly post-card reminders left when officers observe a potential security issue such as unlocked doors, unsupervised property, etc.

• Book-Mark: A simple and easy textbook theft deterrence system.

• Operation “Car Lock up”: Encourages students not to leave valuables in plain view even if locked up inside their vehicle.

• Crime Prevention Pop-Ups

• Coffee with a Cop

• New Student / Parent Orientation

• Trespass Warning Log

• Traffic Enforcement Messages / Radar Trailers

• Identity Theft Prevention

• Safety Presentations (Vehicle, Personal, Room)

• Active Shooter

• Security Escorts

• UAH PD Social Media (Department and Charger Watch Facebook Pages, Instagram)
Student Affairs, SGA, and Housing & Residence Life Offer the Following Programs

- **EduRisk**: Modules include dangers of drug and alcohol abuse, healthy relationships and dating violence, harassment prevention, and bystander intervention training. Incoming freshmen are required to complete these modules.
- **Multiple poster/flyer events**: Events held throughout the year that promote awareness on Sexual Violence, Prevention, and methods for reporting such violence.
- **Highlight Bulletin Board**: Each housing facility is provided with a bulletin board that highlights specific issues and provides information concerning sexual violence, alcohol and substance abuse, suicide prevention, and bullying.
- **“It’s On Us” Initiative**: to reduce sexual assaults by encouraging bystander intervention

**Rave Guardian** (Safety/Security Telephone Application)

The University makes the Rave Mobile Safety Guardian app for iOS and Android devices available with the following functionality:

- **Duress Button**: This provides a direct, immediate connection to the University Police with GPS location and personal profile information.
- **Tip Texting**: This enables anonymous crime tip reporting and two-way communication via the mobile app.
- **Guardian Timer**: This feature allows users to be able to identify friends, roommates, and family, along with UAH PD, as “Guardians.” During a Timer session, Guardians...
can check the student’s status. If the Rave Guardian timer is not deactivated before it expires, the Police Department is automatically given the user’s Rave Guardian profile to proactively identify and check on the individual.

- Whenever students, faculty, or staff connect with the Police using the Rave Guardian Campus Safety app automatically delivers a caller profile that the user has provided, including current location, medical conditions, course schedule, addresses, photo, and other critical data. When we receive a report of an urgent situation, we dispatch officers to the scene to lend assistance, investigate, prepare a report, and conduct follow-up, as needed. When appropriate, we notify Huntsville fire, medical, and police personnel.

- Please visit for more information about the Rave Mobile Safety Guardian app. Unless otherwise noted, reports made to AUPD will be included in annual statistical compilations and the daily crime log, when appropriate, and will be evaluated for timely warning consideration.

STATEMENT OF POLICY PROHIBITING HAZING

The University of Alabama in Huntsville is committed to maintaining a supportive, educational environment that seeks to enhance the well-being of all members of its community. This commitment reflects the institution’s adherence to its mission, to its various policies supporting its mission, and to relevant state and federal laws. Consistent with that commitment, the University prohibits any and all forms of hazing of its students. This policy applies to all students and all student organizations. The University’s Hazing Policy is available through this link: https://www.uah.edu/policies/03-03-01-hazing-policy.

Hazing is a violation of State law and strictly prohibited at UAH. Hazing” is defined by Section 16-1-23, Code of Alabama (1975). In addition to this Section, hazing is additionally defined by The University of Alabama in Huntsville as any act which endangers the mental or physical health or safety of a student; or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Some examples of prohibited behavior include, but are not limited to, forced consumption of any liquid or solid substance, paddling, creation of fatigue, physical shocks, degrading or humiliating games, acts of servitude, physical harassment, branding, public stunts, and forced tattoos. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this law and University policy.
How to Report Suspected Hazing

Alabama has a “Duty to Report” clause in its anti-hazing statute making it illegal to be aware of hazing and fail to report the crime to Police. When you make a report, you may do so anonymously. However, be prepared to provide specific information regarding the hazing incident, location, name of the organization, and those involved. To report hazing, call the UAH Police Department at 256-824-6595.

Please follow this link to review the entire policy:
https://www.uah.edu/images/administrative/policies/03.03.01-VPSA_DS_Hazing_Policy.pdf

DRUGS AND ALCOHOL ON CAMPUS

UAH prohibits the unlawful possession, use, or sale of controlled substances anywhere on University property. This prohibition includes illegally possessed prescription drugs. Alcoholic beverages may be consumed under certain circumstances in approved locations in connection with special events. Any violation of federal, state, or local drug or alcohol laws, including those pertaining to underage drinking, takes precedence over institutional policy and will subject the offender to arrest or disciplinary action.

The Drug Free Workplace Policy may be reviewed by following this link:
https://www.uah.edu/images/administrative/policies/06.02.09-FA_HR_Drug_Free_Workplace_Policy.pdf

The Alcoholic Beverage Policy may be viewed by following this link:
https://www.uah.edu/images/administrative/policies/04.03.01-VPUA_University_Events_Alcoholic_Beverages_Policy.pdf

FEDERAL CAMPUS SEX CRIMES PREVENTION ACT

The Federal Campus Sex Crimes Prevention Act, (section 1601 of Public Law 106-386) enacted on October 28, 2000, went into effect October 28, 2002. It is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or those working or volunteering on campus. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already registered in a State to provide notice to the appropriate state agency, as required under state law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.
Procedure on How to Locate the State Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. Information on registered sex offenders may be obtained from the Alabama Law Enforcement Agency (ALEA) at the following link: http://sheriffalerts.com/cap_office_disclaimer.php?office=54247&fwd=aHR0cDovL3d3dy5jb21tdW5pdHlub3RpZmljYXRpb24uY29tL2NhcF9tYWluLnBocD9vZmZpY2U9NTQyNDc=

Sex Offender Responsibilities to Report

In Alabama, convicted sex offenders must register with the sheriff of the county of his or her legal residence. It also mandates sex offenders already required to register in a state to provide notice, as required under State of Alabama law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers, or enrolls as a student.

CHILD PROTECTION POLICY

Any University employee who knows or suspects that a child, defined as any individual under age 18, has been the victim of abuse or neglect defined under Alabama law Section 26-14-1 as "harm or threatened harm to a child's health or welfare through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, or sexual exploitation or attempted sexual exploitation...negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter" must immediately report the matter. The law imposes mandatory reporting requirements on certain individuals, including but not limited to: law enforcement, medical professionals, mental health professionals, school teachers and officials, and employees of public and private institutions of postsecondary and higher education.

A first-year student, a “dual enrolled” high school student, or individuals participating in activities or programs hosted by the University may fall into the category of a “child.” University policy broadens the reporting obligation and further directs that the report (orally and then in written form) be made to the UAH Police with a copy to the Office of Risk Management and Compliance.

The University Child Abuse or Neglect Report Form can be found here: https://www.uah.edu/images/administrative/compliance/10-7-20-child-abuse-or-neglect-form.pdf

To review the University policy in its entirety, please follow this link: https://www.uah.edu/policies/01-04-01-child-protection-policy
The law pertaining to Child Abuse and Neglect is AL Code § 26-14-1 (2019) and can be found here: https://law.justia.com/codes/alabama/2019/title-26/chapter-14/

DANGEROUS WEAPONS ON CAMPUS

Except as otherwise stated in the policy or as otherwise allowed by law, the University prohibits the possession, transportation, and use of firearms and other dangerous weapons on campus. This policy applies to all persons on campus, including employees, students, contractors, and visitors. Students living in a residence hall may not possess firearms at any time in their room. UAH PD provides safe storage for firearms at its station. Employees may not possess firearms on campus or while otherwise engaged in duties associated with their employment, except for a firearm properly secured in a personal vehicle in a manner consistent with Alabama state law.

Consistent with Alabama law, all persons (including concealed carry permits) are strictly prohibited from possessing firearms (1) at locations where guards and other security features are employed, such as athletic events.

Non-Affiliated persons found in violation of this policy will be dealt with accordingly. This includes, but is not limited to, being removed from campus and receiving a written Criminal Trespass Warning. Contractors and vendors are expected to comply with all policies and contract terms. Violations of Alabama law by employees could result in arrest and termination. Students found in violation of the law or this policy may be arrested or referred for disciplinary action through the Student Code of Conduct.

The University seeks to maintain a welcoming and safe educational environment for students, employees, and visitors, and has adopted a policy addressing possession of dangerous weapons and firearms on campus.

To read the full policy, please follow this link: https://www.uah.edu/policies/06-02-05-university-dangerous-weapons-firearms-policy

Exceptions

This policy does not prohibit the use or possession of firearms by (1) certified and sworn municipal, state, or federal law enforcement officers, whether on or off duty. Law enforcement officers, enrolled as students and attending class, may carry a firearm in a classroom building whether in uniform or not. However, while in plain clothes, they should keep their weapon concealed. (2) Licensed private security personnel, while in uniform, and employed by a State recognized security company; and (3). Members of a recognized student shooting or Fencing club or team, coaches, staff assistants, etc. while acting within the scope of activities that the Chief of Police has given written approval.
POLICY PROHIBITING SEXUAL MISCONDUCT

The University of Alabama in Huntsville ("UAH" or "the University") has developed this Title IX Sex Discrimination, Sexual Exploitation, Sexual Harassment, and Sexual Violence Policy (the "Policy") pursuant to and in compliance with Title IX of the Education Amendments of 1972 and its implementing regulations (collectively referred to as "Title IX"). UAH is committed to providing an environment that respects the dignity of its students, faculty, and staff and is free from all forms of sex discrimination, sexual harassment, and sexual violence, which, among other things identified in Section III and Appendix 1 to this Policy, includes gender-based assault, harassment, exploitation, dating and domestic violence, and stalking, as well as discrimination based on sex, gender, sexual orientation, gender identity, gender expression, pregnancy, and related retaliation (collectively referred to as "Prohibited Conduct").

The University expects individuals who live, work, teach, study within, or visit our University community to contribute positively to the environment and refrain from behaviors that threaten the freedom or respect that every member of our community deserves. Individuals who violate this Policy will be subject to corrective action up to and including termination from employment or expulsion from the University. The University will respond promptly and effectively to Reports of Prohibited Conduct and will take appropriate action to prevent its occurrence, correct and address its effects, provide Supportive Measures, and, when warranted, issue discipline for violations of this Policy. The Sexual Misconduct Policy may be viewed at: https://www.uah.edu/policies/06-09-02-sexual-misconduct-policy-interim

RELEVANT DEFINITIONS (VAWA)

Dating Violence

UAH Definition - Violence committed by a person who is or has been in a social or "dating" relationship of a romantic, intimate, and/or sexual nature with the victim. The existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence

UAH Definition - Violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly suited to a spouse of the victim under the domestic or family violence
laws of Alabama, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Alabama.

Federal Definition - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of domestic violence. 34 C.F.R. § 668.46(a)

Domestic Violence as defined in the Alabama Criminal Code

§13A-6-130 Domestic Violence - First Degree:

(a) A person commits the crime of domestic violence in the first degree if the person commits the crime of assault in the first degree pursuant to §13A-6-20; aggravated stalking pursuant to §13A-6-91; or burglary in the first degree pursuant to §13A-7-5 and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant. Domestic violence in the first degree is a Class A felony, except that the defendant shall serve a minimum term of imprisonment of one year without consideration of probation, parole, good time credits, or any other reduction in time for any second or subsequent conviction under this subsection.

(b) The minimum term of imprisonment imposed under subsection (a) shall be double without consideration of probation, parole, good time credits, or any reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the first degree.

§13A-6-131 Domestic Violence - Second Degree: A person commits the crime of domestic violence in the second degree if the person commits the crime of assault in the second degree pursuant to §13A-6-21; the crime of intimidating a witness pursuant to §13A-10-123; the crime of stalking pursuant to §13A-6-90; the crime of burglary in the second or third degree pursuant to §13A-7-6 and §13A-7-7; or the crime of criminal mischief in the first degree pursuant to §13A-7-21 and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant. Domestic violence in the second degree is a Class B felony, except the defendant shall serve a minimum term of imprisonment of six months without consideration of probation, parole, good time credits, or any reduction in time for any second or subsequent conviction under this subsection.

(a) The minimum term of imprisonment imposed under subsection (a) shall be double without consideration of probation, parole, good time credits, or any reduction in time if a
defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the second degree.

§13A-6-132 Domestic Violence - Third Degree: (a) A person commits domestic violence in the third degree if the person commits the crime of assault in the third degree pursuant to §13A-6-22; the crime of menacing pursuant to §13A-6-23; the crime of reckless endangerment pursuant to §13A-6-24; the crime of criminal coercion pursuant to §13A-6-25; the crime of harassment pursuant to subsection (a) of §13A-11-8; the crime of criminal surveillance pursuant to §13A-11-32; the crime of harassing communications pursuant to subsection (b) of §13A-11-8; the crime of criminal trespass in the third degree pursuant to §13A-7-4; the crime of criminal mischief in the second or third degree pursuant to §13A-7-22 and §13A-7-23; or the crime of arson in the third degree pursuant to §13A-7-43; and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant. Domestic violence in the third degree is a Class A misdemeanor.

(b) The minimum term of imprisonment imposed under subsection (a) shall be 30 days without consideration of reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the second degree.

(c) A second conviction under subsection (a) is a Class A misdemeanor, except the defendant shall serve a minimum term of imprisonment of 10 days in a city or county jail or detention facility without consideration for any reduction in time.

(d) A third or subsequent conviction under subsection (a) is a Class C felony.

(e) For purposes of determining second, third, or subsequent number of convictions, convictions in municipal court shall be included.

Stalking

UAH Definition – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact.

§13A-6-90 Stalking in the First Degree:

(a) A person who intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking in the first degree.

(b) The crime of stalking in the first degree is a Class C felony.

§13A-6-90.1 Stalking in the Second Degree:
(a) A person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct is guilty of the crime of stalking in the second degree.

(b) The crime of stalking in the second degree is a Class B misdemeanor.

§13A-6-91 Aggravated Stalking in the First Degree:

(a) A person who violates the provisions of §13A-6-90(a) and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the first degree.

(b) The crime of aggravated stalking in the first degree is a Class B felony.

§13A-6-91.1 Aggravated Stalking in the Second Degree:

(a) A person who violates the provisions of §13A-6-90.1 and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the second degree.

(b) The crime of aggravated stalking in the second degree is a Class C felony.

§13A-6-92 Definitions:

As used in this article, the following terms shall have the following meanings unless the context clearly indicates otherwise.

(a) COURSE OF CONDUCT: A pattern of conduct composed of a series of acts over a period of time which evidences a continuity of purpose.

(b) CREDIBLE THREAT: A threat, expressed or implied, made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the threat to fear for his or her safety or the safety of a family member and to cause reasonable mental anxiety, anguish, or fear.

(c) HARASSES: Engages in an intentional course of conduct directed at a specific person which alarms or annoys that person, or interferes with the freedom of movement of that person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial
emotional distress, and must actually cause substantial emotional distress. Constitutionally protected conduct is not included within the definition of this term.

§13A-6-7 Lack of Consent:

UAH Definition – The term “consent” when describing different types of Prohibited Conduct (such as sexual assault) means a clear willingness to participate in the sexual act (e.g., clear communication through words or actions). While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings, which may lead to a violation of this Policy. It is the responsibility of the initiator of any sexual activity to obtain consent.

Consent to any sexual activity must be freely given. Consent to a sexual act is not freely given if the individual is not capable of consenting, or if consent is obtained by force, threats, deception, or coercion. A lack of verbal or physical resistance does not grant consent. Previous consent does not grant consent to future sexual acts. Consent can be withdrawn at any time during a sexual act.

(a) Whether or not specifically stated, it is an element of every offense defined in this article, with the exception of subdivision (a) (3) of Section 13A-6-65, that the sexual act was committed without consent of the victim.

(b) Lack of consent results from:
   (1) Forcible compulsion; or
   (2) Incapacity to consent; or
   (3) If the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct.

(c) A person is deemed incapable of consent if she/he/they is:
   (1) Less than 16 years old; or
   (2) Mentally or physically impaired; or
   (3) Incapacitated due to alcohol, drugs, or other substances; or
   (4) Unconscious, asleep, or in a state of shock.

PROCEDURES VICTIMS SHOULD FOLLOW WHEN REPORTING A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

After a violent incident of sexual assault or domestic violence, the victim should consider calling the Police as soon as possible after the crime is committed. Police will help a victim with obtaining medical attention either at the Emergency Room or at the Crisis Services of North Alabama. In Alabama, evidence may be collected even if the victim
chooses not to make a report to law enforcement. If a victim is on or near the UAH campus and doesn’t require emergency medical treatment for injuries, they may contact the UAH Police at 256-9824-6596, and the dispatcher will notify a police officer who will transport them to the Rape Crisis Center SANE Facility. If off-campus, contact local law enforcement by dialing 911. University personnel will assist a student in notifying these authorities if the student requests assistance.

The Crisis Services Center will offer a range of free and confidential services, including a medical examination, forensic evidence collection, medical advocacy, crisis counseling, and legal advocacy services. A qualified physician or nurse will examine a victim for injuries and collect physical evidence that could be used in proceedings if she/he decides to prosecute. *It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the criminal offense occurred or may be helpful in obtaining a protection order.*

In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or a sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police.

As time passes, evidence may become lost or unavailable, thereby making an investigation, prosecution, disciplinary proceedings, or obtaining protection from court orders difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with UAH Police or the appropriate law enforcement agency having jurisdiction, to preserve evidence in the event that the victim changes her/his mind later.

**IN VolvEment OF LAW EnFOrCEmENt AND CAMPUS AUTHORITIES**

Although the University strongly encourages all members of its community to report a crime to police, it is the victim’s choice whether to make such a report. Furthermore, victims have the right to decline involvement with the police. In Alabama, you may file a police report without providing your name. The Dean of Students will assist any victim with notifying local police (if the victim so desires). The UAH Police Department may also be reached directly by calling (256) 824-6596, or by reporting in person at 501 John Wright Drive.

**Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**
If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, and wish not to report it to the police, you should report the incident promptly to the Title IX Office.

Reports of domestic violence, dating violence, sexual assault and stalking made to UAH Police will automatically be referred to the Title IX Coordinator for outreach regardless if the complainant chooses to pursue criminal charges.

**PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING IS REPORTED**

The University has procedures in place that help victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations if the victim requests them and if they are reasonably available regardless of whether the victim chooses to report the crime to the UAH Police Department (256) 824-6596 or other law enforcement agency.

In addition to reporting to the police, any person may make a report of domestic violence, dating violence, sexual assault, and stalking to the Title IX Coordinator or a deputy coordinator. (See Below)

The University of Alabama in Huntsville ("UAH" or "the University") has developed these Procedures for the Resolution of Title IX Sexual Harassment and Sexual Violence Complaints (the “Procedures”) pursuant to and in compliance with Title IX of the Education Amendments of 1972 and its implementing regulations (collectively referred to as “Title IX”). These Procedures should be read in conjunction with the Title IX Sex Discrimination, Sexual Exploitation, Sexual Harassment, and Sexual Violence Policy (the “Title IX Policy”), which includes additional information regarding applicable definitions, key terms, reporting options, available resources and other relevant topics.

These Procedures will be used to investigate and resolve all Formal Complaints of Sexual Harassment/Sexual Violence, as described within the definition of Prohibited Conduct in the Title IX Policy, brought against UAH students, faculty and staff members, affiliates, and nonaffiliates (i.e., someone not associated with UAH), as appropriate. All Reports or complaints covered by Title IX alleging sexual discrimination that do not fall within the category of Sexual Harassment or Sexual Violence, as defined in the Title IX Policy, will be investigated and resolved through the Procedures for the Resolution of Title IX Sex Discrimination Complaints (non-harassment) against Students or the
Procedures for the Resolution of Title IX Sex Discrimination Complaints (non-harassment) Against Faculty, Staff, Affiliates, Non-Affiliates.

All other reports or complaints of discrimination against students, faculty and staff members, including but not limited to those based on race, color, religion, national origin, and age will be resolved using the Discrimination Complaint/Grievance Procedure and/or the Student Conduct Code.

Any conduct that does not rise to the level of Prohibited Conduct as defined in the Title IX Policy and/or falls outside the jurisdiction of the Title IX policy may be investigated and addressed pursuant to other applicable policies, including but not limited to: the Discrimination Compliant/Grievance Procedure, the Student Conduct Code, the Faculty Handbook, and/or the Staff Handbook.

All community members are strongly encouraged to report to the University any incident of Prohibited Conduct as defined in the Title IX Policy. Many University administrators are specifically trained to support individuals affected by Prohibited Conduct, and the University is fully committed to promoting a safe and healthy educational and work environment.

Reporting: All individuals, including a Complainant or witness, are encouraged to report Prohibited Conduct regardless of when or where it occurred, as soon as possible to maximize the University’s ability to respond promptly and effectively. The University may also initiate a Formal Complaint of Prohibited Conduct under certain circumstances. The University does not, however, limit the time frame for making a Report or filing a Formal Complaint.

Any person (whether the person reporting is the person alleged to be the victim of Prohibited Conduct) may make a report, including anonymously, of Prohibited Conduct to the persons below in person (during business hours) or by mail, by telephone, by email using the contact information below at any time, or online @https://www.uah.edu/charger360 including during non-business hours:

Title IX Coordinator:
titleix@uah.edu

Deputy Title IX Coordinator for Students:
Scott Royce
Assistant Dean of Students
CGU 223
256.824.6235
scott.royce@uah.edu

Deputy Title IX Coordinator for Employees & Third Parties:
Laurel Long
Associate Vice President, Human Resources
SKH 116  
256.824.2285  
laurel.long@uah.edu

Resources and Supportive Measures:  
Katie Greene  
Education & Resource Specialist  
256.824.4611  
SSB 320E  
katie.greene@uah.edu

Other Resources

UAH Police — 256-824-6596 (non-emergency) or 256-824-6911 (emergency)  
police@uah.edu

UAH Ethics Hotline — 866-362-9476

Crisis Services of North Alabama — 256-716-1000

UAH Faculty and Staff Clinic — 256-824-2100  
Wilson Hall, Rm. 327

UAH Student Health Center — 256-824-6775  
Wilson Hall, Rm. 325

UAH Counseling Services — 256-824-6203  
Conference Training Center, Suite #114

Huntsville Police Department  
Emergency — 911  
Non-Emergency — 256-772-7100

Rape, Abuse, and Incest National Network (RAINN) Hotline  
800-656-4673
Bystander Intervention Information

Bystanders can play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. The University wants to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

Bystander Intervention Options: The University recognizes that there are preventive actions that can be taken by individuals on campus to reduce the potential for sexual violence generally. In specific situations, there are ways in which an individual who is aware that an incident of sexual violence may be imminent can intervene to stop it from occurring. There are also actions that may be taken to thwart or stop an incident that is taking place. These bystander options are described in the educational programs presented to new and current students and employees. More information about this effort is provided below.

The fundamental principle to be stressed is that prevention of sexual violence is the responsibility of each person on campus. Each person, both male and female, must play a positive role in stopping sexual violence and in changing the culture so that behavior leading to sexual violence is not acceptable on the campus.

Potential bystanders will be taught safe and positive ways to act in a situation posing a risk of sexual violence. For undergraduate and graduate students, this is accomplished through an online educational module.

The outcomes expected as a result of bystander training are to create an expectation for bystander intervention on campus and to facilitate that intervention by equipping students and employees to:

Increase awareness: Develop greater sensitivity to physical and social environments and individual behaviors in the context of the potential for a sexual violence incident.

Identify problems: Have the knowledge to evaluate a situation to determine if there is a risk of the occurrence of sexual violence and if preventive/intervention action is warranted.

Act: Select and implement an appropriate, safe, and effective preventive/intervention response, such as speaking up, attempting to remove the individual at risk from the situation, calling for help, etc.
Risk Reduction

The University engages in comprehensive educational programming to prevent Prohibited Conduct, consisting of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students, faculty, and staff that include, but are not limited to the following topics:

- Identifying domestic violence, dating violence, sexual assault, and stalking as Prohibited Conduct;
- Defining what behavior constitutes as domestic violence, dating violence, sexual assault, and stalking;
- Defining what behavior and actions constitute consent to sexual activity in the State of Alabama;
- Providing safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- Providing information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks; and
- Providing an overview of information contained in this Annual Security Report in compliance with the Clery Act.

The University also provides training to students and employees to ensure they understand this Policy and the topics and issues related to maintaining an education and employment environment free from sex discrimination, sexual harassment, and sexual violence.

RESPONSIBLE REPORTING OFFICIALS OF SEXUAL MISCONDUCT

Designated employees who are required to notify the Title IX Coordinator if, in the course of their employment, they receive a Report of Prohibited Conduct. Responsible Reporting Officials include any individual employed by the University in one of the following identified departments or roles:

- Housing and Residential Life.
- Dean of Students Office.
- Office of Student Life.
- VPs, AVPs, and Directors.
- UAH Police.
- UAH Human Resources.
- Office of Diversity, Equity and Inclusion.
- Department of Athletics:
○ Director of Athletics.
○ Athletic Directors.
○ Head Coaches.
○ Assistant/Associate Coaches.
• Deans, Assistant Deans, Department Chairs, and Associate Chairs.

Responsible Reporting Officials do not have official authority to receive Formal Complaints of Prohibited Conduct or official authority to take corrective action on behalf of the University under the Policy.

All Responsible Reporting Officials are required to notify the Title IX Coordinator if, in the course of their employment, they receive a Report of Prohibited Conduct. The Responsible Reporting Official must report all relevant available details about the alleged policy violation, including the name of the Complainant, the Respondent, any witnesses, and any other relevant facts, including the date, time, and specific location of the incident forming the basis of the alleged violation.

**Employees with a Legal Obligation or Privilege of Confidentiality**

**Confidentiality and Privacy**
The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a Report or Formal Complaint of Prohibited Conduct under this Policy. The University is also committed to providing assistance to help students, employees, third parties, and visitors make informed choices. With respect to any Report or Formal Complaint of Prohibited Conduct under this Policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the Report and Formal Complaint and take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

**Privacy**
To protect individual privacy, the University will only share information related to a Report or Formal Complaint of Prohibited Conduct with a limited circle of University employees who "need to know" to assist in the assessment, investigation, and resolution of the Report or Formal Complaint, as well as the implementation of Supportive Measures.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the University's Student Records (FERPA) Policy. The privacy of an individual's medical and related records generally is protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA.
Confidentiality
Confidentiality exists in the context of laws that protect certain relationships, including those with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, attorneys, and ordained clergy, all of whom may engage in confidential communications under Alabama law. The University has designated individuals who have the ability to have privileged communications as "Confidential Employees." When information is shared by an individual with a Confidential Employee or a community professional with the same legal protections, the Confidential Employee (and/or such community professional) cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information.

For example, information may be disclosed when: (1) the individual gives written consent for its disclosure; (2) there is a concern that the individual will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Anonymous reports may be made via Charger 360 http://www.uah.edu/Charger360. Any investigation of an anonymous report will depend, in part, on the extent of the information provided.

Preserving Physical Evidence: It is important that any physical evidence of the sexual misconduct be preserved, which will almost always be important in the investigation of the incident and in any criminal prosecution of the alleged perpetrator.

Prompt Reporting: Prompt reporting will facilitate the collection and preservation of physical evidence and make possible the early and timely investigation of the incident by police authorities. It may prevent additional assaults on other individuals. Additionally, more timely medical and psychological attention may be made available to a victim who reports an incident without undue delay.

NOTICE OF RIGHTS OF VICTIMS OF SEXUAL MISCONDUCT

A student or employee who reports that he/she has been the victim of sexual misconduct, whether occurring on or off campus, shall be provided a written statement or summary of rights and options by the appropriate Title IX Coordinator. This statement shall also include information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available assistance for victims, both at the University and in the community.

University Response:
If a Complainant wants to maintain anonymity and/or request that no investigative or disciplinary measures be taken, the Title IX Coordinator and/or Deputy Title IX Coordinator will advise the Complainant that the University will consider the request but cannot guarantee that the University will be able to honor the request if the Title IX
Coordinator determines it would be clearly unreasonable in light of known circumstances not to investigate the allegations. The University will conduct a thoughtful and intentional assessment and will weigh such a request in light of the University’s obligation to provide a safe, non-discriminatory environment. In determining whether it can honor a request for confidentiality, the following factors will be considered:

- The nature and scope of the alleged conduct, including whether the reported misconduct involves the use of a weapon;
- The respective ages and roles of the Complainant and Respondent;
- The risk posed to any individual or to the campus community by not proceeding, including the risk of violence;
- Whether there have been other Reports of misconduct involving the Respondent;
- Whether the Report reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- The Complainant's wish to pursue disciplinary action;
- Whether the University possesses other means to pursue the investigation and obtain relevant evidence without participation from the Complainant; and

Considerations of fundamental fairness and due process will be taken, with respect to the Respondent, should the course of action include disciplinary action. The University's ability to fully investigate and respond to a Report may be limited if the Complainant requests that their name not be disclosed to the Respondent or declines to participate in an investigation.

VICTIM ASSISTANCE RESOURCES AND INFORMATION

Medical and Counseling Resources:

Confidential professional counseling is available to a student who is the victim of sexual misconduct in the University’s Counseling Services unit, which may be contacted at 256-824-6203. Counseling resources for an employee may be obtained through the University’s Employee Assistance Program by calling 1-800-925-5327 for referral to a local professional counselor. For those individuals suffering from physical trauma, the on-campus Student Health Center (256-824-6775) is available to provide some ongoing care for students, and the Faculty and Staff Clinic (256-824-2100) is an option for employees. Any of these offices may provide referrals for more extensive or specialized services in the community. Under University policy, the foregoing professional counselors and medical personnel are not obligated, when receiving information about an incident of sexual misconduct, to report it to the Title IX Coordinator or Deputy Title IX Coordinator in a way that identifies the victim without the party’s consent.

The foregoing personnel are to inform a victim of the right to file a complaint of sexual misconduct with the Title IX Coordinator and also to file a criminal complaint with police authorities. They should offer assistance in the filing of these complaints, if desired.
Crisis Services of North Alabama may be contacted at 256-716-1000 and also offers free, confidential assistance to victims of sexual violence, including rape examinations and group counseling. The National Suicide Hotline may also be contacted at 1-800-273-8255.

Supportive Measures
The term “Supportive Measures” refers to non-disciplinary, non-punitive individualized services offered by the University as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without reasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter Prohibited Conduct. Supportive measures cannot punish or discipline the Respondent.

Supportive measures are available to involved parties including Complainant(s), Respondent(s), and witnesses while the University is addressing, investigating, adjudicating, and responding to an allegation of Prohibited Conduct. Requests for Supportive Measures should be made to the Title IX Coordinator, a Deputy Title IX Coordinator, or the Education and Resource Specialist, who serves as the point of contact for Supportive Measures and will work with the appropriate office(s) to ensure that any necessary Supportive Measures are provided.

A victim may request from University officials a change in class schedules, campus housing assignments, and work assignments as an accommodation to minimize contact and interaction with the alleged perpetrator. Such changes will be made, in an appropriate case and where feasible, on an interim basis pending the outcome of the University’s resolution of charges of sexual misconduct brought by the victim. These accommodations are not dependent on the victim’s filing of charges with police authorities.

Certain protective measures may be imposed by the University pursuant to its procedures where a student victim is subject to a significant risk of imminent or serious harm from an accused student. These measures include, with respect to the accused, interim suspension, interim suspension from housing, restriction from attending class, restriction from access to University facilities and property, a “no-contact” directive, etc., and they shall continue until completion of the disciplinary process. Protective measures, such a suspension with or without pay, may also be implemented on an interim basis with respect to an accused employee and for the benefit of an employee victim at risk, where appropriate.

A victim may, if desired, seek judicial remedies, such as protective orders, restraining orders, “No Contact” orders, etc. University officials will provide information, if requested, to a victim about obtaining these remedies.
Disciplinary Procedures

Discrimination Complaint/Grievance Procedures: Sexual Misconduct, as defined herein, violates University policy, and a charge of any form of sexual misconduct (including stalking of a nature that constitutes the hostile environment form of sexual harassment) will be addressed through the University's TITLE IX SEX DISCRIMINATION, SEXUAL EXPLOITATION, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE POLICY

Sanctions and Remedies: Following a determination, under TITLE IX SEX DISCRIMINATION, SEXUAL EXPLOITATION, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE POLICY, that sexual harassment or misconduct occurred, the University may impose one or more disciplinary sanctions. The types of sanctions available are set forth in the University’s TITLE IX SEX DISCRIMINATION, SEXUAL EXPLOITATION, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE POLICY. Additional, non-disciplinary remedies to benefit the complainant and the broader student and/or employee populations may also be implemented by the University as part of its response to the misconduct and/or to prevent recurrence of the sexual misconduct.

AWARENESS AND PREVENTION PROGRAMS

Educational Efforts for New Students and Employees

Incoming students and new employees are provided an educational program designed to increase their awareness of the risk of sexual misconduct incidents and the knowledge of how to prevent them. This program encompasses the following topics: The University’s policy prohibiting behavior that constitutes any form of sexual misconduct; the definitions of the forms of sexual misconduct; the definition of consent as it relates to sexual activity; options for bystander intervention; warning signs; and information about reducing the risk of being the victim of sexual misconduct. It also provides information relating to victim reporting, victim’s rights, University procedures for addressing charges of sexual misconduct (as set forth more fully in the University’s Title IX Sex Discrimination, Sexual Exploitation, Sexual harassment, and Sexual Violence Policy) resources available to victims, confidentiality, and other matters required by law or reflected in University policy. This information is presented to new faculty prior to the beginning of the fall semester each year and to new employees at various times throughout the year as they are hired.

Current Students and Employees: The University also conducts ongoing, periodic educational programs for current students and employees covering the topics mentioned immediately above.

Environmental Factors: The University community is encouraged to help detect and report areas of the campus that may be unsafe due to poor lighting, the presence of structural or landscaping features (such as overgrown bushes near a walkway) that could increase the risk of attack, etc. These reports should be made to the Facilities and Operations Department and will be used to identify modifications that may help keep the
campus safe. Such modifications will be a priority, consistent with considerations of cost, impact upon institutional operations, the extent of the risk, and other relevant factors.

Reducing the Risk of Committing Sexual Assault

Listen carefully. Take time to hear what the other person has to say. If you feel they are not being direct or are giving you a “mixed message” ask for clarification.

Don’t fall for the cliché “if they say no, they really mean yes.” If your partner says “no” to sexual contact, believe them and stop. If they seem uncomfortable or uncertain, stop and check in. It is never acceptable to force sexual activity, or to pressure, coerce, or manipulate someone into having sex, no matter the circumstances. The campus has employed a consent policy. Yes, means yes. Don’t make assumptions about a person’s behavior. Don’t assume that someone wants to have sex because of the way they are dressed, they drink (or drink too much), or agree to go to your room. Don’t assume that if someone has had sex with you before they are willing to do so again. Also, don’t assume that if your partner consents to kissing or other sexual activities, they are consenting to all sexual activities. Obtain clear consent for each sexual activity. Be aware that having sex with someone who is mentally or physically incapable of giving consent is rape. If you have sex with someone who is incapacitated due to alcohol or drugs, passed out, or is otherwise incapable of saying no or knowing what is going on around them, you may be guilty of rape.

Be careful in group situations; resist pressure from friends to participate in violent acts. Get involved if you believe that someone is at risk. If you see someone in trouble or someone pressuring another person, don’t be afraid to intervene - or get help to do so.

REDUCING THE RISK OF SEXUAL MISCONDUCT

Make a plan. If you’re going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don’t leave someone stranded in an unfamiliar or unsafe situation.

Protect your drink. Don’t leave your drink unattended, and watch out for your friends’ drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It’s not always possible to know if something has been added to someone’s drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.

Know your limits. Keep track of how many drinks you’ve had, and be aware of your friends’ behavior. If one of you feels extremely tired or drunk than you should, you may have been drugged. Leave the party or situation and find help immediately.
**Listen to your gut feelings.** If you feel uncomfortable or think you might be at risk, leave the situation immediately and go to a safe place.

If you feel you are being pressured or coerced into sexual activity, you have a right to state your feelings &/or leave the situation. If you are concerned about the other person becoming angry, it is okay to make up an excuse to leave or create time to get help.

**Resource Information**

The following is information for offices and organizations that may be able to provide assistance to a student or an employee dealing with a sexual misconduct matter:

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

- Confront people who seclude, hit on, make out with, or have sex with people who are incapacitated.

- Speak up when someone discusses plans to take sexual advantage of another person.

- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.

- Try to avoid isolated areas. It is more difficult to get help if no one is around.

- Walk with purpose. Even if you don’t know where you are going, act like you do.

- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
• Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

• Make sure your cell phone is with you and charged and that you have cab money.

• Don't allow yourself to be isolated with someone you don’t trust or someone you don’t know.

• Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

• When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

• Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.

• Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

• Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

• Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

• If you suspect you or a friend have been drugged, contact law enforcement immediately. Be explicit with the police and medical first responders.

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

• Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

• Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

• Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with
knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

- Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### PREVENTION AND AWARENESS

**Prevention and Awareness Programs for New Students**

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charger Success 101</td>
<td>Every Fall/Spring Semester</td>
<td>TBA Classrooms</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Consent is Action - Video</td>
<td>Available 24/7</td>
<td>Web Site</td>
<td>DoV, DaV, SA</td>
</tr>
<tr>
<td>SGA’s Take the Pledge</td>
<td>September/ Fall Semester</td>
<td>Charger Union</td>
<td>DoV, DaV, SA</td>
</tr>
<tr>
<td>Expo on Sexual Violence Prevention</td>
<td>April/ Spring Semester</td>
<td>Exhibit Hall</td>
<td>DoV, DaV, SA</td>
</tr>
</tbody>
</table>

**Ongoing Prevention and Awareness Training for Returning Students**

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered*</th>
</tr>
</thead>
<tbody>
<tr>
<td>SGA It’s On Us</td>
<td>February- Annual</td>
<td>Spragins Hall</td>
<td>DoV, DaV, SA</td>
</tr>
<tr>
<td>Bystander Training</td>
<td>February – Annual</td>
<td>Shelby Center</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Clothesline Campaign</td>
<td>April - Annual</td>
<td>Charger Union</td>
<td>DoV, DaV, SA, S</td>
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<tr>
<td>Red Flag Project</td>
<td>October -Annual</td>
<td>Charger Union</td>
<td>DoV, DaV, SA, S</td>
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<tr>
<td>Take Back the Night</td>
<td>April</td>
<td>Campus Greenway</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

### For New Employees
<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workplace Harassment Training</td>
<td>New Employee Orientation on Wednesdays</td>
<td>Staff Employment, SKH</td>
<td>SA</td>
</tr>
<tr>
<td>Title IX Orientation</td>
<td>Orientation for all new Faculty members</td>
<td>TBA</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

**For Current Employees**

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Date Held</th>
<th>Location Held</th>
<th>Which Prohibited Behavior Covered*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clothesline Campaign</td>
<td>April- Annually</td>
<td>Charger Union</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Various Webinars and Seminars hosted by EAP and Staff Employment</td>
<td>Throughout the Year</td>
<td>Online or various conference rooms depending on class size</td>
<td>DoV, DaV, SA, S</td>
</tr>
<tr>
<td>Title IX Review</td>
<td>August- Annual for all Faculty</td>
<td>TBA</td>
<td>DoV, DaV, SA, S</td>
</tr>
</tbody>
</table>

*DoV = Domestic Violence, DaV = Dating Violence, SA = Sexual Assault, and S = Stalking

**DISCRIMINATION COMPLAINT AND GRIEVANCE PROCEDURES**

**Introduction**

*Coverage and Objectives:* The procedures set forth below are used with regard to complaints or grievances alleging discrimination in violation of the University’s Equal Opportunity and Affirmative Action Policy. The complaint may be made against a university student, faculty member, administrative/staff employee, or third party who is on campus and/or over whom the University has some control. These procedures are intended to provide a consistent, workable, and timely grievance/disciplinary mechanism through which complaints of discrimination, in any of its forms, may be addressed. Such a mechanism allows the University to carry out several important responsibilities. These responsibilities include protecting the campus environment against such unlawful discrimination, providing redress to individuals who have been or are victims of unlawful discriminatory conduct, and protecting those accused of such unlawful conduct against injury resulting from untrue charges.

*General Responsibility:* All members of the University community have a general responsibility to contribute in a positive way to an environment that is free of unlawful discrimination. Beyond this, managers or administrators who have overall responsibility
for the daily operations of an academic, support, or operational unit, designated in this policy as “responsible employees,” have a special measure of responsibility. If they become aware of conduct involving possible discrimination in their respective units or elsewhere, whether from the complaining party or some other source and whether or not a complaint or grievance is filed, they must take immediate steps to deal with the matter appropriately. This includes advising the complaining party about the responsible employee’s duty to report the conduct to the appropriate receiving official identified below and informing the complaining party about confidentiality issues. The receiving officials should be consulted for assistance. Finally, supervisors and administrators at all levels are responsible for educating and sensitizing employees in their units about the University’s policies and procedures regarding unlawful discrimination.

Confidentiality: Disclosure of information relating to a discrimination case shall be limited, to the extent reasonably possible, to the parties and to those individuals involved in the institutional proceeding for handling the grievance. This includes information about any accommodations or protective measures provided to the victim. Information in a case in which a student is either the victim or the accused is subject to student privacy rights afforded by the federal Family Educational Rights and Privacy Act (FERPA), and disclosure beyond the foregoing parties and officials shall only be made in compliance with FERPA. Cases involving sexual harassment (including sexual violence) present special confidentiality issues. Resolution of those issues will be made pursuant to the relevant provisions in the University’s Sexual Misconduct Policy (Title IX Sex Discrimination, Sexual Exploitation, Sexual Harassment, and Sexual Violence Policy).

Availability of Assistance: Counseling and personal help are available for individuals with concerns relating to unlawful discrimination. Such individuals can contact a receiving official identified below for referral to counseling personnel, or they may contact such personnel directly. Claims regarding discrimination based on disability will ordinarily be referred to, and may be brought initially to, the Disability Coordinator in Disability Support Services.

Civil or Criminal Proceedings: The fact that civil or criminal proceedings have been instituted against an individual (or the fact that the civil authorities failed to initiate criminal proceedings) shall not prevent a complaint of discrimination or harassment against that individual from being addressed by these procedures. Generally, the pendency of any such proceedings shall not delay the processing of a complaint by the University. The University shall also, in its determination of whether discrimination or harassment occurred, not be bound by the outcome of any civil or criminal proceeding.

Prompt, Fair, and Impartial Process: The intent of this process is to provide a prompt, fair, and impartial investigation and resolution of complaints of discrimination. The process, when used for addressing charges of sexual misconduct, shall be administered by University officials who receive special training, at least annually, in conducting an investigation and a hearing that promotes the safety of victims and accountability for unlawful behavior of all members of the campus community and that is fair to all parties.
Also, investigating or adjudicating officials are to be free of conflict of interest or bias for or against the complaining party or the accused.

Initiating and Filing a Complaint: Anyone in the University community may file a complaint or grievance alleging a violation of the institution’s nondiscrimination policy. This includes but is not limited to the person against whom the alleged discriminatory conduct has been directed.

Receiving Official: An in a complaint may be oral or written and should be directed to one of the following University officials, depending on the status of the complainant:

- If the complainant is a student, the Student Equal Opportunity (EO) Coordinator (currently, the Dean of Students)
- If the complainant is an administrative or staff employee - the Staff EO Coordinator (currently, the Associate Vice President for Human Resources)
- If the complainant is a faculty member - the Faculty EO Coordinator (Currently, the Vice President for Diversity, Equity, and Inclusion)

Receiving Official – Actions.

The receiving official shall advise a complainant about available options and may provide other assistance. A receiving official may also, in an appropriate case and subject to limitations stated below regarding a charge of sexual violence or assault, attempt to resolve the complaint informally and by voluntary means. In this effort, the receiving official may confer with and seek the assistance of the supervisor of the person alleged to have engaged in the discriminating conduct (the “respondent”). If such a settlement is achieved, the terms of the settlement or actions taken shall be summarized by the receiving official and placed in a file maintained by the official as a record of the complaint and its disposition. Attempts to resolve a complaint of discrimination based on disability shall involve, wherever possible, interaction and consultation by the receiving official with the Disability Coordinator in the Disability Support Services office. Except during the discussions described above, the identity of the complainant shall not be disclosed at this stage to the respondent or to other University officials.

If the complaining party and/or the victim is unwilling to cooperate with regard to further actions against the respondent or requests nondisclosure of his/her name or other identifying information, the receiving official shall seek legal guidance from the Office of Counsel regarding the obligation of the University to proceed further. The General Counsel shall confer with the other receiving official in a case involving a faculty member.

Preliminary Action

If the complainant desires that the matter be pursued further by the University, he/she shall request that it be referred for preliminary action. The following procedures shall apply to such a referral:
**Written Complaint.** The complainant shall state the facts and circumstances (what was done, by whom, when, where, who was a witness, etc.) pertinent to the alleged unlawful discriminatory/conduct, shall be in writing, and shall be signed and dated. The original complaint shall be given to the receiving official.

**Referral**

Under the Code of Student Conduct, if the respondent is a *student*, the case is handled in accordance with the disciplinary procedures set forth in the Code of Student Conduct and referred to a Preliminary Action Officer (PAO).

In all other cases, the receiving official shall meet with the Vice President within whose division the respondent is employed (the “cognizant Vice President”). In a case involving a respondent who is a third party (neither a student nor an employee), the Vice President whose area of responsibility is most closely related to the third party’s activities shall be the cognizant Vice President. They shall jointly appoint one or more University employees as PAOs to carry out certain duties stated below. The cognizant vice president shall give a copy of the complaint to the respondent, along with written notice indicating the appointment of the PAO and describing the general manner by which the complaint is to be handled.

**Sexual Harassment Charges**

A notice or complaint of sexual harassment (including sexual violence or assault) shall ordinarily and with the concurrence of the cognizant vice president be investigated by the Coordinator identified above, or the official’s designee. The Coordinator shall utilize, in this investigation, the general procedures set forth below in describing the PAO duties, and the Coordinator’s investigation will take the place of actions by the PAO.

**Dismissal of Charges**

In the event that the complaint is, in the opinion of both the receiving official and the cognizant vice president, clearly frivolous or patently without merit, the complaint may be dismissed upon notice of such action to the complainant. If the respondent has been informed of the charges, notice of dismissal shall also be provided to him/her.

**Protective Measures**

If, in the opinion of both the receiving official and the cognizant vice president, interim measures to protect the complainant may be necessary or appropriate, one or more such measures may be imposed pending final outcome of this complaint/grievance process. Such measures may include, by way of example, a direction to the respondent to avoid any contact or interaction with the complainant, a change in work assignments (for employees) or in class scheduling or living arrangements (for students), etc.

**Duties of the Preliminary Action Officer**

*Investigation.* The PAO shall conduct a preliminary investigation of the facts alleged in the complaint. This investigation shall include a meeting with the complainant to obtain further information. Early in the investigation the respondent shall be given the opportunity to meet with the PAO to explain, deny, or otherwise respond to the allegations.
Persons who may have information, as witnesses or otherwise may be interviewed, including persons identified by either party. The PAO may review documents or other materials, including documents identified and submitted by either party that may be helpful. Notes of interviews shall be made, and copies of these notes and any important documents or materials shall be retained for the file.

Voluntary Resolution. The PAO shall endeavor, in appropriate cases, to facilitate resolution of the charges through informal consultation with the principal parties, mediation, or other voluntary means. A complainant in a case involving sexual discrimination/harassment shall not, however, be required to deal directly with the respondent nor to continue efforts at voluntary resolution. Mediation or similar voluntary means of resolution will not be used when sexual assault or violence is alleged. If a case is settled in this manner and with the agreement of all parties involved, the PAO shall inform the cognizant vice president and the receiving official and shall summarize the settlement in writing for the file. The case shall then be deemed closed and the file forwarded to the receiving official for retention.

Findings and Recommendation. For any case not settled through mediation or other voluntary means, the PAO shall make a written report to the cognizant vice president. The report shall include a summary of findings concerning the factual basis for the charge(s) and a recommendation for action to be taken by the University. Depending on the findings, two types of actions may be recommended:

If the PAO concludes that, based on credible information acquired during the investigation, a reasonable basis does not exist for believing that unlawful discrimination occurred, he/she shall so state and shall recommend that the complaint be dismissed. The PAO shall send a copy of the report to the receiving official.

If the PAO concludes that, based on credible information acquired during the investigation, there is a reasonable basis for believing that unlawful discrimination did occur, he/she shall so state and shall recommend that the respondent be subjected to discipline either by the cognizant Vice President or as the result of formal proceedings.

Action by the Cognizant Vice President

Upon receipt of the PAO report, the cognizant Vice President shall have the following options:

Dismissal. The Vice President may agree with the “no reasonable basis” finding and dismiss the complaint. The file shall be returned to the receiving official for retention.

Referral. The Vice President may agree with the “reasonable basis” finding and refer the complaint for formal proceedings. A referral may also occur where the Vice President disagrees with the PAO’s “no reasonable basis” finding and dismissal recommendation.

Imposition of Sanction. The Vice President may agree with the “reasonable basis” finding and impose upon the respondent employee any disciplinary sanction less severe than termination, suspension without pay for thirty (30) days or more, or reduction in salary (e.g., suspension without pay for less than thirty (30) days, probation, or warning, oral or written). The sanction for a third party will typically involve future exclusion from the campus.
Settlement. Except in the case of a complaint of sexual violence, the Vice President may endeavor to facilitate a settlement of the charges agreeable to the complainant, the respondent, and the University. If successful, such settlement shall be summarized in writing and placed in the case file, which shall be retained by the receiving official.

Notice to Parties

The complainant and the respondent shall be given, at the same time, written notice of the action taken by the cognizant vice president, along with information about the PAO findings and recommendations.

Appeal of Dismissal/Referral/Sanction to the President

The complainant or the respondent may appeal the Vice President’s decision to dismiss or refer the complaint, respectively, to the President by filing an appeal in writing in the Office of the President. Either party may also appeal to the president, the Vice President’s imposition of sanction, as provided above. The President’s decision on the appeal shall be final, and it shall be communicated at the same time in writing to both the complainant and the respondent, and to the receiving official and the cognizant vice president as well.

Formal Proceedings

If a case is referred for formal proceedings as provided above, the following procedures shall be followed:

Adversary Hearing

Faculty respondent: If the respondent is a faculty member, the complaint shall be submitted to an adversary hearing. The procedures established for the imposition of a major sanction on a faculty member for cause, as stated in the current Faculty Handbook (see 7.14.2), shall be used for this purpose.

Administrative/staff member respondent: If the respondent is an administrative or staff employee, the complaint shall also be submitted to an adversary hearing. The method of selecting a hearing panel, pre-hearing and hearing procedures, Rights accorded the complainant and the respondent, and similar matters shall be determined by the cognizant vice president, employing as a model the due process procedures already in use by the University in related contexts.

Third party respondent. If the respondent is a third party, the cognizant Vice President (or designee) shall conduct a proceeding consistent with due process standards, make a finding regarding the discrimination charge, and select an appropriate remedy if discrimination is found to have occurred.

Standard of Proof

The burden of showing that discrimination occurred in any formal proceeding shall be on the complainant. A preponderance of evidence standard shall apply with regard to this burden. This requires credible information to be presented by or on behalf of the complainant indicating to the fact finder that it is more likely than not that the discrimination occurred.
Advisors

The complainant and the respondent may each select an advisor to assist him/her. An attorney may serve as advisor for either party and may provide advice to the party during a meeting or proceeding but may not otherwise participate directly.

Meetings and Information

Both parties, along with their respective advisors, are entitled to be present at any meeting or proceeding, except during at a time when the fact finder is engaged in deliberations regarding the charges or an issue of procedure. Upon request, the University will make arrangements (e.g. closed-circuit television) that will avoid requiring the complainant and the respondent to be physically located in the same room at the same time, while preserving the right of each party to be present for each phase of the proceeding. Both parties shall also be entitled to timely access to information that will be used in the proceeding.

Complainant and Respondent as Witnesses

Questioning of the complainant by the respondent, and vice versa, during a hearing shall not be permitted. An alternative means of presenting questions to the parties shall instead be utilized for the hearing. In a case involving charges of sexual violence, questions about the personal sexual history of the complainant with any person other than the respondent shall not be permitted.

Notice

Both parties are entitled to receive simultaneous, timely written notification of meetings at which either or both may be present, of the outcome of the proceeding, of any appeal rights, of any changes in the outcome of the proceeding during an appeal, and of the time the determination is final.

Case File

Only the complaint shall be forwarded to the hearing panel (or, where the respondent is a third party, the cognizant Vice President). Notes written and materials gathered by the PAO shall not be provided to the panel but shall be sent to the receiving official for retention in the permanent case file.

Decision by the President

The report of the hearing panel (or cognizant Vice President) containing findings and recommendations with respect to the discrimination charges shall be submitted for action to the president. The President’s decision may include a finding that the charges were not established and are to be dismissed; a finding that the charges were established and warrant imposition on the respondent of a sanction, either that recommended by the hearing panel or a different sanction (greater or lesser) selected by the President; a re-submission of the case to the hearing panel for reconsideration of the matter; or any other action deemed appropriate. The ultimate decision by the President shall be final.
Sanctions

A range of sanctions may be imposed by the president up to and including suspension or termination of employment for an employee perpetrator and suspension or expulsion for a student perpetrator. Lesser disciplinary sanctions include probation and warnings (oral or written) for employees and a “no contact” order, loss of privileges, probation, educational sanction, or warning for students.

Reporting and Disposition of Cases

Time Concerns.

Timeliness of Filing of a Complaint. A complaint of unlawful discrimination should be made as soon as possible after the alleged acts occur. Unusual delay in bringing such allegations under these procedures may cast doubt on the credibility of the complaint and lead to early dismissal of the case.

Promptness of University Action. All phases of the handling of a complaint shall be completed as expeditiously as is practical under the circumstances. The University is committed to resolving complaints of discrimination without undue delay. Every effort shall be made to complete the actions described under “Preliminary Action” above, within twenty-one (21) calendar days and to complete the actions set forth under “Formal Proceedings” above within an additional fifty-six (56) calendar days. Delays requested or caused by the complainant, however, or necessitated by good cause, with written notice to both the complainant and the respondent of the extent of delay and the reason, may extend these target time periods.

Procedural Departures

The procedures set forth above have been developed to insure an orderly and fair disposition of unlawful discriminatory conduct. While it is anticipated that these procedures will generally be followed, the University reserves the right to modify or depart from them in any instance in which, in its sole discretion, it is deemed appropriate or prudent to do so.

Records

All documents relating to the University’s processing of a complaint, or a copy of such documents, shall be placed in a case file. The case file shall be maintained by the receiving official as a permanent record.

Non-Retaliation

It is a violation of the law and University policy for an employee or student to be disciplined or otherwise disadvantaged as a result of good faith resort to this complaint/grievance procedure or his/her other participation in these proceedings. The latter actions shall not therefore be grounds for discipline or other adverse action. A claim that a complainant or a witness has been subjected to retaliatory action in violation of this policy may be brought as a separate claim of discrimination under this procedure.
Criminal Incidents on Campus

Major crimes reported to the UAH Police Department for January through December of the most recent three-year period are listed in the table on page 53. UAH Police Incident Reports are subject to Alabama’s Uniform Crime Reporting Program and the Alabama Open Records Act. The Code of Alabama (1975), §36-12-40, states that every citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute. Disciplinary referrals for violations of the Code of Student Conduct, which may include some criminal offenses specified for this report, are sometimes made directly to the Office of Dean of Students by individuals or campus organizations other than the UAH Police.

Note: Any incidents that may have been reported only to pastoral and professional counselors of the University are generally protected by privacy rights of the client or patient and are not included in any of the following statistics, nor for any Timely Warning notifications to the campus.

Additional Source of Statistical Information

The UAH Police Department has developed, and periodically reviews, procedures to include in reported crime statistics and for the purpose of creating Crime Alerts, reports of required crimes made to Campus Security Authorities (CSAs). Campus Security Authorities at UAH include Police Department employees; the University’s Title IX Coordinator; Title IX Investigators; and any officials of the University who have significant responsibility for student and campus activities (See Page 11).

Although all CSAs are required to report crimes for inclusion in the statistics, UAH PD regularly collects crime statistic data from the Office of the Dean of Students, Housing and Residence Life, and the Title IX Coordinator, through a centralized reporting system called Charger 360.
<table>
<thead>
<tr>
<th>CRIMINAL INCIDENTS</th>
<th>ON CAMPUS</th>
<th>NON CAMPUS</th>
<th>ON CAMPUS HOUSING</th>
<th>PUBLIC PROPERTY</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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<tr>
<td>Negligent Manslaughter</td>
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<td>0</td>
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</tr>
<tr>
<td>Arson</td>
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</tr>
<tr>
<td>Sex Offenses—Rape</td>
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</tr>
<tr>
<td>Incest</td>
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</tr>
<tr>
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<tr>
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<td>0</td>
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<tr>
<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<tr>
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<tr>
<td>Discipline for Alcohol</td>
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<td>Arrest for Drugs</td>
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<td>Discipline for Drugs</td>
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<td>0</td>
</tr>
<tr>
<td>Discipline for Weapons</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

In addition to these crimes, the Higher Education Opportunity Act of 2008 requires universities to report incidents of larceny, intimidation, simple assault and vandalism, if those crimes were determined to be bias motivated.
UAH POLICE DEPARTMENT REPORTED HATE CRIMES

One hate crime was reported in 2021, destruction/damage/vandalism of property, on campus location, because of victim’s sexual orientation.

No hate crimes were reported in 2019 or 2020.

The University is also required to disclose, as a further sub-group of campus crime statistics, the number of "hate crimes" reported to police. These crimes include certain offenses identified in the tables set forth above (except negligent homicide and liquor, drug, and weapons violations). In addition, the crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and any other crimes involving bodily injury in which the victim was selected based on the offender’s prejudice or bias. The types of prejudice or bias that renders one of the foregoing crimes reportable as a hate crime include that based on the victim’s race or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability. Definitions for the additional crimes associated with bias, plus definitions of the listed types of bias can be found in the Appendix.

Unfounded Crimes

A crime is considered Unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can be determined to be baseless only if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place.

There were no crimes removed from the crime statistics disclosed for calendar 2019 due to a determination that the report of such crime was Unfounded. In 2020 there was one Unfounded Burglary. In 2021 there were three Unfounded Burglaries.

DEFINITIONS OF REPORTABLE CLERY CRIMES

Murder/Manslaughter – The willful killing of one human being by another.

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

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.

Forcible sex offenses – 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. Including: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling.
Non-forcible sex offense – Unlawful, non-forcible sexual intercourse, including incest and statutory rape.

Rape – An act where a person knowingly engages in sexual intercourse with a person through forcible compulsion, or where the other person is incapable of giving consent by reason of being physically helpless or mentally incapacitated.

Incest – If a person knowingly attempts to marry or engage in sexual intercourse with another person known to be legitimately or illegitimately an ancestor by blood or adoption, a brother or sister of whole or half-blood or by adoption, a stepchild or stepparent, while the marriage creating the relationship exists, or an aunt, uncle, nephew or niece by whole or half-blood.

Fondling – if a person knowingly subjects another person to sexual contact by forcible compulsion, or where the other person is incapable of giving consent by reason of being physically helpless or mentally incapacitated.

Statutory Rape – A person, being 16 years of age or older, knowingly engages in sexual intercourse with a person less than 16 and more than 12 years old, provided that the actor is more than two years older.

Robbery – The taking or attempting to take anything of value from the occupied car, 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 – Unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle.

Drug Law Violations - The 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. (Drunkenness and driving under the influence are not included in this definition.)

Weapons 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 or convicted felons possessing deadly weapons; and all attempts to commit any of the aforementioned.
The telephone numbers below are provided as an easy reference:

<table>
<thead>
<tr>
<th>University Numbers</th>
<th>Other Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>Huntsville Police Department 256-722-7100</td>
</tr>
<tr>
<td>256-824-6911</td>
<td></td>
</tr>
<tr>
<td>Housing &amp; Residence Life</td>
<td>Madison County Sheriff’s Office 256-722-7181</td>
</tr>
<tr>
<td>256-824-6108</td>
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</tr>
<tr>
<td>Facilities &amp; Operations</td>
<td>Alabama State Troopers 256-518-9573</td>
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<td>256-824-6480</td>
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<td>Dean of Students</td>
<td>Crestwood Medical Center 256-429-4000</td>
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<td>256-824-6700</td>
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<td>Huntsville Hospital East 256-265-1000</td>
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<tr>
<td>256-824-6775</td>
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APPENDIX

Hate Crimes – Includes all of the crimes listed under reportable crimes that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes:

Larceny/Theft – Includes pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

Simple Assault – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Intimidation – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism to Property (except Arson) – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Categories of Bias

Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.

Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity – A preformed negative opinion or attitude toward an individual whose sense of being masculine, feminine, or other gendered may differ from his/her biological identity.

Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

Ethnicity/National Origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.

Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.