2019 Annual Security Report

From the Chief of Police

As we enter a new academic year with another record enrollment, the 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 in America today, we share many of the same problems that exist in the surrounding community in which we reside. While it doesn't happen as often, crime is one such problem.

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act--20 USC § 1092(f), this report includes information about security related policies and programs along with statistics reflecting reported crimes from 2016 - 2018.

Each year, an e-mail notification is made to all enrolled students, faculty, and staff that provides the web site to access this report. Printed copies of the report may also be obtained at the University Police Department located inside the Intermodal Facility on John Wright Drive or by calling (256) 824-6596. All prospective students or employees may obtain a copy by accessing the UAHPD’s Safety Information web page at http://www.uah.edu/safety or by calling UAHPD.

I hope you will join us in our efforts to make our campus as safe as possible by taking responsibility for your own personal security. One way to begin is by visiting our department’s webpage at http://www.uah.edu/police. Our Facebook page can be viewed at https://www.facebook.com/UAHPD. We regularly update Facebook with current information about crime trends, security tips, and crime prevention programs we think you may find helpful. Please “Like” our page to stay on top of new information! I also invite you to install the new RAVE Guardian smart phone safety application. To download, search “Rave Guardian” in the App Store or Google Play Store and register using your UAH email address.

Best wishes for a safe and happy year!

Michael R. Snellgrove
Assistant Vice President for Public Safety and
Chief of Police
# 2019 Annual Security Report

**Table of Contents**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTRODUCTION</td>
<td>4</td>
</tr>
<tr>
<td>OVERVIEW OF THE UNIVERSITY</td>
<td>5</td>
</tr>
<tr>
<td>LAW ENFORCEMENT ON CAMPUS</td>
<td>7</td>
</tr>
<tr>
<td>POLICE AUTHORITY</td>
<td>8</td>
</tr>
<tr>
<td>TRAINING</td>
<td>9</td>
</tr>
<tr>
<td>RELATIONSHIP WITH LOCAL LAW ENFORCEMENT</td>
<td>9</td>
</tr>
<tr>
<td>REPORTING CRIMINAL INCIDENTS AND OTHER EMERGENCIES</td>
<td>10</td>
</tr>
<tr>
<td>MAKING A REPORT TO A CAMPUS SECURITY AUTHORITY</td>
<td>11</td>
</tr>
<tr>
<td>DAILY CRIME/FIRE LOG</td>
<td>12</td>
</tr>
<tr>
<td>MISSING RESIDENTIAL STUDENT PROCEDURES</td>
<td>12</td>
</tr>
<tr>
<td>CRISIS COMMUNICATIONS</td>
<td>13</td>
</tr>
<tr>
<td>TIMELY WARNING (CRIME ALERT)</td>
<td>13</td>
</tr>
<tr>
<td>U-ALERT SYSTEM</td>
<td>14</td>
</tr>
<tr>
<td>CAMPUS OUTDOOR ANNOUNCEMENT SYSTEM</td>
<td>14</td>
</tr>
<tr>
<td>SECURITY CONSIDERATIONS REGARDING MAINTENANCE</td>
<td>15</td>
</tr>
<tr>
<td>BUILDING ACCESS CONTROL SYSTEM</td>
<td>15</td>
</tr>
<tr>
<td>HOUSING &amp; RESIDENCE LIFE STAFF TRAINING</td>
<td>16</td>
</tr>
<tr>
<td>EMERGENCY PREPAREDNESS RESPONSE &amp; EVACUATION</td>
<td>17</td>
</tr>
<tr>
<td>CRIME PREVENTION</td>
<td>18</td>
</tr>
<tr>
<td>HAZING</td>
<td>21</td>
</tr>
<tr>
<td>DRUGS AND ALCOHOL ON CAMPUS</td>
<td>22</td>
</tr>
<tr>
<td>FEDERAL SEX CRIMES PREVENTION ACT (SEX OFFENDERS)</td>
<td>22</td>
</tr>
<tr>
<td>CHILD PROTECTION POLICY</td>
<td>23</td>
</tr>
<tr>
<td>Topic</td>
<td>Page</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>DANGEROUS WEAPONS ON CAMPUS</td>
<td>22</td>
</tr>
<tr>
<td>POLICY PROHIBITING SEXUAL MISCONDUCT</td>
<td>24</td>
</tr>
<tr>
<td>RELEVANT DEFINITIONS (VAWA)</td>
<td>25</td>
</tr>
<tr>
<td>PROCEDURES VICTIMS SHOULD FOLLOW</td>
<td>26</td>
</tr>
<tr>
<td>DOMESTIC VIOLENCE</td>
<td></td>
</tr>
<tr>
<td>DATING VIOLENCE</td>
<td></td>
</tr>
<tr>
<td>SEXUAL ASSAULT</td>
<td></td>
</tr>
<tr>
<td>STALKING</td>
<td></td>
</tr>
<tr>
<td>PROCEDURES VICTIMS SHOULD FOLLOW</td>
<td>29</td>
</tr>
<tr>
<td>PROCEDURES THE UNIVERSITY WILL FOLLOW</td>
<td>30</td>
</tr>
<tr>
<td>TITLE IX COORDINATORS CONTACT INFORMATION</td>
<td>30</td>
</tr>
<tr>
<td>BYSTANDER INTERVENTION INFORMATION</td>
<td>31</td>
</tr>
<tr>
<td>MANDATORY REPORTERS OF SEXUAL MISCONDUCT</td>
<td>33</td>
</tr>
<tr>
<td>NOTICE OF RIGHTS OF VICTIMS OF SEXUAL MISCONDUCT</td>
<td>34</td>
</tr>
<tr>
<td>SEXUAL MISCONDUCT VICTIM ASSISTANCE RESOURCES AND INFORMATION</td>
<td>35</td>
</tr>
<tr>
<td>AWARENESS AND PREVENTION PROGRAMS</td>
<td>36</td>
</tr>
<tr>
<td>REDUCING THE RISK OF COMMITTING SEXUAL ASSAULT</td>
<td>37</td>
</tr>
<tr>
<td>PREVENTION AND AWARENESS PROGRAMMING FOR NEW AND RETURNING STUDENTS</td>
<td>40</td>
</tr>
<tr>
<td>NEW AND CURRENT EMPLOYEES</td>
<td></td>
</tr>
<tr>
<td>DISCRIMINATION COMPLAINT AND GRIEVANCE PROCEDURES</td>
<td>41</td>
</tr>
<tr>
<td>CLERY CRIME STATISTICS FOR THE PRECEEDING THREE YEARS</td>
<td>50</td>
</tr>
<tr>
<td>DEFINITIONS OF REPORTABLE CLERY CRIMES</td>
<td>51</td>
</tr>
<tr>
<td>REPORTED HATE CRIMES</td>
<td>53</td>
</tr>
<tr>
<td>APPENDIX A   CLERY GEOGRAPHY</td>
<td>56</td>
</tr>
<tr>
<td>APPENDIX B   CATEGORIES OF BIAS</td>
<td>57</td>
</tr>
</tbody>
</table>
INTRODUCTION

In accordance with the federal regulations of the Campus Security Act of 1990, as amended by the Higher Education Opportunity Act or 2008, the University of Alabama in Huntsville (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 campus 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 UAH 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 and also associated with 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.
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 505-acre campus. With 9,988 enrolled students from all 50 states and over 60 countries and 2,950 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 recently named Huntsville one of the best college towns in the South.

The University boasts 17 high-tech research centers and labs responsible for $99 million in annual research expenditures and serves as the anchor tenant for the second-largest research park in the nation. It also maintains strong partnerships with federal agencies and commercial organizations that include the U.S. Army Materiel Command, the HudsonAlpha Institute for Biotechnology, Aerojet Rocketdyne, NASA's Marshall Space Flight Center, the Missile Defense Agency, the DIA Missile and Space Intelligence Center, and many others.

UAH is an open and vibrant campus. With the exception of the residence halls, which are locked twenty-four hours a day. University academic and business facilities are generally open to the public during regular business hours, Monday through Friday. During
weekends and holidays, or other times when the University is closed, all buildings are locked. Only authorized persons affiliated with the individual departments housed inside may have access.

The UAH Facilities and Operations Department (F&O) maintains the University’s 74 Academic, Residential, and Recreational buildings and grounds with added 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 security and behavior. Those who fail to comply are subject to arrest, issued 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 is a subunit within the Office of Finance and Administration. The Department is a fully empowered, 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.
The Department's Mission

The Department's mission is to serve and support UAH by recognizing the changing needs of a growing university and the role its police department has in addressing those needs. To that end, we pledge EXCELLENCE, INITIATIVE, and INTEGRITY while fulfilling our 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.
- Maintain and control 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

§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

§16-47-11 – Police Officers – Extended 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 continuing
in-service training programs taught by certified police instructors and subject matter
experts from around the country. Topics include, but are not limited to, Legal Updates,
Search and Seizure, Use of Force; includes proficiency training with lethal and non-lethal
weapons, and tactical training such as response to active shooter incidents, First Aid and CPR
Recertification. The Department trains for tactical operations with the Huntsville Police Department
Special Weapons and Tactics (SWAT) Unit and the Huntsville-Madison County Emergency
Management Agency.

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, 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.

The prosecution of all criminal offenses committed on campus is conducted in the Federal
District Court of Northern Alabama, the state circuit or district court of Madison County, or
the Huntsville municipal court, depending on the classification of the offense as a federal
felony or misdemeanor, a state felony or misdemeanor, or a breach of a municipal
ordinance. 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 use in official investigations. It allows for the department to check for persons with criminal histories, active arrest warrants, vehicle registrations and driver licenses. It also provides real-time criminal intelligence made available from federal, state, and local law enforcement agencies nation-wide 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.

For violations of law that transpired off the campus, persons 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 the you must prefer criminal charges against a suspected violator. However, it may help law enforcement stop further incidents as well as 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 at 501 John Wright Drive.

You may also call the Department anytime and an officer will be dispatched to you. 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 emergency two-way (blue light) phones throughout campus. By pressing the red button, users can communicate directly with the UAH Police Communications Center.
Making a Report to a Campus Security Authority (CSA)

In cases where an individual doesn’t want to speak with law enforcement, a victim or witness of a crime may speak with a CSA on a voluntary, confidential basis. At UAH, CSAs include, but may not be limited to individuals who hold the following official positions:

- The Provost and Vice President for Academic Affairs
- The Associate Provost
- The Vice President for Diversity, Equity and Inclusion
- The Associate Vice President for Human Resources
- The Vice President for Student Affairs
- The Associate Vice President for Student Affairs
- The Dean of Students
- The Assistant Dean of Students
- The Director of Student Ethics and Education
- The Director of Housing and Residence Life
- The Director of Student Life
- The Director of University Recreation
- The Associate Director of Conferences and Events
- The Assistant Director of Housing Operations
- The Assistant Director of Residence Life
- Any Resident Director
- Any 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
- Other UAH officials with significant responsibility for student and campus activities

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.

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/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 Customer Service Window 24 hours a day. The online log can be viewed by clicking this link: http://www.uah.edu/police/daily-log.

Older portions of the Crime and Fire Log will be made available within two business days, upon receipt of an in-person request. 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 Daily Crime 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 delineated on the map labeled Appendix A at the end of this report. 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 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 and means to designate an emergency contact person who will be notified by the University within 24 hours of an official determination that the student has been declared missing. Students will be given the opportunity to register their emergency contact during room sign-up. Resident Assistants will also advise the students how to register their contact 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. A notification will also be made to any additional contract 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 conduct an investigation 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 living off-campus may be a missing person should notify the Police immediately.

The UAH Police will gather essential information about her/him 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 University Chief of Staff is the designated spokesperson for the University. All media inquiries will be forwarded to him. The Chief of Police will be consulted prior to any information release from the University so as not to jeopardize any investigation.

CRISIS AND OTHER URGENT COMMUNICATIONS

Timely Warning – (CRIME ALERT)

The purpose of a timely warning is to notify the UAH community about a reported criminal incident and to provide information to help people protect themselves and/or their property. Certain criteria must exist when making a decision to issue a Crime Alert.

1. A Clery, crime such as those identified in the “Crime Statistics” portion on page 47, occurred.
2. The crime must have happened within the geographical area delineated by the map depicted in Annex A.
3. A perpetrator or perpetrators have or have not been identified and are or are not still at large.
4. There is a serious ongoing threat to the campus community because of the nature of the crime and status of the perpetrators.

The decision is made on a case-by-case basis and typically within 24 hours after the incident is reported to Police. in cases where police have concerns that the release of
-14-
certain details could compromise efforts to identify and/or locate a perpetrator a Crime Alert may be delayed.

A **CRIME ALERT** may be disseminated campus-wide using a variety of methods that include official UAH e-mail, advisory posters placed at building entrances and inside locations frequented by members of the campus community, the Police Department web page, and via social media such as Facebook and Twitter. Sometimes an alert may be isolated to certain areas of the campus because the threat to the entire campus is negligible.

**U-ALERT Emergency Mass Notification System**

If a significant emergency exists that necessitates an immediate and urgent warning, the institution’s U-Alert system will be used to distribute a mass communication message to the entire campus. This message will be promulgated through telephone calls, text messages, and official UAH email. U-ALERT also integrates Facebook and Twitter. The most common times this is done is for Tornado Warnings.

**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 in the Maintenance of Campus Grounds and Facilities**

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.
Annual Lighting Walk

Representatives from the Office of Environmental Health and Safety, Risk Management, the Police Department, Student Affairs, and Facilities and Operations, conduct an annual lighting walk with members of the Student Government Association. Recommendations are made for lighting improvement, repair of fixtures if observed, and foliage control.

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.

ACCESS CONTROL FOR CAMPUS BUILDINGS AND RESIDENCE HALLS

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 Entry Access List (EAL) provided to the Police Department by the appropriate Dean or Department Chair/Administrator. Those not on a pre-approved list must make arrangements with the aforementioned individuals for inclusion. The Police Department will grant access upon receiving official notification in writing.

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’s the student’s responsibility to make a report to the Charger Card Office and to the Residence Life Staff so the room locks are changed. Visitors must sign in and be escorted through the residence halls by their host.

Students and staff who have keys 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’s 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.

**Staff Training**

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

A Resident Director (RD) and Undergraduate Resident Assistant (RA) live in the Central Campus Residence Hall, Frank Franz Hall, North Campus Residence Hall, and Charger Village. A 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 Halls 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, 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. University Housing manages issuance of the cards and maintains the card control system for these facilities. Electronic cards are issued to students residing on campus 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. 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 that case, 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, Frank Franz Residence Hall, North Campus Residence Hall, Bevill Center, and Charger Village 1&2 Residence Halls, 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. 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 the Charger Village Residence Halls. These living facilities offer “suite style” community living. The Bevill Center provides single student rooms and suites that are assigned to students of the same legal sex. Floors within Southeast Campus Housing and the Bevill Center, are coeducational. The Southeast Campus Residence Hall is constructed with apartment entrances that open to a breezeway. Married student couples and student families are assigned to two buildings in this nine-building complex.

**Off Campus Student Apartments**

The University has a contractual agreement with four nearby apartment complexes to provide additional student housing. An Assistant Resident Director lives at each complex relays crime reports to the UAH Police if known. All of the complexes employ Courtesy Officers (Sworn Off-Duty Law Enforcement) who reside in each of the complexes.

**EMERGENCY PREPAREDNESS, RESPONSE, AND EVACUATION PROCEDURES**

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, Fire Department and 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: The Chief of Police, or any command level police officer, The University Chief of Staff; The Executive Vice President for Academic Affairs & Provost, and The Vice President for Finance and Administration, The Emergency Incident Commander, and other University officials if they are directly involved with and have situational awareness of the emergency situation.

The U-Alert activation process is normally initiated when a verified, life-threatening situation exists. The Responsible Authorizer approves the release of a pre-approved “canned-message” or in the case draft a modified or new messages 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, female or male, 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, to the Housing & 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)
- The University Housing 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.

- **Department Newsletter:** A monthly newsletter called the *Blue News* includes police department highlights and activities along with helpful advice. It’s published electronically and available on the police department webpage.

- **Table Top Tips:** Monthly crime prevention tips distributed throughout campus on tabletops, 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.
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.
- **TIPS (Training for Intervention Procedures)**: Annual training provided to all housing staff and student athletes to assist in preventing alcohol intoxication, underage drinking, and drunk driving.
- **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.

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.

**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

Policy Prohibiting Illegal Possession of Drugs and Alcoholic Beverages

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, is contrary to 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, enacted on October 28, 2000, 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. or 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=aHR0cDovL3d3dy5jb21tdW5pdHlub3RzmiJYXRpb24uY29tL2NhEhcF9tYWluLnBocD9vZmZpY2U9NTQyNDc=
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 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 sexual abuse, is required under Alabama law to immediately report the matter. A first-year student, a “dual enrolled” high school student, or a summer camp participant may fall into the category of a “child.” The law imposes mandatory reporting requirements on certain individuals, including law enforcement nurses and other medical professionals, mental health professionals, school teachers and school officials. University policy broadens the reporting obligation and further directs that the report (orally and then in written form) be made to the UAH Police. Sexual abuse, which is one element of the more comprehensive term “abuse” under Alabama law, includes rape, molestation, sexual exploitation, etc., actual or attempted.

To review the entire University policy, please follow this link: https://www.uah.edu/images/administrative/policies/01.04.01-compliance-child-protection-policy-07-16-18.pdf

The Alabama Code pertaining to Child Abuse is §26-15-1 et al. click this link to read the entire law: https://law.justia.com/codes/alabama/2016/title-26/chapter-15/

Policy Statement Addressing 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/images/administrative/policies/06.02.05-FA_HR_University_Dangerous_Weapons_and_Firearms_Policy.pdf

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.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

Statement of Policy Prohibiting Sexual Misconduct

The University of Alabama in Huntsville prohibits all forms of sexual misconduct, including but not limited to, the offenses of sexual assault, domestic violence, dating violence, stalking, sex discrimination, and sexual harassment The Policy reaffirms the University's commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the community. Therefore, the University has adopted a Sexual Misconduct Policy to inform the University community of our programs to domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official. This Policy applies equally to all regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.
The Sexual Misconduct Policy may be viewed at https://www.uah.edu/images/administrative/policies/01.04.02-compliance-sexual-misconduct-policy.pdf

RELEVANT DEFINITIONS (VAWA) Intimate Partner Violence

Dating Violence

UAH Definition - Any act of violence or threatened act of violence against a person with whom the individual is or has been involved in a romantic or intimate relationship. This includes threats, assault, property damage, and violence or threat of violence to one’s self or to the family members or pets of the romantic or intimate partner when used as a method of coercion, control, punishment, intimidation, or revenge. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

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

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 Section 13A-6-20 or aggravated stalking pursuant to Section 13A-6-91, 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 Section 13A-6-21; the crime of intimidating a witness pursuant to Section 13A-10-123; the crime of stalking pursuant to Section 13A-6-90; the crime of burglary in the second or third degree pursuant to Sections 13A-7-6 and 13A-7-7; or the crime of criminal mischief in the first degree pursuant to Section 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 Section 13A-6-22; the crime of menacing pursuant to Section 13A-6-23; the crime of reckless endangerment pursuant to Section 13A-6-24; the crime of criminal coercion pursuant to Section 13A-6-25; the crime of harassment pursuant to subsection (a) of Section 13A-11-8; the crime of criminal surveillance pursuant to §§13A-11-32; the crime of harassing communications pursuant to subsection (b) of Section 13A-11-8; the crime of criminal trespass in the third degree pursuant to Section 13A-7-4; the crime of criminal mischief in the second or third degree pursuant to Sections 13A-7-22 and 13A-7-23; or the crime of arson in the third degree pursuant to Section 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 third 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

Section 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 Section 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 Section 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:

(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 is:

   (1) Less than 16 years old; or
   (2) Mentally defective; or
   (3) Mentally incapacitated; or
   (4) Physically helpless.
PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING OCCURS

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, she may contact the UAH Police at 256-9824-6596, and the dispatcher will notify a police officer who will transport her 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
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 Coordinator by phone (256) 824-6899, via email at lks0020@uah.edu, or in person at The Student Services Building, Suite 300F.

Reports of domestic violence, dating violence, sexual assault and stalking made to UAH Police will automatically be referred to the Title IX Coordinator for investigation 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)

Director of Compliance/Title IX Coordinator
Student Services Building, Rm. 320F
256-824-6899
lks0020@uah.edu

Dean of Students/Dep. Title IX Coordinator
Charger Union, Rm. 223
256-824-6700
dos@uah.edu

Office of Diversity, Equity and Inclusion
Student Services Building, Rm. 320
256-824-4600 lks0020@uah.edu

Human Resources/Deputy Title IX Coordinator
Shelbie King Hall, Rm.102
256-824-6545
longl@uah.edu
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 is committed to identifying strategies to make less likely the perpetration of sexual violence on campus. The University is also concerned about ways to empower victims and address bystander inaction as a means of making its campus safer. Information about these strategies is provided to new and current students and employees in the educational programs presented to them. These programs focus on strategies for individuals to reduce the likelihood of committing sexual violence and strategies for individuals to reduce the likelihood of being the victim of sexual violence. Anyone can be sexually assaulted, and there are no sure means to prevent sexual assault because the only people who can prevent sexual assault are those who perpetrate it. However, you can take steps to lessen the likelihood that you or your friends will be assaulted or will assault someone.

This policy deals with a broad range of sexual misconduct behaviors. Where applicable, the full definitions in the Alabama Criminal Code of the offenses described below are attached to this policy.
**Mandatory Reporters:** Any employee of the University, except as noted below, who becomes aware of sex discrimination as defined in this policy (including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation) is a Mandated Reporter, regardless of whether the recipient of the behavior is a student, employee, volunteer, child, or visitor of the University.

A Mandatory Reporter is required to report the information promptly to the Title IX Coordinator or appropriate Deputy Title IX Coordinator. The report must be made regardless of whether the person reporting the information to the Mandatory Reporter requests confidentiality and regardless of how the Mandatory Reporter becomes aware of the offensive behavior (personal observation, direct information from the subject of the behavior, indirect information from a third party, etc.). If the Complainant requests confidentiality or that the charges not be pursued, the Mandatory Reporter should warn the Complainant that, at this stage in the process, she/he must report all known information to the Title IX Coordinator.

**Employees with a Legal Obligation or Privilege of Confidentiality:** Employees with a legal obligation or privilege of confidentiality (including health care providers, counselors, lawyers, and their associated staff) are not considered Mandatory Reporters and are not required to report when the information is learned in the course of a confidential communication. If the information is not learned in the course of confidential communication (for example, behavior is observed in class) then the employee has the same obligation as a Mandatory Reporter.

**Confidentiality/Privacy:** Conversations with Mandatory Reporters are kept as confidential as possible and shared only on a need to know basis in order to assist in the active review, investigation, or resolution of the report and related issues. This confidentiality extends to the Complainant, Respondent, and other necessary parties. The University will maintain confidentiality as much as possible any in the provision of accommodations or interim protective measures provided to the Complainant, Respondent, and other necessary parties if maintaining such confidentiality will not impair the ability of the University to provide accommodations or protective measures.

University employees assisting with a Title IX matter are expected to safeguard private information in accordance with applicable laws (including, but not limited to, FERPA, HIPAA, and other privacy laws).

Complainants are advised that requests for confidentiality may limit the University’s efforts to end the inappropriate conduct, prevent its recurrence, and remediate its effects. However, information about incidents of alleged prohibited conduct must be shared with relevant administrators if the Title IX Coordinator determines that the University needs to take action to provide a safe and non-discriminatory environment for the entire campus community. Relevant factors that will be considered include, but are not limited to, credible evidence of Respondent’s prior prohibited conduct, risk of additional misconduct,
and the use of a weapon. In all cases, the request for confidentiality by the person initiating the conversation is given full consideration.

All verified and unverified confidential reports of sexual offenses that meet the Clery reporting criteria as determined by UAHPD and that are made to the University Counseling and Health Center are included in UAH campus crime statistics. Crimes reported to professional counselors, physicians, mental health professionals, or others to whom a confidentiality privilege applies by law are not included unless the Complainant has chosen to report separately to a Campus Security Authority as defined by federal law.

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: 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: Confidentiality and related requests will be taken seriously. When the victim/reporting party persists in these requests, the University must determine whether it can honor them consistent with its duty to provide a safe, nondiscriminatory campus for all students and employees, including the victim/reporting party. The determination shall be made by the Title IX Coordinator most closely related to the case, upon consultation with the senior Title IX Coordinator (and, in the case involving a faculty member, the Provost or designee) and the Chief University Counsel. All relevant factors shall be considered, including credible evidence of the alleged perpetrator’s prior sexual misconduct, any risk of additional sexual misconduct by the alleged perpetrator, the use of a weapon in the incident, etc.

If the University determines that it should proceed and that disclosure of the name of the victim/reporting party will likely occur, it shall so advise such party. It shall also inform the
alleged perpetrator about any request from such party to the University not to go forward with the matter.

If the University decides to honor a confidentiality request, it shall still take steps, to the extent reasonable under the circumstances and consistent with the request, to investigate and address any sexual misconduct.

Even if a victim/complainant does not request confidentiality, the University’s activities in responding to a complaint shall take place within the constraints of its policy of confidentiality set forth below.

Victim Assistance

Medical and Counseling Resources:

Confidential professional counseling is available to a student who is the victim of sexual misconduct in the University Counseling Center 256-824-6203. Counseling resources for an employee may be obtained through the University’s Employee Assistance Program 1-800-925-5327 for referral to a local professional counselor. For those individuals suffering from physical trauma, the on-campus Student Health Center (824-6775) is available to provide some ongoing care for students, and the Employee Health Clinic (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 a responsible employee 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 appropriate 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 256-716-1000 also offers free, confidential assistance to victims of sexual violence, including rape examinations and group counseling.

Protective Accommodations and Judicial Orders

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 Discrimination Complaint/Grievance Procedure.

*Sanctions and Remedies*: Following a determination, under the Discrimination Complaint/Grievance Procedure, that sexual misconduct occurred, the University may impose one or more disciplinary sanctions. The types of sanctions available are set forth in the University’s Discrimination Complaint/Grievance Procedure. 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 Discrimination Complaint/Grievance Procedure), 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)
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>
</tr>
<tr>
<td>Red Flag Project</td>
<td>October - Annual</td>
<td>Charger Union</td>
<td>DoV, DaV, SA, S</td>
</tr>
<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.

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 the Counseling Center.

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. The Associate Provost shall develop an appropriate response.
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 Student Code of Conduct. If the respondent is a student, the case is handled in accordance with the disciplinary procedures set forth in the Student Code of 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 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 49. UAH Police Incident Reports are subject to Alabama's Uniform Crime Reporting Program and the Alabama Open Records Act. The Code of Alabama, §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 Student Code of 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. Campus Security Authorities (CSAs) 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 10).

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 Senior Title IX Coordinator, through a centralized reporting system called Charger 360.
### CRIME STATISTICS

<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>
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<tr>
<td></td>
<td>2016</td>
<td>2017</td>
<td>2018</td>
<td>2016</td>
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<td>Incest</td>
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<tr>
<td>Fondling</td>
<td>2*</td>
<td>1</td>
<td>3</td>
<td>2</td>
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<td>Statue Rape</td>
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<tr>
<td>Fondling</td>
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### VIOLENCE AGAINST WOMEN ACT (VAWA)

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<tr>
<th>VAWA INCIDENTS</th>
<th>ON CAMPUS</th>
<th>NON CAMPUS</th>
<th>ON CAMPUS HOUSING</th>
<th>PUBLIC PROPERTY</th>
<th>Totals</th>
</tr>
</thead>
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<tr>
<td>Stalking</td>
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<td>0</td>
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### ARRESTS AND DISCIPLINARY ACTIONS FOR LIQUOR, DRUG, AND WEAPONS LAW VIOLATIONS

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<thead>
<tr>
<th>LAW VIOLATIONS</th>
<th>ON CAMPUS</th>
<th>NON CAMPUS</th>
<th>ON CAMPUS HOUSING</th>
<th>PUBLIC PROPERTY</th>
<th>Totals</th>
</tr>
</thead>
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<tr>
<td>Arrest for Alcohol</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>Discipline for Alcohol</td>
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<td>33</td>
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<td>Arrest for Drugs</td>
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<td>6</td>
<td>4</td>
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<td>2</td>
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<td>Arrest for Weapons</td>
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<td>1</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Discipline for Weapons</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

**2. 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.**

**4. A delayed report was received in 2016 from 2015 after a juvenile summer camp attendee reported being fondled in his residence hall room by a camp counselor. The case was "No Billed" by the Madison County Grand Jury. When this ASR was initially published in October 2017 this incident was reflected in the 2015 column. The ASR has been revised to reflect the correct reporting year of 2016.**
Definitions of Reportable 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 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 Appendix B. No hate crimes have been reported during the required reporting years.
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 year 2018 due to a determination that the report of such crime was Unfounded.

Students enjoying a warm day and relaxing in hammocks
For further information concerning campus security issues, call any of the following numbers:

<table>
<thead>
<tr>
<th>University Numbers</th>
<th>Other Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>Huntsville Police Department</td>
</tr>
<tr>
<td>256-824-6911</td>
<td>256-722-7100</td>
</tr>
<tr>
<td>Housing &amp; Residence Life</td>
<td>Madison County Sheriff’s Office</td>
</tr>
<tr>
<td>256-824-6108</td>
<td>256-722-7181</td>
</tr>
<tr>
<td>Facilities &amp; Operations</td>
<td>Alabama State Troopers</td>
</tr>
<tr>
<td>256-824-6480</td>
<td>256-518-9573</td>
</tr>
<tr>
<td>Dean of Students</td>
<td>Crestwood Medical Center</td>
</tr>
<tr>
<td>256-824-6700</td>
<td>256-429-4000</td>
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<tr>
<td>Counseling Center</td>
<td>Huntsville Hospital Main</td>
</tr>
<tr>
<td>256-824-6203</td>
<td>256-265-1000</td>
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<tr>
<td>Student Health Center</td>
<td>Huntsville Hospital East</td>
</tr>
<tr>
<td>256-824-6775</td>
<td>256-265-1000</td>
</tr>
</tbody>
</table>
Appendix A

The attached map on the following page highlights the geographical area, including *public property* contiguous to UAH for which crime reporting is required.
Appendix B

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.
GO CHARGERS AND THE CLASS OF 2023