

# COMMONWEALTH UNIVERSITY – MANSFIELD CAMPUS

# THE 2025 ANNUAL SECURITY AND FIRE SAFETY REPORT

## A Message from the Director of Police

On behalf of the University Police, welcome to our campus! I hope you find this report helpful in regards to your safety and security on campus. We look at safety and security as a shared responsibility, but is also a primary focus of the University Police. Together with awareness and education, we can work towards protecting our campus community against crime. While the vast majority of our students, faculty, staff and visitors never experience crime at Commonwealth University, the safety and well-being of our students, faculty, staff, alumni, and visitors is our top priority. We are committed to providing the highest level of professional police services to foster student success and a safe learning environment for all.

Our philosophy of community policing embodies the importance of cooperation, education, and police-citizen partnerships. Our commitment to this style of policing allows us to be part of the fabric of the University community and assist us in cultivating true partnerships with you, the community we serve. Police are committed to being engaged with the University community and being fully transparent, constantly improving lines of communication with students, faculty, and staff.

Fostering trust is a priority of each police agency which is why we have instituted the Community Policing Officers program. Our Community Policing Officers collaborate with student groups and organizations to proactively address issues and concerns and better the lives of students, faculty and staff. Every member of the University community has a shared responsibility in their safety and reporting suspicious activity. By making smarter choices every day, we can build an ideal environment for a stellar education. Help us keep the University safe and a wonderful place to work and study.

Yours in service,



**Leo V. Sokoloski, Director of Commonwealth University Police**

**Bloomsburg | Lock Haven | Mansfield**

400 East Second Street

Bloomsburg, PA 17815

Phone: (570) 389-4775 Fax: (570) 389-3075

[lsokoloski@commonwealthu.edu](mailto:lsokoloski@commonwealthu.edu)

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## Annual Security and Fire Safety Report Background

### **What is the Jeanne Clery Act?**

Signed into law in 1990, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, updated in 2024 to the Jeanne Clery Campus Safety Act (Clery Act) is a federal law that requires post-secondary institutions that participate in Title IV programs to disclose certain timely and annual information about their campus' crime, security, and fire policies. The Clery Act was championed by Howard and Connie Clery after their daughter, Jeanne, was murdered at Lehigh University in 1986.

### **Where can I find our Annual Security Report?**

To keep the University community informed of personal safety issues on campus, each year Commonwealth University's safety and security policy statements and statistics are published and widely distributed across campus and online. This complies with the federal Crime Awareness and Campus Security Act of 1990.

A copy of the Commonwealth University's Annual Security Report can be obtained at the University Police Department, the University Office of Human Resources, Labor Relations, the University Admissions Office, or by accessing the report on the University Police website. The report may also be found in various offices or departments around campus.

### **How is the Report Prepared?**

This report is prepared in cooperation with the local law enforcement agencies surrounding our campus and affiliated sites, Housing and Residence Life, Office of the Dean of Students, Office of Student Conduct, and the Office of Title IX. Each department provides information on their educational efforts and programs. Campus crime, arrests and referral statistics include those reported to the University Police Department and campus officials designated as Campus Security Authorities, (including but not limited to: directors, deans, department heads, designated student employees, advisors to students/student organizations, and athletic coaches).

### **How is the Report Distributed?**

Each year an email notification is made to all enrolled students that provides the website to access this report. Employees receive a similar notification. Copies of the report may also be obtained at the University Police and at various offices and departments around campus. Prospective employees may obtain a copy at the Office of Human Resources. The report remains accessible online through the University Police Department website.

### **What Does the Report Include?**

This Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by Commonwealth University or student organizations that are officially recognized by the institution; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, sexual misconduct, drugs, alcohol, hazing, fire

safety, and other related safety matters. In addition, the report includes fire statistics for on-campus housing.

## Crime Statistics / Arrests / Disciplinary Referrals

### Jeanne Clerv Campus Safety Act

COMMONWEALTH UNIVERSITY- MANSFIELD CAMPUS REPORTED CRIMES	On Campus			Residence Hall			*Non-Campus			**Public Property		
CRIME	22	23	24	22	23	24	22	23	24	22	23	24
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible:												
Rape	1	0	1	0	0	1	1	0	0	0	0	0
Fondling	1	0	0	1	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible:												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Violence Against Women Act Offenses												
Domestic Violence	2	0	0	2	0	0	0	0	1	0	0	0
Dating Violence	0	0	2	0	0	2	0	0	0	0	0	0
Stalking	1	0	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons Laws	0	0	0	0	0	0	0	0	0	0	0	0
Drug Laws	4	0	1	2	0	0	6	2	0	0	2	5
Liquor Laws	6	0	10	1	0	10	3	0	0	1	0	0
REFERRALS***												
Weapons Laws	1	0	0	1	0	0	0	0	0	0	0	0
Drug Laws	6	4	2	5	4	2	0	0	0	0	0	0
Liquor Laws	11	21	19	11	21	19	0	0	0	0	0	0

### **Hate Crime Statistics – Commonwealth University – Mansfield Campus**

There were no reported hate crimes reported for the years 2022, 2023, or 2024 for on campus, on campus student housing facilities, non-campus locations, or public property.

### **Unfounded Crimes Reported by Mansfield Borough Police Department** **Commonwealth University – Mansfield Campus**

2022 – 4 unfounded crimes – 4 burglary offenses

2023 – 15 unfounded crimes - 14 domestic violence offenses and 1 burglary offense

2024- 1 unfounded crimes – 1 rape offense

\*An unfounded crime is a reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime.

COMMONWEALTH UNIVERSITY- MANSFIELD'S SAYRE CAMPUS REPORTED CRIMES	On Campus			Residence Hall			*Non-Campus			**Public Property		
CRIME	22	23	24	22	23	24	22	23	24	22	23	24
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible:												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Non-Forcible:												
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	7	3	3	0	0	0	0	0	0	1	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Violence Against Women Act Offenses												
Domestic Violence	3	0	0	0	0	0	0	0	0	2	0	2
Dating Violence	0	0	0	0	0	0	0	0	0	0	1	0
Stalking	0	1	0	0	0	0	0	0	0	0	0	0
ARRESTS												
Weapons Laws	0	0	0	0	0	0	0	0	0	0	0	0
Drug Laws	3	1	2	0	0	0	0	0	0	4	1	2
Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0
REFERRALS***												
Weapons Laws	0	0	0	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Laws	0	0	0	0	0	0	0	0	0	0	0	0

### Hate Crime Statistics – Commonwealth University – Sayre Campus

There were no reported hate crimes reported for the years 2022, 2023, or 2024 for on campus, on campus student housing facilities, non-campus locations, or public property.

### Unfounded Crimes Reported by Sayre Borough Police Department – Commonwealth University – Sayre Campus

2022 – 0 unfounded crimes.      2023 – 0 unfounded crimes.      2024- 0 Unfounded crimes.

\*An unfounded crime is a reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may unfound a crime.

## Uniform Crime Report Statistics

Crime rates are based on a total full-time equivalent population (FTE) of undergraduate, graduate students, and employees, per 100,000. An example is if the FTE were 10,000, with two offenses in a category, the rate would be  $(2/10000) \times 100000 = 20$  for that category. These statistics are based on a period of time from Jan. 1 to Dec. 31 of each year. Uniform Crime Report Statistics are based only on reports generated by University Police and may be different than those reported under the Jeanne Clery Act. Crimes listed under the Jeanne Clery Act also include crimes that were reported only to campus security authorities and other police agencies.

<b>FTE Population</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Students	1477	1379	1088
<i>Undergraduates</i>	1477	1379	1088
Employees	316	263	291
Total (Students+Employees)	1793	1642	1379
<b>On Campus Student Housing</b>			
<i>Undergraduate</i>	736	588	597

Classification of Offenses	2022 Actual Offenses	2022 Crime Rate	2023 Actual Offenses	2023 Crime Rate	2024 Actual Offenses	2024 Crime Rate
Murder/Non-Negligent Homicide(Total)	0	0	0	0	0	0
Manslaughter by Negligence(Total)	0	0	0	0	0	0
Rape(Total)	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Attempted Rape	0	0	0	0	0	0

Robbery(Total)	0	0	0	0	0	0
Robbery - Firearm	0	0	0	0	0	0
Robbery - Knife or Cutting Instrument	0	0	0	0	0	0
Robbery - Other Dangerous Weapon	0	0	0	0	0	0
Robbery – Strong Arm(Hands,Fists,Feet,etc)	0	0	0	0	0	0
Assault(Total)	0	0	0	0	0	0
Assault - Firearm	0	0	0	0	0	0
Assault - Knife or Cutting Instrument	0	0	0	0	0	0
Assault - Other Dangerous Weapon	0	0	0	0	0	0
Assault – Strong Arm(Hands,Fists,Feet,etc)	0	0	0	0	0	0
Burglary(Total)	0	0	0	0	0	0
Burglary - Forcible Entry	0	0	0	0	0	0
Burglary - Unlawful Entry(No Force)	0	0	0	0	0	0
Burglary - Attempted Forcible Entry	0	0	0	0	0	0
Larceny(Total) - Theft(Excluding Motor Vehicles)	4	223.0897936	4	60.90133983	1	72.51631617
Motor Vehicle Theft(Total)	0	0	0	0	0	0
Motor Vehicle Theft - Autos	0	0	0	0	0	0
Motor Vehicle Theft - Trucks and Buses	0	0	0	0	0	0
Motor Vehicle Theft - Other Vehicles	0	0	0	0	0	0
Human Trafficking	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Assault - Other(Simple, Not Aggravated)	0	0	0	0	0	0
Forgery and Counterfeiting	0	0	0	0	0	0
Fraud	0	0	1	0	0	0
Embezzlement	0	0	0	0	0	0
Stolen Property; Buying, Receiving, Possessing	0	0	0	0	0	0
Vandalism	1	55.77244841	0	0	0	0
Weapons; Carrying, Possessing, etc.	0	0	0	0	0	0
Prostitution and Commercialized Vice	0	0	0	0	0	0
Sex Offenses (Except Line 2 and 16)	0	0	0	60.90133983	1	72.51631617
Drug Abuse Violations(Total)	5	278.8622421	2	243.6053593	4	290.0652647
Sale/Manufacturing SubTotal	0	0	0	0	0	0
Opium - Cocaine	0	0	0	0	0	0
Marijuana	0	0	0	0	0	0
Synthetic	0	0	0	0	0	0
Other	0	0	0	0	0	0
Possession SubTotal	5	278.8622421	2	243.6053593	4	290.0652647
Opium - Cocaine	0	0	0	0	0	0
Marijuana	4	223.0897936	2	243.6053593	4	290.0652647
Synthetic	1	55.77244841	0	0	0	0
Other	0	0	0	0	0	0

Gambling(Total)	0	0	0	0	0	0
Book Making	0	0	0	0	0	0
Numbers, Etc	0	0	0	0	0	0
Other	0	0	0	0	0	0
Offenses Against The Family and Children	0	0	0	0	0	0
Driving Under The Influence	0	0	0	0	0	0
Liquor Laws	2	111.5448968	3	60.90133983	1	72.51631617
Drunkenness	0	0	1	0	0	0
Disorderly Conduct	1	55.77244841	2	0	0	0
Vagrancy	0	0	0	0	0	0
All Other Offenses (Except Traffic)	2	111.5448968	0	0	0	0

## Fire Safety Statistics

**All fires should be reported to the University Police Department at 570-662-4900.**

At Commonwealth University-Mansfield, all residential on campus housing are completely covered by an integrated automatic sprinkler system and programmable fire alarm system, which is monitored on a 24-hour basis. These systems include pull stations and visual and audible alert signals that will engage whenever a fire alarm is activated. The buildings are also equipped with emergency generators that are designed to power emergency lighting in case of a power outage. The fire alarm systems are equipped with back up battery power. All of the fire systems are inspected and maintained in accordance with the National Fire Protection Association (NFPA).

All on campus residents and Resident Assistants receive fire safety training at the beginning of their first semester. Fire/evacuation drills are conducted at least twice, in housing buildings, during the fall and spring semester.

It is the policy of Commonwealth University-Mansfield of Pennsylvania that candles, incense, hot plates, coffee makers, or appliances with a heat source, any open flame devices, fireworks and smoking are PROHIBITED in the residence halls. Cooking appliances can only be used in designated areas in each hall. Cooking of any kind is prohibited in residence hall rooms. Occupants of upper campus apartments are PROHIBITED from smoking, possessing candles, incense and open flame devices in the apartment.



## Statistics and Related Information Regarding Fires In Residential Facilities

### Commonwealth University - Mansfield Campus Fire Safety Report

Statistics and Related Information Regarding Fires in Residential Facilities for Year 2022						Fire Alarm System Activations					
Residential Facilities	Total Fires Each Building	Fire Number	Fire Severity	Cause of Fire	# of Injuries: Med. Facility Treatment	Numbers of Deaths related to Fire	Value of Property Fire Damage \$	Intentional Malicious/Intentional Activation; Vandalism	Accidental Cooking, Dust, Steam, hairspray, smoking	Other mechanical Problem, maintenance, contractors	Carbon Monoxide Alarms
Sycamore: 50 Morris Dr.	0	-	-		0	0	\$ -	0	0	0	N/A
Oak: 64 Morris Dr.	0	-	-		0	0	\$ -	0	2	9	0
Hickory: 66 Morris Dr.	0	-	-		0	0	\$ -	0	3	3	0
Spruce: 125 Clinton St.	0	-	-		0	0	\$ -	0	10	4	N/A
Sayre-Patterson Bldg	N/A				N/A	N/A	N/A	N/A	N/A	N/A	N/A

(Outside vegetation, mulch, vehicles, etc.)

Statistics and Related Information Regarding Fires in Residential Facilities for Year 2023						Fire Alarm System Activations					
Residential Facilities	Total Fires Each Building	Fire Number	Fire Severity	Cause of Fire	# of Injuries: Med. Facility Treatment	Numbers of Deaths related to Fire	Value of Property Fire Damage \$	Intentional Malicious/Intentional Activation; Vandalism	Accidental Cooking, Dust, Steam, hairspray, smoking	Other mechanical Problem, maintenance, contractors	Carbon Monoxide Alarms
Sycamore: 50 Morris Dr.	0	-	-		0	0	\$ -	0	3	3	N/A
Oak: 64 Morris Dr.	0	-	-		0	0	\$ -	0	3	1	0
Hickory: 66 Morris Dr.	0	-	-		0	0	\$ -	0	0	6	0
Spruce: 125 Clinton St.	0	-	-		0	0	\$ -	1	7	4	N/A
Sayre-Patterson Bldg	N/A	-	-		N/A	N/A	N/A	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facilities for Year 2024						Fire Alarm System Activations					
Residential Facilities	Total Fires Each Building	Fire Number	Fire Severity	Cause of Fire	# of Injuries: Med. Facility Treatment	Numbers of Deaths related to Fire	Value of Property Fire Damage \$	Intentional Malicious/Intentional Activation; Vandalism	Accidental Cooking, Dust, Steam, hairspray, smoking	Other mechanical Problem, maintenance, contractors	Carbon Monoxide Alarms
Sycamore: 50 Morris Dr.	0	-	-		0	0	\$ -	0	4	1	N/A
Oak: 64 Morris Dr.	1	1	Moderate	Careless Cooking-Kitchen	0	0	\$ 3,000.00	0	1	2	0
Hickory: 66 Morris Dr.	0	-	-		0	0	\$ -	0	1	1	0
Spruce: 125 Clinton St.	0	-	-		0	0	\$ -	0	3	6	N/A
Sayre-Patterson Bldg	N/A	-	-		N/A	N/A	N/A	N/A	N/A	N/A	N/A

#### Fire Drills

Commonwealth University conducts two fire drills per semester for residence halls.  
A minimum of two (2) fire drills per year are conducted in all other occupied buildings.

Residential Facilities	2022	2023	2024
Sycamore: 50 Morris Dr.	4	4	4
Oak: 64 Morris Dr.	4	4	4
Hickory: 66 Morris Dr.	2	2	2
Spruce: 125 Clinton St.	4	4	4
Sayre: Patterson Bldg.	4	4	4
All other Buildings	2	2	2

## University Geography

The Commonwealth University – Mansfield Campus is a 175-acre campus, that contains approximately 28 buildings. The campus is located between Sullivan Street, S. Academy and Clinton Streets, and Fourth Street along the border between the Borough of Mansfield and Richmond Township in Tioga County, Pennsylvania.

The Commonwealth University -Sayre Campus is hosted within the complex of the Guthrie Robert Packer Hospital, which is a 267-bed tertiary care teaching hospital that serves the region as a Level I Regional Trauma Center. The campus is located within the Borough of Sayre in Bradford County, Pennsylvania, and is between S. Brock Street, S. Wilbur Avenue, W. Hayden Street and W. Lockhart Street.

## About the University Police

The University Police Department is located on the 1<sup>st</sup> floor of the Doane Center, at 65 Clinton Street (the corner of Clinton Street and Morris Drive). The phone number for the University Police at Mansfield is 570-662-4900.

### General Information

The University Police Department consists of full-time sworn police officers, who have received training under the Municipal Police Officer's Education and Training (Act 120), and is accredited from the Pennsylvania Chiefs of Police Association, through its Pennsylvania Law Enforcement Accreditation Program.

The University Police Department also employs security personnel who perform dispatch duties, ticketing, traffic control and security for special events.

### Campus Law Enforcement Authority

In Pennsylvania, the State System of Higher Education, Act 188 of 1982 as amended by Act 48 of 2003, establishes and defines the powers and duties of campus police officers. This act granted campus police officers the authority to exercise the same powers that are granted to municipal police officers under the Statewide Municipal Police Jurisdiction Act, (Title 42, 8953).

In November of 2022, Act 121 of 2022 placed police at PASSHE schools, including Commonwealth University, under the directive of the Municipal Police Officers' Education and Training Commission (MPOETC) for police certification, commission and training.

All crimes, including major offenses; such as rape, murder, aggravated assault, robbery, and auto theft that are reported to have occurred within the geographic confines of the University are investigated by the University Police Department. Officers are also empowered to issue traffic citations and non-traffic citations for various violations of Pennsylvania Law. Violations of University policy and Student Code of Conduct are reported to the Office of Student Conduct for adjudication.

## Mutual Interests

The University Police Department maintains a close working relationship with the local police, surrounding law enforcement agencies, the Pennsylvania State Police, and the FBI. University Police officers and local police officers often interact and provide assistance to each other when requested. There are no current memorandums of understandings (MOUs) with local agencies.

## Security and Access

During business hours, the University (excluding residence halls, certain labs, and other secure areas) will be open to students, parents, employees, contractors, and visitors. During non-business hours, access to all University facilities is by key or card access, if issued, or by admittance via the University Police or Housing and Residence Life staff. During non-business or extended closings, those without keys or card access will only be admitted with prior written approval.

Some facilities, labs, and specified rooms have individual hours, which may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules.

Residence halls are secured 24 hours a day by card access. The card access entry points are monitored by security cameras. Card access remains in effect during extended breaks, but student cards are programmed to prohibit entry during that time.

University Police routinely conduct building checks during non-business hours and during extended breaks. University Police routinely conduct foot patrols of the residence halls and public areas on campus.

## Maintenance of Campus Facilities

Commonwealth University facilities and grounds are maintained in a manner that minimizes hazardous conditions. During regular patrols the University Police note and report malfunctioning lights and other unsafe physical conditions to Facilities Management and Safety for correction. Other members of the college community are encouraged to report maintenance concerns.

## Reporting Crimes & Other Emergencies

### Accurate and Prompt Reporting

All members of the Commonwealth University community, including guests, are encouraged to report all crimes and public safety related incidents to the University Police Department in a timely manner. All reports that the University receives or becomes aware of are investigated. Violations of the law are

referred to the appropriate law enforcement agency for investigation. When relevant, information will be referred to the Office of Student Conduct or other authority for appropriate action.

Any suspicious activity or persons seen loitering in the parking lots, around vehicles, inside buildings or around residence halls, should be reported to the University Police Department.

### **How to Report Criminal Offenses**

Dial 911 for all emergencies.

To report a crime or emergency that occurs on the Commonwealth University - Mansfield campus, call University Police at 570-662-4900. Crimes that occur off campus can be reported to 911, or non-emergency at 570-724-4666. Dispatchers are available 24 hours a day to dispatch officers to calls. If an emergency or crime occurs off-campus, students or any victim should report the event to by dialing 911, (emergency) or 570-724-4666, (non-emergency). Police / emergency services for the appropriate jurisdiction will respond accordingly.

To report a crime or emergency that occurs on the Commonwealth University - Sayre campus, call 911. Dispatchers are available 24 hours a day to dispatch officers to calls. If an emergency or crime occurs off-campus, students or any victim should report the event to by dialing 911. Police / emergency services for the appropriate jurisdiction will respond accordingly.

## **Campus Security Authority**

Crimes can be reported to any designated campus security authority (CSA). A CSA is an individual who has significant responsibility for student and campus activities. Most employees are designated as CSAs. CSAs are required to notify University Police of any reports of crime.

The following offices are also locations to report: Office of Housing and Residence Life; Office of the Dean of Students; Office of Student Conduct; Office of Title IX; Office of the Deans of the Academic Colleges.

### **University Professional and Pastoral Counselors**

The Clery Act does not require a University's professional and pastoral counselors to be considered campus security authorities. They are not required to report crimes, however are encouraged to report information for inclusion in the disclosure of crime statistics for the Annual Security Report and web-based report to the Department of Education. Pastoral Counselors have been defined as an employee of the institution who is associated with a religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Professional counselors are employees of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of a state recognized license or certification

## Timely Warnings

Commonwealth University will issue timely warnings for certain crimes on a case-by-case basis. Timely warnings are issued for crimes that could present an on-going threat to the campus community, specifically; murder, non-negligent manslaughter, rape, fondling, statutory rape, incest, robbery, aggravated assault, burglary, motor vehicle theft, arson, and hazing. The decision to issue a warning considers all of the known facts including; nature of the crime, continuing danger to the campus community, and possible risk of compromising law enforcement efforts.

Information to be included in timely warnings are date and time of the crime, nature of the crime, a general location, and information that promotes safety. The race of a suspect will not be given out if that is the only other descriptor beyond the suspect's sex, nor will the victim's identity be released. The intent of the warning is to enable campus community members to protect themselves, thus the warning will be issued as soon as possible even if all the facts are not yet known.

Timely warnings may be issued by some or all of the following notification systems: public address system, mass text messaging, University emails, and social media.

The Director of Police or the Chief of Police and the Senior Director of Strategic Communications make up the Timely Warning Committee. In a situation where one or both will not be available, they may assign designees. For redundancy, there are also pre-designated alternates. In instances when communication cannot be established with the Timely Warning Committee or alternates, the police shift sergeant or officer in charge will make the determination as to the issuance and content of the warning. The warning would then be sent by police dispatch personnel.

In circumstances that the Timely Warning Committee determines the incident at hand does not meet timely warning standards, they may decide to issue a "Safety Alert." The Clery Act does not require a safety alert; however, Commonwealth University has elected to provide this service as a commitment to keep the campus community informed and safe. Safety alerts may result in the entire campus or a portion of the campus receiving the information using one or more of the notification systems.

## Criminal Activity Off Campus

When a Commonwealth University student is involved in an off-campus offense, University Police may assist with the investigation in cooperation with local, state, and federal law enforcement agencies. The local police often work and communicate with University Police officers on serious incidents involving Commonwealth University students, living off-campus. Local police have jurisdiction in off campus areas, while offenses and investigations occurring on the campus of Commonwealth University are primarily handled by University Police. The University Police Department has the ability to communicate with local police departments.

## Limited Voluntary Confidential Reporting

The University Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the University Police Department cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the University's designated campus security authorities.

## Education, Prevention and Programming

Commonwealth University encourages students and employees to be responsible for their own security and the security of others; to assist with this responsibility, a variety of programs, training, and education is available.

### Crime Prevention

Crime prevention is a cooperative effort, between the campus community and the police. Police speak with new incoming students at the beginning of each semester and attend various tabling events throughout the year. In addition, the department attempts to target groups and activities within the University and provides seminars dealing with crime prevention and safety. In the course of routine foot and vehicle patrols, officers engage with the campus community and provide on-the-spot education regarding safety and security. Safety tips are also available on the University Police Department website.

### Hazing Prevention

Like crime prevention, hazing prevention is most effective when it is the collaborative effort of students, campus staff and administrators, and police. Per the University Hazing Policy, publicly available on the Commonwealth University website and in the Student Handbook, student organizations and their overseeing departments are responsible for hazing prevention education. To assist this education, The Student Handbook section on Hazing contains an educational anti-hazing module available to the campus community, as well as a link to hazing prevention resources.

The University Hazing Policy and Campus Hazing Transparency Report are publicly available on the Commonwealth University website, and in the Student Handbook; there is an online form to report hazing that is available to the campus community, and the public. All initial reports of hazing are reviewed by the Office of Student Conduct. The Office of Student Conduct, in collaboration with the Dean of Students, will evaluate each report and determine next steps.

If after an investigation, it is determined that a student organization and/or individual students will be charged with a Student Code of Conduct violations, the Office of Student Conduct will conduct due process as detailed in the Student Code of Conduct.

### Sexual Misconduct

On-going prevention and awareness efforts are imperative. Commonwealth University takes extensive efforts to educate the campus community regarding sexual misconduct. All new incoming students are required to attend various informative seminars where topics including but not limited to sexual assault,

rape, dating violence, domestic violence, and stalking are covered. The Office of Title IX has a standard programming menu and offers sexual assault education and programming to University employees and students upon request. The Office of Title IX also provides trainings and workshops to specific student groups such as, but not limited to: all student employees, student athletes, mentors, resident advisors, and student government. Specifically, bystander intervention workshops are offered multiple times throughout the academic year.

The Office of Title IX also posts educational and informational posters around campus and concentrated educational campaigns in the Residence Halls. The Office of Title IX also collaborates with Residence Life Staff on programming within the Residence Halls and creates bulletin boards for Resident Assistants with sexual misconduct educational themes.

The campus Woman's Resource Center also offers educational opportunities through various speakers and literature on sexual assault awareness, prevention/risk reduction, and bystander intervention, in addition to tabling and providing programming upon request.

Commonwealth University has certified RAD (Rape Aggression Defense) instructors. RAD classes are scheduled and open to the campus community or can be requested and scheduled for specific groups.

## **Fire Safety**

Fire safety education programs for new incoming students living on campus are held at the beginning of each semester. These programs are designed to familiarize students with the fire safety systems in their residence, instruct what to do if the fire alarm is activated and where to go once outside the building, and provide fire prevention tips. Students are also informed that participation in fire/evacuation drills is mandatory. New employees receive fire safety training during employee orientation.

Individuals with disabilities are asked to contact the Safety Director / Office of Workplace Safety at 570-389-4792 or 570-662-4906 to make a Personal Emergency Evacuation Plan.

Fire safety education and training programs are administered by the Office of Workplace Safety, which is well experienced in fire safety matters.

If a fire occurs, you are instructed to leave the hazardous areas immediately. Follow the posted evacuation routes, and report to the predetermined evacuation location before calling 911 for help. You are to remain at that location until an administrative official has documented that you have safely evacuated the building. Do not re-enter the building until you have been instructed by University Police that it is safe to do so.

## **Other Safety Information**

A training video, "Run, Hide, Fight (Active Shooter Training)", is available on the University Police Department website. This training details what to do in the event of an active shooter on campus. The video and related materials provide individuals with tangible tools and resources to remain as safe as possible in the event there is an active shooter incident.



## **Drugs and Alcohol**

Commonwealth University offers programs and services to prevent the illicit use of Alcohol and Other Drugs (AOD) by students and employees. The programs and services include the distribution of informational material to the student community by means of posters, on electronic billboards in common areas, and on social media. Educational AOD programs for students are offered in classrooms via curriculum infusion, through tabling, and outreach efforts to the campus community. Support services and referrals are available through the Alcohol and Other Drug Intervention and Prevention Office. Students violating the University's Alcohol and Other Drug (AOD) policy are referred to the Office of Student Conduct. Employees violating the policy are held accountable in accordance with University employee disciplinary procedures. Students, employees and visitors are also subject to prosecution, in accordance with the Pennsylvania Crime Codes.

Specific education is as follows, but is not limited to: BASICS (Brief Alcohol Screening and Intervention for College Students), CASISC (Cannabis Screening and Intervention for College Students), individual support sessions, and ScreenU Assessments.

## **Drugs and Alcohol**

### **Alcohol Law and Policy**

The possession, sale or the furnishing of alcohol on the University campus is governed by Commonwealth University Policy 4810 and Pennsylvania state law. Laws regarding the possession, sale, transportation, consumption or furnishing of alcohol is controlled by the Pennsylvania Liquor Control Enforcement. However, the enforcement of alcohol laws on-campus is the primary responsibility of the University Police Department. The campus has been designated alcohol free and only under certain circumstances is the consumption of alcohol permitted, such as in the private residences of those University officials and employees required to live on University property, and in the instance of University sponsored events for which the special permission is received within the guideline of policy 4810.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age is illegal. Violators are subject to University disciplinary action, criminal prosecution, fine, and imprisonment. It is also a violation of the Commonwealth University Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

### **Illegal Drugs and Marijuana Laws and Policies**

The Commonwealth University campus has been designated "Drug free". The unlawful possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the University Police Department. Violators are subject to University disciplinary action, criminal prosecution, fine, and imprisonment.



Medical marijuana may not be used or possessed on campus. Nothing in the Pennsylvania Medical Marijuana Act changes federal law. Federal law identifies marijuana as a prohibited Schedule I controlled substance, that is, an illegal drug. State laws legalizing marijuana for some uses do not alter the federal law. Federal law supersedes state law in this area.

### **Local, State and Federal Legal Sanctions**

The Commonwealth of Pennsylvania sets 21 as the minimum age to purchase or possess any alcoholic beverage. General information regarding violations of alcohol laws, including driving while intoxicated, are available from the University Police Department. Persons under age 21 found possessing alcohol can be fined a maximum of \$500.00 for the first offense and a maximum fine of \$1000.00 for the second and each subsequent violation.

Anyone convicted of fraudulently using a driver's license to buy or attempting to buy alcohol is guilty of a summary offense for the first violation and a misdemeanor of the third degree for any subsequent violation.

The Commonwealth of Pennsylvania prohibits the manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance. Penalties are in accordance with the Controlled Substance, Drug, Device and Cosmetic Act and can range from a misdemeanor for the possession of drug paraphernalia to a felony charge for manufacturing. Fines for offenses may vary. In general, summary offenses have a fine up to \$300.00 unless a higher fine has been pre-established by law. A third-degree misdemeanor can have a fine not to exceed \$2,500.00. A second-degree misdemeanor can have a fine not to exceed \$5,000.00. A first-degree misdemeanor can have a fine not to exceed \$10,000.00. A third-degree felony can have a fine not to exceed \$15,000.00. A first- and second-degree felony can have a fine not to exceed \$25,000.00. A murder or attempted murder conviction can have a fine not to exceed \$50,000.00.

A violation by a student of any law regarding alcohol or drugs is also a violation of the University's Student Code of Conduct and will be treated as a separate disciplinary matter by the University.

### **Policy on Weapons**

It shall be prohibited for anyone to possess or control weapons, firearms or dangerous devices on the campus of Commonwealth University. This policy includes but is not limited to the following: firearms, ammunition, explosives, billy clubs, martial arts weapons, bows and arrows, sabers, swords, daggers, switchblades, knives used primarily for hunting purposes, fireworks, pellet guns, air guns, BB guns, stun guns, paint ball guns and/or any other devices whose primary purpose is to inflict serious bodily injury.

Exceptions to this policy may be granted in appropriate circumstances by the Chief or Director of University Police. Faculty, staff, and students who bring hunting equipment or prohibited weapons to campus must register these items for storage in the University Police Department.

Failure to comply with the Weapons, Firearms and Dangerous Devices Policy will result in campus administrative or judicial actions.

## Response to Sexual Assault, Domestic Violence, Dating Violence & Stalking

Commonwealth University has a comprehensive Sexual Misconduct Policy that covers the following in detail:

- 1) Definitions of sexual misconduct including, but not limited to: dating violence, domestic violence, sexual assault, and stalking (also included in the definitions section of this report)
- 2) How to report sexual misconduct
- 3) Options including, but not limited to: law enforcement involvement, supportive measures (such as no contact documents, housing accommodations, academic accommodations)
- 4) Rights of parties involved
- 5) Definitions and explanations regarding confidentiality and privacy
- 6) University administrative due process

Commonwealth University is committed to creating and maintaining a campus environment where safety, health, and well-being are priorities for all. The University will not tolerate any form of sexual misconduct, which includes but is not limited to rape, sexual assault, domestic violence, dating violence, and stalking. Definitions of sexual misconduct and additional relevant definitions such as consent can be found in University policies, “The Sexual Misconduct Policy” (PRP 4790) and “The Harassment and Discrimination Policy” (PRP 4789). All policies and procedures relating to sexual misconduct can be found on the Commonwealth University website.

### Reporting

If you are a victim of sexual misconduct at this institution, your first priority should be to get to a safe location. You should then obtain necessary medical treatment. University Police strongly advocates that the victim reports the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the University Police Department or the police department in the appropriate jurisdiction. Filing a police report with University Police does not obligate the victim to prosecute, should the assailant be identified. Filing a police report will ensure that the victim receives the necessary medical treatment and tests at no expense to them; evidence collection may also be helpful in a related legal process such as, but not limited to, a Protection From Abuse Order (PFA). It will also allow University Police to collect evidence that may not be available later.

An individual may also make a report to a Campus Security Authority, Office of Title IX, Office of Residence Life, Office of the Dean of Students, or Office of Student Conduct. Most University Employees are mandatory reporters of sexual misconduct under the University Sexual Misconduct Policy. Reports can be made in-person, via an online form, via email, or over the phone.

After receiving a report of sexual assault or domestic violence, University Police notify the Office of Title IX. Victims may pursue an investigation through the criminal justice system and the Office of Title IX or only the latter when an incident of sexual misconduct occurs.

It is an individual’s choice about whether or not to involve law enforcement. It also an individual’s choice to be assisted by law enforcement and may decline such authority’s involvement.

## **Rights**

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, or anything covered within the Sexual Misconduct Policy, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of their rights and options.

Individuals have a right to: 1) medical attention; 2) to file a report or complaint and withdraw a complaint; 3) supportive measures; 4) contact law enforcement; 5) an equitable, efficient, process; 6) due process; 7) a process free from retaliation.

## **Investigations**

The University will pursue an independent investigation of violations of the University's Harassment and Discrimination Policy (PRP 4789), The Sexual Misconduct Policy (PRP 4790). These investigations are conducted independent of any other police investigations stemming from a sexual misconduct allegation. These investigations are conducted by Commonwealth University's Title IX Coordinator or designee, who can be reached at 570-389-4808. University Police makes notification to the Title IX Coordinator when a sexual misconduct matter is reported to the University Police Department.

## **Disciplinary Action**

Individuals involved in cases of sexual misconduct have the right to a prompt, fair, and impartial process. All parties involved in University processes have the same rights, which are outlined in the related policies. Commonwealth University will simultaneously notify, in writing, both the accuser and the accused of: the result of any disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking; procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding; any change to the result; and when the result becomes final.

Hearing processes are conducted by an official who received training on the issues related to dating violence, domestic violence, sexual assault, and stalking. All procedures take great effort to protect the safety of the victim and promote accountability.

No contact documentation can be issued to students in situations where specific behavioral expectations need to be addressed or outlined. Interim No contact Orders may be implemented initially after a report, or no contact agreements can be requested by students.

Victims have the right to seek judicial action both through the legal process as well as administratively through University proceedings. Students should refer to The Sexual Misconduct Policy (PRP 4790) and The Student Code of Conduct (PRP 4802). University faculty and staff should refer to The Sexual Misconduct Policy and The Harassment and Discrimination Policy (PRP 4789). Both policies outline filing complaints/reporting, proceedings, steps, timelines, decision-making process (student hearings utilize the preponderance of evidence standard), possible sanctions/action.

## Resources

The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both within the institution and in the community. A University Police officer or the Office of Title IX will guide the victim through the available options and provide support.

Parties involved have the right to choose to decline or utilize the available resources/rights throughout any stage in their process. The University will assist the victim seeking accommodative or protective measures regardless of whether or not the victim chooses to report the crime to campus police or local law enforcement.

## Compliance

The Office of Title IX maintains all administrative reports and process documentation in relation to sexual misconduct, and works with the University Police Department Staff to ensure compliance with the Clery Act. The Office of Title IX provides all relevant data and information to the University Police, while protecting individual's identity.

## Sex Offender Registration

In accordance to the Campus Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Education Rights and Privacy Act of 1974, (FERPA) Commonwealth University's Police Department will monitor a list of sexually violent predators that is provided by the Pennsylvania State Police. The Act also requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the PA State Police concerning registered sex offenders may be obtained. It also requires sex offenders already registered in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation, or is a student.

Pennsylvania's Megan's law, (42 Pa.C.S. 9799.1) requires the Pennsylvania State Police to create and maintain a registry of persons who have either been convicted of, or entered a plea of guilty to or adjudicated delinquent of certain sex offenses listed in 42 Pa. C.S.9795.1 and 9795.2. Additionally, the Pennsylvania State Police are required to make certain information on registered sex offenders available to the public through their Pennsylvania Megan's Law website, (<http://www.pameganslaw.state.pa.us>). For more information about Megan's Law in general, you can go to [www.psp.state.pa.us](http://www.psp.state.pa.us) and click on the link for the sexually violent predator list.

## Emergency Notifications, Response & Evacuation

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, Commonwealth University will upon confirmation, issue Emergency Notifications to the campus community. Emergency notifications are provided when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or others is occurring or is about to occur on the

Commonwealth University campus. Emergency Notifications will contain information pertaining to the threat or emergency such as location, timing and safety, and evacuation procedures. Safety and evacuation procedures examples include shelter in place, avoid an area, and vacate building(s) or campus. Notifications may include available information as to safer locations and shelters. Updates provided as necessary.

The issuing of emergency notifications must be decided on a case-by-case basis in light of all the known facts, including confirmation and circumstances surrounding the situation. The following administrators, their designees or alternates will be members of the Emergency Notification Committee and will be responsible for determining the appropriateness of issuing Emergency Notifications:

Director of Police/Chief of Police  
Sergeant/OIC Alternate 1  
Senior Director of Strategic Communications

Commonwealth University's Emergency Notification Committee will without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of the Emergency Notification Committee, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Upon confirmation by a University official, through firsthand knowledge of police personnel on scene, news outlets, weather websites, public health sources, and/or law enforcement data and intelligence emergency notification information is shared with the Emergency Notifications Committee by the Chief of Police or designee, who would normally receive it from the Sergeant or Officer in Charge of the shift. A determination is then made by the committee, who would usually communicate via phone, as to if an emergency notification will be issued and the information it will contain. The notification is written by the representative from Strategic Communications and if time permits, reviewed by the police representative. The Office of Strategic Communications is responsible for disseminating the notification.

In extreme instances when it would not be practical to use the Emergency Notification Committee or communication could not be established, the police shift sergeant or officer in charge will make the determination as to the issuance and content of the notification. The notification would then be sent by police dispatch personnel.

Depending on the nature of the emergency, students and employees may be directed to a safe location, told to shelter in place, evacuate the campus, and/or be provided with other pertinent safety information. Additionally, campus buildings may be secured and utilities adjusted accordingly. If there is a need to disseminate such emergency information to individuals and/or organizations outside of the campus community, it will be handled by the Office of Strategic Communications.

Commonwealth University's process for communicating emergency information to the campus community includes, but is not limited to, The Alert System, a siren/outside public address, the safety website, and social media. There is also a clearly identifiable link to notifications on the University Police website. As determined by the Emergency Notification Committee, Emergency Notifications may be issued using some or all of the above notification systems.

Commonwealth University is not responsible for charges applied by cell phone providers. Students are automatically enrolled in this service and will be sent messages based on the information provided in their student account. Participation in this service is voluntary for employees. Employees are not required to sign up for any type of notifications, but those who do may choose to be notified by voice, text, and/or e-mail. While participation is voluntary, employees are strongly encouraged to sign up for these notifications. To find out more, please visit the University Police Department website.

Every year a regularly scheduled test designed for evaluation of emergency response plans is conducted that includes drills, exercises, and follow-through activities. Additionally, at a minimum, unannounced evacuation drills are conducted each spring and fall semester for all occupied campus buildings. Students learn the locations of emergency exits in buildings and are provided guidance about direction they should travel and gather when exiting each building for short term evacuations.

Long term evacuation locations are not publicized as they are subject to a number of factors including; time of day, location of building being evacuated, nature of the emergency, and availability of designated evacuation areas.

Records of tests and drills include a description of the test, the date and times it started and ended, and if it was announced or unannounced. All test records will be kept for seven years.

Evacuation and shelter in place information is provided to students and employees each year via email. In circumstances that the Emergency Notification Committee determines the incident at hand does not meet Emergency Notifications standards, they may decide to issue a Safety Alert. Commonwealth University has elected to provide this service as a commitment to keep the campus community informed and safe. Safety Alerts may result in the entire campus or a portion of the campus receiving the information using one or more of the notification systems.

## Reporting Fires

Commonwealth University is required to annually disclose statistical data on all fires that occur in on-campus student residential facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on campus student housing facilities. These are fires for which you are unsure whether they have been reported to the University Police Department. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

University Police – 570-662-4900

Safety Director – 570-389-4792 or 570-662-4906

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

## Portable Electrical Appliances, Smoking, and Open Flames in a Student Housing Facility

The Office of Housing and Residence Life Staff perform residence hall health and safety inspections twice a year; once each during the fall and spring semesters. These inspections will be announced. The Office of Workplace Safety conducts health and safety inspections twice a year. These inspections are not announced, and a random number of units are selected for the inspections.

During residence hall room inspections, each room will be examined for the presence of prohibited items (e.g., sources of open flames such as candles, non-surge protected extension cords, halogen lamps, portable cooking appliances in non-kitchen areas, etc.) or prohibited activity (e.g., smoking in the room, tampering with life safety equipment, possession of pets, etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled, confiscated, and donated/discarded if found, without reimbursement.

## Procedures for Student Housing Evacuation During a Fire

When there is a fire emergency in the building, exit the building immediately and if you pass a pull station on your way out, activate the pull station by pulling down on the handle. The University expects all campus community members to evacuate the building during a fire emergency. Once safely outside call 911 or the University Police Department, to report the fire and check in with the Housing and Residence Life staff, so they can document that you have evacuated safely. Housing and residence life staff will provide you with additional instructions as the situation warrants. All residents are required to participate in fire/evacuation drills. Evacuation of the building by all residents is required immediately after the fire alarm is activated. Failure to evacuate could result in fines and disciplinary action through the Student Code of Conduct.

## Daily Crime and Fire Logs

The University Police Department maintains a daily crime log of all criminal incidents and alleged criminal incidents that are reported to the department.

The University also maintains a fire log, which contains date, time, location, nature, and damage amounts for fires that occur in on campus, residential housing facilities.

The daily crime and fire logs are available to any person requesting it. The most recent 60 days of incident information is available for viewing during normal business hours, upon request. Requests for incidents beyond 60 days will be provided within two business days.

The daily crime log records all criminal incidents and alleged criminal incidents that have been reported on campus or on public property immediately adjacent to and accessible from campus, and crimes that occurred within the patrol jurisdiction of the University Police. The daily crime log contains all crimes reported to the Department regardless of the classification of the crime. Officers complete an incident report on crimes that are reported. The report includes information on the nature, date, time, general location, and disposition of each crime. New information about a log entry is also recorded in the log no later than two business days after the information has become available to the department. Examples of this would be if criminal charges are not immediately filed, but are filed at a later date, pursuant to the outcome of an investigation. Daily crime logs do not include identifiable information of victims.

Accurate crime reporting will assist to maximize information available, so prospective / current students and prospective / current employees can make informative decisions about their safety and security needs.



The Commonwealth University Police Department reserves the right to exclude reports from the crime log in certain cases where there is clear and convincing evidence that the release of such information would: jeopardize an ongoing criminal investigation, the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, until that damage is no longer likely to occur from the release of such information.

## Missing Persons

Commonwealth University Police Department policy mandates that all reports of missing persons must be given full consideration and attention by members of the University Police Department, to include careful recording and investigation of factual circumstances surrounding the disappearance in accordance with this Policy.

The purpose of this policy is to establish responsibilities and guidelines for the investigation of missing persons and to assist in the safe and timely return of missing children. This order provides members with procedures on law enforcement mandates in regards to missing children defined as persons under 18 years of age, and missing persons under 21 years of age. It shall be the policy of the University Police Department to comply with this directive. In addition, all personnel shall comply with Section 2908 of Title 18, Missing Children, the statewide Amber Alert Plan, 42 U.S.C.5779(a), the National Child Search Assistance Act of 1990 and the PROTECT Act of 2003.

The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children and the prompt entry of descriptive information in the FBI's National Crime Information Center Missing Person File. The PROTECT Act of 2003 amended the Nation Child Search Assistance Act to extend the same NCIC reporting responsibility and other benefits to young adults, 18, 19, and 20 years of age.

If a member of the Commonwealth University community has reason to believe that a student who resides in on campus housing is missing, he or she is required to immediately report this to the University Police Department. University Police will complete a missing person report and begin an investigation. In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by University Police, in the event the student is determined to be missing. If a student has identified such contact, University Police will notify that individual when the student is determined to be missing. Students who are under 18 and not emancipated will have their parents and their contact notified upon being determined to be missing. Missing person contact information may be accessed only by authorized campus officials. Those officials may disclose the contact information only to law enforcement and only for the purpose of a missing student investigation.

## University Antihazing Program and Report

Student organizations and their overseeing departments are responsible for ensuring that their organization members are trained in hazing prevention. The University supports these efforts with a publicly available hazing education presentation and hazing prevention and education resources in the Student Handbook.



The University will maintain records of hazing allegations, violations, and adjudication within the Office of Student Conduct for a minimum of seven years.

Any student who participates in hazing is subject to the Student Code of Conduct and may be suspended or expelled from the University. Hazing is a criminal offense. Any student who participates in hazing may be arrested and prosecuted. Convictions may result in applicable penalty under the Pennsylvania Crimes Code.

The University maintains and posts the Campus Hazing Transparency Report, found at:

<https://www.commonwealthu.edu/student-handbook/hazing>

Dean of Students - 570-389-4734

[DeanofStudents@commonwealthu.edu](mailto:DeanofStudents@commonwealthu.edu)

## Definitions

**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.

**Arrest** - Persons processed by arrests, citation or summons.

**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.

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

**Category of Fire** - For HEA purposes, there are three categories of fire:

Unintentional Fire: A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.

Intentional Fire: A fire that is ignited, or that results from a deliberate action, in circumstances where the person knows there should not be a fire.

Undetermined Fire: A fire in which the cause cannot be determined.

**Cause of Fire** - The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

**Consent** - In relation to sexual activity, the Title IX office of Commonwealth University defines consent as words or actions that demonstrate an affirmative, knowing and voluntary agreement to engage in a mutually agreed upon sexual act. Consent must be informed and freely given. Consent is invalidated when it is forced, coerced, or when a person is physically and/or mentally incapable of giving consent. For example, a person who is substantially impaired by drugs or alcohol may not be able to consent. Some signs of substantial impairment may include, but are not limited to, loss of balance/inability to walk without stumbling, slurred speech, inability to focus their vision, vomiting, erratic or extreme behavior, knowledge of person's significant use of drugs or alcohol, or passing out. Consent is an active, on-going process. It can be withdrawn at any time, and consent for one sexual act does not imply consent for another subsequent sexual act. Consent, a lack of consent or a

withdrawal of consent can be expressed by words or actions or both. For example, verbal silence or the absence of physical resistance does not automatically mean someone has consented to a sexual act; nor is physical resistance required for a person to verbally communicate a lack of consent or to withdraw consent. In relation to this, there is no Pennsylvania state definition.

**Dating violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (i) 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. (ii) For the purposes of this definition: (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence. (iii) Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. There is no Pennsylvania state definition for dating violence.

**Destruction/Damage/Vandalism of Property** - 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.

**Domestic violence** - (i) A felony or misdemeanor crime of violence committed: (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. (ii) Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. There is no Pennsylvania state definition for domestic violence.

**Drug abuse violations** - The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those 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 – manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

**Fire** - Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire-related death** - Any instance in which a person: (1) Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

**Fire-related injury** - Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

**Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Hate Crime** - a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

- i. **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, Whites.
- ii. **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, e.g., Catholics, Jews, Protestants, Atheists.
- iii. **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/ or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- iv. **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- v. **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- vi. **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- vii. **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain

customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

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

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias: Murder and Nonnegligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, Destruction/ Damage/Vandalism of Property. In addition to those offenses, Larceny-Theft, Simple Assault, Intimidation, and Destruction/ Damage/Vandalism of Property are included only if they are Hate Crimes.

**Hazing** – Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with another person(s)) against another person or persons regardless of the willingness of such other person or persons to participate, that –

- i. Is committed in the course of an initiation into an affiliation with, or the maintenance of membership in a student organization; and
- ii. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including –
- iii. Whipping, beating, striking, electronic shocking, placing of harmful substance on someone's body, or similar activity;
- iv. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other substances;
- v. Causing, coercing, or otherwise inducing another person to perform sexual acts;
- vi. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- vii. Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law, and;
- viii. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law;
- ix. Results in destruction or removal of property (theft).
- x. **Student Organizations (per hazing policy)** – an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

**Incest** - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

**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.

**Larceny-Theft** - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

**Liquor law violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

**Manslaughter by Negligence** – the killing of another person through gross negligence.

**Motor vehicle theft** - The theft or attempted theft of a motor vehicle.

**Murder and non-negligent manslaughter** - The willful (non-negligent) killing of one human being by another.

**Non-campus building or property** - (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**On-campus building** - (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**On-Campus Student Housing Facility** - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**Property damage** - The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

**Public property** - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Rape** - The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Referred for disciplinary action** – The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Robbery** - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Sexual Assault** - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Definitions for rape, fondling, incest, and statutory rape are listed in the definition section.

PENNSYLVANIA STATE DEFINITION OF SEXUAL ASSAULT FROM PA TITLE 18 (Crimes and Offenses), SECTION 3124.1: Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent. Please see the Commonwealth University Sexual Misconduct Policy for the institutional definition.

**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.

**Stalking** - (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. (ii) For the purposes of this definition: (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (iii) Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

PENNSYLVANIA STATE DEFINITION FROM PA TITLE 18 (Crimes and Offenses) SECTION 2709.1: A person commits the crime of stalking when the person either: (1) engages in a course of conduct or

repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

**Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.

**Unfounded Crime** – 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 after a full investigation by sworn or commissioned law enforcement personnel.

**Violence Against Women Act** – On March 07, 2013 the Violence Against Women Act, (VAWA) was signed into law. This has prompted changes to the Clery Act. It has added Domestic Violence, Dating Violence, and Stalking to the required crimes statistics to be counted in the Annual Security Report.

**Weapons: carrying, possessing, etc.** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc, of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.