

College of the Ouachitas

# Annual Campus Security Report

“Jeanne Clery Act”

2017



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## **To The Campus Community**

The college has been fortunate in not experiencing excessive criminal activity on campus. However, students, faculty and staff should exercise reasonable care to avoid becoming a victim of crime. There is always the possibility of a criminal act against a member of the college community despite the best efforts of the administrative and safety staff. It is the responsibility of everyone on campus to be aware of your surroundings and report all suspicious behavior to the information desk or directly to a staff member. The safest environment can only be achieved through the cooperative efforts of students, faculty and staff working together.

This report covers the safety and security policies, procedures and services on the college campus. It also contains campus crime statistics for calendar year 2013. The report also includes the Campus Sex Crimes Prevention Act Notification.

If you have any questions, recommendations or concerns about this report or the safety of the campus in general, please call the Vice President of Administration and Operations and Chief Security Officer at 501.332.0252.

## **Introduction**

The Chief Security Officer, in conjunction with local law enforcement and other college departments, prepares and distributes this annual Campus Safety Report. This report is published and released by

October 1st of each year. The college's final crime statistics are compiled using crime definitions found in the FBI Uniform Crime Reporting Handbook. These statistics for the three most recent calendar years include crimes that occurred on campus and on public property (all public property, including thoroughfares, streets, sidewalks and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus) that are reported to a campus security authority, as defined in the Act, or to local police agencies.

This report is available in hard copy upon request during normal business hours at the office of Student Affairs or on the web at [http://www.coto.edu/pages/campus\\_safety\\_and\\_security](http://www.coto.edu/pages/campus_safety_and_security).

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

The "Clery Act" is named in memory of 19 year old university freshman Jeanne Ann Clery who was raped and murdered while asleep in her residence hall room on April 5, 1986.

Jeanne's parents, Connie and Howard, discovered that students had not been told about 38 violent crimes on their daughter's campus in the three years before her murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990."

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery.

Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response, respectively. The 2008 amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation.

### **Campus Safety and Security Department**

The Vice President of Administration and Operations has been designated Chief Security Officer by the President. This position oversees the safety and security programs of the college. The campus safety and security department operates from the information desk in the main building on campus with an administrative office located with the Physical Plant department. The department is staffed by one full time employee and several part time employees. The primary mission of the department is to ensure a safe and healthy environment, and compliments the educational mission of the college.

The campus safety and security department has the authority to ask persons for identification and determine whether individuals have lawful business at the college. Safety and security officers have the authority to issue parking warning citations. Repeated parking violations could result in local authorities issuing citations that include municipal fines. Safety and security officers do not possess arrest power. Criminal incidents are referred to the local police who have jurisdiction on the campus. The safety and security department maintains a professional working relationship with the Malvern Police Department and the Hot Spring County Sheriff's Department.

The Malvern Police Department (MPD) maintains an office on campus, located to the right of the Information Desk. One officer is permanently assigned to our campus, and officers from the MPD use this space as a sub-station for the patrol officers whose area covers the north part of Malvern which the campus is a part of. All crime victims and witnesses are strongly encouraged to immediately report the crime to campus authorities and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### **Reporting Crime and Other Emergencies on Campus**

Students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the campus safety and security department in a timely manner. To report a crime or non-emergency incident on the campus, call the information desk at extension 1100 or direct at 501.337.5000. Alternative methods of reporting include contacting the campus safety and security department at extension 1117 (501.332.0217), the Chief Security Officer at extension 1152 (501.332.0252), or any member of administration. See additional numbers of importance at the end of this report for a complete list. Those who wish may make a report anonymously.

In any emergency, dial 9-911 to contact 911 emergency services directly. It is necessary to dial 9 before dialing 911 on campus to reach an outside line. After completing the 911 call, immediately contact the safety and security department at the information desk to report that 911 services have been called.

### **Emergency Notifications**

The College has identified numerous types of emergencies that are most likely to threaten or disrupt the normal operations of the College. These emergencies are identified in the Emergency Response Plan which is reviewed and updated annually by the Emergency Response Team. Specific procedures are addressed for each type of emergency identified in the plan.

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Emergency incidents are classified according to their severity and potential impact.

#### Level One Incident

A minor, localized department or building incident that is quickly resolved with internal resources or limited outside help. This incident has little or no impact on personnel or operations outside the locally affected area. Level One Incidents do not require activation of the Emergency Response Team.

#### Level Two Incident

A mid-level emergency that disrupts sizable portions of the campus. This incident may require assistance from external organizations. These events may escalate quickly, and may have serious consequences for mission-critical functions and/or safety. The Incident Commander determines whether it is necessary to activate all or part of the Emergency Response team. This is determined in part by the scope of the incident and the extent of coordination needed to respond to the incident.

#### Level Three Incident

A major incident that adversely affects the entire campus, and may also affect the surrounding community. During a Level Three Incident, normal college operations could be suspended. The effect of the emergency is complex and a timely resolution of disaster conditions requires broad cooperation and extensive coordination. The Emergency Response Team is activated by the Incident Commander or designee.

#### Timely Warning

In the event that a situation arises, either on or off campus, that, in the judgment of the President or his designee, constitutes an ongoing or continuing threat, a campus wide alert will be issued via our emergency notification system to reduce the chances of a member of our campus or community becoming a victim. The warning will be issued to all students, faculty, staff, and posted to the college web site. Depending on the methods selected by the user when registering their device, these alerts could be in the form of emails, text messages and telephone calls. Information and instructions to sign up for emergency notifications can be found here [http://www.coto.edu/pages/campus\\_alert\\_system](http://www.coto.edu/pages/campus_alert_system)

The college will, without delay, and taking into account the safety of the college community, determine the content of the notification and initiate the notifications system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist the victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the particular circumstances of the event, the Executive Director of College Advancement may notify local radio, print media and television providing information regarding the event at the college. The college is currently developing a detailed emergency response plan that will provide a tiered response to emergencies and how notifications will be transmitted for each level.

Anyone with information that warrants a timely warning should report the circumstances to any member of administration or contact the Vice President of Administration and Operations at 501.332.0252.

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## **Preparation of Disclosure of Crime Statistics**

Campus safety and security are overseen by the Vice President of Administration and Operations and Chief Security Officer. The preparation of this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act is the responsibility of the Vice President of Administration and Operations. This report is prepared in cooperation with Student Affairs, Campus Safety & Security and local law enforcement agencies.

Campus crime, arrest and referral statistics include those reported to the college administration and other designated campus officials. These statistics may include crimes that have occurred in the adjacent neighborhoods and is not required by law. The full text of this report is available on the college web site at [http://www.coto.edu/pages/campus\\_safety\\_and\\_security](http://www.coto.edu/pages/campus_safety_and_security). An email notification is sent to each enrolled student as to the location of this report. Faculty and staff receive a similar notification.

## **Access Policy/Campus Grounds and Buildings**

The college is a public institution with business hours that are typically 7:30 am to 9:00 pm, Monday through Friday except some holiday periods. The Safety and Security department in conjunction with the Physical Plant, Student Affairs, and the Information Technology Department, work together to provide the safest environment possible.

Most campus buildings and facilities are accessible to the campus community and visitors during normal business hours. Buildings may close earlier when classes are not in session, between semesters and on weekends. Only those persons having legitimate business with members of the campus community and their invited guests are permitted in buildings or on the premises. The college reserves the right to exclude all persons not conforming to acceptable behavior from the premises. Those who disregard this warning are to be considered in violation of criminal trespass under Arkansas Code and are liable for prosecution.

## **Campus Sex Crimes Prevention Act**

The "Campus Sex Crimes Prevention Act" requires higher educational institutions 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 required to register in a state to provide notice, as required under state law, of each institution of higher education in the State at which the person is employed, carries on a vocation, volunteer's services, or is a student.

Upon receiving notification from a registered sex offender or from a law enforcement agency having jurisdiction of the presence of a sexual offender on the campus, the college is required to take necessary and appropriate steps under applicable state laws to inform members of the campus community. Before notification of any sex offender, the Vice President of Administration and Operations will contact the appropriate law enforcement agency, the Hot Spring County Sheriff's Department (HSCSD) in most cases,

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and obtain information to guide the notification process. Notification will be directed by the Vice President of Administration and Operations or designee and based on risk assessment information provided by the State.

Individuals wishing to learn additional information about registered sex offenders may go to the Arkansas Crime Information Center Sex Offenders' Registry web site at [www.acic.org](http://www.acic.org). The College's current policy on registered sex offenders can be viewed on our web site at: [http://www.coto.edu/sites/default/files/documents/copp/copp\\_5/553\\_notice\\_about\\_registered\\_sex\\_offenders.pdf](http://www.coto.edu/sites/default/files/documents/copp/copp_5/553_notice_about_registered_sex_offenders.pdf)

### **Sexual Assault**

Educational programs are available to members of the college community on the topic of sexual assault and sexual harassment. Programs can be arranged through the Title IX Coordinator. Sexual assault is a term that is defined as any involuntary sexual act in which a person is threatened, coerced or forced to engage against his/her will to include, but not limited to rape, acquaintance rape, date rape, and gang rape.

The college is committed to providing an environment free from sexual assault. The college administration strongly encourages all members of the campus community to report incidents of sexual assault.

If you are a victim of sexual assault, report the incident as soon as possible and seek medical attention. The quickest way is to notify the proper law enforcement agency having jurisdiction at that location. If requested, college officials can assist in notifying local law enforcement agencies. The victim may, however, report the incident directly to a non-law enforcement entity such as the Title IX Coordinator, campus safety and security, or any member of administration. They can also go directly to a local hospital and have the agencies contacted that they want involved. Even if the victim reports the incident to a non-law enforcement entity, they can still report the incident, at a later time, to the personnel listed above or another law enforcement agency that has jurisdiction, if the incident occurred off-campus.

The victim and any person assisting the victim are advised to not destroy evidence and preserve the scene as this will help obtain evidence so it may be used in court. Do not take a shower, bath or wash clothing until advised by law enforcement.

If a victim of a sexual assault so desires and all parties involved are members of the campus community, the incident can be referred to the Title IX Coordinator to be dealt with via College Operating Policies and Procedures. These proceedings are totally separate from any criminal action that may be taken. Sanctions imposed by the college range from verbal reprimand to expulsion from the college. Both the victim and the offender will be advised of the decision(s). If requested, the Registrar will make every effort to change class schedules if the victim feels it is necessary.

### **Sexual Harassment**

Sexual harassment of employees is illegal under Section 703 of Title VII of the Civil Rights Act of 1964. Title VII provides that it is an unlawful employment practice for an employer "... to discriminate against any individual with respect to his compensation, terms, conditions, or privilege of employment, because

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of such individual's ... sex." \*42 U.S.C. 2000c-2(a)]. Sexual harassment of students is illegal under Title IX of the Education Amendments of 1972. Sexual harassment is defined as unwelcome sexual advances which interfere with an individual's work or academic environment or as coercive behavior which threatens employment or academic reprisal or promises rewards contingent upon obtaining sexual favors, or as spreading false stories about a person's conduct, or falsely accusing someone of sexual harassment. Such conduct becomes illegal and contrary to Board of Trustee policy when:

1. The harassed individual's submission is an explicit or implicit condition of employment; or implicit or explicit condition of grades, honors, admissions, or any award associated with a student's enrollment at the college.
2. The harassed individual's response becomes a basis for employment decisions or educational progress.
3. The harassing behavior interferes with the individual's performance in such a way that an intimidating, hostile, or offensive work or learning environment is created.

### **Substance and Drug Abuse Prevention Policy**

The College has developed the Drug and Alcohol Free Workplace policy to comply with Public Law 101-226, entitled Drug Free School and Communities Act Amendment of 1989, and Arkansas Act 1552 of 1999, as outlined in the Arkansas Code Annotated (A.C.A. Ch. 11 Sec.14).

Pursuant to these laws, the College is committed to maintaining a drug and alcohol free workplace for employees and students. This is an essential part of ensuring the safety of employees and students while at work and school, and eliminating poor job and intellectual performance, inefficient operations, college rule violations, or any unethical behavior. The College has implemented the following substance and drug abuse prevention steps.

- An information center has been established outside the Student Affairs area and the Library.
- Every year, the office of Student Affairs sponsors alcohol and drug abuse awareness activities on campus.

### **Arkansas Alcohol Related Laws**

#### Unknowingly Furnishing or Selling Alcohol to Minor

3-3-201(a): The sale, giving away, or other disposition of intoxicating liquor to a minor is declared to be a misdemeanor.

#### Penalties

- 1st offense: Fine - \$200 to \$500
- 2nd or subsequent offense: Jail Time - No less than 1 year; Fine - \$500 to \$1000

#### Knowingly Furnishing or Selling Alcohol to Minor

3-3-202(a)(1) It shall be unlawful for any person knowingly ... furnish any alcoholic beverage to any person under 21 years of age.

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## Penalties

- 1st offense: Misdemeanor; Jail Time - No more than 10 days; Fine - No more than \$500
- 2nd or subsequent offense: Felony; Jail Time - 1 to 5 years; Fine - No more than \$500

## Minor in Possession of Alcohol

3-3-203(a)(1) It shall be unlawful for any person under the age of 21 years to purchase or have in possession any intoxicating liquor, wine, or beer. (b) It shall also be unlawful for any adult to purchase on behalf of a person under the age of 21 years any intoxicating liquor, wine, or beer.

## Penalties

- 1st offense: Misdemeanor; Fine - \$100 to \$500; Theme or essay on liquors, wine, or beer;

## Probation

- 2nd or subsequent offense: Same as 1st offense

## Manufacturing or Altering Personal Identification Document

5-27-502(a) It shall be unlawful for a person to: (1) manufacture or produce fraudulent personal identification documents for the purpose of purchasing alcoholic beverages...; or (3) sell or otherwise distribute such fraudulent personal identification documents to a person under 21.

## Penalties

- 1st offense: Class C Felony; Jail Time - 3 to 10 years; Fine - No more than \$10,000
- 2nd or subsequent offense: Class B Felony; Jail Time - 5 to 20 years; Fine - No more than \$15,000

## Possession of Fraudulent or Altered Personal Identification Document

5-27-503(a) It shall be unlawful for: (1) a person to possess a fraudulent or altered personal identification document for the purpose of providing a person under 21 identification which can be used for the purpose of purchasing alcoholic beverages...; (2) a person under 21 to possess a fraudulent or altered personal identification document which can be used for the purpose of purchasing alcoholic beverages...; or (3) a person under 21 to attempt to use a fraudulent or altered personal identification document for the purpose of purchasing alcoholic beverages illegally...

## Penalties

- 1st offense: Class B Misdemeanor; License Suspended - Offenders under 18, 1 year or until 18th birthday; Jail Time - No more than 90 days; Fine - No more than \$500
- 2nd or subsequent offense: Class A Misdemeanor; License Suspended - Offenders under 18, 1 year or until 18th birthday; Jail Time - No more than 1 year; Fine - No more than \$1,000

## Public Intoxication and Drinking in Public

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5-71-212(a) A person commits the offense of public intoxication if he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that he is likely to endanger himself or other persons or property, or that he unreasonably annoys persons in his vicinity. (c) A person commits the offense of drinking in public if that person consumes any alcoholic beverages in any public place, on any highway or street, or upon any passenger coach...or in or upon any vehicle commonly used for the transportation of passengers, or...other public place other than a place of business licensed to sell alcoholic beverages for consumption on the premises.

#### Penalties

- 1st offense: Class C Misdemeanor: Jail Time - No more than 30 days; Fine - No more than \$100
- 2nd or subsequent offense: Same as 1st offense

#### Unlawful Use of License

27-16-302 It is a misdemeanor for any person: (1) To display, ...or permit to be displayed, or have in his possession any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license;

(2) To knowingly assist or permit any other person to apply for or obtain through fraudulent application or other illegal means any Arkansas driver's license; (3) To lend his driver's license to any other person or knowingly permit its use by another; (4) To display or represent as one's own any driver's license not issued to him...(6) To use a false or fictitious name in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact or otherwise commit a fraud in any application; (7) To permit any unlawful use of a driver's license issued to him; or (8) To do any act forbidden or fail to perform any act required by this act.

#### Penalties

- 1st offense: Misdemeanor; Jail Time - Determined by court; Fine - No more than \$500
- 2nd or subsequent offense: Same as 1st offense

#### Driving While Intoxicated

5-65-103(a) It is unlawful...for any person who is intoxicated to operate or be in actual physical control of a motor vehicle. (b) It is unlawful for any person to operate or be in actual physical control of a motor vehicle if there was 0.08% or more by weight of alcohol in the person's blood as determined by a chemical test...

Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

- License seized upon arrest
  - License suspended - 120 days (alcohol), 6 months (drugs)
  - Jail Time - 24 hours to 1 year, or public service
  - Fine - \$150 to \$1000
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- Alcohol Treatment or Education Program
- Use of ignition interlock device
- (No plea bargaining nor probation)

#### Driving Under the Influence

5-65-303(a) It is unlawful for any underage person to operate a motor vehicle while under the influence of an alcoholic beverage or similar intoxicant. (b) It is unlawful for any underage person to operate a motor vehicle if there was 0.02% but less than 0.08% by weight of alcohol in the person's blood as determined by a chemical test.

#### Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

- License seized upon arrest
- License suspended - 90 to 120 days
- Fine - \$100 to \$500
- Public Service
- Alcohol and Driving Education Program
- No plea bargaining nor probation

#### Violation of Implied Consent Law

5-65-202(a) and 5-65-309(a) Any person who operates a motor vehicle ... shall be deemed to have given consent ... to a chemical test .. of his or her blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of his or her blood ...

#### Penalties for 1st Offense (These penalties are for DWI or DUI if also charged with VIOL)

- License seized upon arrest
- License suspended - 180 days for DWI, 90 to 180 days for DUI

#### Firearms

The possession of firearms on campus is prohibited, except as allowed by the exceptions outlined in the Arkansas Code Annotated (A.C.A 5-73-119, 5-73-301, 5-73-306).

In addition, the College of the Ouachitas Board of Trustees has elected to prohibit the carrying of concealed weapons, including by those who possess concealed carry permits.

#### **Applicable Arkansas Laws**

5-73-119: Handguns

5-73-301: Concealed Handguns /5-73-306

5-27-205: Contributing to the Delinquency of a Minor

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## Crime Statistics

Pursuant to federal legislation, the College must annually distribute statistics on certain crimes which are identified in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The following tables detail the crime statistics for the campus for the years 2012, 2013 and 2014.

	2014		2015		2016	
	OC	PP	OC	PP	OC	PP
<b>Arrests for each of the following crimes</b>						
Weapons Violations	1	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Referred for disciplinary action</b>						
Weapons Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Criminal offenses</b>						
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	1	0	0	0	0	0
Sex offenses - Non-forcible	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
*Dating Violence			0	0	0	0
*Domestic Violence			0	0	0	0
*Stalking			0	0	0	0

\* New crime categories as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA).

OC=On-Campus      PP=Public Property

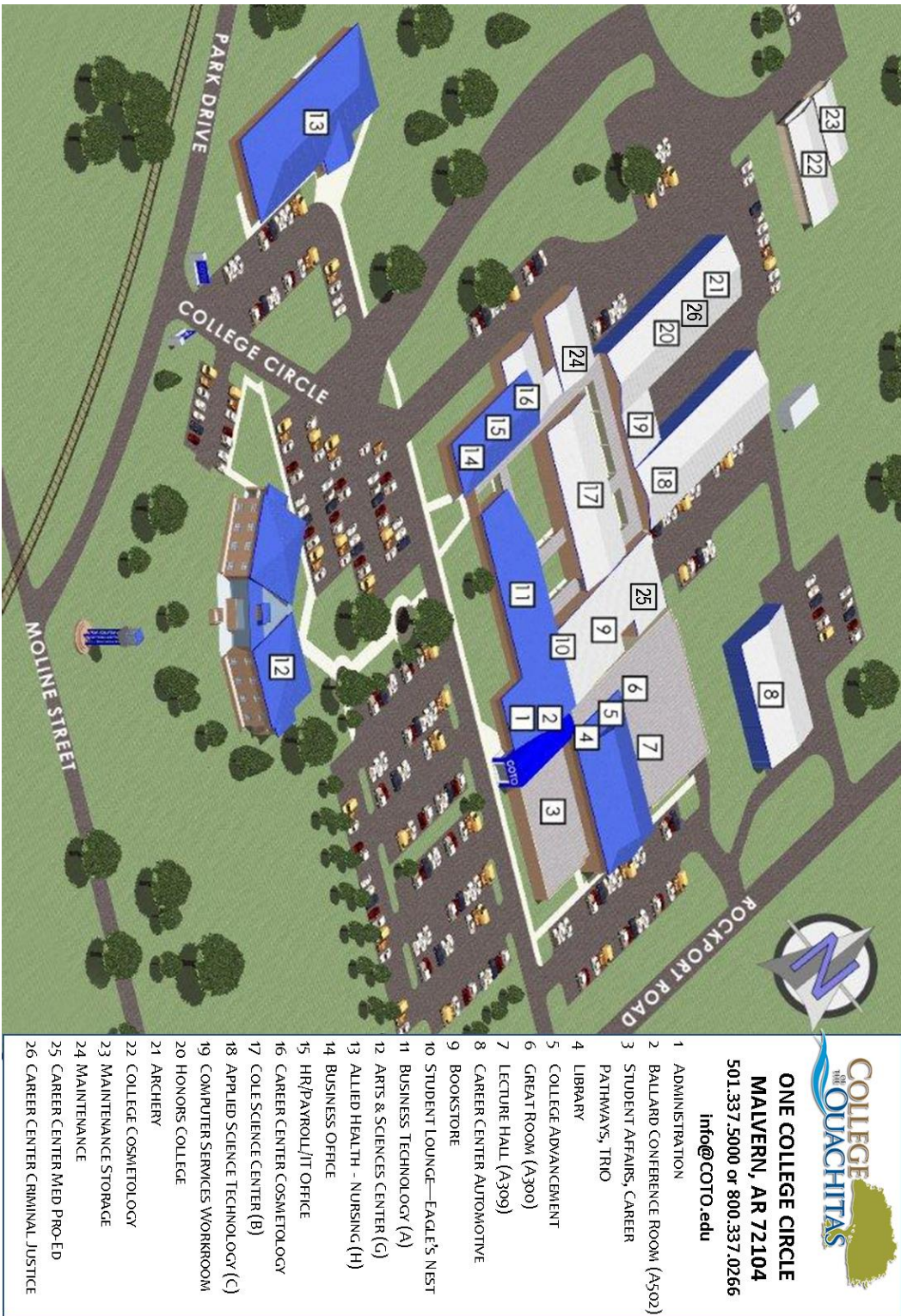
*Public Property* is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from campus. If there is a barrier between the campus and the public property, such as a highway that is fenced off, the public property need not be included.



## Additional Contact Information

Emergency Numbers	Direct Number	Campus Extension
Medical, fire, police emergencies	911 (9-911 if using a college phone)	
HSC Medical Center	501-337-4911	
Malvern Police Administration	501-332-3636	
HSC Sheriff	501-332-3671	
Malvern Fire Department	501-332-7611	
Campus Safety & Security		
Campus Information Desk	501-337-5000	1100
Campus School Resource Officer	501-332-0212	1112
Safety & Security Administrative Office	501-332-0217	1117
Chief Security Officer	501-332-0252	1152
Other Campus Numbers		
Physical Plant (maintenance)	501-332-0257	1157
VP Student Affairs	501-332-0218	1118
Title IX Coordinator	501-332-0221	1121
Evening Maintenance	501-467-0016	
Other Numbers		
CenterPoint Energy	800-992-7552	After hours 800-844-7440
Child Abuse Hotline	800-482-5964	
Community Counseling	501-332-5236	
TFS Counseling	501-332-4400	
Dept. of Human Services	501-332-2718	
Entergy	800-968-8243 (Outages)	
Poison Hotline	800-376-4766	

## Campus Map



**ONE COLLEGE CIRCLE  
MALVERN, AR 72104  
501.337.5000 or 800.337.0266**

**Info@COTO.edu**

- 1 ADMINISTRATION
- 2 BALLARD CONFERENCE ROOM (A502)
- 3 STUDENT AFFAIRS, CAREER PATHWAYS, TRIO
- 4 LIBRARY
- 5 COLLEGE ADVANCEMENT
- 6 GREAT ROOM (A300)
- 7 LECTURE HALL (A309)
- 8 CAREER CENTER AUTOMOTIVE
- 9 BOOKSTORE
- 10 STUDENT LOUNGE—EAGLE'S NEST
- 11 BUSINESS TECHNOLOGY (A)
- 12 ARTS & SCIENCES CENTER (G)
- 13 ALLIED HEALTH - NURSING (H)
- 14 BUSINESS OFFICE
- 15 HR/PAYROLL/IT OFFICE
- 16 CAREER CENTER COSMETOLOGY
- 17 COLE SCIENCE CENTER (B)
- 18 APPLIED SCIENCE TECHNOLOGY (C)
- 19 COMPUTER SERVICES WORKROOM
- 20 HONORS COLLEGE
- 21 ARCHERY
- 22 COLLEGE COSMETOLOGY
- 23 MAINTENANCE STORAGE
- 24 MAINTENANCE
- 25 CAREER CENTER MED PRO-ED
- 26 CAREER CENTER CRIMINAL JUSTICE