

**WE ARE NEW YORK'S LAW SCHOOL**

New York Law School Clery Act Timely Warning and Emergency Notification Policy

Overview

In the event of criminal activity occurring on the New York Law School (also known as the "Law School," "School," or "NYLS") campus, or on certain other property, that constitutes a serious or continuing threat to members of the campus community, a campus-wide Timely Warning will be issued to all students and employees. The intent of a Timely Warning is to aid in the prevention of similar crimes, including helping members of the NYLS community protect themselves.

Anyone with information regarding criminal activity that may warrant a Timely Warning should immediately report the circumstances to Paul Repetto, Chief of Building Operations and Security, at Paul.Repetto@nyls.edu or 212.431.2836. In an emergency, please call 911.

The School has a Memorandum of Understanding with the New York Police Department (NYPD) to foster cooperation and information-sharing. NYLS has communicated with the NYPD, asking the NYPD to notify the School if they receive reports or information warranting a Timely Warning.

In addition to the Timely Warnings that the School is required to issue pursuant to the criteria set forth herein, NYLS may also issue Emergency Notifications, when appropriate. Emergency Notifications are issued concerning significant emergencies or dangerous situations involving an immediate threat to the health or safety of students or employees, occurring on or in the vicinity of the NYLS campus.

Timely Warning Criteria

NYLS will issue a Timely Warning when the following criteria have been met:

- A crime is reported to NYLS, or NYLS is otherwise made aware of the incident. For example, if the NYPD notifies the School that a crime has been reported to that agency;
- The crime is reported to have occurred on the School's "Clery geography," which generally includes NYLS's buildings, adjacent public property (e.g. streets and sidewalks), and other properties owned or controlled by NYLS (which for purposes of this definition includes the portions of the St. George Residence Hall in Brooklyn Heights occupied by NYLS students);
- The crime is a Designated Crime (see below); and
- The circumstances present a serious or continuing threat to the NYLS community (see below). NYLS has the discretion to issue Timely Warnings in other situations as well.

Designated Crimes

Assuming all other criteria have been met, crimes necessitating a Timely Warning are stated below.

Primary Criminal Offenses include murder/non-negligent manslaughter; manslaughter by negligence; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson.

Hate Crimes are criminal offense that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Hate crimes include: murder/non-negligent manslaughter; rape; fondling; incest; statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; larceny-theft; simple assault; intimidation; and destruction/damage/vandalism to property. The eight categories of bias that may result in a hate crime designation for purposes of this policy are as follows: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

Violence Against Women Act (VAWA) Offenses include dating violence, domestic violence, and stalking.

Arrests and Disciplinary Referrals for Disciplinary Action as a result of the following violations, include: drug abuse violations, liquor law violations, and weapons violations (e.g. carrying, possessing, etc.).

Serious or Continuing Threat Analysis

The Chief of Building Operations and Security or their designee, in collaboration with the General Counsel and senior members of the Administration as necessary, is responsible for determining what constitutes a serious or continuing threat to the NYLS community.

This evaluation is completed on a case-by-case basis in consideration of the relevant circumstances. There may be instances when a Designated Crime occurs on NYLS's Clery geography, but the situation does not present an ongoing danger to the NYLS community; thus, it would not necessitate a Timely Warning. For example, a robbery on or near NYLS may have been reported, but the suspect was immediately apprehended by police and therefore, presents no ongoing danger to the NYLS community.

The factors used when analyzing whether a reported crime presents a serious or continuing threat to the campus community include, but are not limited to:

- How much time has passed between the incident and the report?
- Has the perpetrator been apprehended?
- Were there multiple perpetrators working together?
- Was the incident violent in nature?
- Were date rape drugs or other substances used to facilitate the crime?
- Was a weapon used during the commission of the crime?
- Does the incident appear to be an isolated incident with a specifically targeted victim(s)?
- Is there a pattern of similar incidents? (e.g. the same or similar crimes occurring in a short period of time, a particular group being targeted on multiple occasions, etc.)
- Are there other aggravating circumstances or predatory behaviors at issue suggesting that a threat/ongoing danger exists?
- Are there enough details available to determine whether a threat/ongoing danger exists?

Timely Warning Content

Because the intent of a Timely Warning is to aid in the prevention of similar crimes, including by helping members of the NYLS community protect themselves, these Warnings will include information that NYLS determines is necessary and appropriate to further these goals.

The content of a Timely Warning will, at a minimum, include pertinent information about the crime that triggered the Warning (e.g. type of crime and a description of where and when it occurred). The Warning may also provide other brief information about the situation if warranted, such as any available information about the suspect(s). However, caution will be taken to not issue such a lengthy Warning that it cannot be quickly understood by recipients. See below for an example of a Timely Warning.

WARNING (06/12/19): Armed Robbery outside of 185 West Broadway reported at 9:32 p.m. Perpetrator described as a tall male in a red hooded sweatshirt. Last seen running north across Franklin Street. This is an active situation. Please be alert if you are in the area.

Names of victims will be withheld from Timely Warnings, and NYLS will also refrain from including information that could compromise law enforcement efforts.

Timely Warning Methods

Timely Warnings will be communicated to all students and employees via mass email or the Notify NYLS system. The Notify NYLS system requires both students and employees to register. Students may register by logging in to go.nyls.edu. Staff may register at notifynyls.bbcportal.com.

NYLS may also supplement the email and Notify NYLS notifications with other methods, such as hard copy postings on campus, messages on video monitors located throughout the building, and more.

Timely Warnings will be posted on www.nyls.edu as well as emergency.nyls.edu.

Information may also be provided by the NYPD.

Updating the Timely Warning

After a Timely Warning has been issued, the School will consider whether a follow-up warning is necessary. If it is determined that a follow-up warning is necessary, it will be made in the manner described above.