



**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
Statistics Act Compliance
Campus Safety & Security Report
September 30, 2016**

Introduction

The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, also known as the Campus Safety and Security Report, are provided in compliance with the Crime Awareness and Campus Security Act of 1990. The report informs the campus community about important procedures, policies, crime prevention programs and campus crime statistics. On or before October 1 of every year, an email will be sent to all students, faculty and staff advising them that the report can be accessed on the Thomas Jefferson School of Law (the School) website at <http://www.tjssl.edu/student-required-disclosures>. Hard copies of the report are available at the security desk located on the first floor lobby. Prospective employees and students are afforded the same information at the time they obtain an application for employment or admission.

Safety at Thomas Jefferson School of Law

The campus is not immune to crime. Becoming aware of potential dangers and taking preventative measures will protect you and assist us in keeping the School a safe and pleasant environment to pursue an education.

The administration makes continuous efforts to prevent crime on campus yet your help is needed as well. We firmly believe that a well-informed community is better served and, thus, safer. Please take the time to read this information.

Crime Prevention

It is well recognized that the prevention of crime provides the best measure of protection. Therefore, the School supports an active crime prevention program that works closely with the community to make a safer place to work, live and learn.

All incidents of criminal activity which pose a potential threat to the campus are immediately brought to the attention to the community via the touch screens located throughout the campus. The Security Officers' assignment is to function in an "Observe and Report" position. They are unarmed and are not law enforcement officers. They will report all irregularities, violations of

rules, safety violations and hazards to the administration and to the San Diego Police Department when appropriate. They assist in the prevention of crime by patrolling the campus areas as a deterrent to crime and also will escort law school members to the adjacent parking garage and to the Entrada at night.

Campus Safeguards

Campus security and personal safety are central issues at the School. Providing security to the campus community is a continuous process of reevaluating existing policies and practices so that they conform to the changing needs of the community. The campus itself is not open to members of the public. Students and employees need to display their identification badges to gain access to campus. All campus visitors are required to check-in with Security and obtain a visitor badge before being permitted to move about the campus.

To supplement these efforts, several committees and programs exist to constantly evaluate existing practices and make security recommendations. Specifically, the School has an Emergency Response Team that meets monthly to discuss emergency response situations and procedures. The School also works closely with the San Diego Fire Department in an annual fire drill and evacuation of the premises. School personnel have already been trained on the first sessions regarding active shooter response and CPR/AED certification.

Together with the administration, these committees strive to make the School a safe place to work, live and learn. Thomas Jefferson has a security gate to secure the parking facility after hours. The campus utilizes a motion sensor security system at the perimeter and interior entry areas. For added safety, lighting has been improved at several locations around campus. Additionally, the School uses video surveillance monitoring of the elevator lobbies, elevator cabs, stairwell doors, parking garage, as well as along the exterior of the building to help maintain security.

Emergency Notification Procedures

Thomas Jefferson School of Law uses the e²Campus notification system to alert all students, faculty, and staff of an emergency on campus. Through the use of the e²Campus Emergency Notification System, those that have signed up will receive both text and email messages in the event of an emergency situation. Some examples of emergency notifications sent through e²Campus include building closure, electrical outages, fire, and hazards due to individuals with life threatening aggressive behavior.

In the event of an emergency, the School will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification in the professional judgment of the Dean and/or General Counsel, compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the

emergency. In most cases, the content of the notification will contain necessary information to alert all students, faculty, and staff as to what the emergency condition is and the recommended course of action.

The notification will be sent by either the Director of Facilities or the IT Director, after consultation with the Dean or General Counsel.

In the case that emergency information needs to be disseminated to the larger San Diego community, the School's Security Team will work in cooperation with the San Diego Police Department to ensure its delivery.

The e²Campus notification system is tested at the start of both the fall and spring academic terms by sending out a test notification to all users.

Evacuation Procedures

Notification to evacuate is conducted by the sounding of the fire alarm (horn strobes), school wide e-mail, and the e²Campus notification system. Security staff, facilities staff and staff volunteers will sweep assigned areas to ensure the evacuation of the effected building or buildings. In the event of fire, elevators must be taken to the ground floor. Employees and students will exit by the quickest means to the ground floor and assemble outside the building at the intersection of 11th Avenue and Island Avenue.

The security staff and/or facilities staff will notify the employees and students once the building or buildings are safe for occupancy.

Campus Facilities Access

As noted above, the campus is not generally open to members of the public. All students, staff and faculty members are issued identification cards. Identification cards must be worn while on campus. The elevators in the building from the garage levels will stop at the lobby level beginning at 5:00 p.m. during the week and all day on the weekends, unless a Thomas Jefferson School of Law I.D. badge is swiped in the elevator to gain access to a higher floor. Everyone coming up from the garage during these times will be required to exit the elevator at the lobby level unless they have a Thomas Jefferson School of Law I.D. badge. The stanchions in the Lobby will also be moved at 5:00 p.m. to dissuade elevator traffic from heading to the private bathrooms or law clinic area.

Additionally, anyone traveling in the elevators after 5:00 p.m. during the week and all day on the weekends will need to swipe their I.D. badge if they need to stop on Floors 2 – 8. Otherwise, the elevators will proceed to the lobby or garage levels only.

Individuals who park in the Parkade parking facility or on the street must remember to lock thier vehicles and consider investing in a steering wheel locking device and/or alarm. Do not leave

valuable items in a visible area of the car. The Security team is available to escort individuals to the Parkade or Entrada upon request. The Security team may be contacted via the Security desk on the first floor lobby.

Keys and Access Badges

Keys and access badges are provided to individual employees on a need-to-enter basis as determined by the appropriate supervisor. Lost keys or compromised access badges must be reported immediately to the employee's supervisor and to the Director of Facilities. Keys and access badges should never be loaned to other employees or students. Any keys which have not been specifically issued to a particular individual will be confiscated. Duplication of keys or release of access badges to an unauthorized person without proper authorization is prohibited.

Crime Statistics

Campus crime, arrest and referral statistics include those reported to designated campus officials, advisors to student organizations, and local law enforcement agencies. To comply with the act, we collect crime statistics from local police agencies, by providing the addresses of off-campus property either owned, or controlled by the School, or public property immediately adjacent to campus. All local police agencies, where the School property is located or is nearby, provide automated statistics for the property and a radius around the property requested. These statistics may also include crimes that have occurred in private residences or businesses. Likewise, student organization recognition does not extend beyond the School, and student organizations are not recognized to engage in activity off campus. Crime and arrest statistics are compiled by the Facilities Department with the assistance of the San Diego Police Department for crimes occurring on city thoroughfares, streets, sidewalks, and parking facilities within or immediately adjacent to the School.

Reporting Crimes and Requesting Police Assistance

The reporting of crimes is vital in achieving the goal of providing a safe learning environment for the campus community. All persons who are victims or witnesses of a crime should promptly report the occurrence to Security. To report a crime, please call the Security Desk at 619-961-4399 and for emergencies, call 9-1-1 from any campus phone. Upon calling, please provide the following:

- Name, telephone number, and location.
- Describe the incident clearly and accurately.
- Do not hang up! Let the person providing assistance end the call. More information may be requested.

“California law (11160 of the California Penal Code) requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners when they provide medical

services to a person they know or are reasonably suspected of suffering from wounds inflicted by a firearm or is a result of an assault or other abusive conduct.”

Reporting of such offenses by victims or witnesses may be done voluntarily. At times, sensitive situations may arise and School officers cooperate with individuals on a confidential basis to the extent permitted. Privileges of confidentiality in criminal matters that are referred for prosecution in a court of law may be subject to exposure. The School encourages prompt reporting of all crimes, potential criminal activities and other emergencies on campus either in person to the Security Officers, or by calling 9-1-1. Campus elevators are also equipped with an emergency button that can be used to summons assistance. To report non-emergencies from a campus phone, dial 4399. To contact Security from an off-campus phone, please call (619) 961-4399. All 9-1-1 “Emergency” telephone calls made from a pay phone or a cellular phone is directed to the San Diego Police Communication center. The dispatcher should be advised that you are calling from Thomas Jefferson School of Law.

Incident Reporting

The San Diego Police Department has the primary jurisdiction and responsibility to investigate crimes and provide police services on campus. It is important that all crimes occurring on campus be immediately reported to the San Diego Police Department to ensure that appropriate action can be taken.

The School endorses a reporting policy that strongly encourages victims to report all incidents regardless of their nature. Crimes occurring on campus can be reported in person, or by calling the Security Desk. Any member of the Thomas Jefferson staff or faculty is available to assist crime victims, including victims of sexual assault, in notifying law enforcement authorities. Crimes occurring off campus should be immediately reported to the law enforcement agency having proper jurisdiction.

Emergencies requiring police, fire or medical aid can be reported in person or by dialing 911. All calls to 911 that are made from a pay telephone are free. When dialing 911 from any other telephone on campus you must dial 9-911.

Incidents should then be reported to the Director of Facilities and/or the Title IX coordinator for proper posting and follow-up.

Law School Property

No School property may be removed from the campus without express written permission from the department supervisor. Unauthorized removal of School property from the campus is a violation of the law and violators may be prosecuted.

Dating and Domestic Violence, Stalking and Sexual Assault

Thomas Jefferson School of Law is committed to providing an educational and work environment that is free of discrimination, retaliation, and harassment including sexual violence. Title IX of the Education Amendments of 1972 and Thomas Jefferson School of Law prohibit sex discrimination in educational programs and activities (including discrimination against pregnant and parenting students) and prohibits acts of sexual violence (dating and domestic violence, stalking, and sexual assault).

Definitions

Dating violence is defined as controlling, abusive, and aggressive behavior in a romantic relationship.

Domestic violence is abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.

Stalking is any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

Sexual assault is defined as any sexual conduct with another person that occurs without the consent of the victim or is offensive to the victim.

Sexual violence is defined as physical, sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent).

Consent is the affirmative, continuous, voluntary agreement by both partners engaged in sexual activity. Consent may be revoked at any time. It is each person's responsibility to ensure affirmative, conscious consent is given while engaged in sexual activity. Consent cannot be inferred. An absence of resistance or silence is not the same as affirmative consent.

Reporting Sexual Violence

Any individual who believes she or he has been a victim of sexual harassment, assault, violence, or other sexual misconduct is encouraged to contact the local authorities and should consult with the law school's Title IX Coordinator and may submit a complaint to:

Lisa Ferreira
Assistant Dean for Student Affairs & Title IX Coordinator
1155 Island Avenue

San Diego, CA 92101
lisaf@tjssl.edu
619-961-4202

A student also has the right to file a complaint with the proper authorities in conjunction or separately from the complaint made to the Coordinator.

The Title IX Coordinator is responsible for coordinating the law school's compliance and responsibilities under this amendment. These responsibilities can include:

- Meeting with an individual who believes an incident has occurred.
- Receiving Title IX complaints. An individual has the right to file both a criminal and Title IX complaint.
- Providing interim measures to protect the complainant in the educational setting including measures that restrict or eliminate contact on campus.
- Making sure that all complaints are handled according to policies and standards.
- Investigating or assigning an investigator to oversee the investigative process.
- Providing confidential resources.
- Making recommendations for sanctions if appropriate.

Confidential complaints may be made; however, the reporting party should be aware that this can impact the law school's ability to investigate Title IX claims. When receiving anonymous complaints the following will be considered:

- The source and nature of the information.
- The seriousness of the conduct reported.
- The objectivity and credibility of the report.
- Whether there were others who can be identified or were privy to the alleged violation.
- Whether individuals are willing to pursue the matter.

Amnesty: Because Thomas Jefferson School of Law strongly encourages the reporting of any sexual misconduct, a Complainant or witness will not be held accountable for violations of any law school alcohol or drug policies that may have occurred at the time of, or as a result of the incident, provided that these violations did not endanger others or violate the Student Code of Conduct.

Investigation Process: Upon receipt of a complaint or information of a Title IX violation, the Coordinator will review the information and will either personally investigate or oversee the investigative process. The investigative process will be conducted in an adequate, reliable, impartial, and prompt manner, and will provide the opportunity to the Complainant and Respondent to present witnesses and evidence to the Investigator. The investigative process

shall be conducted within 60 days of notice to the Title IX Coordinator. Any cross complaints by the Respondent must be made prior to the completion of the investigative process. Any cross complaint found by the Investigator to be frivolous or filed in bad faith will be considered retaliation against the Complainant who filed the original complaint, and will become a separate violation of this policy. The Investigator shall determine whether any violation of this policy has occurred by a preponderance of the evidence.

The Investigator shall issue findings, which shall take no particular form, and a recommendation concerning what action, if any, should be taken in connection with the matter to the Dean or Dean's designee. Such recommendations may include, but are not limited to:

- a. A written reprimand and/or warning, one copy to be sent to the student and one copy to be made a permanent part of the student's file, available for inspection only by request from an admitting authority, e.g., the California Committee of Bar Examiners, or by a lawful court process.
- b. Formal administrative probation, which will include, in addition to "a" above, a permanent notation on the student's transcript of an "administrative probation."
- c. Suspension from classes and other Thomas Jefferson School of Law privileges for one or more semesters.
- d. Administrative dismissal.

Written notice of the results of the investigation will be sent to the Complainant and the Respondent.

Appeal Process: The Complainant or Respondent can file an appeal with the Dean of the School if she or he believes procedural error occurred or previously unavailable, relevant information should come to light that would significantly impact the outcome of the case or the sanctions were disproportionate to the findings. All such appeals will be resolved within 60 days of the filing.

Protection Against Retaliation: Title IX prohibits retaliation against anyone for filing a complaint and the School will not tolerate or permit retaliation. No employee or student is exempt from this policy. In addition, the law school will take steps to prevent any reoccurrence of a sexual violation and remedy the effects to the complainant or others if appropriate.

Prevention and Awareness Programs

Thomas Jefferson School of Law faculty and staff are provided timely in-person training on sexual harassment, Title IX, Clery Act, and VAWA, when they become employed at the School and in regular biennial intervals thereafter. All students are required to participate in an interactive online training program entitled "Think About It: Graduate Students," which covers

Title IX, VAWA, and the Clery Act, and details awareness and prevention of sexual harassment and sexual misconduct.

Bystander Intervention

There may be situations where an individual or group acts to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Safe and positive options for bystander intervention include but are not limited to: refusing to participate in gossip or rumors, speaking up or taking a stand against a harasser, identifying people you can trust to seek help, and creating a distraction to draw the abuser away.

Megan's Law

California's Megan's Law requires that certain information about sex offenders be made available upon request to members of the public, so that the public is better prepared to protect themselves and their children. However, the City of San Diego has also developed a map that indicates the general whereabouts of residences of "high risk" or "serious" sex offenders. All members of the campus community can find information on-line concerning registered sex offenders who may be present on campus at <http://www.meganslaw.ca.gov/> or by visiting the San Diego Police Department at 1401 Broadway or by calling (619) 531-2325.

Substance Abuse Policy

Thomas Jefferson School of Law is committed to maintaining the best possible educational and work environment. In order for the School to maintain its high quality education, research and community service, it is essential that each member of the law school community be able to perform to the best of his or her ability. Alcohol and drug abuse in the academic community is detrimental to the maintenance of an effective academic program. Such abuse is also detrimental to the health and safety of our students, faculty, staff and visitors to our campus.

The School is committed to preventing any illegal activity from occurring on its premises. Additionally, the School is a recipient of federal funds and subject to the Drug-free Schools and Communities Act Amendments of 1989 (Public Law 101-26), which requires the school to certify to the Department of Education that it has adopted and implemented a program to prevent the abuse of alcohol and the illicit use of drugs by students and employees.

The abuse of alcohol and drugs is not consistent with the educational aims and goals of the School, and in addition, offers substantial health risks, leading at times to long-term physical and psychological damage, birth defects, and reduction of the ability to perform tasks requiring coordination and concentration. Substance abuse may also lead to criminal sanctions including

driver's license revocation, fines, forfeiture of property, imprisonment and suspension from eligibility for federal benefits, including student loans. Law students may be denied admission to practice because of a history of drug or alcohol abuse, or conviction of a crime. For specific information, see Article 2, Offenses Involving Alcohol and Drugs in the California Vehicle Code, the California Uniform Controlled Substance Act, and the Controlled Substances Act and the Anti-Drug Abuse Amendments of 1988 in Title 21 of the United States Code.

It is the policy of the School to maintain a drug-free workplace and educational environment. The use of alcohol on campus is prohibited unless an exception has been granted for a school-sponsored event. The unlawful manufacture, distribution, dispensation, possession, sale, offer to sell, purchase and/or use of controlled substances on campus or at School sponsored functions is prohibited. In addition, the use of controlled substances or the abuse of alcohol off-campus is prohibited if such use and/or abuse adversely affect the user's ability to perform safely and efficiently while on campus. No member of the law school community is permitted to be on campus while under the influence of alcohol or any controlled substance, nor abuse alcohol at any law school sponsored function. A law school sponsored function includes all student organization activities.

Sanctions

Infractions of this policy will be regarded as a basis for disciplinary action, up to and including exclusion from the School, whether the offender is a student or an employee. However, the School recognizes that alcoholism and other substance dependencies are highly complex illnesses, which under many circumstances can be successfully treated. If said infraction of the policy is the result of a substance dependency, the School may require the offender to seek treatment and rehabilitation as a condition of retention in the law school community. The School's emphasis is on rehabilitation, if possible, as a preferable alternative to exclusion.

Inspections

The School retains the right to search and inspect all School owned property and premises, including common areas used by students, to detect the presence of drugs, controlled substances or alcohol. School owned property includes, but is not limited to machinery, equipment, furniture, lockers, buildings and vehicles. Additionally, if there is any reasonable cause or suspicion to believe that a member of the School community has illegal or prohibited substances in his/her possession, they may be asked to empty the contents of clothing, pockets, purses, desks, lockers or other containers. As a term and condition of continued enrollment, every student is expected and required to fully cooperate with any search being conducted to detect the presence of drugs or alcohol on School property. Refusal to allow such a search or to relinquish suspected material will be taken into account in making any disciplinary decision.

Rehabilitation

The School encourages persons who recognize that they have a substance or chemical dependency problem to seek appropriate professional help. While the School does not maintain a

program for the treatment and rehabilitation of persons suffering from substance dependence, it can and may refer persons suffering from substance dependency to local programs for treatment and rehabilitation. Some programs are free and some charge for their services. Employees of the School may be able to obtain treatment under their medical insurance. The School will attempt to reasonably accommodate members of the School community who seek treatment and rehabilitation. In some instances, the School may require a person to seek treatment and rehabilitation as a condition of retention or re-admittance to the School community.

Fire Safety

Fire Drills

TJSL conducts an annual building fire drill. The purpose of the drill is to instill in the minds of the occupants the correct procedures necessary to ensure the safety of life and the joint testing of the building emergency equipment and staff duties.

A typical drill starts with the reporting of a “FIRE”. Observers (Building Staff or alternate Floor Wardens) will be stationed at strategic locations throughout the drill to observe the actions of personnel when the alarm sounds.

Observations are made for:

1. Hearing the alarm & Public Announcement System
2. Blocked Fire Extinguishers
3. Blocked Exits & Hallways
4. Debris in Stairwell
5. Doors propped open
6. Office doors not closed or marked
7. Duties not understood or carried out
8. Procedures for the “Physically Impaired”
9. Response and Participation of all occupants

Timing of when the alarm is first heard to last occupant evacuated from the floor should be made to assist in evaluating problem areas in regard to movement of people.

Each floor has been assigned a Response Team which includes the following positions and responsibilities. At a minimum, each floor will be assigned a Floor Warden and Group Leader.

Stairwell/Elevator Monitor and Assistance Monitor positions will be filled by the Security team and the TJSL Facilities Department.

Floor Warden: Responsible for overseeing occupant instruction, supervising and ensuring safe and complete evacuation during a fire, other emergency or fire drill; also coordinates the Response Team and reports to the Facilities Department. Floor Wardens are also responsible for searching floor area for occupants unaware of the emergency such as restrooms, supply storage rooms or employees in need of assistance.

Group Leader: Responsible to direct all occupants to a safe stairwell and lead occupants to the designated Safe Refuge Area. Group Leaders are also responsible to direct occupants and visitors away from elevators and to the emergency exits.

Stairwell/Elevator Monitor: Responsible for making sure occupants do not enter elevator lobbies or use elevators for evacuation. Also responsible for checking safety of respective emergency exits by feeling the emergency exit door to ensure door is not hot and for leading floor occupants to Safe Refuge Areas.

Assistance Monitors: Two (2) employees responsible to assist person(s) with physical impairments in times of emergency.

Fire Procedures

- 1** Safety of life is the first priority. Remove anyone in the area from immediate danger. Confine the fire by closing as many doors as possible as you leave the area.
- 2** Notification: Call the fire department at **9-1-1**. If you encounter problems with the 911 system, dial **619-533-4300** and provide the following information:

Building Name **Thomas Jefferson School of Law**

Building Address **1155 Island Avenue (Law School)**

or

495 11th Avenue (Law Clinic)

San Diego, CA 92101

Nearest Cross Street **11th Avenue**

Nature of the Emergency _____

Your Floor/Office Number _____

Your Call Back Number _____

Do not hang up until the emergency operator hangs up.

- 3 When it is safe to do so, notify Security at **619-961-4399**.
- 4 Fighting the fire is an option only if you are trained, you have someone with you, it is safe to do so, and if it does not interfere with the performance of your emergency duties.
- 5 Direct all occupants to safe stairwell to begin evacuation procedures:
 - a. Move quickly, but DO NOT RUN.
 - b. DO NOT USE ELEVATORS.
 - c. Exit to the safest designated stairwell and DO NOT carry food and/or beverages into the stairwell as they may spill and cause a slip and fall hazard.
 - d. Ladies remove “High Heels” to prevent injuries (carry them with you).
 - e. Use handrails.
 - f. Allow room for others to enter into an orderly flow of traffic without holding up others.
 - g. Gain assistance for those who are slower moving.
 - h. Treat any injuries incurred in the stairwell at the nearest landing when required and safe.
 - i. Dispel any false information or rumors (to prevent panic).
- 6 Evacuate adjoining areas and begin any assigned duties.

If Trapped In an Office or Other Area:

- Wedge material along the bottom of the door to keep smoke out.
- Close as many doors as possible between you and the fire.
- Call the fire department and notify them of your situation.
- Break windows only as a last resort. Smoke may enter the room and it will be impossible to stop it.
- If unable to perform your assigned duties, notify other staff members.