

Brooklyn Law School  
**Annual Security &  
Fire Safety Report**  
2018 - 2019



Brooklyn Law School  
ESTABLISHED 1901



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## **ANNUAL SECURITY AND FIRE SAFETY REPORT 2018 - 2019**

Brooklyn Law School (BLS) conducts primary operations in five buildings located in Brooklyn, New York: 250 Joralemon Street and 111 Livingston Street (Effective 06/26/2017), which are solely used for education and administration; 205 State Street (Feil Hall) and 148 and 150 Clinton Street, which are residential facilities.

### **Security at Brooklyn Law School**

Mercedes Ravelo, Director of Public Safety, oversees the security protocols at the Law School. Students may submit suggestions relating to security to Ms. Ravelo directly. The office of Public Safety is located at 250 Joralemon Street, Room 901. The telephone number is **718-780-7942**.

A Security Desk is in operation in the entrance lobby of the Law School's main building at 250 Joralemon Street. It is staffed twenty-four hours, seven days a week, by trained Public Safety Officers. The phone number is **718-780-7972**. Video cameras assist the officers in monitoring the building.

A Security Desk was operational in the entrance lobby of One Boerum Place until June 27, 2017. It was staffed with trained Public Safety Officers from 7 a.m. until midnight, seven days a week. Video cameras were in place to assist the officers in monitoring the building.

Effective June 26, 2017, a Security Desk is in operation on the 20<sup>th</sup> floor of 111 Livingston Street. The Law School leases two floors, floors 20 and 21, in a multi-tenant building. This space replaces the One Boerum Place facility. It is staffed Monday through Friday from 7:00 a.m. to 11:00 p.m. and on weekends from 10:00 a.m. to 6:00 p.m., by trained Public Safety Officers. The telephone number is 718-780-7518. Video cameras assist the officers in monitoring the two floors leased by Brooklyn Law School. The lobby desk at the street-level entrance to 111 Livingston Street is staffed by building personnel.

A Security Desk is in operation in the entrance lobby of 205 State Street (Feil Hall). It is staffed twenty-four hours a day, seven days a week with trained Public Safety Officers. The telephone number is **718-780-7991**. Video cameras assist the officers in monitoring the building.

The Public Safety Officers at Security Desks are available to receive emergency calls and each Security Desk is equipped with two-way radio transmitters, which enables the Public Safety Officers to be in voice-contact with the Director of Public Safety and other Law School Public Safety Officers. A valid Law School I.D. card is needed to enter all BLS buildings. Public Safety Officers will announce a visitor by phone before allowing the visitor to enter a building.

Public Safety Officers have jurisdiction to enforce Brooklyn Law School policies and procedures only on BLS owned or controlled property. They do not have jurisdiction over public space or other

private property. They also do not have legal authority to make arrests. On incidents relating to local, state and federal laws, NYPD is contacted to institute an arrest, if necessary. Brooklyn Law School has a Memorandum of Understanding (MOU) with the New York Police Department (NYPD) pertaining to the investigation of criminal incidents. Brooklyn Law School maintains an ongoing working relationship with the NYPD. Brooklyn Law School does not have any student organizations that have non-campus housing facilities.

## **Reporting Procedures**

### **General Procedures for Reporting a Crime or Emergency**

In the event of a security or safety concern, students should notify the Public Safety Officer on duty. The respective Officer will log the incident and promptly report it to the Director of Public Safety and/or the Deans' Office. Should a Public Safety Officer not be present in a Law School building, students are to contact the Public Safety Officer at the 250 Joralemon Street building at **718-780-7972**.

Community members, students, faculty, staff, and guests are encouraged to report all crimes and emergencies, in an accurate and prompt manner (including when the victim elects to or is unable to make such a report) directly to the NYPD by dialing 911 and to notify a Brooklyn Law School Public Safety Officer by dialing **718-780-7972** and/or by calling the Public Safety Officers in 205 State Street (Feil Hall) or 111 Livingston Street.

In response to a call, the Public Safety Officer will take action deemed appropriate. The Officer will also log non-emergency reports to be submitted to the Director of Public Safety for review and potential action. An internal report that involves a student, submitted by a Public Safety Officer, will be forwarded to the Office of Student Affairs. The Dean of Students, or a designee, is responsible for reviewing all reports and will determine whether the case will be referred for adjudication through the Dean of the Law School. If deemed necessary, the Public Safety Officer will summon NYPD or FDNY to respond to the scene.

As per NY Law, Article 129A, Brooklyn Law School is required to adopt and implement a plan providing for the investigation of any violent felony offense occurring at or on the grounds of each building location. The plans shall provide for the coordination of the investigation of such crimes and reports with local law enforcement agencies.

This publication contains information about on- and off-campus resources and is made available to all Brooklyn Law School community members. The information regarding "resources" is not provided to infer that those resources are "crime reporting entities" for Brooklyn Law School. Crimes should be reported to a Brooklyn Law School Public Safety Officer, as described above, to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the St. Luke's Roosevelt Crime Victims Treatment Center would not be included in the Law School's crime statistics.

## **Confidentiality**

Campus “Pastoral Counselors” and “Professional Counselors,” when acting as such, are not considered a **campus security authority** for Clery Act purposes and are *not* required to report crimes for inclusion in the annual disclosure of crime statistics. Only licensed counselors, health care providers, and clergy serving in pastoral counseling roles are designated **confidential resources**. The Law School does not have a health or counseling center or a chapel or ministry; therefore, confidential havens do not exist on campus. Students and employees who do not wish to disclose to the Law School a complaint of sexual misconduct or any other crime should utilize health, religious and counseling services in the community where their confidentiality may be protected. For a list of off-campus resources, see page 34 of this Report.

## **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the Law School system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Public Safety can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a report which falls under the Law School’s Sexual Misconduct Policy.) The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the Law School can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the Law School.

If a complainant requests confidentiality or asks that the complaint not be pursued, the Law School will evaluate confidentiality requests in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. There may be instances where an investigation may have to be pursued against the complainant’s wishes if doing so fulfills the Law School’s responsibility to protect the Law School community. In those cases, the Law School will undertake all efforts to safeguard the privacy of the complainant. If a complainant insists that his or her name or other identifiable information not be disclosed to the accused individual, the Law School’s ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the Law School will take all reasonable steps to investigate and respond to the complaint consistent with the request, as long as doing so does not prevent the Law School from responding effectively.

## **Notification to the Brooklyn Law School Community about Reported Crimes - Timely Warning Notices**

In an effort to provide timely notice to the BLS community, and in the event of a crime within the BLS Clery geography which may pose a serious or ongoing threat to members of the BLS community, a “Timely Warning” will be sent to all students and employees via the BLS Community Email List. In the event of a failure in email (which is the primary method of disseminating Timely Warning Notices), Timely Warning notices may also be disseminated by placing posters in the

building lobbies and/or floors. These alerts will be prepared by the Director of Public Safety or a designee and approved by the General Counsel or Deans' Office and distributed to the community by the Director of Public Safety or a designee. Follow-up information will be disseminated via the BLS Community Email List.

Timely Warnings are usually distributed for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non-negligent manslaughter, and robbery. Incidents of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by BLS. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other BLS community members; therefore, a Timely Warning may not be distributed. In cases involving sexual assault, the reports are often made long after the incident occurred, thus there is no ability to distribute a Timely Warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by BLS. Timely Warnings may also be posted for other crime classifications and locations outside of the BLS Clery geography, as deemed necessary. Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

### **Notification of Missing Students**

If a member of the Brooklyn Law School community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** notify the Public Safety Officer on duty at 718-780-7991 or one of the other security phone numbers listed earlier in this report. The Public Safety Officer will generate a missing person report and notify the Director of Public Safety and the Dean of Students.

### Missing Student Policies

If a student is under 18 years of age and not emancipated, the Law School must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, the Law School will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

### Missing Student Procedures

After investigating the missing person report, should the security staff determine that the student is missing and has been missing for more than 24 hours, the Law School will notify local law enforcement with jurisdiction in the area the student went missing and the student's confidential contact no later than 24 hours after the student is determined to be missing, regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor. If the missing student is under the age of 18 and is not an emancipated individual, the Law School will notify the student's parent or legal guardian and any other designated contact person immediately after BLS has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by BLS in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, BLS will notify that individual no later than 24 hours after the student is determined to be missing for 24 hours. Residential students will be notified of this option annually and a student who wishes to identify a confidential missing person contact can do so [through this link](#).

A student's confidential missing person contact information will be accessible only by authorized campus officials and law enforcement as appropriate and may not be disclosed outside of a missing person investigation.

### **Daily Crime and Fire Log**

A daily crime and fire log is available for review during normal business hours at the entrance lobby of the Law School's main building at 250 Joralemon Street.

### **Emergency Response and Evacuation Procedures**

The BLS Emergency Response Plan includes information about the Law School's Building Emergency Coordinators; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; crisis communications plans; and continuity of operations plans. The Law School conducts a minimum of one Emergency Response test per year. A test may be in the form of an exercise, which could include a table top or functional exercise, and a drill which evaluates a procedural operation or technical system. The tests are designed to assess and evaluate the emergency plans and capabilities of the Law School. On an annual basis, BLS publishes the results of the annual test. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

Public Safety Officers are familiar with all aspects of the Emergency Action Plan, including Incident Command. If a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the NYPD and/or the FDNY. These agencies will work with BLS staff to manage the incident.

Information and updates to the Emergency Response Plan is available on the BLS website at

[www.brooklaw.edu/emergency-response-plan](http://www.brooklaw.edu/emergency-response-plan)

### **Notification to the BLS Community about an Immediate Threat**

BLS will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus. The Director of Public Safety, the Facilities Manager, Deans' Office and/or



designee will confirm the emergency with assistance from various offices/departments on campus or external agencies, such as the NYPD, and the FDNY. The Vice Dean, the Dean of Students and/or the Dean of the Law School will determine the content of the message and the appropriate segments of the community to receive the notification. The Law School may limit the message to a particular segment of the community if the threat is limited to a particular building or segment of the population. The Dean of Students, Chief Operating Officer, Vice Dean or a designee will initiate (send) the immediate notification for the BLS community. See the chart below for specific details regarding the development and initiation of the messages. BLS staff, without delay and taking into account the safety of the community, will determine the content of the notification and initiate the notification system, unless issuing a notification, in the judgment of the first responders, will compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the BLS community, the Law School has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the BLS campus community. These methods of communication are part of the MIR3 Notification System and BLS Connect, which include mass emails, emergency text messages that can be sent to a phone or PDA, and website postings through BLS Connect. The MIR3 Notification System is the primary communication system used to disseminate information about emergencies or dangerous situations at the BLS campus.

BLS community members are strongly encouraged to review their contact information and update it if necessary by visiting the [Public Safety](#) page on the BLS website and following the appropriate instructions on the link.

<u>System to Use</u>	<u>Primary Message Creator</u>	<u>Backup Message Creator</u>	<u>Authority for Approving &amp; Sending Messages</u>	<u>Primary Message Sender/Distributor</u>	<u>Backup Message Sender/Distributor</u>
<b>PRIMARY</b>					
MIR3 (Phone, Text, Email)	Vice Dean	Dean of Students or Chief Operating Officer	Vice Dean, Dean of Students, or Chief Operating Officer	Vice Dean, Dean of Students, Chief Operating Officer, Director of Public Safety	IT Department Staff
Alerts Page Website and 6 Monitors	Vice Dean	Same as above	Same as above	External Affairs	IT Department Staff

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**SECONDARY**

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Fire Alarm System	Public Safety	Facilities	Public Safety or Facilities	Public Safety	Facilities
Face to Face Communication	Public Safety	Deans	Public Safety or Facilities	Public Safety	Deans

In addition, BLS will use some or all of these methods of communication to provide follow-up information to the BLS community following an emergency on campus. BLS will post any emergency notifications on its opening Home page, which can be accessed by any member of the BLS community and the larger community. The BLS Home page is located at <https://www.brooklaw.edu>.

BLS community members are encouraged to notify the Public Safety Officer on duty at 718-780-7972 or the other Officers' phone numbers as described in the Reporting Procedures section of this document of any situation or incident in or around a BLS facility that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus.

### **Emergency Evacuation Procedures**

Always evacuate the building immediately upon hearing a fire alarm in the facility. Use the nearest stairwell and/or exit to leave the building.

In the event of a fire or other emergency, everyone needs to be familiar with the stairwell exits in all of the Law School buildings. Detailed signs showing all available exits and instructions in case of an emergency have been posted near the entrance in each classroom. Faculty members and students are expected to familiarize themselves with these signs in any classroom in which they teach or have class.

All emergency exits should be used during drills as well as emergencies. Do not worry about setting off the alarm. If an exit has an alarm bar, push it to unlock the door. Everyone is expected to use the closest stairway to their location to exit to the ground floor. Doors to stairwells must be kept closed, unless a person is entering or exiting. To avoid an accident or injury, do not, at any time, wedge or tie the stairwell doors open.

During an emergency or drill, remain calm. Follow the directions of Public Safety Officers, fire wardens and faculty members. When a fire alarm sounds:

- Terminate all telephone conversations, meetings or classes;
- Do not call the lobby Public Safety Officer to find out whether there is an actual emergency; the lobby phone must be kept available for phone calls seeking assistance;

- Take all valuables and coats with you, if readily available;
- Do not return for valuables;
- Close all doors behind you and leave the lights on;
- Do not run and do not use the elevators as means to the exit the floor; and
- Proceed to the nearest stairwell and exit the building.

Security and emergency personnel will direct you out of the building and inform you when it is safe to return. In an emergency, non-compliance with these rules could be fatal to you and others. For more information on fire safety and building evacuations, please visit the [BLSCConnect](#) Public Safety page.

### **Persons in Need of Assistance During an Emergency**

In the event of any emergency requiring the evacuation of personnel and students, it is important that Law School's Public Safety personnel and the Accommodation Coordinator are aware of all staff members, faculty, students and visitors who have any condition or disability that will result in the need for assistance. These conditions include, but are not limited to, limitation of sight, hearing or mobility, heart condition, back problem, pregnancy, respiratory condition or any other condition that would make it difficult to follow emergency procedures. The Accommodation Coordinator is Louise Cohen and she can be reached at 718-780-0377.

**If you are physically disabled (even temporarily, please notify the Department of Public Safety at [publicsafety@brooklaw.edu](mailto:publicsafety@brooklaw.edu) so that we can make plans to address your needs during an evacuation.** All information will be kept confidential to the full extent possible; consistent with the ability of the Law School to provide emergency assistance. Any individual whose condition improves, and no longer requires assistance during an emergency evacuation, should also notify the Department of Public Safety.

Students, faculty and staff receive information about evacuation and shelter-in-place procedures during educational sessions that they can participate in throughout the year.

### **Shelter-in-Place Procedures – What is “Shelter-in-Place”?**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to seek shelter indoors. Thus, to “shelter-in-place” means to utilize the building that you are in as shelter from danger that is outside of the building or in other areas of the building. With a few adjustments, these locations can be made even safer and more comfortable until it is safe to go outside.

### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to exit. If your building is damaged, take your personal belongings (purse, wallet, BLS ID Card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated,

proceed to the pre-designated evacuation point or to a safe location. If police or fire department personnel are on the scene, follow their directions.

### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources but, most likely, will be via the MIR3 Notification System, which delivers emergency information to students, faculty and staff via several possible channels, including text, phone and email; NYPD or the FDNY personnel; or New York City government agencies/officials.

### **How to “Shelter-in-Place”**

No matter where you are housed, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are indoors, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - a. an interior room
  - b. above ground level
  - c. without windows or with the least number of windows
  - d. if there is a large group of people inside a particular building, several rooms may be necessary
3. Shut and lock all windows and close exterior doors.
4. Turn-off air conditioners, heaters, and fans.
5. Close the vents to ventilation systems as you are able.
6. Make a list of the people with you and ask someone to notify the Public Safety Officer at 718-780-7972.
7. If possible, turn-on a radio or TV and listen for further instructions.
8. Remain calm and make yourself comfortable.

### **Security and Access to BLS Campus Facilities**

Main entrances to BLS buildings have Public Safety Officers on site to control access. However, unauthorized individuals could possibly gain entrance through side doors if they are determined to thwart the security of the Law School by timing their entries behind other entrants or asking someone to hold a door open. Please be aware of this and refer any unauthorized persons to the Public Safety Officer at the lobby desk. At 111 Livingston Street, anyone without a valid BLS ID must speak with

the Public Safety Officer located on the 20<sup>th</sup> floor for entry. Do not open the door for someone or allow them to enter with you if they do not have a valid BLS ID card.

148-150 Clinton Street are locked and residents have a key to the front door to gain access to those buildings. If the residents of those buildings have a security-related matter, the residents are to call NYPD and also notify the Officer at Feil Hall. There is no security patrolling for Clinton Street residences. 148-150 Clinton Street have a security camera system.

The buildings listed below have a Public Safety Officer on site to monitor access and respond to security issues when necessary.

- **Feil Hall (205 State Street)** has a Public Safety Officer at the front entrance of the building 24/7. Residents have to present their ID card and use the card reader when entering the building. The photo of the card holder is displayed when the card is used at the card reader. Student residents receive a green ID card which distinguishes them from non-residential students. When a guest arrives, a photo ID card is requested and information is captured on a guest log. The Public Safety Officer then confirms with the resident that the individual is an authorized guest. Feil Hall has a security camera system.
- **250 Joralemon Street** uses turnstiles to control access to the building. The photo of the card holder is displayed when the BLS ID card is used to access the turnstile. Public Safety Officers sign in visitors and respond to emergencies, if necessary, 24 hours/day. This building has a security camera system.
- **111 Livingston Street, 20<sup>th</sup> and 21<sup>st</sup> floors**, have card readers at the entrances to the floor to ensure that only authorized persons presenting a BLS ID are permitted entry. The photo of the card holder is displayed when the card is used at the card reader. Public Safety Officers at the security desk on the 20<sup>th</sup> floor control access and register all visitors and are on site to respond to emergencies, if necessary, from Monday through Friday 7 a.m. to 11 p.m. and weekends from 10 a.m. to 6 p.m. The building is placed in a locked status after regular hours of operation. The 20<sup>th</sup> and 21<sup>st</sup> floors have a security camera and alarm system.

### **Maintenance of BLS Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The BLS Facilities Maintenance Staff addresses maintenance issues at all BLS facilities to assess and initiate repairs of malfunctioning lights and other unsafe physical conditions. Other members of the BLS community are helpful when they report equipment problems to the Public Safety Officers on duty.

### **Education of Members of the BLS Community**

NYPD officers from the 84<sup>th</sup> Precinct attend new student orientation to answer questions and provide information pertaining to safety and security information. They provide students with information related to security-risk assessments, crime prevention, and situational awareness.

The Department of Public Safety provides information on campus safety and emergency procedures during new student orientations held at the start of every fall semester. Information is provided encouraging participants to be responsible for their own security/safety and for the security/safety of

others on campus. There are typically several crime prevention and security awareness programs conducted each academic year during new student orientation. In addition, the Department of Public Safety, the Title IX Coordinator, NYPD, the NYC Office of Emergency Management, WomanKind, and the Kings County District Attorney's Office have conducted educational programs for students, faculty and staff.

As per NY Education Law, §129A, BLS is required to inform incoming students about bias related crime prevention measures through programs, which may include workshops, seminars, discussion groups, and film presentations, in order to disseminate information about bias-related crime, promote discussion, encourage reporting of incidents of bias related crime, and facilitate prevention of such incidents. BLS provides this information during new student orientation.

The information disseminated shall include, but not be limited to:

1. the applicable laws, ordinances, and regulations on a bias-related crime, including the provisions and coverage of the Hate Crimes Act of 2000 codified in §485 of the penal law;
2. the penalties for commission of a bias-related crime;
3. the procedures in effect at the Law School in dealing with a bias-related crime;
4. the availability of counseling and other support services for the victims of a bias-related crime;
5. the nature of and common circumstances relating to a bias-related crime on the law school campus;
6. the methods the Law School employs to advise and to update students about security procedures.

### **Responsibilities of the BLS Community**

Members of the BLS community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance:

1. Report all suspicious activity to a Public Safety Officer or NYPD immediately.
2. Never take personal safety for granted.
3. Try to avoid walking alone at night.
4. Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively or are engaging in illegal activity. Remember to call the Public Safety Officer for help at the first sign of trouble.
5. Carry only small amounts of cash.
6. Never leave valuables (wallets, purses, laptops, phones, etc.) unattended.

7. Carry your keys and ID at all times and do not lend them to anyone.
8. Always lock the door to your apartment and office when you are not there.
9. Register your electronic devices with NYPD – free of charge.

## **Alcohol and Drug Policies**

### **Drug-Free Schools and Communities**

In accordance with the federal Drug Free Workplace Act of 1988, the federal Drug Free Schools and Communities Act of 1989, and the Brooklyn Law School's Drug-free Workplace Policy, it is the policy of BLS that the unlawful or unauthorized manufacture, sale, distribution, dispensation, possession or use of alcohol and illicit drugs by students on BLS property or as part of any BLS activity (unless alcohol is served as part of the activity) is prohibited. This includes prescription medications that are being used contrary to why/how they were prescribed. The full policy is available here: <https://www.brooklaw.edu/policies>.

Violations of laws proscribing possession, use, or sale of alcoholic beverages and possession, use, sale, manufacture, or distribution of controlled substances and illegal drugs and NYPD-enforced Federal and State laws and local ordinances regarding alcohol and drug law violations, including State underage drinking laws are not tolerated by Brooklyn Law School and are subject to disciplinary action.

Any student who violates this policy is subject to disciplinary action, including referral for prosecution by the Dean of Students, and/or referral for satisfactory participation in an appropriate evaluation or rehabilitation program. Failure of BLS community members to comply with this requirement could result in the loss of federal funds to the Law School.

### **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, As Amended by the Violence Against Women Reauthorization Act of 2013.**

Brooklyn Law School prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the law school community. Toward that end, Brooklyn Law School issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus.

## Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

- **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. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
  
- **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 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. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
  
- **Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
  - **Rape** is defined as 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.



- **Fondling** is defined as the touching of the private parts of another person for the purposes 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.
  - **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **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 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.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the Purposes of Clery Act reporting.

## **Jurisdictional Definitions of Sexual Assault, Domestic Violence, Dating Violence and Stalking**

### **Sexual Assault**

Under the New York State Penal Law, any of the following acts, if perpetrated against a victim *without his or her consent* is a **sexual assault crime**.

- **Rape and Attempted Rape:** engaging or attempting to engage in sexual intercourse with another person either: (1) without the person’s consent; (2) where a person is incapable of consent due to a mental disability, mental incapacitation, or physically helpless; or (3) the person is less than seventeen (17) years old. **Sexual intercourse** is any penetration of the penis into the vagina, however slight. There is no requirement of physical injury, ejaculation or orgasm.
- **Criminal sexual acts (oral or anal sexual conduct)** occur upon contact between penis and mouth, penis and anus (rectum), mouth and anus, or mouth and vaginal area. No penetration is required.

- **Sexual contact** is any touching of the sexual or intimate parts of the body, whether over or under clothing, done for the purpose of gratifying the sexual desire of the perpetrator. Sexual contact includes both: (i) the touching of the victim's sexual or intimate parts by the perpetrator; and (ii) the touching of the perpetrator's sexual or intimate parts by the victim.
- **Sexual abuse** is subjecting a person to sexual contact without that person's consent.
- **Forcible touching** is the intentional and forcible touching of another, done for the purpose of: (i) degrading or abusing another person; or (ii) gratifying the defendant's sexual desire. Forcible touching includes squeezing, grabbing, or pinching.
- **Aggravated sexual contact** is the insertion of a foreign object (e.g. bottle, broom handle, etc.) into the vagina, urethra, penis or rectum.

## **Domestic Violence**

In New York State, the crime of domestic violence includes the following acts by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim: (1) actual physical abuse; (2) an attempt to harm another; (3) placing another in fear of imminent, serious, physical harm, like violating a protective order; or (4) causing another to engage in sexual relations by force, threat of force, or duress.

The term **intimate partner** includes persons legally married to one another; persons formerly married to one another; persons who have a child in common (regardless of whether such persons are married or have lived together at any time); couples who are in an "intimate relationship" including but not limited to couples who live together or have lived together; and persons who are dating or who have dated in the past, including same-sex couples.

Examples of behaviors that may constitute **domestic violence** include:

- Hitting, punching, pinching, slapping, or choking;
- Violating a protective order; and
- Harming a person's children or animals.

Acts of domestic violence include the following behaviors in addition to the behaviors described above:

- Emotional abuse;
- Psychological abuse; and
- Economic abuse.

## **Dating Violence**

Dating violence is violence committed by a person:

- (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- (i) the length of the relationship;
- (ii) the type of relationship;
- (iii) the frequency of interaction between the persons involved in the relationship.

Dating violence includes the use or threat of physical force or restraint carried out with the intent of causing pain or injury to another within a dating relationship.

Examples of behaviors that may constitute **dating violence** include:

- The threat of physical or/and sexual assault;
- Taking away a person's cell phone during an argument so the person cannot call a friend or the police for help; and
- Threatening to self-harm if another does not do what is said.

In New York State, dating violence is prosecuted under domestic violence laws.

## **Stalking**

Stalking is conduct directed at a specific person that would cause a reasonable person to:

- (a) fear for his or her safety or the safety of others; or
- (b) suffer substantial emotional distress.

In New York State, a person is guilty of stalking when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct:

- (a) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted;
- (b) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or
- (c) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

**Brooklyn Law School follows New York State Education Law’s definition of Affirmative Consent and applies it to all cases under the Sexual Misconduct Policy and to all members of the BLS community.**

**Affirmative consent** is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding a willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression. The person initiating each specific act, regardless of whether the person is under the influence of alcohol or drugs, is responsible for seeking consent and having consent accepted. Past sexual activity does not constitute consent for future acts. In addition:

- Consent may be initially given, but withdrawn at any time;
- When it is withdrawn, or can no longer be given, or at any time consent is uncertain, *sexual activity is to stop*;
- Consent is not given when it is under the threat of harm, intimidation, coercion, or force. Under New York State Penal Law, **forcible compulsion** means to compel by actual physical force; by the threat of expressed or implied physical force, that puts the victim in fear of being physically harmed or of another person being physically harmed (e.g. one’s child); or by the threat to kidnap the victim or a third person;
- Consent cannot be given when a person is incapacitated, which occurs when a person lacks the ability to knowingly choose to participate in sexual activity; and
- Depending upon the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and, therefore, unable to consent.

Under New York State Penal Law, **incapacity** exists when a person is:

- **physically helpless** — unconscious or otherwise physically unable to indicate unwillingness to engage in an act;
- **under 17 years of age** — New York law states that a person less than 17 years of age is legally incapable of consenting to sexual intercourse or other sexual contact (these laws are typically known as statutory rape laws);
- **mentally incapacitated** — the person is temporarily incapable of understanding or controlling his or her conduct because a drug or other intoxicating substance (e.g. alcohol) was given to him or her without his or her consent. A person is mentally or physically incapacitated when he or she has consumed alcohol and/or drugs, legal or illegal, **voluntarily or involuntarily**, and is in a state where a reasonable person would believe that he or she is unable to make reasonable judgments or render self-care; or
- **mentally disabled** — the person suffers from a mental illness or condition that renders the person incapable of understanding the nature of his or her conduct.

**Incapacitation** includes, but is not limited to, lack of consciousness and being asleep, being involuntarily restrained, or otherwise being unable to consent.

Indicators of incapacitation may include:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait; needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual
- Expressed memory loss or disorientation

## How to Be an Active Bystander

**Bystander intervention** means safe and positive options that may be carried out by an individual or individuals 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.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found at <https://www.rainn.org/articles/your-role-preventing-sexual-assault>. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

## Risk Reduction

**Risk reduction** means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)).

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself**. Don't feel obligated to do anything you don't want to do.

"I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

- c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Law School engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that includes the following:

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of New York;
- D. The Law School's definition of consent AND the purposes for which that definition is used.
- E. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals 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;
- F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
  - G. Information regarding:
    - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
    - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
    - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
    - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
    - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

## **Primary Prevention and Awareness Programs**

**Primary prevention programs** means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

**Awareness programs** means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

The Department of Public Safety and the Title IX Office provides information to new students during orientation to cover the following topics: the Annual Security and Fire Safety Report, how to contact the Department of Public Safety, access control at BLS, emergencies, services provided, crime prevention information and information on what to do if they become a victim of a crime. In addition, information is provided on Title IX, the definition of consent, Bystander Intervention and



information on resources on and off campus. These programs include presentations made to new students and distribution of pertinent materials at the Community Fair. Specifically, BLS offered the following **primary prevention and awareness programs** for **incoming students** in 2017:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Prohibited Behavior Covered?*</b>
New Student Orientation	8/22/17	205 State Street	DoV, DaV, SA, S
New Student Orientation	8/23/17	250 Joralemon Street	DoV, DaV, SA, S
BLS Community Fair	8/30/17	250 Joralemon Street	Crime Prevention (NYPD)
Title IX Student Training	1/23 – 3/8/17	250 Joralemon Street	DoV, DaV, SA, S,
Title IX Student Leader Training	9/6/ - 11/6/17	250 Joralemon Street	DoV, DaV, SA, S,

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

### **Ongoing Prevention and Awareness Campaigns**

**Ongoing prevention and awareness campaigns means** programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

In 2017 BLS developed an annual education campaign consisting of crime prevention and emergency preparedness including presentations conducted by the BLS Department of Public Safety, Title IX Coordinator, Wyckoff Heights Medical Center Violence Intervention and Treatment Program, NYPD, and WomanKind.

The Law School offered the following **ongoing awareness and prevention programs** for **students** and employees in 2017:

Name of Program	Date Held	Location Held	Prohibited Behavior Covered?*
Active Shooter Presentation	3/2/17	250 Joralemon Street	Crime Prevention
Bystander Intervention	11/15/17	250 Joralemon Street	DoV, DaV, SA, S,

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

**Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at an emergency room that is a certified SAFE Center for Excellence (see page 32). Victims can locate hospitals with such emergency rooms by referring to this document or by calling the NYPD at 911.

**In New York State, evidence may be collected even if you chose not to make a report to law enforcement.** It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where she or he was assaulted if the offense occurred within the past ninety-six (96) hours so that evidence as may be necessary to the proof of criminal activity may be preserved. If sexual assault victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, that would be useful to Law School investigators/ hearing boards or the police.

Although the Law School strongly encourages all members of its community to report violations of the Sexual Misconduct Policy to law enforcement, it is the victim’s choice whether or not to make such a report, and victims have the right to decline involvement with the police and/or on-campus authorities. If a complainant chooses to file a criminal complaint, the Brooklyn Law School Director of Public Safety, Mercedes Ravelo, will assist any victim with notifying local police. Ms. Ravelo can be reached at (718) 780-7942. The 84th Precinct may also be reached directly by calling (718) 875-6811 or in person at 301 Gold Street. Additional information about the 84th Precinct Police department may be found online at:

<http://www1.nyc.gov/site/nypd/bureaus/patrol/precincts/84th-precinct.page>.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings (proceedings means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings), or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint

regarding an incident, he or she nevertheless should consider speaking with the Title IX Coordinator, Director of Public Safety or local law enforcement to preserve evidence to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order in the event that the victim changes her or his mind at a later date.

### **Off-campus Jurisdiction**

The Law School assumes jurisdiction to adjudicate off-campus complaints should they become known and does not limit the timeframe for reporting. If the accused person is no longer affiliated with the Law School at the time the report is made, then the Law School will still conduct an inquiry, take steps to prevent the recurrence of such conduct to the Law School community, and remedy the effects, if appropriate.

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

Any individual who believes that she or he has been the subject of any form of sexual misconduct, including gender-based discrimination or harassment, domestic violence, dating violence, sexual assault, or stalking, or is aware of someone who has been subjected to such conduct, including child abuse, must report the conduct to the **Title IX Coordinator** to file a complaint, or to a **“Responsible Employee”** who will report the conduct to the Title IX Coordinator.

**Louise Cohen, Title IX Coordinator, Discrimination Specialist,  
Accommodation Coordinator, and Director of Special Programs**

**250 Joralemon Street, Room 930**

**Brooklyn, NY 11201**

**(718) 780-0377**

**[louise.cohen@brooklaw.edu](mailto:louise.cohen@brooklaw.edu)**

Brooklyn Law School has designated the following individuals as **“Responsible Employees:”**

- The President and Dean and all other individuals holding Vice, Associate, and Assistant Dean titles;
- The Title IX Coordinator;
- The Director of Public Safety and staff;
- All Senior Staff;
- All Student Affairs staff;
- All Human Resources staff;
- The General Counsel and Chief Compliance Officer;
- Supervisors/Department Heads; and
- Faculty.

**All faculty and staff information can be found in the directory located on BLS Connect.**

**Responsible Employees** are required to:

(1) Inform the person reporting acts of sexual misconduct of the following rights: “You have the right to: (1) make a report to the Office of Public Safety, local law enforcement, and/or the State Police or choose not to report to these entities; (2) report the incident to the Law School; (3) be protected by the Law School from retaliation for reporting an incident; and (4) receive assistance and resources from the Law School. The Responsible Employee must report the incident to the Title IX Coordinator. Please be aware that if you choose to report an incident to the Law School, confidentiality cannot be maintained and the incident will have to be reported to the Title IX Coordinator.”

(2) The Responsible Employee will collect the name of the complainant and respondent, date, time, location, and names of other witnesses and report the matter to the Title IX Coordinator.

(3) The Responsible Employee should assure the complainant that the Title IX Coordinator will share information only on a need to know basis and respect privacy as much as possible. If the complainant decides not to go forward, the complainant will be directed to legally confidential resources such as clergy, mental health professional, and sexual assault services. Such resources are listed at the end of this Policy.

A Responsible Employee will be held responsible for actions or inactions that obstruct the application of this policy and may be subject to disciplinary sanctions.

A complaint does not have to be in writing. Notice to the Law School is made when the Law School knows or reasonably should know, based on the statements of a complainant or other reports, that sexual misconduct is alleged. Actual notice from the complainant, which consists of direct statements alleging sexual misconduct, is preferable, although the Law School accepts verbal or written statements from *any party* who has knowledge of an incident of sexual misconduct occurring either on or off campus. A complaint may also be initiated when a possible Title IX violation comes to the attention of the Law School through social media sites (e.g., Facebook, You Tube) and news media.

Complaints should be filed as soon as possible so that the Law School can promptly and effectively address the issue. However, untimely complaints will be accepted, thoroughly investigated, and addressed.

Anonymous reports are accepted by the **Title IX Coordinator, Louise Cohen**, via email at [louise.cohen@brooklaw.edu](mailto:louise.cohen@brooklaw.edu), but the supplier of the anonymous report should be aware that failure to disclose identifying information about the accused party, the victim of the sexual misconduct, or the facts and circumstances regarding the misconduct severely limits the Law School’s ability to respond and remedy the effects of sexual misconduct. Anonymous reports that provide enough information to constitute a criminal offense will be reported to the Director of Public Safety less any identifying information regarding the complainant for purposes of inclusion in the Annual Security Report and to assess for purposes of sending out a Timely Warning under the Clery Act. The Law School is sensitive to those who report sexual misconduct under this Policy and will inform individuals of their right to file criminal charges and to medical, counseling and support

service referrals. The Law School can also take interim measures pending the investigation of a report or complaint to prevent contact between a complainant and an accused party and to protect the Law School community, such as: (i) making housing, academic, and work-related adjustments, if reasonably available; (ii) prohibiting contact between the parties; (iii) assisting in the filing of a criminal complaint or seeking an order of protection; and (iv) making arrangements for counseling and emotional support.

**Procedures the Law School Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The Law School has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The Law School will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and employees should contact **Title IX Coordinator, Louise Cohen**, for assistance.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the Law School, below are the procedures that the Law School will follow:

<b>Incident Being Reported</b>	<b>Procedure the Law School Will Follow</b>
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), the Law School will provide complainant with access to medical care</li> <li>2. The Law School will assess immediate safety needs of complainant</li> <li>3. The Law School will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. The Law School will provide complainant with referrals to off campus mental health providers</li> <li>5. The Law School will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The Law School will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. The Law School will provide a “No Trespass” (PNG) directive and/or “No Contact” order if deemed appropriate</li> <li>8. The Law School will provide written instructions on how to apply for Protective Order</li> </ol>

	<ol style="list-style-type: none"> <li>9. The Law School will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The Law School will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. The Law School will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. The Law School will assess immediate safety needs of complainant</li> <li>2. The Law School will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. The Law School will provide written instructions on how to apply for Protective Order</li> <li>4. The Law School will provide written information to complainant on how to preserve evidence</li> <li>5. The Law School will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The Law School will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. The Law School will provide a “No Trespass” (PNG) directive and/or “No Contact” order if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. The Law School will assess immediate safety needs of complainant</li> <li>2. The Law School will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. The Law School will provide written instructions on how to apply for Protective Order</li> <li>4. The Law School will provide written information to complainant on how to preserve evidence</li> <li>5. The Law School will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The Law School will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. The Law School will provide a “No Trespass” (PNG) directive and/or “No Contact” order if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. The Law School will assess immediate safety needs of complainant</li> <li>2. The Law School will assist complainant with contacting local police if complainant requests AND provide complainant with contact information for local police department</li> <li>3. The Law School will provide written instructions on how to apply for Protective Order</li> <li>4. The Law School will provide written information to complainant on how to preserve evidence</li> </ol>

	<ol style="list-style-type: none"> <li>5. The Law School will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The Law School will provide the victim with a written explanation of the victim’s rights and options</li> <li>7. The Law School will provide a “No Trespass” (PNG) directive and/or “No Contact” order if deemed appropriate</li> </ol>
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**Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the Law School will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information is in the Sexual Misconduct Policy and includes:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the Law School will protect the confidentiality of victims and other necessary parties;
- a statement that the Law School will provide written notification to students and employees about victim services within the Law School and in the community;
- a statement regarding the Law School’s provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

**A Victim’s Rights Under New York Law**

In New York, victims of sexual assault, domestic violence, dating violence, or stalking have the following rights:

**McKinney’s Executive Law; Article 23, Fair Treatment Standards for Crime Victims § 640 – Fair Treatment Standards for Crime Victims**

1. Ensure that crime victims routinely receive emergency social and medical services as soon as possible and are given information pursuant to section six hundred twenty-five-a of this chapter on the following:
  - (a) availability of crime victim compensation;
  - (b) availability of appropriate public or private programs that provide counseling, treatment or support for crime victims, including but not limited to the following: rape crisis centers, victim/witness assistance programs, elderly victim services, victim assistance hotlines and domestic violence shelters;
  - (c) the role of the victims in the criminal justice process, including what they can expect from the system as well as what the system expects from them;
  - (d) stages in the criminal justice process of significance to a crime victim, and the manner in which information about such stages can be obtained.

2. Ensure routine notification of a victim or witness as to steps that law enforcement officers or district attorneys can take to protect victims and witnesses from intimidation.

3. Ensure notification of victims, witnesses, relatives of those victims and witnesses who are minors, and relatives of homicide victims, if such persons provide the appropriate official with a current address and telephone number, either by phone or by mail, if possible, of judicial proceedings relating to their case, including:

- (a) the arrest of an accused;
- (b) the initial appearance of an accused before a judicial officer;
- (c) the release of an accused pending judicial proceedings; and
- (d) proceedings in the prosecution of the accused including entry of a plea of guilty, trial, sentencing, but prior to sentencing specific information shall be provided regarding the right to seek restitution and reparation, and where a term of imprisonment is imposed, specific information shall be provided regarding maximum and minimum terms of such imprisonment.

## **Orders of Protection and the New York State Family Protection Registry**

### **What is an order of protection?**

An order of protection is issued by the court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving domestic violence. Family Courts, Criminal courts, and Supreme Courts in the State of New York can all issue orders of protection. For information and hotline numbers for addressing situations involving domestic violence, [see](#) the off-campus resource chart.

An order of protection may direct the offending person not to injure, threaten or harass you, your family, or any other person(s) listed in the order. It may include, but is not limited to, directing him/her to:

- stay away from you and your children
- move out of your home
- follow custody orders
- pay child support
- not have a gun

### **What is the difference between a Family Court, Criminal Court, and Supreme Court order of protection?**

**A Family Court order of protection** is issued as part of a civil proceeding. Its purpose is to stop violence within a family, or within an intimate relationship, and provide protection for those individuals affected. *All Family Court proceedings are confidential.*



To obtain an order of protection in the Family Court, your relationship to the other person must fall into one of the following categories:

- Current or former spouse;
- Someone with whom you have a child in common;
- A family member to whom you are related by blood or marriage;
- Someone with whom you have or have had an “intimate relationship.” An intimate relationship does not have to be a sexual relationship. A relationship may be considered intimate depending on factors such as how often you see each other, or how long you have known each other. After a petition is filed, the court will decide if it is an intimate relationship.

To start a proceeding in Family Court, you need to file a form called a Family Offense petition. The person filing the petition is called the “*petitioner*,” and the person the petition is filed against is called the “*respondent*.” You can contact the Family Court in your county for help completing and filing the petition. You may also wish to speak with an attorney or domestic violence advocate before filing.

For information specific to filing an order of protection in New York City visit the Family Court Website. This page also includes helpful information about what to expect in court no matter where in New York State you live. The website may be found here:

[http://www.nycourts.gov/courts/nyc/family/faqs\\_domesticviolence.shtml#op1](http://www.nycourts.gov/courts/nyc/family/faqs_domesticviolence.shtml#op1).

**A Criminal Court order of protection** is issued as a condition of a defendant’s release and/or bail in a criminal case. A criminal court order of protection may only be issued against a person who has been charged with a crime.

Criminal cases are prosecuted for the State of New York by the district attorney. Although the district attorney may start a criminal case before a person is arrested, a criminal case usually begins with a person’s arrest. The person charged with abuse is called a “*defendant*.” The victim of abuse is called the “*complaining witness*.” There does not need to be a relationship between the complaining witness and the defendant.

In a criminal case, the district attorney may request an order of protection for the victim or complaining witness. The judge decides whether to issue the order of protection and what terms and conditions will be included in the order.

**A Supreme Court order of protection** can be issued as part of an ongoing divorce proceeding. If you have an ongoing divorce case and would like to request an order of protection, you may do so by making a written request by Motion or Order to Show Cause; or you may make an oral request at a court appearance. If you are represented by an attorney, your attorney may make the written or oral request for you. The judge decides whether to issue the order of protection and what terms and conditions will be included in the order.

Orders of protection are valid in every county in New York State and are honored in every State throughout the country through the Full Faith and Credit provision of the U.S. Constitution.

**The New York State Family Protection Registry** was created as part of the Family Protection and Domestic Violence Intervention Act of 1994. The Registry, which became operational in October 1995, is the repository for orders of protection issued pursuant to articles four, five, six and eight of the Family Court Act, Section 530.12 of the Criminal Procedure Law, sections 240 and 252 of the Domestic Relations Law, and all arrest warrants issued pursuant to section 827 of the Family Court Act and Article 120 of the Criminal Procedure Law. The Registry was developed by the NYS Unified Court System in collaboration with the New York State Police, and links to the New York Statewide Police Information Network (NYSPIN). The Registry is a historical record; orders of protection remain in the database even after they expire. The Registry is helpful in locating outstanding or expired orders of protection against a person who may pose a threat of sexual misconduct.

### **No Contact Order**

The Law School may issue an institutional No Contact Order if deemed appropriate or at the request of the victim or accused. If the Law School receives a report that such an institutional No Contact Order has been violated, the Law School will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the No Contact Order.

### **Accommodations and Protective Measures Available for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the Law School will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, Law School offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residential building. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact Louise Cohen, the Title IX Coordinator, Discrimination Specialist and Accommodation Coordinator.

## **Resources – On and Off Campus**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Brooklyn Law School will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. The Law School does not have a health or counseling center or a chapel or ministry; therefore, certain on-campus resources are not available.

### **SAFE Centers of Excellence**

Sexual Assault Forensic Examiner (SAFE) services are considered the best and most victim-centered approach to acute health care for sexual assault patients. The New York State Department of Health certifies Emergency Departments as SAFE Centers of Excellence.

SAFE Centers provide sexual assault patients with:

- 1) Sensitive, victim-centered, medical and forensic health care performed by a specially trained Sexual Assault Forensic Examiner (SAFE) — a SAFE is a healthcare provider such as a doctor, nurse, physician’s assistant or nurse practitioner;
- 2) Care that is timely, compassionate, and patient-centered, in a designated and appropriately equipped private room;
- 3) Assurance about the quality of collection, documentation, preservation and custody of physical evidence by utilizing a trained and New York State Department of Health-certified sexual assault forensic examiner to perform exams. These examiners are available to provide expert testimony if patients choose to report crimes to law enforcement;
- 4) Psycho-social and legal support by a specially trained Rape Crisis Advocate or Counselor; and
- 5) Reliable referrals to mental and physical health care and follow-up services.

**In New York State, evidence may be collected even if you chose not to make a report to law enforcement.**

### **Hospitals in New York City with SAFE Centers:**

#### **Manhattan**

- St. Luke’s Hospital (CHP) - Amsterdam Avenue & West 113th Street
- Mount Sinai West Hospital – 1000 Tenth Avenue
- Mount Sinai Beth Israel – First Avenue & East 16th Street
- Lenox Hill Greenwich Village – 30 Seventh Avenue

- Metropolitan Hospital Center - 1901 First Avenue
- Safe Horizon – Manhattan Community Office – 100 East 122<sup>nd</sup> Street, 1<sup>st</sup> Fl.
- Manhattan Family Justice Center – 80 Centre Street, 5<sup>th</sup> Fl.

**Brooklyn**

- SUNY Downstate Medical Center – 450 Clarkson Avenue
- Woodhull Medical and Mental Health Center (HHC) – 760 Broadway
- Safe Horizon Counseling Center – 50 Court Street, 9<sup>th</sup> Fl.

**Bronx**

- North Central Bronx (HHC) - East 210th Street & Kossuth Avenue
- Safe Horizon – Bronx Community Programs Office – 80 East 181<sup>st</sup> St, Basement Level
- Bronx Family Justice Center – 198 East 161<sup>st</sup> Street, 2<sup>nd</sup> Fl.

**Queens**

- Queens Hospital Center (HHC) - 82-68 164th Street
- Safe Horizon – Queens Community Programs Office – 63-49 Alderton Street, 2<sup>nd</sup> Fl.
- Queens Family Justice Center – 126-02 82<sup>nd</sup> Avenue

**Staten Island**

- Safe Horizon – Staten Island Community Programs – 30 Bay Street, 5<sup>th</sup> Fl.
- Staten Island Family Justice Center – 126 Stuyvesant Place

For free, confidential help 24/7, contact the National Sexual Assault Hotlines 800-656-HOPE or [online.rainn.org](http://online.rainn.org).

**On-Campus Resources**

<b><u>RESOURCE</u></b>	<b><u>ADDRESS</u></b>	<b><u>PHONE NUMBER</u></b>
<b>Title IX Coordinator</b>	<b>250 Joralemon Street, Room 930</b>	<b>718-780-0377; 929-253-7510 (after business hours)</b>
<b>Director of Public Safety</b>	<b>250 Joralemon Street, Room 901</b>	<b>718-780-7942</b>
<b>Dean of Students</b>	<b>250 Joralemon Street, Deans' Suite, 9<sup>th</sup> Floor</b>	<b>718-780-0679</b>
<b>Human Resources</b>	<b>111 Livingston Street, 21<sup>st</sup> Floor</b>	<b>718-780-0305</b>

In addition, Brooklyn Law School offers students a free, confidential consultation with a number of mental health therapists in our area. You can view the full list of therapists here: <https://blsconnect.brooklaw.edu/studentlife/health/Pages/default.aspx#tabs2>.

## Off-Campus Resources

<b>NYC Police Emergency Number</b>	<b>911</b>
<b>NYPD Sex Crimes Hotline</b>	<b>212-267-RAPE (7273)</b>
<b>Brooklyn DA's Special Victims Bureau</b>	<b>718-250-3820</b>
<b>Local Precinct (84th) 301 Gold Street</b>	<b>718-875-6811</b>
<b>NYC Family Justice Center</b>	<b>718-250-5111</b>
<b>New York City Gay and Lesbian Anti-Violence Project, <a href="http://www.avp.org/">http://www.avp.org/</a> 24 -hour bilingual Crime Victims Hotline</b>	<b>212-714-1141 866-604-5350 (TDD)</b>
<b>NYU Langone Cobble Hill, 83 Amity Street</b>	<b>646-754-7900</b>
<b>Safe Horizon, <a href="http://www.safehorizon.org">www.safehorizon.org</a></b>	<b>800-621-4673</b>
<b>24 Hour Crime Victims Hotline</b>	<b>866-689-4357</b>
<b>24 Domestic Violence Hotline</b>	<b>800-621-4673</b>
<b>Rape Crisis and Sexual Assault Hotline</b>	<b>212-227-3000</b>
<b>Counseling Centers Services by Appointment</b>	<b>347-328-8110</b>
<b>Safe Horizon Alternatives to Violence Program</b>	<b>718-834-7471</b>
<b>STEPS: Alternatives to Incarceration Programs for Adolescent Male Beaters</b>	<b>212-662-7914</b>
<b>St. Luke's Roosevelt Crime Victims Treatment Center</b>	<b>212-523-4728</b>
<b>National Domestic Violence Hotline</b>	<b>800-799-7233 800-787-3244 (TDD)</b>

SurvJustice: <http://survjustice.org/>.

Legal Momentum: <http://www.legalmomentum.org>.

NYSCASA: <http://nyscasa.org/responding>; or NYSCADV: <http://www.nyscadv.org>.

Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>.

GLBTQ Domestic Violence Project: <http://www.glbtqdv.org>.

RAINN: <https://www.rainn.org/get-help>.

Please note that these Hotlines are for crisis intervention, resources, and referrals. They are not reporting mechanisms; therefore, these Hotlines do not provide information to the Law School regarding an incident. The Law School's Title IX Coordinator should be contacted to report an incident.

## **Legal Assistance**

<b>National Crime Victims Bar Association</b>	<b>202-467-8716</b>
<b>NYS Crime Victims Board</b>	<b>800-247-8035</b>
<b>LawHelp.org</b>	

## **Confidential Record Keeping**

Student and employee complainants may request that directory information on file be removed from the Law School's public sources by contacting the following individuals:

For Students - Christian Bester, Registrar and FERPA Officer, at Brooklyn Law School, 111 Livingston Street, 21<sup>st</sup> floor, Brooklyn, New York 11201, [chris.bester@brooklaw.edu](mailto:chris.bester@brooklaw.edu)

For Employees - Matthew Burns, Director of Human Resources, 111 Livingston Street, 21<sup>st</sup> floor, Brooklyn, New York 11201, [matthew.burns@brooklaw.edu](mailto:matthew.burns@brooklaw.edu)

Regardless of whether a victim has opted-out of allowing the Law School to share directory information, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the Law School will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the Law School to provide the accommodations or protective measures.

The Law School does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## **Adjudication of Violations**

The Law School's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the Law School's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. Law School officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The advisor's role is not to act as a representative of or speak on behalf of the complainant or respondent or take action that interferes with the integrity of the investigation and the disciplinary process. The Law School will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. The advisor may assist the students in understanding the hearing proceedings, and answer and formulate questions. The Hearing Panel may limit the advisors' role at its discretion.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

**Result** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the Law School. The result must include any sanctions imposed by the Law School. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C.1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA). The result must also include the rationale for the result and the sanctions.

Whether or not criminal charges are filed, the Law School or a person may file a complaint under the following policies, depending upon the circumstances of the case:

- **BLS Sexual Misconduct Policy** - (<http://www.brooklaw.edu/policies>)
- **BLS Policy on Non-Discrimination and Harassment** - ([www.brooklaw.edu/policies](http://www.brooklaw.edu/policies))

A complaint may be filed by contacting the Title IX Coordinator or by notifying a Responsible Employee under Title IX. The Title IX Coordinator will determine which policy is applicable to the alleged misconduct depending on the circumstances of the case.

If after an investigation, a violation of the Sexual Misconduct/Non-Discrimination & Harassment Policy is found, disciplinary action may ensue. For Students, disciplinary action will be pursued through the **Brooklyn Law School Student Disciplinary Procedures Policy**. When a complaint is received, a Notice of the Charges shall be delivered to the student by the Dean of Students either by personal delivery, overnight mail with signature, or by certified mail with return receipt to the

address in the Law School's records, *and* by email to the student's Law School email account. The complainant shall receive a copy of the Notice.

**Hearing Procedures** are detailed in the **Brooklyn Law School Student Disciplinary Procedures Policy** on page 3. Time frames referenced in the policy shall exclude weekends and holidays.

#### **Anticipated Timelines**

A hearing date shall appear in the Notice of Charges. The hearing shall be scheduled to commence no later than fifteen (15) days after delivery of the Notice of Charges, but may be postponed to accommodate the mediation process or by mutual consent of the parties.

Within ten (10) days of the hearing, the Panel shall issue a written decision summarizing its findings and stating its judgment, including the penalty (if any).

An appeal of the Hearing Panel's decision by either the complainant or the charged student must be made in writing to the Dean within ten (10) days of receipt of the Notice of Discipline.

#### **Decision Making Process**

Following the Parties' presentation of their cases, the Panel shall deliberate in a closed session and vote. If a majority of the Panel determines that the charges against the student are sustained, the Panel shall determine the penalty to be imposed. In the event of a disagreement among the Panel, the Chair shall have final authority to determine the penalty. The Panel's decisions regarding whether to sustain the charges and what penalty to impose (if any), shall be based solely on the evidence presented at the hearing, including testimony and documents.

**Standard of Evidence** – BLS will apply the *Preponderance of the Evidence* standard which is that it is more probable than not that the violation of the policy occurred.

**Disciplinary Penalties** - One or more of the following disciplinary penalties may be imposed if the charges are sustained:

1. Written reprimand;
2. Restitution or restoration;
3. Referral to the appropriate civil/criminal authorities;
4. Probation for one semester or more with specific conditions;
5. Suspension for one semester or more with or without specific conditions;
6. Expulsion; and
7. Any other penalty deemed appropriate by the Hearing Panel or as dictated by another School Policy (e.g., Regulations Regarding Intellectual Property Infringement).

**Appeals Process** – Information on the appeals process can be found in the Brooklyn Law School Student Disciplinary Procedures Policy.



**Protective Measures Available to a Victim Alleging Misconduct** – Members of the BLS community who experience sexual assault, sexual harassment, domestic violence, dating violence, stalking or any other form of sexual misconduct have the right to be provided with interim protective measures pending investigation and disciplinary proceedings such as no-contact orders, academic or living adjustments, prohibitions against retaliation.

**Employee Disciplinary Procedure** – If after a thorough investigation, the Title IX Coordinator finds that the Brooklyn Law School Sexual Misconduct Policy or the Brooklyn Law School Policy on Non-Discrimination and Harassment was violated, disciplinary measures may be pursued against the respondent under **the principles of Progressive Discipline**.

**Standard of Evidence** – BLS will apply the Preponderance of the Evidence standard which is that it is more probable than not that the violation of the policy occurred.

**Disciplinary Penalties** –

1. Written Warning
2. Suspension
3. Termination

**Faculty Disciplinary Procedure** – If after a thorough investigation, the Title IX Coordinator finds that the Brooklyn Law School Sexual Misconduct Policy or the Brooklyn Law School Policy on Non-Discrimination and Harassment was violated, disciplinary measures may be pursued against the respondent under the **Faculty Regulations**.

**Standard of Evidence** – BLS will apply the Preponderance of the Evidence standard which is that it is more probable than not that the violation of the policy occurred.

**Disciplinary Penalties** –

1. Written Warning
2. Suspension
3. Termination

**Appeals Process** – Information on the appeals process can be found in the **Faculty Regulations**.

### **Brooklyn Law School-Initiated Protective Measures**

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a BLS order of no contact,

residential relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Brooklyn Law School.

### **Notification to Victims of Crimes of Violence**

Brooklyn Law School will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the Law School against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Family Educations Rights and Privacy Act of 1974 (FERPA)**

Compliance with the provisions of this Policy on Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Sexual Assault does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educations Rights and Privacy Act of 1974 (FERPA).

### **Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. 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 that State at which the person is employed, carries on a vocation, volunteers services or is a student. Information regarding sexual offenders is available through the New York State Offender Registry at <http://www.criminaljustice.ny.gov/nsor/> or 1-800-262-3257.

### **Committee on Campus Security**

As per NY Education Law Article 129A, BLS has a committee on campus security that reviews campus security policies and procedures and makes recommendation for their improvement. The committee is required to review the following on an annual basis:

- a. educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault, domestic violence and stalking offenses;
- b. educating the campus community about personal safety and crime prevention;
- c. reporting sexual assaults, domestic violence and stalking incidents and assisting victims during investigations;

- d. referring complaints to appropriate authorities;
- e. counseling victims; and
- f. responding to inquiries from concerned persons.

The Committee submits a written report with its findings and recommendations to the Dean of the Law School on an annual basis.

### **Procedures for Preparing the Annual Disclosure of Crime Statistics**

In compliance with the Clery Act, reports from the Law School community (CSAs and Judicial Referrals) and local law enforcement agencies are compiled and published annually by BLS through coordination from the Department of Public Safety, the Office of Student Affairs and the Office of the General Counsel and Chief Compliance Officer. This report explains public safety and security policies in effect at BLS. It summarizes crime reporting procedures, crime prevention programs, and other services available to the campus community. Crime statistics for the 2014 through 2016 calendar years are provided, including information regarding number of arrests made and types of criminal offenses that occurred during these time periods. It should be noted that the crime statistics included in this publication are gathered for buildings owned or controlled by BLS and used for educational purposes.

### **Definition of Crimes (Specified by the Federal Clery Act)**

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

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**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.

**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.

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

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

**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, violence, and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a

weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classified as motor vehicle theft are all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned - including joy riding).

**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.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, 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 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.

**Dating Violence:** Violence committed by a person –

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking:** Engaging in a course of conduct (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), directed at a specific person that would cause a reasonable person (a person under similar circumstances and with similar identities to the victim) to (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress.

**Weapon: 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.

**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; and arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**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.

**Hate Crimes:** A Hate Crime is 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: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.

**Offense Definitions Relating to Hate/Bias Related Crime Statistics as per the UCR Hate Crime Reporting Guidelines (included in Clery Act statistics only if they are Hate Crimes):**

**Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**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 person having custody or control of it.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Definition of Clery Act Geography:**

**On-Campus -** Defined as: (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 the area identified in 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).

**Non-Campus Building or Property:** Defined as: (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.

**Public Property:** Defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. The BLS crime statistics do not include crimes that occur in privately owned homes or businesses around BLS facilities.

Brooklyn Law School reports the crimes required by the Clery Act that occurred on or within an institution's Clery Geography that were reported to a Campus Security Authority.

## 2017 Crime Statistics

Offense	Year	On Campus	Non Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes**
Murder/Non Negligent Manslaughter	2017	0	0	0	0	0	0
Manslaughter by Negligence	2017	0	0	0	0	0	0
Rape	2017	0	0	0	0	0	0
Fondling	2017	0	0	0	0	0	0
Incest	2017	0	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0	0
Robbery	2017	0	0	1	1	0	0
Aggravated Assault	2017	0	0	0	0	0	0
Burglary	2017	0	0	0	0	0	0
Motor Vehicle Theft	2017	0	0	0	0	0	0
Arson	2017	0	0	0	0	0	0
Domestic Violence	2017	0	0	1	1	0	0
Dating Violence	2017	0	0	0	0	0	0
Stalking	2017	4	0	0	4	2	0
Weapons Law Violations - Arrests	2017	0	0	0	0	0	0
Drug Law Violations - Arrests	2017	0	0	0	0	0	0
Liquor Law Violations - Arrests	2017	0	0	0	0	0	0
Weapons Law Violations - Referred for Disciplinary Action	2017	0	0	0	0	0	0
Drug Law Violations - Referred for Disciplinary Action	2017	0	0	0	0	0	0
Liquor Law Violations - Referred for Disciplinary Action	2017	0	0	0	0	0	0

\***Residential Facilities Crime Statistics** are a subset of the On Campus Category, i.e. incidents are counted in both categories.

\*\***Unfounded Crimes** - A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

### HATE CRIME REPORTING

There were no hate crimes, as defined by applicable law, reported for 2017.

02/13/18

## 2016 Crime Statistics

Offense	Year	On Campus	Non Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes**
Murder/Non Negligent Manslaughter	2016	0	0	0	0	0	0
Manslaughter by Negligence	2016	0	0	0	0	0	0
Rape	2016	0	0	0	0	0	0
Fondling	2016	0	0	0	0	0	0
Incest	2016	0	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0	0
Robbery	2016	0	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0	0
Burglary	2016	0	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0	0
Arson	2016	0	0	0	0	0	0
Domestic Violence	2016	0	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0	0
Stalking	2016	1	0	1	2	1	0
Weapons Law Violations – Arrests	2016	0	0	0	0	0	0
Drug Law Violations – Arrests	2016	0	0	0	0	0	0
Liquor Law Violations – Arrests	2016	0	0	0	0	0	0
Weapons Law Violations - Referred for Disciplinary Action	2016	0	0	0	0	0	0
Drug Law Violations - Referred for Disciplinary Action	2016	0	0	0	0	0	0
Liquor Law Violations - Referred for Disciplinary Action	2016	0	0	0	0	0	0

\***Residential Facilities Crime Statistics** are a subset of the On Campus Category, i.e. incidents are counted in both categories.

\*\***Unfounded Crimes** - A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

### HATE CRIME REPORTING

There were no hate crimes, as defined by applicable law, reported for 2016.

07/10/17



## 2015 Crime Statistics

Offense	Year	On Campus	Non Campus	Public Property	Total	Residential Facilities*	Unfounded Crimes**
Murder/Non Negligent Manslaughter	2015	0	0	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0	0	0
Rape	2015	0	0	0	0	0	0
Fondling	2015	1	0	0	1	0	0
Incest	2015	0	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0	0
Robbery	2015	0	0	1	1	0	0
Aggravated Assault	2015	0	0	0	0	0	0
Burglary	2015	1	0	0	1	1	0
Motor Vehicle Theft	2015	0	0	0	0	0	0
Arson	2015	0	0	0	0	0	0
Domestic Violence	2015	1	0	0	1	0	0
Dating Violence	2015	1	0	0	1	1	0
Stalking	2015	1	1	0	2	0	0
Weapons Law Violations – Arrests	2015	0	0	0	0	0	0
Drug Law Violations – Arrests	2015	0	0	0	0	0	0
Liquor Law Violations – Arrests	2015	0	0	0	0	0	0
Weapons Law Violations - Referred for Disciplinary Action	2015	0	0	0	0	0	0
Drug Law Violations - Referred for Disciplinary Action	2015	0	0	0	0	0	0
Liquor Law Violations - Referred for Disciplinary Action	2015	0	0	0	0	0	0

\***Residential Facilities Crime Statistics** are a subset of the On Campus Category, i.e. incidents are counted in both categories.

\*\***Unfounded Crimes** - A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

### HATE CRIME REPORTING

There were no hate crimes, as defined by applicable law, reported for 2015.

08/09/16

## **Fire Safety Report**

This report contains information related to fire safety in campus housing at Brooklyn Law School, in accordance with the requirements of the Higher Education Opportunity Act of 2008. Brooklyn Law School creates this report annually, relying on information provided by collaborative partners.

The Department of Public Safety maintains the Daily Crime and Fire Log at the lobby of the Law School's main building at 250 Joralemon Street.

## **Fire Safety Systems**

**Feil Hall** (205 State Street) has the following fire safety systems:

- The fire safety system is monitored by Tyco Integrated Security LLC.
- There are sprinklers throughout the building.
- The building has smoke detectors in each apartment.
- The building has fire extinguishers on each floor.

Evacuation drills were not conducted in Feil Hall or 148/150 Clinton Street in 2016.

## **148/150 Clinton Street**

- There are sprinklers in the hallways
- The buildings have smoke detectors in each apartment.
- The building has fire extinguishers on each floor.

## **Plan for Improvement to Fire Safety**

The Law School does not have plans for future improvements in fire safety at this time.

## **Procedures for Evacuation of Campus Housing In Case of a Fire**

Please note that Feil Hall is a non-combustible (fireproof) building. 148/150 Clinton Street are combustible (non-fireproof) buildings.

The FDNY has provided guidance to Brooklyn Law School regarding fires. The following information has been posted in every apartment.

In the event of a fire, stay calm. Notify the Fire Department and follow directions of the Fire Department personnel. If you must take immediate action, use your judgment as to the safest course of action, guided by the following information:

### **Evacuation Instructions If the Fire Is In Your Apartment:**

- Close the door to the room where the fire is and leave the apartment.
- Make sure everyone leaves the apartment with you.
- Take your keys (and ID).

- Close, but do not lock, the apartment door.
- Alert people on your floor by knocking on their doors on the way to the exit.
- Use the nearest stairwell to leave the building.
- **Do NOT use the elevator.**
- Call 911 once you reach a safe location. Do not assume the fire has been reported unless firefighters are on the scene.
- Meet the members of your household at pre-determined location outside the building. Notify the firefighters if anyone is unaccounted for.

### **Evacuation Instructions If the Fire Is Not In Your Apartment**

#### **Non-Combustible or Fireproof Buildings (FEIL HALL):**

- If the fire is not in your apartment, stay inside your apartment and listen for instructions from firefighters unless conditions become dangerous.
- If you must exit your apartment, first feel the apartment door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.
- If you cannot safely exit your apartment or building, call 911 and tell them your address, floor, apartment number and the number of people in your apartment.
- Seal the doors to your apartment with wet towels or sheets and seal the air ducts or other openings where smoke may enter.
- Open windows a few inches at top and bottom unless flames and smoke are coming from below.
- Do not break any windows
- If conditions in the apartment appear life threatening, open a window and wave a towel or sheet to attract attention of firefighters.
- If smoke conditions worsen before help arrives, get down on the floor and take short breaths through your nose. If possible, retreat to a balcony or terrace away from the source of the smoke, heat or fire.

#### **Combustible or Non- Fireproof Building (148/150 CLINTON STREET):**

- Feel your apartment door and doorknob for heat. If they are not hot, open the door slightly and check the hallway for smoke, heat or fire.
- Exit your apartment and building if you can safely do so, following instructions above for a fire in your apartment.

- If the hallway or stairwell is not safe because of smoke, heat or fire and you have access to a fire escape, use it to exit the building. Proceed cautiously on the fire escape and always carry or hold onto small children.
- If you cannot use the stairs or fire escape, call 911 and tell them your address, floor, apartment number and the number of people inside your apartment.
- Seal the door to your apartment with wet towels or sheets, and seal air ducts or other openings where smoke may enter.
- Open windows a few inches at top and bottom unless flames and smoke are coming from below.
- Do not break any windows.
- If conditions in the apartment appear life threatening, open a window and wave a towel or sheet to attract attention of firefighters.
- If smoke conditions worsen before help arrives, get down on the floor and take short breaths through your nose. If possible, retreat to a balcony or terrace away from the source of the smoke, heat or fire.

#### **Procedures for Evacuation of Academic Buildings In Case of a Fire (250 Joralemon Street)**

In the event of a fire or other situation requiring evacuation and notification of emergency services personnel, please follow these directions:

- Sound the fire alarm by activating the nearest manual pull station.
- Move swiftly to the nearest emergency exit
- Call 911 to report the fire.
- DO NOT re-enter the building for any reason until given clearance by emergency responders on the scene.

In the event of a fire or other emergency, everyone needs to be familiar with the stairwell exits in all of the Law School buildings. Detailed signs showing all available exits and instructions in case of an emergency have been posted near the entrance in each classroom. Faculty members and students are expected to familiarize themselves with these signs in any classroom in which they teach or have class.

All emergency exits should be used during drills as well as emergencies. Do not worry about making the alarm go off. If an exit has an alarm bar, push it to unlock the door. Everyone is expected to use the closest stairway to their location to exit to the ground floor. Doors to stairwells must be kept closed, unless a person is entering or exiting. To avoid an accident or injury, do not, at any time, wedge or tie the stairwell doors open.

## **Procedures for Evacuation of 111 Livingston Street**

**In the event of a fire** or other situation requiring evacuation and notification of emergency services personnel, please follow these directions:

- **Sound the fire alarm by activating the nearest manual pull station.** Manual pull stations are located by both stairways (L and M) in the main elevator lobby.
- **Call 911.**
- **Move swiftly to the nearest emergency exit** and go down three floors below the fire floor.
- Fire Wardens will use the Warden Phones to communicate with the Building Fire Safety Director.

### General Building Information

1. The building has two stairways (L & M) that connect each floor to the lobby. Both stairways have battery operated emergency lights.
2. Each floor is equipped with a sprinkler system and fire extinguishers. There is a Standpipe System on each stairway.
3. Each floor is equipped with manual pull stations located by each stairway. This sends a signal to the Fire Command Station located in the lobby and to the Fire Department via the ADT Security System.
4. Each Floor is equipped with a Warden Phone so as to communicate with the Building Fire Safety Director during an emergency.
5. There are three sets of elevators: High Rise, Low Rise, and Freight. **DO NOT USE THE ELEVATOR IN A FIRE EMERGENCY.**

### **In the event of an emergency...**

- The strobe lights would be flashing and the siren will sound.
- The Building Fire Safety Director would attend to the Fire Command Station (lobby).
- The Fire Warden (there is one warden and one deputy warden on each floor) would respond to the Warden Phone located in the elevator lobby to communicate with the Building Fire Safety Director.
- The Building Fire Safety Director would then make an announcement throughout the building to say what the situation is and would give direction to the Wardens to start the evacuation from the fire floor and the floor above; to go three floors down below the fire floor.
- The Building Fire Safety Director will advise which stairway to use for the evacuation.
- The male and female searchers (one male and one female searcher on each floor) will also respond immediately and proceed to their respective bathrooms to get everyone out.
- The Building Fire Brigade will respond immediately. One person will report to the fire floor to see where the signal is coming from and what the present condition/situation is of the fire, if any. This person will use the fire extinguisher or hose from the Standpipe System to contain the fire until the Fire Department arrives.

**If you are physically disabled (even temporarily, please notify the Department of Public Safety at [publicsafety@brooklaw.edu](mailto:publicsafety@brooklaw.edu) so that we can make plans to address your needs during an evacuation.**

## **Policies on Portable Electrical Appliances, Smoking, and Open Flames in Campus Housing**

Housing License Policies Related to Portable Electrical Appliances, Smoking and Open Flames:

- A. No candles, incense, or other open flame items. Barbeque grills are not permitted, including on terraces.
- B. Free standing halogen torchiere pole lamps or halogen desk lamps, and tubular halogen bulbs are strictly forbidden in Brooklyn Law School residences due to the potential danger of fire associated with their use.
- C. Evergreen trees or other flammable decoration are not permitted.
- D. No tampering with fire extinguishers, equipment, alarms, or signs.
- E. Smoking is not permitted in any student apartment, including on terraces, or in the common areas of any building.
- F. No firearms, explosives, fireworks, or weapons of any kind, including air pistols and BB guns.
- G. Electrical appliances are permitted in the residential facilities

## **Fire Safety Education and Training Programs**

All BLS public safety staff members are trained according to the fire safety plans established by Brooklyn Law School. All BLS staff members are trained based upon standard school protocols for fire safety. Additional information is posted in residence hall rooms for occupants to review. Please visit the [BLSConnect](#) Public Safety page for more information regarding building evacuation procedures.

## **Reporting of Fire Safety Information**

All fire safety concerns should immediately be reported to the Public Safety Officer at 718-780-7972 or one of the other lobby officers at the numbers provided earlier in this report. If a member of the BLS community finds evidence of a fire that has been extinguished, and the person is not sure whether the Public Safety Officer has already responded, the community member should immediately notify the Public Safety Officer to investigate and document the incident.

## FIRE STATISTICS

**2017**

<b>Residential Facility Name and Address</b>	<b>Total # Fires</b>	<b>Fire #</b>	<b>Cause of Fire</b>	<b># Injuries</b>	<b># Deaths</b>	<b>Value of Property Damage</b>
Feil Hall 205 State Street	0	0	N/A	0	0	0
148 Clinton Street	0	0	N/A	0	0	0
150 Clinton Street	0	0	N/A	0	0	0

**2016**

<b>Residential Facility Name and Address</b>	<b>Total # Fires</b>	<b>Fire #</b>	<b>Cause of Fire</b>	<b># Injuries</b>	<b># Deaths</b>	<b>Value of Property Damage</b>
Feil Hall 205 State Street	0	0	N/A	0	0	0
148 Clinton Street	0	0	N/A	0	0	0
150 Clinton Street	0	0	N/A	0	0	0

**2015**

<b>Residential Facility Name and Address</b>	<b>Total # Fires</b>	<b>Fire #</b>	<b>Cause of Fire</b>	<b># Injuries</b>	<b># Deaths</b>	<b>Value of Property Damage</b>
Feil Hall 205 State Street	0	0	N/A	0	0	0
148 Clinton Street	0	0	N/A	0	0	0
150 Clinton Street	0	0	N/A	0	0	0

**09/22/18**