

Annual Security and Fire Safety Report

2013-2014



Brooklyn Law School

ESTABLISHED 1901



ANNUAL SECURITY AND FIRE SAFETY REPORT 2013-2014

Brooklyn Law School conducts primary operations in five buildings located in Brooklyn, New York. They are: 250 Joralemon Street and One Boerum Place, which are solely used for education and administration, plus 205 State Street (Feil Hall), 2 Pierrepont Street and 148-150 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 is in operation in the entrance lobby of One Boerum Place. It is staffed when the Law School's business office is open. The Security Desk operates from 7 a.m. until midnight, seven days a week. The telephone number is 718-780-7518. Video cameras assist the officers in monitoring the building.

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. 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 Facilities Manager 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 him/her to enter a building.

Public safety officers stationed in any of the Brooklyn Law school facilities do not have the authority to arrest any violators, but are responsible to enforce Brooklyn Law School policies and procedures. On incidents relating to local, state and federal laws, NYPD is to be contacted to institute an arrest, if necessary. Currently, Brooklyn Law School does not have a Memorandum of Understanding (MOU) with the New York Police Department (NYPD) and New York State Police 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 off-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, 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 One Boerum Place.

In response to a call, the public safety officer will take action he deems appropriate; he will also log non-emergency reports that will 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 Assistant Dean for Student Affairs, 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; further, BLS also will coordinate with NYPD.

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.

Confidential Reporting Procedures

Presently, Brooklyn Law School does not allow voluntary confidential reporting, but if a victim wants to report a crime in a confidential manner, the victim may report it to the Assistant Dean for Student Affairs. Brooklyn Law School does not employ licensed counselors; however, a student in distress is encouraged to speak to the Assistant Dean for Student Affairs. Since there are no voluntary confidential reporting procedures, a student could not access that option of reporting.

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 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, Timely Warning notices may also be disseminated by placing posters in the building lobbies. These alerts will be prepared and approved by the Assistant Dean for Student Affairs and distributed to the community by the Assistant Dean 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: arson, criminal homicide, 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 ongoing threat to other BLS community members; therefore, a Timely Warning may not be distributed. In cases involving sexual assault, they are often reported 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, as deemed appropriate.

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 institution. On an annual basis, BLS publishes the results of the annual test and discloses whether or not the test was announced or unannounced.

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 <http://www.brooklaw.edu/safety-health-wellness>.

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 in and around BLS campus facilities. The Director of Public Safety, the Facilities Manager, the Assistant Dean for Student Affairs 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 for Operations, the Vice Dean for Academic Affairs, the Assistant Dean for Students Affairs 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 institution 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 IT Department typically initiates the MIR3 and BLS website systems. The Assistant Dean for Student Affairs, the Vice Dean for Operations or a designee will initiate the immediate notification for 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.

Instructions on enrollment and how to update individual information are available on BLSConnect. Students, faculty and staff are strongly encouraged to go to the following websites to update their contact information for the system:

Students: [WebAdvisor](#) -> Academic Profile -> My Profile

Faculty and Staff:

<https://blsconnect.brooklaw.edu/administrative/human-resources/Pages/employee-info-update.aspx>

Adjunct Faculty:

<https://blsconnect.brooklaw.edu/administrative/human-resources/Pages/adjunct-faculty-info-update.aspx>

<u>System to Use</u>	<u>Primary Message Creator</u>	<u>Backup Message Creator</u>	<u>Authority For Approving & Sending Messages</u>	<u>Primary Message Sender/Distributor</u>	<u>Backup Message Sender/Distributor</u>
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PRIMARY

MIR3 (Phone, Text, Email)	Vice Dean for Operations	Vice Dean for Academic Affairs, Assistant Dean for Student Affairs or Dean of Law School	Vice Dean for Operations, Vice Dean for Academic Affairs Assistant Dean for Student Affairs, or Dean of Law School	IT Department Staff	N/A
BLS Connect Website and 6 Monitors	Vice Dean for Operations	Same as above	Same as above	IT Department Staff	N/A
BLS Community Email	Vice Dean for Operations	Same as above	Same as above	Assistant Dean for Student Affairs	Vice Dean for Operations or designee.

SECONDARY

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 <http://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 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.

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 Office of Student Affairs 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.

Anyone who might require assistance, should an emergency arise, is to notify the Assistant Dean for Student Affairs at 718-780-0679. All information will be kept confidential to the full extent possible, and consistent with the needs of the Law School. Any individual whose condition improves, and no longer requires assistance during an emergency evacuation, should also notify the Assistant Dean for Student Affairs.

Students, faculty and staff receive information about evacuation and shelter-in-place procedures during their annual training meetings and during other 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 housed-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 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

BLS is part of the borough of Brooklyn, and although some entrances to the buildings have public safety officers on site to control access, it is impossible to monitor every one of those areas all the time. Unauthorized individuals could possibly gain entrance 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, etc.

205 State Street (Feil Hall) has a public safety officer at the front entrance of the building 24/7; residents have to present their ID card when entering the building (residents receive a green ID card which distinguishes them from non-residential students). When a guest arrives, an ID 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 that is monitored by the public safety officer at the front entrance.

The buildings at 2 Pierrepont Street (8 blocks off campus) and 148-150 Clinton Street (4 blocks off campus) 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. There is no security patrolling or CCTVs for these buildings currently.

The buildings listed below have a public safety officer on site to monitor access and respond to security issues when necessary.

- 250 Joralemon Street: public safety officers control access by checking IDs and are on site to respond to emergencies, if necessary, 24 hours/day.
- One Boerum Place: public safety officers control access by checking IDs and are on site to respond to emergencies, if necessary, from 7 a.m. to 12 midnight. The building is placed in a locked status at midnight. The building is alarmed from midnight to 7 a.m.

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 84th Precinct attend new student orientation to answer questions and provide information, upon request, pertaining to safety and security information. They provide students with information related to security-risk assessments, crime prevention, and situational awareness.

Campus security and emergency procedures are discussed 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. BLS personnel do not currently conduct additional educational programs throughout the year. There is typically one crime prevention and security awareness program conducted each academic year during new student orientation.

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 will provide 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, calculators, 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 office when you are not there.
9. Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.

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: <http://www.brooklaw.edu/safety-health-wellness>.

Any student who violates this policy is subject to disciplinary action up to and including referral to the Assistant Dean for Student Affairs for referral for prosecution, 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.

The Law School does not condone 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.

Response to Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence and Stalking

BLS does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, BLS issues this statement of policy to inform the community of our comprehensive plan, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a Law School official. In this context, BLS prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the community.

Definitions

Federal law requires that the Law School explain the legal definitions of crimes under New York State law as well as law school policy. Consequently, while we do not adjudicate criminal offenses on campus, this policy will provide both the state criminal language, where applicable, as well as the definitions used by the Law School which would constitute a violation of school policy.

What is consent?

Under New York State law, a sexual offense occurs when certain sexual acts are perpetrated against a victim without his or her consent. The law defines both (1) the behavior and the physical nature (body parts, etc.) of a sex offense and (2) the lack of consent involved. "Lack of consent" is defined in New York State's Penal Law as occurring in the following circumstances:

Forcible compulsion:

- actual physical force.
- the threat of physical force, expressed or implied, that puts the victim in fear of being physically harmed, or of another person being physically harmed (e.g. one's child).
- the threat to kidnap the victim or a third person or

Physically helpless: Physically unable to indicate a lack of consent (e.g. because victim is unconscious or because of a physical disability that makes one unable to physically or verbally communicate lack of consent) or

Legally incapable 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 or

Mentally Incapacitated: When the victim is made temporarily incapable of understanding or controlling his or her conduct because a drug or other intoxicating substance (e.g. alcohol) was given to them without their consent. A person is mentally or physically incapacitated when they have consumed alcohol and/or drugs, legal or illegal, voluntarily or involuntarily, and are in a state where a reasonable person would believe that they are unable to make reasonable judgments or render self-care.

Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. When incapacitation occurs, due to alcohol or drug use, indicators of incapacitation may include the following:

- 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

Sexual Assault: Means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

If any of the following acts are perpetrated against a victim "without his or her consent," as defined above, it is a crime under New York State law:

Sexual Intercourse: The penetration of the penis into the vagina, however slight; in other words, if the penis goes into the vagina just a little, not in its entirety, is considered completed "sexual intercourse." (There is no requirement of physical injury and usually there is no requirement that ejaculation or orgasm have occurred.)

AND/OR

Criminal Sexual Act (Oral or Anal Sexual Conduct): Does not require any penetration and occurs upon contact between penis and mouth, penis and anus (rectum), mouth and anus, or mouth and vaginal area.

AND/OR

Sexual Contact: 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 either party
- includes the touching of the victim's sexual or intimate parts by the perpetrator AND the touching of the perpetrator's sexual or intimate parts by the victim

AND/OR

Forcible Touching: The intentional and forcible touching of another:

- done for the purpose of degrading or abusing another person or done for the purpose of gratifying the defendant's sexual desire;
- includes squeezing, grabbing, or pinching.

AND/OR

Aggravated Sexual Contact: Insertion of a foreign object (e.g. bottle, broom handle, etc.) into the vagina, urethra, penis or rectum.

- Insertion of a finger into vagina, urethra, penis or rectum causing injury, constitutes 2nd degree sexual offense;
- If the insertion of the object causes physical injury, this constitutes a 1st degree sexual offense;
- If no injury occurs, this constitutes a 3rd degree sexual offense.

Domestic Violence: Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, 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 the State of New York, domestic violence includes actual physical abuse, an attempt to harm another, placing another in fear of imminent, serious, physical harm, like violating a protective order, or causing another to engage in sexual relations by force, threat of force, or duress perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

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, or persons who are dating or who have dated in the past, including same sex couples.

Dating Violence: Means 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.

Stalking: Means engaging in a course of 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 the State of New York, 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:

1. 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; or
2. 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
3. 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.

Male Victims

While most victims of sexual assault are women, some men are also victims. Male victims at BLS receive the same services as women. Emotional support, counseling about options, information about resources related to legal issues and medical treatment are available to assist all those impacted by sex-based discrimination or crime.

Local Ordinances and Penalties for Commission

Local ordinances in the City of New York are administrative law, not criminal, and allow for the protection of persons civil rights. Local ordinances, to include Title 8, may be accessed here: <http://72.0.151.116/nycnew/>

The New York State Penal Law provides for the following possible penalties for the various classifications of sexual and domestic assault offenses, to include stalking, depending on what the perpetrator is convicted of:

Class B Felony	Imprisonment for 5 to 25 years
Class C Felony	Imprisonment for 3 1/2 to 15 years
Class D Felony	Imprisonment for 2 to 7 years
Class E Felony	Imprisonment for 1 1/2 to 4 years
Class A Misdemeanor	Imprisonment for up to 1 year
Class B Misdemeanor	Imprisonment for up to 3 months

For more information about how sex offenses are classified in criminal law in the State of New York, visit <http://nyscasa.org/understanding/penalcodes>.

For more information about how domestic offenses are classified in criminal law in the State of New York, visit <http://www.opdv.ny.gov/index.html>.

Prevention and Education Programs

The Law School engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. 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 faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of New York;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The Law School is developing an annual educational campaign consisting of presentations that include: distributing educational materials to new students; participating in and presenting information and materials during new employee orientation; presenting programs throughout the year or, at least, on a quarterly basis; including sessions, such as, skits, a clothes-line project, an annual poster series and web-based training programs regarding the Role of Faculty in Assisting Students Who Disclose Abuse or an Assault.

Dating, Domestic & Sexual Violence

Students often have difficulty recognizing verbal and emotional abuse, or do not have enough experience in relationships to know that the abusive behavior is not normal or healthy. Students may feel trapped by the social networks and closed environment of many campuses. Away from home, students can become isolated from their personal support network and resources for help. Students that seek legal protection may also find themselves with few options if their state does not allow victims, who are dating their abuser, to obtain civil protection orders (also known as restraining orders).

Students experience stalking, dating, domestic and sexual violence at staggering rates and face unique challenges to accessing help and services. Talk to someone about the violence. Part of the abuser's power comes from secrecy.

The facts about domestic, dating and sexual violence in school:

- Women between the ages of 16 and 24 experience the highest rate of intimate partner violence in the nation.
- Nearly one-third of college students report physically assaulting a dating partner in the previous 12 months.
- One in four female college students experience sexual assault over the course of their college career.
- Approximately 90% of victims of sexual assault on college campuses know their attacker yet very few recognize the incident as a crime and seek help from the school or the police.

Nationally:

- 1.3 million women were raped in 2009 (NISVS - National Intimate Partner and Sexual Violence Survey 2010)
- 1 in 5 women are raped in their lifetime (NISVS)
- 1 in 70 men are raped in their lifetime (NISVS)
- 80% of victims experience their first rape when they are under the age of 25 (NISVS); almost 50% before 18

- 51.1% of female victims of rape report being raped by an intimate partner (NISVS)
- 40.8% of female victims of rape report being raped by an acquaintance (NISVS)
- 8% of rapes are “stranger” rape (NISVS)

Title IX

It is the policy of BLS to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex, including, but not limited to, sexual harassment and sexual violence, in the School’s educational programs and activities. Title IX also prohibits intimidation, coercion or retaliation against individuals for engaging in activities protected by Title IX including asserting claims of sex discrimination. BLS has a designated Title IX Coordinator, Michael Cahill, Vice Dean of Operations, who can be reached by phone at 718-780-7943, by email at michael.cahill@brooklaw.edu, or in person in the Deans’ Suite at 250 Joralemon Street – 9th Floor. Title IX complaints, grievances or inquiries concerning Title IX may be directed to that Title IX Coordinator or the designated Deputy Title IX Coordinator. A person may also file a written complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481. A full copy of the Law School’s Sexual Misconduct policy can be found at <http://www.brooklaw.edu/sexualmisconductpolicy>.

RESOURCES: COUNSELING AND EMOTIONAL SUPPORT

On Campus

During the difficult period after sexual harassment, sexual assault, domestic violence, dating violence or stalking, it is important to obtain emotional support. The student should seek out emotional support from friends, family and religious advisors. Victims are encouraged to contact the Law School’s mental health consultants for counseling. Professional counseling is available through these consultants, in the form of up to two free and confidential sessions. These consultants can assist students with finding further low cost counseling. These consultants are listed in the Student Life section of BLSCconnect. Informal counseling is also available from the Office for Student Affairs. The Assistant Dean for Student Affairs can, upon request, assist the student with alternate academic and living arrangements, if reasonably available.

Important Telephone Numbers

Director of Public Safety:	718-780-7942
Lobby Desk/250 Joralemon Street:	718-780-7972
Lobby Desk/Feil Hall :	718-780-7991
Assistant Dean for Student Affairs:	718-780-0679

Off Campus

NYC Police Emergency Number	911
NYPD Sex Crimes Hotline	212-267-RAPE (7273)
NYC Police Brooklyn Special Victims Squad	718-230-4417
Brooklyn DA's Special Victims Bureau	718-250-3170
Local Precinct (84th) 301 Gold Street	718-875-6811
Emergency Department of LICH Amity Street (between Hicks and Henry)	718-780-1961
New York City Gay and Lesbian Anti-Violence Project, http://www.avp.org/ - 24-hour bilingual Crime Victims Hotline	212-714-1141
Safe Horizon, www.safehorizon.org	1-800-621-4673
24-Hour Crime Victims Hotline	1-866-689-4357
24-Hour Domestic Violence Hotline	1-800-621-4673
Rape Crisis and Sexual Assault Hotline	212-227-3000
Counseling Centers Services by Appointment	347-328-8110
St. Luke's Roosevelt Crime Victims Treatment Center	212-523-4728

REPORTING TO BLS TO INITIATE THE JUDICIAL/ DISCIPLINARY PROCESS UNDER THE BROOKLYN LAW SCHOOL STUDENT HANDBOOK

Procedures for Law School Disciplinary Action

If the sexual assault involves a fellow student or an employee of the Law School, a complaint can be should be filed with the appropriate Deputy Title IX Coordinator.

Students should contact Jennifer Lang, Assistant Dean for Student Affairs by phone at 718-780-0679, by email at jennifer.lang@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Faculty should contact Vice Dean Dana Brakman Reiser by phone at 718-780-0396, by email at dana.brakman@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Staff should contact Human Resources Manager Christina Wallace by phone at 718-780-0305, by email at christina.wallace@brooklaw.edu, or in person at 1 Boerum Place - 2nd Floor.

If a member of BLS is sexually assaulted by another member of the BLS community, there are disciplinary processes available at the institution.

BROOKLYN LAW SCHOOL DISCIPLINARY ACTION

Sexual Assault, Domestic Violence, Dating Violence and Stalking

A. Procedures for Reporting a Complaint

The Law School has procedures in place that serve to be sensitive to those 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 medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available.

Students should contact Jennifer Lang, Assistant Dean for Student Affairs by phone at 718-780-0679, by email at jennifer.lang@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Faculty should contact Vice Dean Dana Brakman Reiser by phone at 718-780-0396, by email at dana.brakman@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Staff should contact Human Resources Manager Christina Wallace by phone at 718-780-0305, by email at christina.wallace@brooklaw.edu, or in person at 1 Boerum Place - 2nd Floor.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at one of the hospitals listed below.

Manhattan

St. Luke's Hospital (CHP)	Amsterdam Ave & W 113th St
Roosevelt Hospital (CHP)	1000 10th Ave
Beth Israel-Petrie Campus (CHP)	1st Ave & E 16th St
Bellevue Hospital (HHC)	1st Ave & E 27th St
Harlem Hospital (HHC)	506 Lenox Ave
Metropolitan Hospital Center (HHC)	1901 1st Ave
Mount Sinai Medical Center (Mount Sinai)	1 Gustave L Levy Pl
New York Presbyterian Hospital-Columbia (NYP)	622 W 168th St
New York-Presbyterian Hospital- The Allen Pavilion (NYP)	5141 Broadway
New York-Presbyterian Hospital-Weill Cornell (NYP)	525 East 68th Street

Brooklyn

Woodhull Medical and Mental Health Center (HHC)	760 Broadway
Coney Island (HHC)	2601 Ocean Pkwy
Kings County Hospital Center (HHC)	451 Clarkson Ave

Bronx

North Central Bronx (HHC)	E 210th St & Kossuth Ave
Lincoln Medical and Mental Health Center (HHC)	234 E 149th St
Jacobi Hospital (HHC)	Eastchester Rd & Pelham Pkwy S

Queens

Queens Hospital Center (HHC)	82-68 164th St
Elmhurst Hospital (HHC)	79-01 Broadway

Staten Island

Richmond University Medical Center (IN)	355 Bard Ave
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In the State of New York, 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 they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if 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, if they have any, that would be useful to Law School hearing boards/investigators, police for proof of the criminal offense or in obtaining a protection order. Although the Law School strongly encourages all members of its community to report violations of this 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. The Law School will assist any victim with notifying local police if they so desire. The New York City Police Department may also be reached directly by calling 911. The NYPD has a special sex crimes liaison squad to handle cases involving sexual assault. The twenty-four-hour hotline number is 212-267-RAPE (7273). The officers in this squad have been trained to respond in a sensitive manner to a victim of

sexual assault. Additional information about the New York City Police department may be found online at: http://www.nyc.gov/html/nypd/html/precincts/precinct_084.shtml.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Michael Cahill by email at michael.cahill@brooklaw.edu, by phone at 718-780-7943, or in person in the Deans' Suite at 250 Joralemon Street – 9th Floor. Mercedes Ravelo, Director of Public Safety, can also be contacted (if the victim so desires) by email at mercedes.ravelo@brooklaw.edu, by phone at 718- 780-7942, or in person at 250 Joralemon Street - Room 901. The Law School will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, 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 Director of Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

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, as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Incident Being Reported: **Sexual Assault**

Evidentiary Standard:

Sexual assault cases are referred to the Title IX Coordinator and are adjudicated by the institution's Sexual Misconduct Board using the *preponderance of the evidence* standard.

Procedure Institution Will Follow:

1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care.
2. Institution will assess immediate safety needs of complainant.
3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.
4. Institution will provide complainant with referrals to on and off campus mental health providers.

5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties.
6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate.
7. Institution will provide written instructions on how to apply for Protective Order.
8. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.
9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and the outcome of the hearing.
10. Institution 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.

Incident Being Reported: **Stalking**

Evidentiary Standard:

Stalking cases are referred to the Chief Conduct Officer and adjudicated using the clear and convincing evidentiary standard. If the stalking is sexually based, it may fall under the institution’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct Board using the preponderance of the evidence standard.

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.

5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate

Incident Being Reported: **Dating Violence**

Evidentiary Standard:

Dating Violence cases are referred to the Chief Conduct Officer and adjudicated using the clear and convincing evidentiary standard. If the dating violence incident is sexually based, it may fall under the institution’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct Board using the preponderance of the evidence standard.

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate.

Incident Being Reported: **Domestic Violence**

Evidentiary Standard:

Domestic Violence Cases are referred to the Chief Conduct Officer and adjudicated using the *clear and convincing* evidentiary standard. If the act of domestic violence is sexually based, it may fall under the institution’s Sexual Misconduct Policy and if so, would be referred to the Title IX Coordinator and adjudicated under the institution’s Sexual Misconduct Board using the *preponderance of the evidence* standard.

Procedure Institution Will Follow:

1. Institution will assess immediate safety needs of complainant.
2. Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police department.
3. Institution will provide written instructions on how to apply for Protective Order.
4. Institution will provide written information to complainant on how to preserve evidence.
5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate.

B. Adjudication of Violations

Whether or not criminal charges are filed, the Law School or a person may file a complaint under the Law School’s Sexual Misconduct Policy alleging that a student or employee has violated the policy. Reports of all domestic violence, dating violence, sexual assault and stalking made to the Director of Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The Law School’s disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The Sexual Misconduct Policy provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board;
2. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
3. A student conduct decision is based on the preponderance of evidence standard, i.e. “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated Brooklyn Law School’s Sexual Misconduct Policy.

4. The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final; and
5. Both the complainant and the respondent have a right to appeal the finding of responsibility or the sanction. Appealing the finding of responsibility must be based on a process error (i.e. a procedural error, not that the party didn't feel the resolution or sanction was appropriate. Both parties will have five business days from notification to appeal to the next level of authority.

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the Law School's ability to respond to the complaint may be limited.

Confidentiality

The Law School will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

Sanctions and Protective Measures

For students, sexual assault, domestic violence, dating violence, and stalking are violations of the Student Handbook. In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Misconduct Policy occurred will lead to the initiation of disciplinary procedures against the accused individual. Sanctions against students for a violation of the disciplinary code for sexual assault include dismissal, suspension for a definite or indefinite period, with or without conditions, admonishment or probation. These sanctions are independent from those imposed as a result of a criminal proceeding. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator 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: an order of no contact, residence hall 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 the Law School.

C. Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint, 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. In New York, a victim of domestic violence, dating violence, sexual assault or stalking have the right to information, compensation, advocacy and emotional support related to their new and unwanted status as victims of crime.

Advocates can immediately draw upon the resources of the New York Office of Victim Services (OVS) for the purpose of delivering direct services, including referrals to all appropriate resources throughout New York, particularly other OVS funded victim assistance programs and the established network of crime victim service providers, compensation claims assistance (including emergency OVS compensation claims assistance), information, personal advocacy and follow-up contact through in person contact, telephone, mail, and e-mail. Victims of crimes that occurred in New York, who now reside outside the state, may also contact the Program. For more information about Victims' Rights in New York, you may contact the following offices:

Advocate/Social Worker in the Albany office: 518-485-9104

Victim Advocate in the Brooklyn office: 718-923-4366

Victim Advocate in the Buffalo office: 716-847-7996

Further, the Law School complies with New York law in recognizing orders of protection by: directing any person who obtains an order of protection to provide a copy to the Director of Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with the Director of Public Safety to develop a Safety Action Plan, which is a plan for campus security and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, providing a temporary cell phone, changing classroom location or allowing a student to complete assignments from home, etc.)

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

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 requests 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.

To the extent of the victim's cooperation and consent, Law School offices, including the Deans' Office, the Registrar, Information Technology, Human Resources, Public Safety and any other relevant offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal Law School investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The Law School does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime and Fire Log or online. Victims may request that directory information on file be removed from public sources by request to the persons listed below.

Students should contact Jennifer Lang, Assistant Dean for Student Affairs by phone at 718- 780-0679, by email at jennifer.lang@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Faculty should contact Vice Dean Dana Brakman Reiser by phone at (718) 780-0396, by email at dana.brakman@brooklaw.edu, or in person at 250 Joralemon Street in the Deans' Suite - 9th Floor.

Staff should contact Human Resources Manager Christina Wallace by phone at (718) 780-0305, by email at christina.wallace@brooklaw.edu, or in person at 1 Boerum Place - 2nd Floor.

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.

Sex Offender Registry

The federal “Campus Sex Crimes Prevention Act,” enacted on October 28, 2000, went into effect October 28, 2002. The law 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://criminaljustice.state.ny.us/nsor/> or 1-800-262-3257.

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 718-780-7972 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 Assistant Dean for Student Affairs.

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, BLS will notify NYPD and the student’s confidential contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, BLS 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. 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:

<https://blsconnect.brooklaw.edu/academics/forms/Lists/Missing%20Person%20Contact%20Information/newform.aspx>

A student’s confidential missing person contact information will be accessible only by authorized campus officials and law enforcement as appropriate.

Appendix

Sex Offenses Definitions

As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program:

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: The carnal knowledge of a person, 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 or physical incapacity.

Sodomy: Oral or anal sexual intercourse with another person, 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 or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity.

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 or physical incapacity.

Sex Offenses – Non-forcible

Unlawful, non-forcible sexual intercourse.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

As Per the Uniform Crime Reporting Handbook:

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.

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, etc.

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).

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.

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 causing the victim fear.

Weapon: Carrying, Possessing, Etc.: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to, opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

Offense Definitions Relating to Hate/Bias Related Crime Statistics as per the UCR Hate Crime Reporting Guidelines:

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

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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.

Geography definitions from the Clery Act:

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), 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 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.

Offense	Year	On Campus	Non Campus	Public Property	Total	Residential Facilities
Murder/Non Negligent Manslaughter	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Negligent Manslaughter	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Sex Offenses	2010	0	0	0	0	0
	2011	1	0	0	1	1
	2012	0	0	0	0	0
Sex Offenses, Non-forcible	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Robbery	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Aggravated Assault	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Burglary	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Motor Vehicle Theft	2010	0	0	0	0	0
	2011	0	0	1	1	0
	2012	0	0	0	0	0

Offense	Year	On Campus	Non Campus	Public Property	Total	Residential Facilities
Arson	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Liquor Law Violations - Arrests	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Liquor Law Violations - Referred for Disciplinary Action	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Drug Abuse Violations - Arrests	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Drug Abuse Violations - Referred for Disciplinary Action	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Weapons: Carrying, Possessing, Etc. - Arrests	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0
Weapons: Carrying, Possessing, Etc. - Referred for Disciplinary Action	2010	0	0	0	0	0
	2011	0	0	0	0	0
	2012	0	0	0	0	0

NOTE: Crime statistics were requested from the New York Police Department for the BLS facilities and public property surrounding them, but were not available in a usable format (provided the statistics by sectors of the city) for Clery reporting.

Hate Crimes

There were no hate crimes, as defined by applicable law, reported in 2010, 2011 and 2012.

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 Assistant Dean for Student Affairs. 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 2010 through 2012 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.

Fire Safety Report

FIRE SAFETY

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, including but not limited to Croker Fire Drill Corporation.

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 is the only on campus residential facility and the building has the following fire safety Systems:

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

Brooklyn Law School conducts two evacuation drills in Feil Hall each year.

Procedures for Evacuation of Campus Housing In Case of a Fire

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

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:

You are in a non-combustible (fireproof) building.

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 ID and keys.
- 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.
- 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.

Procedures Students and Employees should follow in Case of a Fire in Academic Buildings

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.

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. No smoking is permitted in any student apartment, including on terraces. Smoking is never permitted 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 security staff members are trained according to the fire safety plans established by Brooklyn Law School. All BLS security staff members are trained based upon standard school protocols for fire safety, with additional information in residence hall rooms for occupants to review.

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.

Plans for Future Improvements to Fire Safety

Brooklyn Law School currently plans to upgrade the fire alarm system in 1 Boerum Place and to install a fire alarm control system in 2 Pierpont Street, barring any future unforeseen circumstances.

Fire Statistics

FIRE STATISTICS CHART

2012

Residential Facility Name and Address	Total # Fires	Fire #	Cause of Fire	# Injuries	# Deaths	Value of Property Damage
Feil Hall, 205 State Street	3	0	no flames; only smoke	0	0	0

2011

Residential Facility Name and Address	Total # Fires	Fire #	Cause of Fire	# Injuries	# Deaths	Value of Property Damage
Feil Hall, 205 State Street	2	0	no flames; only smoke	0	0	0

2010

Residential Facility Name and Address	Total # Fires	Fire #	Cause of Fire	# Injuries	# Deaths	Value of Property Damage
Feil Hall, 205 State Street	1	0	no flames; only smoke	0	0	0