

# SETON HALL UNIVERSITY

## ANNUAL SECURITY REPORT LAW SCHOOL

This report is prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

This Report is published October 1, 2025. It covers the 2024 calendar year and statistics for calendar years 2022, 2023, and 2024.



October 1, 2025

Thank you for your interest in the Seton Hall University Annual Security Report. This report, which is published annually in October, contains important information about the 2024 calendar year for our university communities. Safety and Security is always on our minds here at Seton Hall. We have committed resources to help keep our students safe and secure. Our Department of Public Safety and Security works diligently to protect our students, staff, administrators and faculty on all the Seton Hall campuses. But public safety is everyone's business. The policies and procedures described here are designed to keep our community aware and safe. Please familiarize yourself with them.

This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (known as the Clery Act). Please review the information and policies included here. If you have specific questions, you may contact Public Safety at 973-761-9300 or my office at 973-761-9075.

Sincerely,

A handwritten signature in black ink that reads "Monica Burnette". The signature is written in a cursive style with a large, prominent "M" and "B".

Monica N. Burnette, Ph.D.  
Vice President, Student Services

## **ANNUAL SECURITY REPORT**

One of the country's leading Catholic universities, Seton Hall University has been developing students in mind, heart and spirit since 1856. Home to nearly 10,000 undergraduate and graduate students and offering more than 90 rigorous majors, Seton Hall's academic excellence has been singled out for distinction by The Princeton Review, U.S. News & World Report and Bloomberg Businessweek.

The University operates at four separate campuses – the main campus in South Orange, New Jersey, the Law School in Newark, New Jersey, the Interprofessional Health Sciences Campus in Nutley, NJ, and a nursing degree program on the campus of Brookdale Community College, Freehold, New Jersey. This report is for the Law School, located on a separate campus at 1109 Raymond Blvd, Newark, NJ. It is in an office complex in downtown Newark. There are no residential facilities.

### **PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

It is the policy of Seton Hall University (SHU) to fully comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The preparation of the Annual Security Report (ASR) is a collaborative effort between Public Safety and Security (PS&S), the Dean of Students Office, Campus Security Authorities (CSA's), and several local law enforcement agencies.

The Assistant Director of Public Safety, Public Safety communicates regularly with the Security Manager at the Law School, mails annual requests for statistics to local law enforcement agencies and is in regular communication with other departments with significant responsibilities for students and University activities. The University compiles this information into the University's Annual Security Report.

This report contains three years of crime statistics related to incidents that occurred on University property or property owned or controlled by Seton Hall, and on public property immediately adjacent to and accessible to the campus. The ASR also contains institutional policies about security, sexual violence, safety, and crime prevention.

By October 1 of each year, the Vice President for Student Services sends an email to all members of the University community notifying them of the availability of the ASR. It is available online at <https://www.shu.edu/documents/annual-security-report-law-school.pdf>. You may also request a printed copy by emailing Public Safety & Security at [security.request@shu.edu](mailto:security.request@shu.edu) or by visiting the department adjacent to the Ward Gate on the main campus at 400 South Orange Avenue, South Orange, NJ.

### **SECURITY AND ACCESS**

At the Law School, the physical condition of the building is monitored by the Department of Facilities Engineering and requests of a security nature (keys, etc.) are coordinated through the Security Manager. Electronic surveillance systems monitor Law School property as well as adjacent areas of public property. Public Safety personnel check all persons entering through a check point at the security desk adjacent to the main entrance.

To report security issues about the building, contact the Director of Facilities, 2<sup>nd</sup> Floor, Rm. 210 or call 973-642-8404 during business hours. For building emergencies outside of normal business hours, contact the Security Desk at 973-642-8725.

Public Safety personnel open and close the building as scheduled.

## **ENFORCEMENT AND JURISDICTION**

The safety of our campus and community is a responsibility shared by all of us. While this is led by the Department of Public Safety and Security, there are other key areas who contribute significantly to our efforts.

### **Department of Public Safety and Security**

Security at the Law School is managed by a Department of Public Safety administrator who oversees a staff comprised of members of a contract guard service. Security Officers are not armed and are not sworn law enforcement personnel. Security at the Law School is provided 24-hours per day, 7 days per week, and 365 days per year. Alarm monitoring/response, CCTV surveillance, medical emergency response (CPR/AED trained) and general customer service are among the many tasks provided by the Security Officers. There is a Building Access Policy (see link below). The policies and procedures in effect at the Law School mirror those on the South Orange campus ensuring continuity and accountability in security services. Public Safety personnel have developed close working relationships with the Newark Police and other local law enforcement agencies. Seton Hall Law School has no formal memorandum of understanding with any law enforcement agency.

The Department of Public Safety and Security is located on the 1<sup>st</sup> floor, room 105.

## **MONITORING AND REPORTING OF CRIMINAL ACTIVITY**

The University has no officially recognized student organizations with non-campus locations.

## **REPORTING CRIMES AND OTHER EMERGENCIES**

If crimes are not reported, the University is limited in its ability to respond and to help prevent other members of the community from becoming victims. Our community is safer when we all work together to make it that way by promptly reporting crimes and by participating in and supporting crime prevention efforts.

**In an emergency call 911.**

Seton Hall strongly encourages that all crimes be directly reported to Public Safety at 973-642-8725 or the Newark Police Department at 973-733-6000.

While the University encourages victims of crime to seek assistance with Public Safety and/or off campus law enforcement agencies, University employees will notify law enforcement when the victim of the crime elects to or is unable to notify. Per the Clery Act and University Policy, the victim of a crime has the right to:

- Notify University and/or local law enforcement;
- Be assisted by the University in notifying law enforcement if they choose to do so; or
- Decline to notify law enforcement.

In a non-emergency, SHU recognizes that some individuals may prefer to report to other officials or departments on campus. The Clery Act identifies these officials as “Campus Security Authorities” and they include:

- a) Public Safety & Security
- b) Individuals responsible for security outside of PS&S (i.e. event management, building access)
- c) An official who has significant responsibility for student and campus activities, including, but not limited to student discipline, and campus judicial proceedings.
- d) Any individual or organization the institution has identified to which students and employees should report criminal offenses.

All CSA’s have been advised of their responsibility to forward any report they receive to Public Safety and Security. While the University has several CSA’s, the following places are designated as where individuals should report crimes or policy violations both for response and for the purpose of making Timely Warnings and including statistics in the annual statistical disclosure:

Public Safety and Security  
973-642-8725  
1<sup>st</sup> floor, Rm. 105

Assistant Dean for Equity, Justice, and Engagement, Deputy Title IX Coordinator  
973-642-8387  
3<sup>rd</sup> floor, Rm. 302

Title IX Coordinator  
973-275-2513  
South Orange Campus  
400 South Orange Ave.  
South Orange, NJ 07079  
Bayley Hall, 1<sup>st</sup> Floor, Rm. 110D

#### *Anonymous Reporting*

Public Safety & Security also accepts anonymous reports online. Please provide as much detail as possible. If you do wish to speak with someone, you can include your contact information. The form can be accessed here - [https://setonhall.formstack.com/forms/anonymous\\_witness](https://setonhall.formstack.com/forms/anonymous_witness). Clery Act crimes may be reported to Public Safety or to any Campus Security Authority or may be submitted anonymously using this online system for the purpose of including the report of the crime in the Annual Security Report and having the University consider whether to issue a Timely Warning.

#### *Confidential Reporting*

Appropriately credentialed members of the Counseling and Psychological Services, Health Services, and the Priest Community are not CSA’s when acting in their counseling, medical, or pastoral role and are considered Confidential Employees. Confidential Employees do not report any information to Public Safety or the Title IX Coordinator without the permission of the individual making the report. The University encourages Confidential Employees, if and when they deem appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Confidential Employees may be reached at:

Counseling and Psychological Services  
973-761-9500  
4<sup>th</sup> Floor, Rm. 438

Health Services  
973-761-9175  
303 Centre Street (across from the Farinella Gate)  
South Orange, NJ 07079

Campus Ministry  
973-642-8859  
1<sup>st</sup> Floor, Rm. 113A

### **TIMELY WARNING**

Public Safety & Security will issue a “timely warning” notice in the event it receives notice of a Clery crime occurring on campus, on public property immediately adjacent to the campus, or on non-campus property owned or controlled by the University, where the University determines, in its judgement, that the situation presents a serious or ongoing threat to the University community. The warning will include information that will aid in the prevention of similar occurrences.

Whether to issue a timely warning is determined on a case-by-case basis for the following Clery Act crimes: homicide, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act.

In deciding whether to issue a timely warning the University will consider a number of factors to determine if there is a serious or ongoing threat to the University community. Those factors include, but are not limited to, 1) the nature of the incident; 2) when and where the incident occurred; 3) the amount of the information known to PS&S. The reason why the University does or does not issue a timely warning will be documented and maintained with a copy of the incident report for a period of seven years by PS&S.

The Associate Vice President for Public Safety & Security (AVPPS&S), or their designee, will consult with the Vice President for Student Services, or their designee, who is responsible to decide if a timely warning will be issued. AVPPS&S and Vice President for Student Services will determine the content of the timely warning. The content of timely warning will include at minimum, to the extent known, the date, time, and nature of the offense, a physical description of the actor(s), and where applicable, cautionary advice that would promote safety. The University is not required to issue timely warnings for crimes reported to Confidential Employee pastoral and professional counselors.

A timely warning is sent by email to all members of the University community by Public Safety and Security. Several members of the PS&S department have been trained to issue these warnings. The University may also use the Pirate Alert system, the University’s text message service, to supplement the email message. Additional information about the incident may be sent by email, text message, and/or posted to the University’s website. If the University issues an emergency notification for an incident that could qualify for a Timely Warning, it may not also issue a duplicative timely warning, though it may send additional notifications with follow up information, where appropriate.

## **EMERGENCY NOTIFICATION AND EVACUATION**

### **Emergency Response Plan**

The University has a comprehensive Emergency Preparedness and Response Plan. The Plan details the processes and communications for a successful response to, and recovery from, an emergency incident.

Public Safety & Security administrators and security managers have received training in Incident Command and Responding to Critical Incidents on campus. Depending upon the nature of the incident, other University departments and other local, state, or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures are part of the University's Campus Security Act compliance efforts and is available on the Public Safety & Security website at: <https://www.shu.edu/public-safety/emergency-preparedness.cfm>.

### **Drills, Tests, and Exercises**

Public Safety & Security reviews the Emergency Response Plan annually and makes changes as needed or required. All changes are reviewed by the Vice President for Student Services.

An evacuation drill is conducted by Public Safety at least once per year at the Seton Hall Law School. All occupants are instructed as to the locations of emergency exits and provided guidance about the directions they should travel when exiting each facility for a short-term building evacuation. Evacuation drills are not announced in advance. Public Safety personnel on the scene will communicate information regarding the developing situation or any evacuation status changes.

Emergency notification systems are tested twice per year and the results of the test are assessed and published.

### **Emergency Notification**

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

Public Safety & Security is responsible for responding to all significant incidents that may occur on campus. Once a PS&S officer confirms that there is, in fact, an emergency or dangerous situation on campus that poses an immediate threat to the health or safety of some or all members of the University community, they will notify supervisors to issue an emergency notification. The supervisors have authority to immediately issue an emergency notification if the situation warrants. The Associate Vice President for Public Safety & Security (AVPPS&S), or their designee, will consult with the Vice President for Student Services, or their designee, to determine additional modes of notification.

Generally, the community members in the immediate area of the dangerous situation (i.e., the building, surrounding area) will receive the notification first. The University may issue subsequent emergency notification to a wider segment and/or to the entire community to be aware of the situation and what steps they should take.

Public Safety & Security is responsible for issuing emergency notifications; three individuals have been trained to do so – Deputy Director, Assistant Director Investigations, Assistant Director for Administrative Services, and Assistant Director of Public Safety, Law School. Several templates have been developed for notifications. The individual issuing the notification will select the appropriate template and modify it to reflect the specifics of the situation. The Vice President for Student Services, or their designee, will assist with the content as needed.

The University has several systems it may use to communicate quickly with the community:

*PirateAlert System* - This is the University's electronic mass notification system through which warnings and instructions are transmitted to the University community via cellular voice, cellular text, landline telephone, and e-mail. All SHU community members are automatically registered to receive e-mail messages and are urged to register with PirateAlert to receive messages through the other modes. In addition, all community members who provide a cell phone number as part of their application automatically have that number entered into the system. PirateAlert is used throughout an emergency event to alert and warn the community of an impending or occurring hazard, to provide instructions such as "shelter-in-place," or to inform the community when the hazard has been abated. The PirateAlert system may also be used to alert the community to hazards that are beyond the scope of crimes and locations specified by the Campus Security Act. These notices, that are not Timely Warnings or Emergency Notifications as they do not meet the standards of the Clery Act are not sent per the requirements of the Clery Act, but are sent as PirateAlert advisories because in some cases, in the judgment of the University, it is important for the community to have this safety information, even if not required.

*Fire Alarm Systems* - All Seton Hall University facilities are equipped with fire detection and alarm systems that activate automatically when heat or smoke conditions occur within the facility. Fire alarm systems can also be triggered manually by building occupants or Public Safety personnel when indications of a fire, indoor hazardous materials incident, or other localized hazards are detected. All SHU community members are trained through fire safety programs to immediately evacuate when the fire alarm system activates.

*Route Alerting* - For situations in which the university's electronic notification systems have been rendered inoperative or ineffective, Public Safety personnel and trained volunteers including the SHU Community Emergency Response Team (CERT) members are dispatched to locations on campus to alert, guide and provide emergency instructions directly to the community.

*SHU Web Site and E-mail Alerts* - For emergency events for which there is adequate warning time to alert the SHU community, warnings and detailed emergency instructions may be posted on the SHU web site and broadcast via E-mail Community Alerts. A SHU Emergency Web Site can also be activated to replace the regular web site during emergency events.

An emergency affecting the SHU community would generate concern from groups beyond the individual location. Emergency notification may be disseminated to the larger community through the University website and local, regional, or national media in conjunction with Public Safety and University Relations. During emergencies or public relations crises, University Relations is responsible for all proactive media outreach and manages responses to media inquiries.

## SECURITY AWARENESS & CRIME PREVENTION PROGRAMS

The University encourages all members of the community to be active participants in the prevention of crime. Public Safety leads this effort with the support of other campus departments through educational programs held throughout the year.

Some of these programs address prevention while others are designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others. Remember that we all have a role to play in keeping our Seton Hall community safe and the University offers a number of programs to help us meet that goal. Online training is offered through Vector Solutions.

PROGRAM	DESCRIPTION	FREQUENCY
Employee Orientation	All new employees are introduced to the services of PS&S.	Monthly
Daily Shuttle	Daily shuttle to various locations in downtown Newark when classes are in session, from 6pm – 12am. Weekends 5pm – 12am EST.	On-going

## DRUG, ALCOHOL, AND SUBSTANCE ABUSE

The possession, sale, or the furnishing of alcohol on the University campus is governed by University policy and New Jersey state law.

The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Similarly, University policy does not permit the use, possession, manufacture, or distribution of controlled substances, including paraphernalia on campus property. Enforcement of University policy is the responsibility of Public Safety & Security personnel.

Violators of the University’s alcohol and/or drug policies are subject to disciplinary sanction that may range up to University expulsion. In addition, individuals may be referred for criminal prosecution that may include fine and imprisonment.

For employees, substance abuse is detrimental to an individual’s health and may jeopardize safety in the workplace. For these and other reasons, the unauthorized use, possession, storage, manufacture, distribution and sale of alcohol, controlled substances, and illegal drugs is prohibited on campus for all employees. For more information consult Human Resources or the “Drug and Alcohol Free Workplace Policy” at <https://www.shu.edu/policies/drug-alcohol-free-workplace.cfm>.

Seton Hall University is committed to a healthy environment for all members of our community. The University’s comprehensive education programs exceed the requirements of the Higher Education Act of 1965, as amended. The biennial review of these programs and more detail about the programs offered can be found at <https://www.shu.edu/student-life/drug-free-schools-and-campuses-act.html>.

## **CAMPUS SEXUAL VIOLENCE ELIMINATION ACT (SaVE Act)**

The Campus SaVE Act, passed in 2013 as part of the Violence Against Women Reauthorization Act, amended the Clery Act to require that colleges and universities include important information about sexual misconduct and violent crime statistics, education, and security-related information in the Annual Security Report. The crime statistics are included at the end of this Report; the education and security-related information follow.

Seton Hall University prohibits the crimes of sexual assault, domestic violence, dating violence, and stalking.

### Education & Outreach – Students:

Seton Hall University is committed to fostering a positive and safe working and learning community. All new students receive information in written form about University policies, resources, and reporting procedures during Orientation. Students sign a *Memorandum of Understanding* stating that they have received this information. In addition, all students complete an online course administered by the Title IX Office each spring that reviews sexual assault, stalking, dating violence, and sexual harassment, and reporting options for students.

Students are also made aware of information about policies and resources during the year through the University's dedicated website, [Title IX - Seton Hall Law School](#), various brochures and printed materials, and active programs such as "Take Back the Night."

## **BYSTANDER INTERVENTION**

### **What is Bystander Intervention?**

Bystander intervention is crucial in keeping the campus community safe and preventing sexual violence, dating violence, domestic violence, and stalking. Bystanders witness violence or its contributing factors and choose to act or speak up. The University aims to foster a culture of community accountability and encourages bystanders to intervene if the situation is safe to do so.

### **How to Be an Active Bystander.**

If you or someone else is in immediate danger and it is not safe for you to intervene, call 911. If you do feel safe intervening, here are ways you can step in:

1. **Direct:** Confront those involved. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
  - a. Example: "Hey, what are you doing?" "Are you OK?"
2. **Delegate:** Call for help from someone else
  - a. Example: a friend, bartender, bouncer, police, etc.
3. **Distract:** Redirect attention of the people involved.
  - a. Example: Talk loudly, drop something, tell someone you are not feeling well and need to go home.

### **Risk Reduction**

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))

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus Health Services, Public Safety, Counseling and Psychological Services, and KNOW MORE. Notice where emergency phones are on campus and program the campus security number and app into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking for a campus escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites use geolocation to publicly share your location. Consider disabling this function and reviewing other [social media settings](#).
- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends but give people time to earn your trust before relying on them.
- **Think about a Backup Plan.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card or electronic pay like Venmo? Do you have the address to your Residence Hall room or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- **Be secure.** Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the Residence Hall or apartment, tell Campus Safety or a trusted authority figure.
- **Plan.** If you're going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don't leave someone stranded in an unfamiliar or unsafe situation.
- **Watch your drink.** Don't leave your drink unattended and watch out for your friends' drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It's not always possible to know if something has been added to someone's drink. In [drug-facilitated sexual assault](#), a perpetrator could use a substance that has no color, taste, or odor.
- **Know your limits.** Keep track of how many drinks you've had and be aware of your friends' behavior. If one of you feels extremely tired or more drunk than you should, you may have been drugged. Leave the party or situation and find help immediately.
- **It's okay to lie.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it's okay to lie. You are never obligated to remain in a situation that makes you feel uncomfortable, [pressured](#), or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are taking care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.
- **Be a good friend.** Trust your instincts. If you notice something that doesn't feel right, it probably isn't. Learn more about how to [keep your friends safe](#) in social settings. (RAINN).

#### Education & Outreach – Employees:

All new employees attend New Employee Orientation within a month of their start date. During this program, the Director of EEO Compliance and Title IX Coordinator presents information to all employees about:

University Policy Against Discrimination and the Guidelines for Responding to Complaints of Discrimination, Harassment and Retaliation

Title IX Grievance Procedure

Policy Against Sexual Misconduct, Sexual Harassment & Retaliation

Conscientious Employee Protection Act and Reporting via EthicsPoint

Equal Employment Opportunity Affirmative Action Statement

Title IX

Non-discrimination/Title IX Statement

Responsible Employees: Reporting Obligations Under Title IX

Confidential Reporting Resources

Reporting Options for Survivors

This information is presented orally and via PowerPoint presentation and the Office of EEO & Title IX Compliance follows up with all participants with policies and links referenced during Orientation

All employees and faculty members are required to complete two online training modules on a biannual schedule. The modules are: *Preventing Harassment & Discrimination: Supervisors & Non-Supervisors Clery Act and Title IX* and *Building Supportive Communities: Clery Act and Title IX*. These on-line programs provide information on federal and state law as well as specific Seton Hall policies and procedures. The training provides information on definitions of discrimination and sexual harassment including sexual violence, reporting protocols, and questions/vignettes to apply the definitions to different scenarios and fact patterns in order to assist with the understanding of the material.

The Title IX Coordinator and Deputy Title IX Coordinators offer ongoing training on resources, policies, and required reporting protocol to any student group, faculty, or staff department upon request.

#### Non-Retaliation Policy:

Retaliation against an individual who exercised their right or responsibilities under the Campus SaVE Act is prohibited. Retaliation against an individual for initiating a good faith complaint under the policies enforced under the Office of EEO & Title IX Compliance is prohibited. The University deems retaliation as a serious offense as outlined in its policy [here](#).

#### Written Notification of Rights and Options:

The University will provide written notification to a student or employee who makes a report of sexual misconduct or violence. In cases of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, whether the incident occurred on or off campus, and regardless of whether the victim reports to law enforcement, the University will provide a reporting student or employee with a paper or electronic copy of the Policy as well as the published Information and Resources for Individuals Reporting Sexual Misconduct (Complainant) and/or another written publication approved by the Title IX Coordinator that informs the student or employee of their rights and options under the Policy, which will include: (1) notification about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community; and (2) notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The information is also available [here](#).

#### Confidential Reporting - Students:

**The University strongly encourages accurate and prompt reporting of these crimes to both campus officials and to local law enforcement.** There are, however, options available for students who wish to maintain confidentiality while getting the support they need.

Crimes reported to a member of the clergy, of Counseling & Psychological Services (CAPS), or of Health Services, when that member is acting in performance of their role as clergy, counselor, or medical provider, are considered confidential and will not be reported without the consent of the reporting individual. As a matter of practice, victims and witnesses are provided information as to how they may report a crime on or off campus. By law, members of CAPS and Health Services are required to report when an individual has expressed intent to themselves or others.

Counseling & Psychological Services (CAPS)  
Phone: 973-761-9500

Health Services  
Phone: 973-761-9175

Campus Ministry  
Phone: 973-642-8859

For Off-Campus Resources:

\*To disclose **confidentially** the incident and obtain services from the state of New Jersey visit <https://www.nj.gov/dcf/women/domestic/> or by calling the NJ Coalition Against Sexual Assault Hotline at 1(800) 601-7200.

Other assistance can also be obtained through:

- Legal Momentum: <https://www.legalmomentum.org/>
- NJCASA: <https://njcasa.org/find-help/>
- Safe Horizons: <http://www.safehorizon.org/>
- *\*Note that these hotlines and sites are for crisis intervention, resources, and referrals, and are not reporting mechanisms. Reporting Individuals are encouraged to additionally contact a campus official so that the University can take appropriate action in these cases.*

Confidential Reporting – Employees:

**The University strongly encourages accurate and prompt reporting of these crimes to both campus officials and to local law enforcement.** There are, however, options available for employees who wish to maintain confidentiality.

Employees may call:  
CIGNA Employee Assistance Program - 1-877-622-4327  
Ethics Point - 1-888-236-7522 or via the web at  
<https://secure.ethicspoint.com/domain/media/en/gui/17614/index.html>

For Off-Campus Resources:

\*To disclose **confidentially** the incident and obtain services from the state of New Jersey visit <http://www.state.nj.us/dcf/women/domestic/> or by calling the NJ Coalition Against Sexual Assault Hotline at 1(800) 601-7200.

Other assistance can also be obtained through:

- Legal Momentum: <https://www.legalmomentum.org/>
- NJCASA: <https://njcasa.org/find-help/>
- Safe Horizons: <http://www.safehorizon.org/>

*\*Note that these hotlines and sites are for crisis intervention, resources, and referrals, and are not reporting mechanisms. Reporting Individuals are encouraged to additionally contact a campus official so that the University can take appropriate action in these cases.*

#### Preservation of Evidence and Medical Exam:

A victim can receive medical attention at any medical facility; however, certain facilities have specially trained staff to help survivors of sexual assault. Locally, these hospitals have sexual assault nurse examiners:

Newark Beth Israel Medical Center  
201 Lyons Avenue  
Newark, NJ  
1(800)843-2384

Cooperman Barnabas Medical Center  
94 Old Short Hills Road  
Livingston, NJ  
(973) 322-5000

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation should one choose to do so. Completing a forensic exam does not require a victim to file a police report or report to the University, although the University encourages these reports if the victim is comfortable doing so.

Medical exams can also address other physical needs or trauma and assess for sexually transmitted infections or pregnancy.

If possible, the victim should not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. They should save items they were wearing, and sheets, or towels in a paper bag or cardboard box.

Text messages, records of phone calls, emails, pictures, notes, and gifts can all be pertinent for a report of sexual assault, dating violence, and domestic violence or stalking.

#### Privacy:

The University will maintain as private any accommodations or protective measures provided to a victim if it does not impair the ability to provide such measures. Personally identifiable information about victims will not be included in any publicly available record-keeping, including the reporting and disclosure of crime statistics. In addition, should the University be required to complete publicly available recordkeeping such as including a statistic in the Annual Security Report or issue a Timely Warning as specified by the Clery Act, it will withhold the name and any identifying information of the victim of any crime.

**NOTE:** A victim of sexual misconduct **always** has the options:

- To notify either the police or campus authorities.
- To obtain assistance from campus authorities to notify the police.
- To decline to notify the police or campus authorities.

To Report an Incident of Sexual Misconduct or Sexual Violence:

To make a report against a student or for detail about procedures, contact:

Rochelle Outlaw Edwards  
Assistant Dean for Equity, Justice, and Engagement  
Deputy Title IX Coordinator  
3<sup>rd</sup> Floor, Rm. 302  
973-642-8387

To make a report against an employee, faculty member, or vendor or for details about procedures, contact:

Toni Hindsman  
Director EEO and Title IX Coordinator  
Bayley Hall, 1<sup>st</sup> Floor, Rm. 110D  
South Orange Campus  
973-275-2513

To make a report to local law enforcement:

Newark Police Department  
973-733-6000

The University encourages reporting to the police and will support you in doing so. The Department of Public Safety and Security will assist you in contacting local law enforcement agencies to initiate an investigation if you so choose.

Restraining Order and No Contact Order:

A Restraining Order is a legal order of protection issued in the state of New Jersey. To obtain a restraining order, you must go to the law enforcement agency for where you live in NJ or for where the incident occurred. After taking your statement, the police will arrange for you to speak with a judge (usually by phone) who will issue a Temporary Restraining Order. You will then be given a court date for when the judge will determine if the Temporary Restraining Order will become Permanent. The University will assist you in getting to the police, the courthouse, or any other related places. You can find more details about restraining orders in NJ here - <https://www.njcourts.gov/self-help/domestic-violence#toc-requesting-a-restraining-order>.

A No Contact Order is issued by Seton Hall University and only has authority over individuals associated with the University. It limits contact between the parties. Violation of the No Contact Order is a violation of University policy and subject to separate review for disciplinary action.

Definitions:

The State of New Jersey definitions of Domestic Violence, Sexual Assault, and Stalking can be found later in this report with the other Crime Definitions. New Jersey does not have a definition for Consent of Dating Violence.

Following are the definitions for Seton Hall University -  
Consent:

Consent is the unambiguous, knowing, and voluntary agreement between the participants to engage in specific sexual activity. Consent must be demonstrated through mutually understandable words or actions clearly indicating a willingness to engage in that activity.

- Past consent between the participants does not imply future consent.
- Silence or the absence of resistance does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be initially given but may be withdrawn at any time.
- Consent cannot be given under coercion, force, restraint, or threat.
- Children and minors cannot consent in accordance with New Jersey law. N.J.S.A 2C: 14-2.
- Consent cannot be given when asleep, unconscious, or incapacitated.

Incapacitation is not being able to knowingly choose to participate in a sexual activity. A person who is voluntarily or involuntarily intoxicated or drugged to the point of incapacitation, asleep, unconscious, involuntarily restrained, or otherwise unaware, cannot give consent.

### Sexual Misconduct

Sexual misconduct is unwelcome conduct of a sexual or gender-based nature that may adversely and unreasonably interfere with someone's education or work. It is determined based on the perspective of a reasonable person in the same circumstances as the person experiencing the misconduct. It is a form of discrimination and includes acts of sexual assault or sexual harassment as defined below. Sexual misconduct can occur in person or through e-mail, the Internet, social media, or other technologies. Anyone, regardless of gender, affectional or sexual orientation, actual or perceived, or gender identity and expression, can be the victim of sexual misconduct.

- a. Sexual Assault: (Non-consensual intercourse). Sexual assault is 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 that person.
- b. Sexual Assault: Non-consensual sexual contact. Nonconsensual sexual contact means the deliberate and unwelcome touching of another person's intimate parts (sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person) without consent for sexual gratification or touching another with one's own intimate parts, without consent, and for the purpose of sexual gratification.
- c. Dating and Domestic Violence. Both dating and domestic violence are prohibited forms of misconduct under this policy and do not have to involve sexual interaction. They frequently involve a pattern of abusive behavior within an intimate relationship where one partner uses fear and intimidation to harm or control the other.

1. Dating violence is any act of violence committed against a person who is, or has been, in a social relationship of a romantic or intimate nature by a person accused of the violation. It can include verbal statements and/or physical actions and can include, but is not limited to, name-calling, hitting, threat of physical harm, and/or damaging property. Under New Jersey criminal law, dating violence is prosecuted as a form of domestic violence.

2. Domestic violence involves criminal acts that are committed against a current or former spouse, an intimate partner, a person with whom the parties have a child in common, or with whom they live or once lived. Under New Jersey law, domestic violence includes, but is not limited to, criminal acts of homicide, assault, threats, kidnapping, criminal restraint, false imprisonment, sexual assault, criminal sexual contact, lewdness, criminal mischief, burglary, criminal trespass, harassment, and stalking.

d. Stalking. Stalking is also a prohibited form of misconduct that does not have to involve sexual interaction. Stalking is a course of conduct (or series of acts) directed at a person on at least two or more occasions that would cause a reasonable person to fear for their personal safety or the safety of others or suffer substantial emotional distress. Stalking can include pursuing/following, unwanted communication, whether directly or through third parties, trespassing, surveillance, or other acts likely to intimidate, annoy, or alarm.

#### Additional Notes on Victim's Rights in Pursuing a Complaint:

Victims have the right to pursue criminal charges against the accused/respondent. If the respondent is a student, complainants can also pursue campus action through the University Disciplinary Process or EEO Compliance Office regardless of where the offense occurred. Victims have the right to choose counseling and medical treatment and to report and pursue their case through the University's system and/or the off-campus court system. They have the right to refuse these options without reproach from any University personnel.

- Victims have the right to be treated with dignity and seriousness by University personnel.
- Victims of personal crimes have the right to be reasonably free from intimidation and harm.
- University personnel should inform victims that: 1) they are not responsible for crimes committed against them; 2) they should not consider themselves negligent or in any way a contributor to the crime; and 3) that adverse publicity for the college will NOT be a factor in deciding the best course of action.
- Victims will be made aware of appropriate support services, including counseling.

#### Assistance and Campus Resources - Students:

Regardless of whether the victim chooses to report what happened to local police or to the University discipline system, there is assistance available, which will be provided in writing such as:

- Academic assistance - address difficulties with classes
- Transportation assistance – to get to the hospital, the police, etc.
- Counseling – confidential services available on campus
- Safety and Security – 24-hour escort service on campus
- No Contact Order – a University directive prohibiting direct or indirect contact between the victim and the Respondent when the Respondent is a student or employee.
- Persona Non Grata (PNG) – when the Respondent or the accused is not a student, they can be issued a PNG letter, limiting or prohibiting access to campus.

To obtain any of the above assistance, the victim is encouraged to speak with the Associate Dean for

Academic Affairs/Deputy Title IX Coordinator who will arrange the resources if requested and reasonably available. The Associate Dean can be reached at (973) 642-8707, or 3<sup>rd</sup> Floor, Rm. 305.

#### Assistance and Campus Resources - Employees:

Regardless of whether the victim chooses to report what happened to local police or to the campus discipline system, there is assistance available, such as:

- Workplace Accommodations – assistance with a location or shift change if reasonably available
- Safety and Security – 24-hour escort service on campus
- No Contact Order – a University directive prohibiting direct or indirect contact between the victim and the Respondent when the Respondent is a student or employee.
- Persona Non Grata (PNG) – when the Respondent or the accused is not a student, they can be issued a PNG letter, limiting or prohibiting access to campus.

To obtain any of the above assistance, the victim is encouraged to speak with the Director of EEO Compliance/Title IX Coordinator who will arrange the resources if requested and reasonably available.

#### **Disciplinary Procedures/VAWA**

The person bringing forth the report or complaint is referred to as the Complainant. The person against whom the complaint is made is referred to as the Respondent. Whether the Respondent is a student or employee/faculty member/vendor the nature of the incident or incidents, and where they are alleged to have occurred determines which Disciplinary Process will be utilized. The University conducts the process in a manner that is prompt, fair, and impartial from the initial investigation until the final result, completed within reasonably prompt timeframes under the Policy, including a process that allows for the extension of timeframes for good cause with written notice to the parties of the delay and its reason. The process will be conducted in a manner that is consistent with institutional policies and transparent to the parties.

#### **Disciplinary Procedures – Student Respondent**

The Student Conduct procedures are designed to be prompt, fair, and impartial. This is accomplished by:

- Providing timely notice of all meetings to all parties.
- Providing equal access to the investigation report and relevant evidence to both the Complainant and the Respondent.
- Conducting the investigation and adjudication by individuals who do not have a conflict of interest or bias relating to the Complainant or the Respondent and who receive annual training on issues related to sexual misconduct and violence, as well as to how to conduct a fair and impartial investigation and hearing that protects the rights of all parties and promotes accountability within the community.
- Providing for both the Complainant and the Respondent to have an Adviser of their choice present at any meeting associated with the matter.
- Providing simultaneous written notice to the Complainant and the Respondent of the 1) outcome of the Student Conduct Review Board if one is held, 2) the appeal procedures, 3) any change to the outcome of the Review Board decision, (4) when the results become final.

As a brief overview of the process, the following outline is shared. Determination of which investigative/conduct procedure path is followed is made based upon where the incident occurred.

**If the incident occurred off campus, the following steps are followed:**

- The report is received by the Dean of Students/Deputy Title IX Coordinator. A Notice of Investigation is sent to the Complainant and to the Respondent.
- The matter is assigned to two co-investigators who will meet with the Complainant, the Respondent, and any witnesses with direct information about the matter. The investigators will also collect any relevant and available evidence. The investigation will be completed as efficiently as possible, normally within four to six weeks of the official report.
- The Respondent will be made aware of options available to them (to accept responsibility and be sanctioned, to deny responsibility and request a hearing, to permanently withdraw from the University prior to referral to hearing).
- The Complainant and Respondent will each be given an opportunity to review the full investigative report and relevant evidence prior to the scheduling of the Student Conduct Review Board hearing.
- If the matter is referred for student conduct hearing, the Complainant and the Respondent will be notified in writing of the time and date of the hearing. The hearing will be scheduled to accommodate the parties' class schedules only. The hearing will normally be scheduled within twenty days of the official notification of the hearing.
- Both the Complainant and Respondent are encouraged to meet with the Student Conduct Review Board Chair to review hearing procedures prior to the hearing.
- Both the Complainant and Respondent will be notified in writing of the decision of the Student Conduct Review Board, typically within ten days of the issuance of a final decision. Such notification will include the effective date(s) of any sanction(s) issued.
- The standard of evidence used by the Student Conduct Review Board in reaching its decision is Preponderance of the Evidence meaning that a Respondent will be found responsible if the decisionmaker determines that it is more likely than not that they committed the conduct for which they are accused.
- Both the Complainant and Respondent will have the opportunity to appeal within five days of receiving the Student Conduct Review Board's decision. The grounds for appeal, as well as the detailed appeal procedures which are also listed in the Student Code of Conduct, are included in the written notification of the Student Conduct Review Board's decision.
- Both the Complainant and Respondent will be notified in writing of the decision of any appeal within fifteen days of receipt of the appeal. The appeal authority may increase any sanction issued, decrease any sanction issued, or refer the case for review by a newly constituted Student Conduct Review Board. The written notification will include any change to the original sanction, including any change to the effective date. The decision of the appeal authority is final.

The full Student Conduct Review process is available online at – [Student Code of Conduct](#).

**If the incident occurred on-campus, the following steps are followed:**

- The Complainant must file the report in writing with the Title IX Coordinator who will review the matter for jurisdiction. If it is determined that the allegation falls within the jurisdiction of the Title IX Office, the matter will proceed; if not, it may be referred to the Student Conduct Office.
- A notice of investigation is sent to the Complainant and to the Respondent.
- The matter is assigned to two co-investigators who will meet with the Complainant, the Respondent, and any witnesses with direct information about the matter. The investigators will also collect any relevant and available evidence. The investigation will be completed as efficiently as possible, normally within two to four months of the official report.
- The Respondent will be made aware of options available to them (e.g. to accept responsibility and be sanctioned, to deny responsibility and request a hearing, to permanently withdraw from the University prior to referral to hearing).
- The Complainant and Respondent will each be given an opportunity to review the full investigative report and all relevant evidence prior to the scheduling of the hearing.
- The Hearing is conducted by a single decision-maker. The Advisors may participate in the Hearing and actively question the parties.
- Both the Complainant and Respondent will be notified in writing of the decision of the decision-maker, normally within ten days of the decision being final. Such notification will include the effective date(s) of any sanction(s) issued.
- The standard of evidence used by the decision-maker in reaching its decision is Preponderance of the Evidence meaning that a Respondent will be found responsible if the decisionmaker determines that it is more likely than not that they committed the conduct for which they are accused.
- Both the Complainant and Respondent will have the opportunity to appeal.

The full process is detailed in the Title IX Grievance Procedure available online – [Title IX Grievance Procedure](#).

Possible Sanctions:

A student found responsible for violation of the University’s Policy Against Sexual Misconduct, Sexual Harassment and Retaliation subject to any of the following possible sanctions.

Responsible for Sexual Assault (Non-consensual intercourse) – University Suspension for one semester, University Suspension for two semesters, University Suspension for three semesters, University Suspension for four semesters, or University Expulsion.

Responsible for Sexual Assault (Non-consensual sexual contact), Dating Violence, Domestic Violence, Stalking, or Sexual Harassment – Probation II for one semester, Probation II for two semesters, Probation II for three semesters, Probation II for four semesters, Probation II for the remainder of time enrolled at the University, Residence Hall Suspension for one semesters, Residence Hall Suspension for two semesters, Residence Hall Suspension for three semesters, Residence Hall Suspension for four semesters, Residence Hall Expulsion, University Suspension for one semester, University Suspension for two semesters, University Suspension for three semesters, University Suspension for four semesters, or University Expulsion.

In addition to the above issued sanction(s), the University may require an educational or developmental sanction such as required counseling, mandated change in residence, restricted access to campus or programs, or required service. Note that this type of sanction is additional and is not a sanction for sexual misconduct or violence by itself.

Sanctions of University Suspension for any period of time and University Expulsion are noted on the academic transcript.

**Employee Complaint Process/VAWA:**

In those cases when the accused is an employee of the University, the matter is referred to the Office of EEO & Title IX Compliance and the Title IX Coordinator.

The person making the complaint or report is referred to as the “Complainant.” The person accused is referred to as the “Respondent.” The investigation is conducted by the Director of EEO Compliance, Title IX Coordinator- (Director) and an assigned co-investigator. The investigators will interview the Complainant, the Respondent, and any witnesses with direct and personal knowledge about the incident. The investigators will also collect any evidence that directly relates to the incident.

The standard of evidence used by the co-investigators in reaching their factual findings is Preponderance of the Evidence, meaning that a Respondent will be found responsible if the co-investigators determine that it is more likely than not that the Respondent committed the conduct for which they are accused.

Both the Complainant and the Respondent may be accompanied to any meeting by a support person of their choice for the sole purpose of providing support. The support person must not have personal knowledge of or involvement in the matter being reviewed. A Respondent’s supervisor may not serve as a support person. The support person is not permitted to participate in the investigation by, for example, asking or answering questions. A participant’s legal counsel shall not be permitted to participate in or interfere with the University’s investigation.

**Timeline-Employee Complaint Review Process:**

The general procedures that the University may follow when responding to complaints of policy violations by faculty, administrators, or staff involving unlawful discrimination or harassment and/or retaliation under the Policy Against Sexual Misconduct, Sexual Harassment and Retaliation, the Policy Against Discrimination Harassment and Retaliation or the CEPA Policy (Whistleblower Policy) are described herein.

The guidelines are meant to describe generally the University's procedures for responding to complaints and conducting investigations of complaints, where necessary. The University may, in its sole and exclusive discretion, deviate from these guidelines.

Within five (5) business days after receipt of the complaint by the Director of EEO, the Director will determine, in their discretion, whether the complaint falls within the Director's authority and notify the Complainant.

Within five (5) business days after notification to the Complainant that the complaint falls within the Director's authority, as described above, the Director, in consultation with appropriate University personnel, will evaluate the complaint and determine whether an investigation and/or other action is necessary. The determination of whether an investigation is necessary remains at all times with the Director.

Investigations will be completed as promptly as possible and consistent with applicable legal requirements. The time to complete an investigation may vary depending upon the allegations, the number of individuals involved, and the complexity of the issues raised. The Investigators will keep the Complainant and Respondent apprised of the status of the investigation.

Within ten (10) business days following the completion of the investigation, the Complainant and Respondent will be advised verbally of the findings at separate meetings with appropriate University personnel. A confirming letter may be provided.

#### Sanctions-Employee Process:

If it is determined that a violation of University policy has occurred, the investigators will make recommendations as to the responsive action. Final determination of a responsive action is made by appropriate University personnel (e.g., Vice President, Dean, Supervisor, Human Resources).

When disciplinary action is recommended, such action may include, but not be limited to one or more of the following:

- Informal and formal counseling
- Mandatory training
- Progressive disciplinary action
- No contact order
- Transfer of position
- Removal of administrative appointment
- Demotion
- Suspension
- Reassignment
- Termination of employment

In addition to other sanctions, the Title IX Coordinator may recommend employment modifications, as may be appropriate, supervision and/or security at locations where the Prohibited Conduct occurred or is likely to recur; arrange for conducting targeted or broad-based educational programming or training for relevant persons or groups; and/or impose any other remedial or protective measures that are tailored to achieve the goals of the policy.

## **Grievance Procedure – Title IX**

On May 19, 2020, the US Department of Education issued a final rule under Title IX of the Education Amendments of 1972. Only incidents which fall within the scope of the Final Rule’s definition of “covered sexual harassment” will be handled in accordance with this [Grievance Procedure](#). All other incidents will be referred to the Student Conduct Process or Employee Process described above.

## **DISCLOSURE TO VICTIM OR NEXT OF KIN**

The University will, upon written request, disclose to the victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States code), incest, or statutory rape, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the victim. The University also notifies victims in accordance with its Policy as described in this Annual Security Report.

## **CAMPUS SEX CRIMES PREVENTION ACT**

A law requiring convicted sex offenders to report to appropriate state and local agencies responsible for sex offender registration and document their enrollment as a student, volunteer, or acceptance of employment at educational institutions. The University will be notified of all offenders who fit the criteria. The New Jersey State Police website for information on registered sex offenders can be found at <https://www.nj.gov/njsp/sex-offender-registry/index.shtml>.

## **MISSING RESIDENT STUDENT NOTIFICATION POLICY**

The purpose of this policy is to provide the procedures for reporting, investigating, and making emergency notifications regarding any resident student of Seton Hall University who is believed to be missing.

Scope: This is a University-wide policy.

A student is presumed to be missing after 24 hours when their absence is inconsistent with their established patterns of behavior and the deviation cannot be readily explained. Before presuming that a person is missing, reasonable measures should be taken to determine whether the person is at their off-campus place of residence and whether anyone familiar with the person has seen or heard from the person recently or is aware of where they may be.

Any member of the University community, including both employees and students, who is concerned that a member of the University community is missing should immediately contact the Office of Public Safety & Security, (973) 761-9300 as soon as it is determined that the individual is missing as defined above. In emergency situations the South Orange Police Department should be contacted immediately by dialing 911 or (973) 763-3000.

Designation by Resident Student of Emergency or Confidential Contact Person:

1. A resident student is any student residing in a University-operated residential facility under a University housing license agreement.
2. All resident students are required to designate an emergency contact person as part of the check in process to their residence hall. Resident students may also designate a confidential

contact.

3. Whenever a student moves to another University residence facility the student will be required to again supply emergency contact information and may designate a confidential contact in the event, they are a missing persons upon check in to that residential facility.
4. In the event a resident student is reported missing, the confidential contact(s) will be notified if entered. The University may also notify an emergency contact.
5. All resident students are advised in their housing license agreements that they have the option of identifying a confidential contact.
6. A resident student may register a confidential contact through the Housing Profile in PirateNet.
7. Only authorized campus officials, as part of their responsibilities, and law enforcement officers in furtherance of a missing person investigation, may have access to emergency contact or confidential contact information.

#### Investigating Missing Student:

Any report of a missing student will be immediately referred to the Office of Public Safety and fully investigated by appropriate University personnel under the coordination of the Office of the Vice President for Student Services.

#### Informing Designated Contact Person:

Unless a student is located, the office of the Dean of Students will inform the confidential contact (if one has been registered), an emergency contact when deemed appropriate, the custodial parent or guardian of a missing student who is under the age of 18, and the South Orange Police Department, or other appropriate law enforcement agencies, (unless the report emanated from that law enforcement agency), within 24 hours of receiving the missing student report.

### **GOOD SAMARITAN POLICY**

Student health and safety are fundamental to our community. Whenever there is concern for another student or belief that assistance is needed, students are expected to contact Public Safety. In the case of a medical emergency, students should immediately call 911.

Students who seek medical assistance for themselves or for an individual who is intoxicated or experiencing an alcohol-related emergency will not be subject to University disciplinary action related to the alcohol policy. Furthermore, the intoxicated student who receives medical assistance will not be subject to University disciplinary action.

When an incident that falls under the Good Samaritan Policy occurs, the student(s) involved will be required to meet with the Office of the Dean of Students to review the matter. While no formal disciplinary sanction (i.e., Probation) will be applied, an appropriate educational response may be. This may include participation in an educational class, mandated counseling assessment, additional fee for ambulance service, and/or parental notification. Failure to complete the educational requirements will result in referral to the University discipline system.

Note the following:

- Other violations of the Student Code related to the same incident may be referred for disciplinary review and sanction.

- A student involved in more than one incident that falls under the Good Samaritan Policy may be subject to disciplinary sanction.
- Students may still be subject to local and state law for their behavior.
- The University reserves the right to review each incident on a case-by-case basis.

For information about New Jersey’s 9-1-1 Lifeline Legislation, please see <http://www.drugfreenj.org/assets/control/content/files/911%20Flier.pdf>

<sup>1</sup> The new 2024 Title IX regulation was released on April 19, 2024, and became effective on August 1, 2024. However, the University is one of over five hundred colleges and universities subjected to an injunction. Until such time that the injunction is resolved and lifted, the University is operating under the 2020 Title IX Regulation.

## **CRIME DEFINITION – FEDERAL LAW (CLERY ACT)**

### **Federal Clery Act Crimes**

#### **I. Primary Crimes**

##### **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.

##### **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 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 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 their age or because of their temporary or permanent mental incapacity. <sup>1</sup>

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<sup>1</sup> In June 2025, the FBI in the National Incident Based Reporting System (NIBRS), changed fondling to “Criminal Sexual Contact) and also expanded the definition of fondling as follows: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the victim of the actor’s clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The University is in the process of updating its policies to include this change.

**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 or 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 a 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 and probably would result in serious personal 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 felony; breaking and entering with intent to commit a larceny; housebreaking and safecracking; and all attempts to commit any of the aforementioned acts.

**Motor vehicle theft**

The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is 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.

**II. Drug, Alcohol, and Weapons Violations****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.

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

## **Weapon law violations**

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.

### **III. Offense Definitions Relating to Hate/Bias-Related Crime**

A hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, gender identity, religion, disability, sexual orientation, or ethnicity/national origin.

In addition to the Primary Crime offenses defined above, there are also four additional criminal offenses related to Hate Crimes, they are: larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. The following are definitions of Hate/Bias crimes that are reportable under the Clery Reporting Requirements:

#### **Larceny-Theft**

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

#### **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 threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to physical attack.

#### **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 the person having custody or control of it.

### **IV. Violence Against Women Act Crimes**

#### **Domestic violence.**

A felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. 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
5. By any other person against whom 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 who is or has been in a social relationship of a romantic or intimate nature with the victim.

1. 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.
2. 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.

### **Stalking**

1. 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.

For the purposes of this definition—

1. Course of conduct means two or more acts, including, but not limited to, acts that 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.
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
3. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **CRIME DEFINITIONS – STATE OF NEW JERSEY**

The Violence Against Women Act requires the inclusion of certain state definitions in the Annual Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees and students. Definitions required include consent, dating violence, domestic violence, sexual assault, and stalking. Note that the crime statistics listed in this document are based upon federal definitions as required by the Clery Act and are not reflective of state definitions.

### **Consent**

According to New Jersey law, age, physical impairment, and mental impairment all contribute to a person's ability to give consent. A person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role. If individuals are between the ages of 13 and 15 they can legally consent to sexual activity with a partner who is not more than 4 years older. An individual who is physically or mentally impaired may not be able to give consent to sexual activity. Physical or mental impairment may include visual, speech or hearing impairment, cognitive impairment; being unconscious or asleep; or being under the influence of alcohol or other substance(s) to the point of being unable to make a decision.

## **Age**

Under New Jersey's Statutory Rape Laws, a person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role. If individuals are between the ages of 13 and 15, they can legally consent to sexual activity with a partner who is not more than 4 years older.

## **Domestic Violence: State of New Jersey Definition (NJSA 2C:25-19):**

The occurrence of one or more of the following criminal offenses upon a person protected under the Prevention of Domestic Violence Act of 1990:

Homicide, assault, terroristic threats, kidnapping, criminal restraint, false imprisonment, sexual assault, criminal sexual contact, lewdness, criminal mischief, burglary, criminal trespass, harassment, stalking. A domestic violence victim is a person protected by the domestic violence act and includes any person:

1. Who is 18 years of age or older
2. Who is an emancipated minor, and who has been subjected to domestic violence by:
  1. A spouse
  2. Former spouse
  3. Any other person who is a present or former household member
3. Who, regardless of age, has been subjected to domestic violence by a person with whom the victim has a child, or anticipates having a child, in common
4. Who, regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship

## **Sexual Assault: State of New Jersey Definition (NJSA 2C:14-2c):**

An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

1. The victim is less than 13 years old;
2. The victim is at least 13 but less than 16 years old; and
  1. The actor is related to the victim by blood or affinity to the third degree, or
  2. The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
  3. The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
3. The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape;
4. The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
5. The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
6. The actor uses physical force or coercion and severe personal injury is sustained by the victim;
7. The victim is one whom the actor knew or should have known was physically helpless or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which

rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

**Aggravated sexual assault is a crime of the first degree:**

An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim.

An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

1. The actor uses physical force or coercion, but the victim does not sustain severe personal injury;
2. The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor’s legal, professional or occupational status.
3. The victim is at least 16 but less than 18 years old and:
  1. The actor is related to the victim by blood or affinity to the third degree; or
  2. The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or
  3. The actor is a resource family parent, a guardian, or stands in loco parentis within the household.
4. The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim.

**Stalking**

**State of New Jersey Definition (NJSA 2C:12-10):**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.

As used in this section, the following terms are defined:

1. “Course of conduct” means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person’s property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.
2. “Repeatedly” means on two or more occasions.
3. “Emotional distress” means significant mental suffering or distress.
4. “Cause a reasonable person to fear” means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

**DEFINITIONS OF GEOGRAPHY**

The Clery Act requires that certain information be categorized in terms of geographic location and uses the following definitions for Clery Act geography. Public Safety and Security is responsible for identifying the University’s geography as defined by the Clery Act.

**On-Campus** – 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

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).

**Public Property** – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Non-campus Buildings or Property** – Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

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.

Seton Hall University has defined the following locations as On-Campus:

- All buildings located at 1109 Raymond Blvd Newark, NJ 07102 campus
- LAZ Parking 42 Mulberry St Newark NJ 07102 which is a Parking Deck

**CLERY REPORTABLE CRIMES**

**Note:** These statistics include all reports of crimes made to Campus Security Authorities, to Public Safety & Security, and to local law enforcement agencies who have provided statistics as requested by the University. These are reports of crimes, and do not necessarily represent actual, investigated, or adjudicated crimes.

**CRIMINAL OFFENSES**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Murder/Non-negligent Manslaughter	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Manslaughter by Negligence	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Rape	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Fondling	2022	0	N/A	0	0

	2023	0	N/A	0	0
	2024	0	N/A	0	0
Incest	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Statutory Rape	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Robbery	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Aggravated Assault	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Burglary	2022	0	N/A	0	0
	2023	1	N/A	0	0
	2024	0	N/A	0	0
Motor Vehicle Theft	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	1	N/A	0	0
Arson	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0

**VAWA OFFENSES**

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Domestic Violence	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Dating Violence	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Stalking	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0

## ARRESTS & DISCIPLINARY REFERRALS

OFFENSE	YEAR	GEOGRAPHIC LOCATION			
		On-Campus Property	On-Campus Student Housing Facilities	Non-Campus Property	Public Property
Arrests: Weapons, Carrying, Possessing, etc.	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, etc.	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Arrests: Drug Abuse Violations	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Arrests: Liquor Law Violations	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0
Disciplinary Referrals: Liquor Law Violations	2022	0	N/A	0	0
	2023	0	N/A	0	0
	2024	0	N/A	0	0

### Hate Crimes

In 2024, 2023 and 2022 there were no reported hate crimes.

Seton Hall University does not tolerate bias activity and will ensure that any reported incident is fully investigated. To report a bias crime, contact the Newark Police Department at (973)733-6000 or the Seton Hall Law School Public Safety at (973)642-8725.

### Unfounded Crimes

In 2024, there were 0 unfounded crimes. In 2023, there were 0 unfounded crimes. In 2022, there were 0 unfounded crimes.

### Crime Log

The University maintains a log of all crimes reported in Clery geography. The log includes each crime's nature, date and time, general location, and disposition. In certain cases, crimes may be withheld temporarily if publishing could impact an investigation, the information will be added when that risk has passed.

The log is available during business hours. Crimes are entered within 2 business days of being reported to Public Safety. Crime logs older than 60 days can be accessed with two business day's notice.