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March 9, 2006

Ms. Nancy Klingler
U.S. Department of Education
Wanamaker Building, Room 511
100 Penn Square East
Philadelphia, PA 19107

Re: Liberty University Clery Act Compliance

Dear Ms. Klingler:

Several students from Liberty University, located in Lynchburg, Virginia, have contacted us with concerns about their institution's compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f); 34 CFR 668.46) which is enforced by your office. We have interviewed these students, gathered documentation from them as well as the University's web site, www.liberty.edu, and believe that a further review by your office is warranted to ensure that their concerns are properly and fully addressed.

Of most serious concern, one of the students reports that although she was sexually assaulted near the East Campus Tunnel on April 13, 2005 and subsequently reported this both to the campus police and administrators no timely warning or public crime log entry were ever generated (see Exhibit A for photographs of this tunnel). While no formal police report was completed at the time and the victim was quite shaken and not able to clearly articulate the assault as being sexual in nature, the responding officer, Lieutenant Jennifer Jones, attempted to facilitate the completion of a forensic exam at a local medical facility clearly believing that a sexual assault had occurred.

The Department has previously held, in a case involving New Jersey's William Paterson University (see the attached October 14, 2003 findings letter, Exhibit F) that an official police or crime report need not be taken before an incident becomes reportable for Clery Act purposes. Further, The Handbook for Campus Crime Reporting, published last Summer by the Department, states clearly that "A crime is reported when it is brought to the attention of a campus security authority or the local police by a victim, witness, other third party, or even the offender." Accordingly we believe that a reportable incident may have been improperly excluded from Clery Act disclosures.

Additionally, in an electronic mail exchange dated June 6, 2005 (see attached Exhibit B) the victim's roommate reported the incident to David Young, the University's Executive Vice President. In our interview with this student she indicated that she further discussed the incident with University officials and unambiguously related that it had been a sexual assault.

When we asked the students to see if they could obtain a copy of the University's public crime log for us to review, both to see if the April 13, 2005 sexual assault had ever been included and generally to see if all required information was being included, they indicated that the Liberty University Police Department told them that there was no public crime log, "They had no crime log that was open to students to read," the student wrote in her February 7, 2006 electronic mail response (see attached Exhibit C).

As you know, the Clery Act regulations, at 34 CFR 668.46(f), require that any "institution that maintains a campus police or a campus security department must maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a noncampus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department." Given that the public crime log is how students can get the most timely information about crime on and around their campus it is especially disturbing that at least some are being denied access to it, and that a public crime log may not exist at this University.

The student further related in her electronic mail message (Exhibit C) that when in February of 2006 she requested the University's latest annual security report which should have included statistics through 2004 they were only able to provide a report with statistics through 2003 (see attached Exhibit D), and that "they had not compiled 2005 yet." Further, the LUPD's main web page as of March 8, 2006 links only to the report released in 2004 and which contains data through 2003 (see attached Exhibit E).

The Clery Act regulations require that institutions release crime statistics for the most recent prior calendar year, and the two calendar years prior to that, not later than October 1st of each year. When an institution fails to properly distribute this information to all students and employees in a timely manner they deny their community critically important safety information.

The 2004 report also omits required policy statements about how the University's crime statistics are collected and whether or not there is a voluntary confidential reporting process for pastoral and mental health counselors to refer reports of crime to (34 CFR 668.46(b)(2)). The 2004 report also fails to properly break down the homicide categories (fortunately there were none to report during the covered years) into Murder and nonnegligent manslaughter and then Negligent manslaughter, fails to include a comprehensive campus category (there are only non-residential and residential which omits the required combined total of these two categories), and fails to properly separate arrests from disciplinary referrals.

Please undertake prompt action to ensure that Liberty University either is or comes into full compliance with the Jeanne Clery Act's life saving requirements. If you have any questions please let us know.

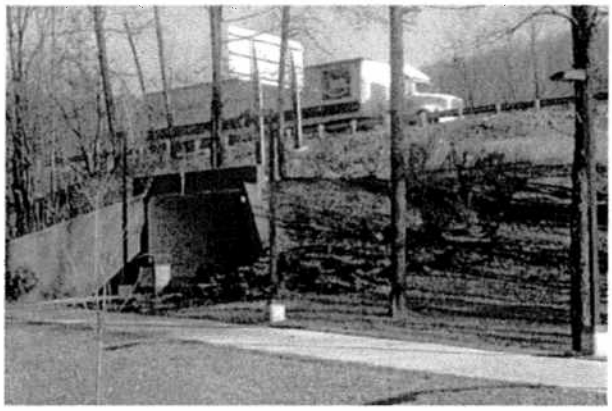
Sincerely,

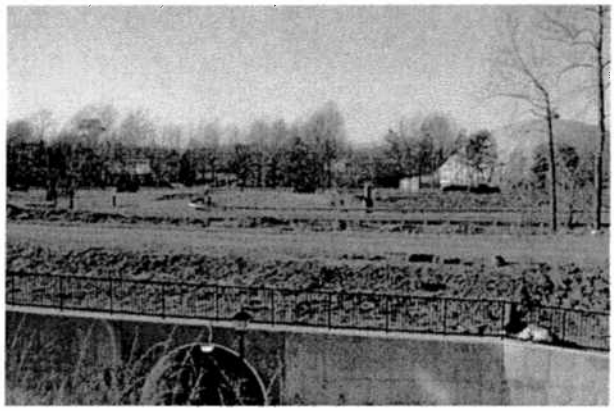
S. Daniel Carter

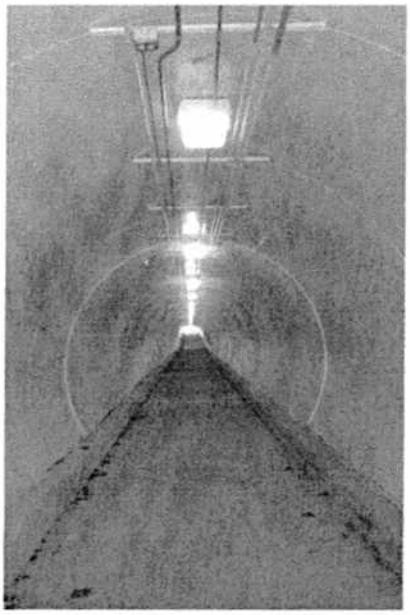
Exhibit

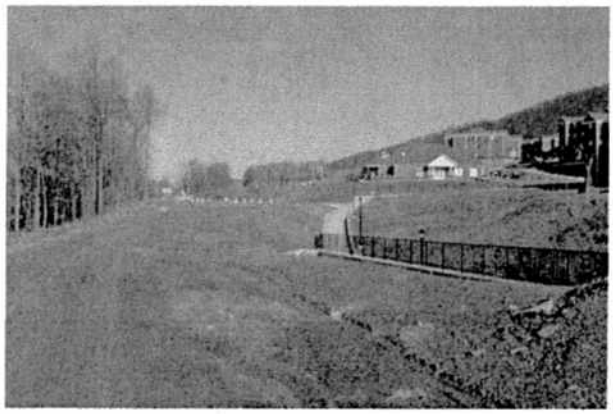
A

Liberty University
East Campus Tunnel
January 2006









Exhibit

B

Subject: FW: Emails
Date: Sunday, January 22, 2006 1:33 PM
From: [redacted]
To: "S. Daniel Carter" <sdcarter@securityoncampus.org>
Conversation: Emails
Category: Clients, Clery Act

Daniel,
Here is an ongoing email that I still have in my mailbox from LU. I printed out all the others last semester and deleted them. I thought this one might help out some though just to show what some of what we HAVE done.

From: Young, David L.
Sent: Tue 9/20/2005 4:39 AM
To: [redacted]
Cc: Hartless, Sharon; Easaw, Ruby V.
Subject: RE: Campus Security Follow Up?

[redacted]

I will be pleased to meet with you. I have asked Ms. Easaw by copy to this email to arrange a mutually agreeable time.

Dave Young

From: [redacted]
Sent: Monday, September 19, 2005 9:59 PM
To: Young, David L.
Subject: Campus Security Follow Up?

Mr. Young,

Kristie and I met with Mr. Hine, Mr. Caswell, and 2 LUPD officers and discussed a number of things that needed to be done in order to improve this campus and its safety. Since that meeting I have not heard any followups regarding the situation and I have not seen any change at all. The meeting was almost a month ago, and I feel that we talked about a lot of good things, yet talking is not going to be what keeps people safe here. I have noticed more things about safety also, especially things as simple as how dark the campus is. I am writing to ask if we could possibly set up a meeting with you, and if not you, whoever else we need to meet with to see some action taken. I understand there are many positive changes being discussed but I honestly feel that if we were talking about this situation having happened to someone else on campus who perhaps would be more vocal, or have taken action against the university, then security measures would have been taken the next day. Safety is the number one concern of any campus I feel, which is why I do not understand why it has been over

3 months since I began correspondance on this matter, yet have seen very little improvement. Thank you again for listening. Please let me know when we can set up a meeting.

[redacted]

From: Young, David L.
Sent: Sun 8/21/2005 9:53 PM
To: [redacted]
Cc: Caswell, David Scott
Subject: RE: Campus Security Concerns

I have asked Mr. Caswell to contact you.

From: [redacted]
Sent: Sunday, August 21, 2005 9:48 PM
To: Young, David L.
Subject: RE: Campus Security Concerns

Thanks a lot. I will do whatever it is that I need to do to get things going. Will they contact me of should I contact them, or what? Just point me to whoever it is that can get security taken care of. Thanks.
[redacted]

From: Young, David L.
Sent: Sun 8/21/2005 8:59 PM
To: [redacted]
Subject: RE: Campus Security Concerns

[redacted]

I would certainly like to meet you as I do all students.

I do prefer that you "bounce" your ideas around with the folks I have mentioned below and then we can go from there - fair enough?

Dave Young

From: [redacted]

Sent: Sunday, August 21, 2005 8:55 PM
To: Young, David L.
Subject: RE: Campus Security Concerns

thank you so much for replying so quickly. I know you probably get tons of emails about changes that need to be made, but this is a huge need. I will meet with anyone that I have to meet with in order to see that change is made in how security is handled since LUPD cannot be everywhere at once. Thanks again, and hopefully I will get to meeti with you or someone soon. I have the next 2 days basically free if a meeting could be set up that soon.
Thanks.
[redacted]

From: Young, David L.
Sent: Sun 8/21/2005 7:27 PM
To: [redacted]
Cc: Caswell, David Scott; Renalds, J. O.; Smith, Randall E (Chief of Police); Hine, Mark (VP StudentAffairs); Easaw, Ruby V.; Hartless, Sharon
Subject: RE: Campus Security Concerns

[redacted]

I will be happy to meet with you, but first I believe it would be beneficial if you would meet with our Chief of Police (or his representative), the Campus Safety Representative plus the VP of Student Affairs (or his representative). They will be better able to address specific concerns you may have.

I have copied them on this message and am asking Mr. Dave Caswell, the Safety Representative, to arrange a meeting with you.

Thank you for your interest in promoting and enhancing safety and security on our campus. I welcome your ideas.

Dave Young
Executive Vice President

From: [redacted]
Sent: Sunday, August 21, 2005 4:49 PM
To: Young, David L.
Subject: RE: Campus Security Concerns

I am back on campus now for my senior year at LU and I was wondering if it is at all possible to set up an appointment with you sometime as soon as possible to discuss my concerns in person, because now that I am back on campus I am even more concerned about the safety issues. I know it is the first week which means you are very busy, but this is pretty important, and I just thought I would

write and see if it is possible.
Thanks a lot!
[redacted]

From: Young, David L.
Sent: Mon 7/4/2005 12:59 PM
To: [redacted]
Subject: RE: Campus Security Concerns

[redacted]

Yes, I did receive the information you sent. We have been actively discussing and planning the enhancement of the safety and security of our students in preparation for the Fall semester.

Thanks

Dave Young

From: [redacted]
Sent: Saturday, July 02, 2005 2:44 PM
To: Young, David L.
Subject: RE: Campus Security Concerns

I am just writing to see if you got the information that you needed on the particular case I wrote to you about regarding the tunnel. I also was wondering if any thing was being talked about yet as far as taking care of the safety concern.
Thanks so much for your time!
Cindy Warren

From: Young, David L.
Sent: Sun 6/19/2005 9:20 PM
To: [redacted]
Subject: RE: Campus Security Concerns

Dear [redacted]

We have looked into the situation and have been unable to corroborate what you have outlined below. Neither the Liberty University Police Department or the Lynchburg Police Department have a record of what you have described. If you can provide me with more detail, then perhaps we could investigate it further.

However, you have raised a potential concern regarding security on campus and we will continue to take measures to enhance security and the safety of our students.

Thank you for your concern and I will be happy to discuss this further with you if you wish.

Dave Young
Executive Vice President

From: [redacted]
Sent: Monday, June 06, 2005 2:55 PM
To: Young, David L.
Subject: Campus Security Concerns

June 6, 2005

To Whom It May Concern:

I am writing in regards to the tunnel which connects Main Campus to Campus East, and the access road which crosses over top of it leading to the intramural fields. This past semester, a friend of mine was walking through the tunnel at night, and was cornered by 3 males at the tunnel. They were able to take her from the tunnel entrance on east campus side and up to the access road above it, where she was assaulted and left. This incident was reported to LUPD, along with Lynchburg police and they have been looking into the situation for the past few months.

Obviously, it is never a good idea for girls to walk at night alone no matter where they are on campus, yet the fact is that girls DO walk alone at night frequently, and many of them because they feel as if nothing can happen to them since they are on their college campus. I feel that the incident I previously mentioned could have been avoided, or may have ended differently had there been lights on the access road (that road is very dark, and easily accessible), and if there were cameras in the tunnel, and a call button at either end. If there had been a call button, my friend would have possibly been able to press it in order to get LUPD to the scene. I also do not believe this is an isolated incident, and many more incidents just like it go unreported. Cameras, light, and call buttons may not stop every incident in the future but they will help the cause, bring more safety, and serve as a deterrent in some cases.

The campus of Liberty University should feel safe, and up until this particular semester I personally felt safe walking most anywhere, yet now I can see that this is a wrong

impression. I realize that you may disregard this email because you probably tend to get many false reports on matters such as this. Even so, I feel this is very important. I feel that my friend and many other girls could be saved much more unnecessary hurt if the proper safety measures were taken.
A simple email does not even begin to express how serious I think this issue is after having to watch my friend deal with the results of this, and it does not begin to show how frustrating the whole situation is in general. Even so, it is the only way I know to let someone know about this situation and ask that something be done. Please do not disregard this email, but look into the issue of having these security products installed. I know there has been talk of this, and I thought it was required that the tunnel have these particular things, but until it is actually done, incidences such as this will continue to happen and get worse, due to the fact that men seem to go where prey appears to be most accessible. That dark road and unsecured tunnel is nothing short of an invitation to outsiders. I am aware that it takes time to get things of this nature installed, but the fact still remains that until it happens, girls will not be safe in that area of campus. Thanks for reading this email, and please see what can be done about safety between main and east campus.

Sincerely,

Exhibit

C

Subject: RE: violations
Date: Tuesday, February 7, 2006 11:27 AM
From: Warren, Cindy Lee <clwarren@liberty.edu>
To: "S. Daniel Carter" <sdcarter@securityoncampus.org>
Conversation: violations
Category: Clients, Clery Act

I went over to the campus police department to ask for the crime log, and the front desk people did not know what I was talking about. They gave me the campus crime report for the year 2004 and said that they had not compiled 2005 yet, so I was given the most recent one that is out there. They had no crime log that was open to students to read.

Thanks.
Cindy

From: S. Daniel Carter [mailto:sdcarter@securityoncampus.org]
Sent: Sat 2/4/2006 8:46 PM
To: Warren, Cindy Lee
Cc: Alison Kiss; Sylvia Bruni
Subject: Re: violations

on 2/4/06 9:40 AM, Warren, Cindy Lee at clwarren@liberty.edu wrote:

> Here are some of the papers we have in our possession.
> Hope this can help! Let us know.

Thank you. We'll review them this week.

Could you also provide hard copies by postal mail to our main office please?

S. Daniel Carter
Senior Vice President
Security On Campus, Inc.
http://www.securityoncampus.org/
****
133 Ivy Lane, Suite 200
King of Prussia, PA 19406-2101
e-mail:sdcarter@securityoncampus.org

Exhibit

D

YOUR RIGHT TO KNOW . . .

SAFETY AT LIBERTY UNIVERSITY

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

OCTOBER 1, 2004

At Liberty University, the safety and welfare of our students, employees and visitors is of primary concern to us. With the support of local police, fire and rescue agencies, we have many highly trained people working hard to provide a safe and secure campus. However, a truly safe campus can only be achieved through active participation of all persons who reside, work, study and visit our campus on a regular basis. This brochure is a small part of our effort to inform and educate our campus family and guests to their personal responsibility involved in their own personal protection. We hope that you will join our community effort by carefully regarding this information as helpful to you in fostering a safe environment for yourself and others here at Liberty University. Remember that **safety is a community responsibility**.

Randall E. Smith, Jr., Chief
University Police

The University Police

Liberty University Police Department (L.U.P.D.), located in the Southwest corner of the Campus North building (formerly Ericsson), provides 24-hours-a-day patrol protection of police, security and emergency medical services to the campus, parking lots, residence halls and other properties owned or controlled by the University. LU Police Officers are duly sworn with full law enforcement powers and responsibilities, identical to the local police or sheriff's department from your local community. The officers are trained at Central Virginia Criminal Justice Academy and receive additional in-service and specialized training in first aid, firearms, defensive tactics, legal updates, human relations, sensitivity issues and criminal investigations.

University Police share concurrent jurisdiction with the Lynchburg Police Department for properties owned or controlled by Liberty University and other properties agreed upon. University Police offer assistance to the city Police when requested according to an established mutual aid agreement. University Police Officers are responsible for a full range of public safety services, including all crime reports, investigations, medical emergencies, traffic accidents, enforcement of laws regulating underage drinking, the use of controlled substances, firearms and other weapons and all other incidents requiring police assistance. In an effort to assist in combating crime, University Police share information on arrests and serious crimes with all surrounding police agencies. The serial numbers of property stolen from campus are reported nationwide through the National Crime Information Center (NCIC).

Any student, employee or visitor can report any potential criminal actions or other emergencies directly to the University Police by telephone **(582-3911)** or in person.

Public Safety Services

The University Police Department provides several service-oriented functions to the University community consisting of more than 8,000 students, faculty, staff and visitors on campus during any given day. Officers are equipped with two-way radios as they patrol campus in marked and unmarked vehicles. University Police responsibilities range from responding to medical and fire emergencies, criminal investigations to providing an on-campus escort service.

In conjunction with Student Affairs the University Police will help you engrave an identification number on personal property items kept on campus, such as bikes, computers, radios, and stereo systems. **Operation Identification** is a nationally recognized identification system, which has been shown to facilitate the recovery of stolen items. The department also recommends keeping a record of serial numbers or other identifying marks of valuable items kept on campus to aid identification and recovery in case of theft.

The University Police, upon appointment, also provide **Fingerprinting Services** for Liberty University students, employees and their families for a small fee.

Trespass warnings can be issued to suspicious persons, as well as those who violate laws or University policies. Anyone returning to campus or University properties after being issued a trespass warning is subject to arrest.

Extensive efforts are made to create a campus environment that fosters personal safety, property security and learning for all members of the University community. All criminal actions or suspicious behavior should be reported immediately so University Police can take prompt action.

Victim and Witness Services

The University Police assists students, employees and visitors to the campus who become victims of crime. This help includes assisting victims and witnesses who need to report crimes testify against accused persons, regain property used as evidence during a trial, and get compensation for losses. The University Police work closely with the Virginia Victim and Witness Services through the local Commonwealth Attorney's Office. Also available are references for on- and off-campus legal, financial, medical, and psychological assistance.

Safety and Security Awareness Notification

A properly educated and informed campus community can significantly reduce the occurrence of crime on campus. Security procedures, crime prevention, substance use and abuse, fire safety and sexual assault are topics covered during new student orientation and in other programs throughout the academic year. Members of the University community are notified about potential security problems in a timely manner through campus mailings, announcements posted on bulletin boards, the student newspaper, postings on the University's internet Splash page, email, and in Convocation.

Substance Abuse

Liberty University seeks to provide an environment free of alcohol, tobacco and any illegal drugs or controlled substances. Therefore, Liberty University prohibits the possession, use, manufacture or distribution of alcoholic beverages, tobacco and any illegal drugs or controlled substances by its students, employees, and visitors. The University is in compliance with the Drug-Free Schools and Communities Act.

Firearms and Weapons

The unauthorized possession, storage, display, or use of any kind of ammunition, firearms, fireworks, explosives, air rifles, air pistols, or other lethal instruments is prohibited on University property. Any questions regarding this regulation should be directed to the University Police Department, (434) 582-7641. All other replicas, water pistols, paint-ball guns etc., are prohibited and may be permanently confiscated by University Police if found to be used to cause fear, nuisance or damage to the University community.

7641 University Police Non-Emergency and Escort Service

Please report any incident requiring police, fire or emergency medical response on campus to the University Police Department.

3911

Emergency Services

(Police, Fire, EMS)

Students off campus need only call 911.

Safety and Security Tips

The University's safety and security measures are designed to address every area of campus life. Yet a safe university environment depends upon the awareness and cooperation of individual members of the community. We encourage all students, employees, and visitors to take an active role in their own safety and security while on campus. Here are some common sense steps you can take for personal safety and loss prevention.

- Avoid working or studying alone in any building at night.
- When traversing the campus at night, stay within well-lit walkways. Do not take shortcuts through wooded areas.
- If you cannot avoid walking alone at night, call for an escort.
- If your purse or wallet is snatched, don't fight back. Give it up rather than risk personal injury, and report the incident to University Police immediately.
- Do not put an ID tag with your name, address, or license number on your key-chain; if lost, they could lead to theft.
- Carry only the cash and credit cards you need.
- Carry a whistle or other means of making a loud noise.
- Keep car doors and windows locked.
- Keep the door and windows to your residence locked, even if you will be gone only a short time.
- Use Operation Identification to engrave your portable valuables, and do not keep them in clear view next to windows that could be easily broken.
- Keep your bike locked in a bike rack or in storage when not being used.
- Do not prop open locked exterior doors to any campus building.
- Become familiar with emergency exits and locations of fire alarm pull stations and fire extinguishers in University buildings.
- Immediately call University Police to report any criminal incidents, suspicious persons or medical emergencies.

Further information about campus safety can be obtained from the University Police Department at (434) 582-7641.

Facilities Access Control

All Residence hall doors are locked 24 hours a day. Access to halls by University employees is on an "as needed" basis and incorporates strict key control procedures. All University Field Operations personnel must be in uniform to allow for easy identification by residents.

Resident Assistants are assigned on each hall as a part of the Student Affairs staff, are on call 24 hours a day, and receive training in enforcing residence hall security procedures.

Sexual Misconduct

Liberty University recognizes the seriousness of inappropriate sexual behavior. Incidents of sexual misconduct include rape, acquaintance rape, sexual battery and other forcible and non-forcible sex offenses. Programs on sexual misconduct occur at least once each semester in all residence halls.

If a sexual offense should occur, the victim should take the following precautions:

- ✓ Go to a safe place
- ✓ Call the University Police if the incident occurred on campus; call the local police if it occurred off campus. The police will then contact the Student Affairs Office.
- ✓ Contact a friend or family member.
- ✓ Do not bathe or douche.

- ✓ Do not urinate, if possible.
- ✓ Do not eat, drink liquids, smoke or brush teeth if oral contact took place.
- ✓ Keep the clothes worn during the offense. If clothes are changed, place clothes in a paper bag (evidence deteriorates in plastic).
- ✓ Get prompt medical attention.
- ✓ Do not destroy the physical evidence that may be found in the vicinity of the crime. If the crime occurred in the victim's home, do not clean or straighten until the police have had an opportunity to collect evidence.
- ✓ Tell someone all details remembered about the assault.
- ✓ Write down all details remembered as soon as possible.

Victims of offenses are strongly encouraged to report the incident to University or local police. This action does not obligate prosecution, but it does make legal action possible if the decision to prosecute is made at a later date. The earlier an incident is reported, the easier it is to collect valuable evidence.

Any person wishing to report a possible violation may contact University Police, the Dean of Women's Office, the Dean of Men's Office, a Residence Life staff member, Light Medical/Counseling, Lynchburg Police Department, or the Rape Companion Program. Students desiring assistance in contacting local authorities may request such help from University Police.

Options available to victims of sexual assault include University judicial action, criminal prosecution, or civil suit. Contacting the Office of Residence Life starts University judicial action. During campus judicial proceedings, both the victim and the accused may be present and may have a counselor, attorney and/or advisor present to provide support and advice. Both victim and accused will be informed of the results of the proceeding. Sanctions for sexual assault may range up to and include suspension or expulsion from Liberty University. The Residence Life office will also assist the victim, if requested, in making any necessary changes in academic program or living situation.

Information on Registered Sex offenders living in the Lynchburg area may be obtained from the Virginia State Police on the web at http://sex-offender.vsp.state.va.us.

Emergency Phone Numbers

The following numbers are on-campus extensions. If desired, they can be dialed from off-campus phones as (434) 582-xxxx, adding the four-digit extension.

• Emergency	3911
• Non-Emergency	7641
• Detectives Bureau	7612
• Residence Life	2929
• Dean of Men	2320
• Dean of Women	2313
• Campus Pastor	2651
• Light Medical	2514
• Light Counseling Associates	384-1594
• Sexual Assault Response Program	947-7278

After business hours Residence Life and the Dean's offices can be reached through the University Police non-emergency number.

Further Information

Further information regarding safety and security issues, student awareness programs, University regulations and policies, code of conduct, and disciplinary actions can be found in the student handbook – "The Liberty Way".

Liberty University
Police Department
1971 University Blvd.
Lynchburg, VA 24502

NONPROFIT ORG.
U.S. POSTAGE PAID
LIBERTY UNIV.

Crime Statistics	2003				2002				2001			
Activity or Category	On-campus Non-residential	On-campus Residential	Non-campus[1]	Public Property	On-campus Non-residential	On-campus Residential	Non-campus[1]	Public Property	On-campus Non-residential	On-campus Residential	Non-campus[1]	Public Property
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses *Forcible*	0	0	0	0	0	1	0	0	0	0	0	1
Sex Offenses *Non-forcible*	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	2	10	0	0	1	0	0	0	8	7	0	0
Motor Vehicle Theft	1	0	0	0	1	0	0	0	0	0	0	1
Arson	6	0	0	1	2	3	1	0	0	0	0	0
Arrested or Referred for Campus Discipline												
Liquor Law Violations	8	36	0	10	3	27	1	25	0	27	0	0
Drug-related Violations	1	9	0	2	3	3	0	0	0	2	0	0
Weapons Possession	1	0	0	2	0	0	0	0	0	0	0	0
Hate Crimes												
Race	0				0				0			
Gender	0				0				0			
Religion	0				0				0			
Sexual Orientation	0				0				0			
Ethnicity	0				0				0			
Disability	0				0				0			

1 **Non-campus** property is any building or property owned or controlled by a student organization recognized by the institution or controlled by the institution that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Exhibit

E

LU Police Department

Resources
LUPD Homepage
Traffic & Parking Regulations
Firearms on Campus Policy
Operation Identification
2004 Campus Crime Report

Contact Information
Command Staff
Contact Us

Liberty University Police Department

The Liberty University Police Department is located in the Southwest corner of North Campus. Normal business hours for the Police Department offices are: Monday - Friday 7:30 AM to 4:00 PM.

*There is someone available 24 hours a day at 582-7641 for non-emergency calls and at **582-3911 for EMERGENCY CALLS ONLY***

LU Police Department Calendar

» Campus Calendar

Mar 13, 2006 » Central Virginia Criminal Justice Academy

Printable Version

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434-582-2000

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Exhibit

F

UNITED STATES DEPARTMENT OF EDUCATION
STUDENT FINANCIAL ASSISTANCE
REGION II
75 PARK PLACE
NEW YORK, NY 10007

October 14, 2003

Dr. Arnold Speert
President
William Paterson University
300 Pompton Road
Wayne, NJ 07470

Dear President Speert:

The purpose of this letter is to officially inform you that we have determined that William Paterson University has violated several provisions of the of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act as codified in Federal regulations at 34 CFR 668.46, and to advise you of the required corrective action. The violations relate to a complaint received in our office from Mr. David Rothman.

In a letter to you dated August 5, 2003 I asked you whether Mr. Rothman's allegation regarding the theft of funds intended for a scholarship fund in honor of his son had been reported to the campus police at William Paterson University. On August 14, 2003 I received a response to the August 5 letter from Cheryl R. Clarke, Deputy Attorney General of the State of New Jersey. In her letter, Ms. Clarke states, "Mr. Rothman's representation to your office that he had filed a report with campus police is inaccurate. Since no report was filed by Mr. Rothman, no action needed to be taken by campus police." However, information I have received subsequent to my letter to you and the response from the Office of the Attorney General is at odds with that response. We have received a copy of an electronic mail message dated September 6, 2001 from Mr. Rothman where he reported the alleged crime to several individuals at William Paterson University, including Neil Lomonico who was then and is now a member of the campus police.

Section 668.46(f) of the Student Assistance General Provisions regulations requires an institution that maintains a campus police or campus security department to make a crime log for the most recent 60-day period available for public inspection during normal business hours. This log must record any crime that was reported to the campus police or campus security department that occurred on campus, on noncampus property, on public property, or within the patrol jurisdiction of the campus police or campus security department. The regulations do not allow an institution to determine that it will not record the reported crime based upon the nature of the report (i.e. email, phone call, written report). It is our determination that William Paterson University violated the

regulations by not recording in the crime log the alleged larceny reported by Mr. Rothman on September 6, 2001. The log should have been updated with the report within two business days of the notification of this alleged crime to the campus police by Mr. Rothman.

In addition, we have received allegations that William Paterson University further violated the regulations when it did not allow representatives of the student newspaper access to the crime log. It has been reported to us that one of the institution's employees has stated that William Paterson University ceased making the crime log available for inspection because of problems it created for the institution.

As noted earlier, one purpose of this letter is to advise you of the required corrective action that William Paterson University must take in order to be in compliance with the regulations in this area. First, the university must amend its crime log to record Mr. Rothman's report of the theft of funds from the scholarship fund. The entry must clearly be annotated to note that the recording in the crime log was made at a later date and was not contemporaneous with Mr. Rothman's September 6, 2001 message. Second, the university must provide this office with copies of its revised procedures that will implement the requirement that the crime log be available to those who request access as specified in the regulation. Failure to comply can result in a $27,500 fine for each violation.

We would expect a response to this report within 30 days. Thank you for your attention to this matter.

Sincerely,

Robert J.McKiernan
Area Case Director

CC: Cheryl. R. Clarke
Mr. Rothman