

# CONCORD

## UNIVERSITY

### **Office of Public Safety**

2021-2022

“RIGHT--TO--KNOW” INFORMATION”

“ANNUAL SECURITY REPORT”

**CONCORD UNIVERSITY**  
**OFFICE OF PUBLIC SAFETY**

September 2022

From the Director:

Concord University has always given the highest priority to the safety and security of our students and other community members. This tradition continues with the on-going support of well-qualified personnel from various departments throughout our campus. We hope that the information in this brochure will be beneficial to you in helping us continue to provide a safe and secure environment for all who use the Concord campus.

Mark Stella  
Chief of Police Concord University

**Public Safety Information**

The Concord University Public Safety Office is headquartered in the Rahall Technology Building. The Director of Public Safety, also a police officer, supervises a staff of:

6 Police Officers, 1 Administrative Secretary, 2 Campus Security Officers

Concord University police officers receive training at the West Virginia State Police Academy or equivalent venue. Additional education occurs through ongoing in-service and specialized training programs and some public safety officers hold college degrees. Our university police and security personnel are carefully selected, well trained, and committed to working with the Concord University community to provide a safe environment. The Concord University Public Safety Department receives its authority from the State of West Virginia 18B-4-5. All campus police officers have and may exercise, all powers and authority; and shall be subject to all the requirements and responsibilities of a law enforcement officer within the state of West Virginia.

Concord University police officers are authorized to make arrests for criminal offenses in or upon lands or structures owned, used, or occupied by the institution, or in places where University business is conducted. This authority extends beyond the confines of the campus as determined by local special police status or deputy sheriffs' authority or by previous court decisions (mutual aid).

The Concord University Public Safety staff enjoys strong professional relationships with state and local law enforcement agencies. Cooperative programs and information exchanges are ongoing priorities. Through this reporting relationship, the Concord University Public Safety Office relays information to the campus community on crimes that may pose a threat to students or employees. Operational and technical supports are mutually provided when necessary.

#### Notification to Campus Community

When time is of the essence, safety information is released to the University community through *security alerts* created by the Office of Public Safety and posted throughout campus.

#### **Student Right--To--Know Information**

The Student Right--To--Know Act, which was renamed The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in 1998, mandates that institutions of higher education disclose information about crimes on and near their respective campuses. Concord University's Campus Security and Crime Statistics Report is available via this link: <http://ope.ed.gov/security/>

Additionally, law enforcement agency information provided by the West Virginia State Police concerning registered sex offenders is available at this link:

<http://www.wvstatepolice.com/sexoff/>

#### **Alcohol and Drug Enforcement Policies and Education Programs**

Because the illicit use of drugs and alcohol can seriously impair the health and safety of members of the Concord community and their families, the University is committed to addressing and preventing illicit drug use and alcohol abuse within its boundaries. There are substantial health risks and legal consequences that stem from alcohol and drug abuse. Therefore, all students and employees are urged to read the information that follows.

1. Health Risk!, Abuse of alcohol and drugs is a national public health concern.

2. Counseling and Treatment for Alcohol and Drug Abuse

Concord University encourages students and employees with alcohol and substance abuse problems to seek assistance and treatment. At Concord University, a variety of resources exist where further information can be obtained about alcohol and drug abuses and their treatment.

A. If a Student Confidential counseling is available from the Concord University Counseling Center. In addition, the Dean of Students is available for referrals to other resources found in the community.

B. If an Employee Employees who need assistance in dealing with alcohol and drug abuse problems are strongly encouraged to utilize the confidential assistance and services offered through the Concord University Counseling Center. Employees may also consult with the Human Resources Office for advice and referrals through the various insured health plans of the State of West Virginia, and are strongly encouraged to seek out other agencies in the community

#### **VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)**

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4), which, among other provisions, amended section 485 (f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security- related requirements as a condition of participating in the Federal student financial aid programs authorized by Title IV of the HEA. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking.

**Standards of Conduct**

The unlawful possession, use, or distribution of illicit drugs and/or alcohol by students and employees on Concord property, or as part of University activities, is strictly prohibited.

It should be noted that beer is the only intoxicating beverage permitted on campus. Only individuals of legal age (21 years or older) may possess or consume beer and only within the confines of their residence hall room. Open containers of alcohol, kegs, beer balls, etc., are strictly prohibited in all public areas, including athletic events. "Public Areas" is defined as all space on Concord owned property, which is not a private residence hall room or rental property.

**Disciplinary Sanctions**

The University will impose its own disciplinary sanctions on students who violate the standards of conduct described earlier. Among the sanctions that may be imposed are the following: official written warnings, University ordered drug and alcohol assessment, drug/alcohol educational programming, community service, social probation, full social restrictions, suspension, dismissal, and/or referral to appropriate governmental authorities for civil and/or criminal prosecution.

The University maintains the right to require completion of an approved off-campus rehabilitation program in connection with any disciplinary matter where drugs and/or alcohol play a role in the incident. Off-campus rehabilitation programs must be pre-approved by the Dean of Students or her/his designee.

## Local, State, and Federal Laws Concerning Alcohol and Drugs

∴ Cities and towns in West Virginia prohibit public consumption of alcohol and impose fines for violation of their laws.

∴ The town of Athens has an ordinance, which forbids the possession of open containers of alcohol on any public street by a person of any age. Those choosing to violate this ordinance can be subject to arrest and fine.

∴ West Virginia law strictly prohibits the sale or delivery of alcoholic beverages to persons under the age of 21. The penalty for violating this law may be a fine of up to \$500.00.

∴ Misrepresenting ones age, or falsifying identification to obtain alcohol, is punishable by fine.

∴ Among the penalties under West Virginia law for conviction of driving under the influence of alcohol are:

Driving Under Influence of Alcohol, Controlled Substances or Drugs Any person who:

- (l) Drives a vehicle in this state while:
  - (A) He/she is under the influence of alcohol; - (B) Is under the influence of any controlled substance;
  - (C) Is under the combined influence of alcohol and any controlled substance;
  - (D) Has an alcohol concentration in his or her blood often hundredths of one percent or more, by weight;
- (2) When under the influence while driving, causes the death of any person
- (3) Commits such act in reckless disregard of the safety of others and shall be guilty of felony and, upon conviction thereof, shall be imprisoned in the penitentiary for not less than one nor more than ten years and shall be fined not less than one thousand dollars nor more than three thousand dollars.

Penalties for Driving Under the Influence (D.U.I.) ∴

1<sup>st</sup> Offense:

- a) -\$250.00 (if convicted, attend driving education course)
- b) -\$750.00 (without consenting to completing a driver education course)
- c) Six points added to driver's license
- d) The cost of automobile insurance will increase dramatically if convicted of D.U.I.,

2<sup>nd</sup> offense

- a) Loss of driver's license and/or one year in jail
- b) A large monetary fine
- c) Seven additional points on driver's license

Please remember that failure to cooperate when stopped by a law enforcement officer for D.U.I. will lead to automatic loss of driver's license for one year.

∴ West Virginia imposes criminal penalties for the possession and/or distribution of controlled substances or drugs without valid authorization, with penalties varying as to the type of drug. Sale and possession of drug paraphernalia are illegal in West Virginia. Under both West Virginia and federal law, penalties for possession, manufacture, and distribution of drugs are greater for subsequent conviction, and include mandatory prison terms, with the full minimum term being served.

∴ Persons convicted of drug possession under state or federal laws are ineligible for federal student grants and loans for up to one year after the first conviction and up to five years after the second. The penalty for unlawful distribution of drugs is loss of federal student benefits for five years after the first conviction and for a longer period after the second.

∴ Under federal law, all legal penalties may be doubled when a person at least 18 years old distributes drugs to persons under age 21 within 1,000 feet of a public or private elementary or secondary school or a public or private university. These convictions include a mandatory one- year prison term.

## **Sexual Assault/Abuse**

Concord University strongly encourages any victim of sexual assault, abuse, or forced violent sexual contact, to report the assault/abuse immediately to the Public Safety Office, or any member of the Concord University Sexual Assault Response Team (S.A.R.T.). These individuals will assist you in obtaining emergency medical care and crisis counseling. The Office of Public Safety will secure important evidence of the alleged crime. The Office of Public Safety (5357) will also file reports and work in conjunction with appropriate legal jurisdiction. The Concord University police are available for consultation regarding these processes whether or not a victim wishes to proceed with any type of legal action.

Victims will be urged by the Office of Public Safety to seek immediate medical attention before showering or washing their clothes and to obtain counseling as soon as possible. Victims who choose not to report to the Office of Public Safety or S.A.R.T. members are strongly encouraged to bring the incident before the Dean of Students. The Dean's office can answer questions about university resources and procedures available to victims. A report, whether made informally to the Dean of Students, any S.A.R.T. member, or formally to the Public Safety Office, does not commit the victim to a specific course of action (or any course of action). It is not the institution's intention to re-victimize an alleged victim.

The Dean of Students, with assistance from the Public Safety Office, will inform victims of their options both within the University's disciplinary system and the criminal court system of the State of West Virginia. The Student Affairs Office, with assistance from the Sexual Assault Response Team will also assist in obtaining counseling and victim advocacy services, both on and off campus, and advise students of options available in changing academic and living situations.

Should an alleged student victim choose to utilize the university's disciplinary system or other institutional processes in cases involving complaints against another student, the options include, but are not limited to, the following: a consequence imposed by the Dean of Students, or his/hers designee, following an admission by the accused of wrongdoing; or an on-campus disciplinary hearing.

Hearings of a serious nature are typically heard by a University Hearing Board. The complainant and the accused student will have the procedural guarantees available under the university disciplinary guidelines. Possible sanctions for sexual assault/abuse include suspension or expulsion from the institution. An explanation of complete disciplinary procedural guidelines is available in the current addition of the *Concord University Student Handbook*.

## Access to Facilities

Although Concord University encourages the local community to use its non-residential facilities, this policy presents unique challenges in maintaining safety and security. There are general rules in place meant to prevent unauthorized access to university buildings and property.

Exterior doors to residence halls are locked from 10:00 p.m. until 6:00 a.m. Only Concord students with legitimate business inside residence halls are permitted entry at any time. All others are considered intruders, and residents are urged to report their presence to the Public Safety Office immediately.

Duplicating keys and propping outside doors to any University owned facility are violations of institutional policy, and violators will be sent before a hearing board.

Access to academic and administrative facilities varies by use and location. Again, only those with legitimate business are allowed entry.

## Important Telephone Numbers

The University offers a variety of services so that victims of crime, or others who simply need help, can receive the assistance they need. A good starting point for a victim, or family and friends of a victim, is with the Concord University Counseling Center, which is based in the Bonner House. For further explanation or elaboration of the information in this section, contact the agencies or individuals whose numbers are listed here.

ADA Compliance Issues 6086,5231  
Athens Medical Center 8-304-384-7325  
Career Counseling 5325  
Concord University Counseling Center 5290  
S.A.F.E. (County appointed Victims' Advocate) 8-324-7820

## S.A.R.T. Members

Dr. Joan Pendergast	5289
Mr. Mark Stella	5357
Mrs. Terri Philpott	5282
Sgt. Terry Moulder	5146
Dr. Susan Martin Williams	6026
Khalilah Workfield	5230

## Reporting crimes

Members of the Concord community are strongly encouraged to immediately report all crimes to the Public Safety Office located in the Rahall Building.

Reporting crime is important because it allows the Public Safety Office to assess security controls and patrol strategy, and to develop better methods of crime prevention. Concord University Public Safety officers investigate complaints filed by community members and pursue investigations to their most reasonable conclusion. Follow-up investigations will be conducted with support from local, state, or federal law enforcement agencies when necessary.

The interests of the victim are always our primary concern. The Concord University Public Safety Office recognizes the importance of maintaining confidentiality and of protecting the identity of a victim in the course of a successful investigation. In criminal matters, the victim's preferences greatly influence the way in which a case is processed.

If a member of the Concord community is alleged to have been involved in criminal conduct, cabinet officers and other administrators may be notified when deemed necessary and where law permits.

The non-emergency telephone numbers for the Concord University Public Safety Office are: (304)384-5357 or 1-800-344-6679 ext. 5357

The emergency Public Safety telephone number is: 911

North Tower Public Safety Sub-Station: (304)384-5132 or 911 (operated from 12:00 midnight-6:00a.m.)

Other local police agencies can be reached from within their respective cities by dialing 8 or 9-911 for emergencies or:

Athens Police (8) 384-3525

Mercer County Sheriff (8) 487-8364

WV State Police (8) 425-2101  
8-425-8911 -non-emergency

## Security and Maintenance

Concord University is like a small town with a large and mobile population made up of primarily young adults. The upkeep of university buildings and property falls to the Physical Plant department and the Office of Housing and Residence Life.

The Concord University Office of Public Safety, in cooperation with Physical Plant employees and Housing and Residence Life staffs, conduct frequent security surveys, lighting surveys, and inspections of electronic security systems in an ongoing effort to examine the need for modification and to elevate the level of campus protection. Channels of internal communications exist to facilitate the repair or improvement of security systems on campus. Members of the physical plant recognize the importance of responding promptly to requests that involve security issues.

### **Security Awareness Programs**

During orientation and Convocation in August, Concord University students are informed of services offered by the Office of Public Safety. Verbal, as well as written instructions defined in the current addition of the *Concord University Student Handbook* and *Best-Case Scenario Survival Handbook* outline ways to maintain personal safety and residence hall security.

Periodically during the academic year, members of the Public Safety Office, in cooperation with other University organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), domestic violence, dating violence, stalking, theft, vandalism, driving under the influence, and educational sessions on the personal safety and residence hall security, among other topics. A common theme of all the awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and the security of others.

### **Crime Statistics**

It is important to note that some victims prefer not to report incidents of crime to the police, but to confide in various confidential sources. Reasonable attempts have been made to identify all reported (to the Public Safety Office) crimes and to present the statistics in this report, as well as offenses known by or reported to other members of the Concord community.

The sexual assault/abuse report includes situations of acquaintance or date rape reported to and handled by the Public Safety Office. University officials may use their discretion in matters relating to liquor law violations and occasionally refer such cases to the campus judicial system.

Hate Crimes will be categorized by origin of prejudice.

Location of Occurrence The location of the occurrence for reported crimes is briefly defined as follows:

On Campus: any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, and is frequently used by students and supports institutional purposes.

## **Crime Statistics**

(Offenses known by, or reported to, the Concord University Public Safety Office)

Year (Academic)	2007 2008	2008 2009	2009 2010	2010 2011	2011 2012	2012 2013	2013 2014	2014 2015	2015 2016	2016 2017	2017 2018	2018 2019	2019 2020	2020 2021	2021 2022
Calendar Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault	0	1	0	3	0	1	3	0	0	0	0	1	0	0	0
Non- foreible Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	1	0	0	1	0	0	0	1	1	0	1
Burglary	6	4	17	9	5	6	12	3	2	2	1	0	0	0	1
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol Violations	*16	*29	*5	*5	*10	*5	*3	*6	*4	*1	*0	*5	6	0	*0
Drug Violations	*7	*8	*10	*9	*7	*6	*6	*5	*7	*4	*1	13	1	0	*0
Weapons Violations	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Fire-N. Tower	NR	NR	NR	0	0	0	0	0	0	0	0	0	0	0	0
Fire-S. Tower	NR	NR	NR	0	0	0	0	1	0	0	0	0	0	0	0
Fire- Wilson Hall	NR	NR	NR	0	0	0	0	0	0	0	0	0	0	0	0
Fire-Sarvay Hall	NR	NR	NR	0	0	0	0	0	0	0	0	0	0	0	0
Fire- Wooddell Hall	NR	NR	NR	0	0	0	0	0	0	0	0	0	0	0	0
Fire- College Courts	NR	NR	NR	0	0	0	0	0	0	0	0	0	0	0	0

\*Offenses or which state tickets were issued.

\*NR-Not Required

Violence Against Women Act (VAWA) 2013

Year (Academic)	2015 2016	2016 2017	2017 2018	2018 2019	2019 2020	2020 2021	2021 2022
Calendar Year	2015	2016	2017	2018	2019	2020	2021
Domestic Viloence	0	1	1	0	0	0	0
Dating Violence	0	2	0	1	0	0	0
Stalking	0	0	0	0	0	0	0

Emergency:

**911**

**Office of Public Safety  
Concord University  
PO Box 1000  
Athens, WV 24712-1000**

1-800-344-6679 ext. 5357 (M-F 8 a.m. -4 p.m. voicemail available)

Day Shift Direct phone (8 a.m. -4 p.m.) (304) 384-5357

After Midnight to 6 a.m. (304)384-5132 Security Substation