

# New York University

## University Policies

**Title:** Reporting Violent Felony Offenses  
**Effective Date:** September 6, 2016  
**Supersedes:** Not Applicable  
**Issuing Authority:** Executive Vice President, Finance and Information Technology  
**Responsible Officer:** Vice President, Global Campus Safety

### I. Statement of Policy

It is the policy of New York University (“NYU” or “the University”), through the collaboration of the NYU Department of Public Safety (“Public Safety”) and other University offices, to investigate any report of a violent felony offense that occurs on campus or in facilities owned or controlled by NYU, and to report such violent felony offenses to local law enforcement. This Policy, with its accompanying procedures, establishes a framework for cooperation among members of the University community aimed at facilitating the prompt reporting of violent felony offenses to Public Safety and local law enforcement.

### II. Purpose of this Policy

New York University (“NYU” or “the University”) is committed to creating and preserving a safe and secure environment for its community. The purpose of this Policy is to support this commitment by setting forth rules and procedures to be followed in the event that a violent felony offense on campus or in facilities owned or controlled by the University is reported.

New York State Education Law requires that colleges and universities in New York State notify the appropriate local law enforcement agency as soon as practicable, but in no case more than twenty-four (24) hours after receiving a report of a violent felony, excluding Sexual Offenses (see note below for applicable Sexual Offense reporting policy), that has occurred on campus or in institutionally owned or controlled facilities. The 24 hour period begins when any NYU Employee becomes aware of the occurrence of a violent felony offense.

The New York State Education Law and the federal Higher Education Opportunity Act also require that colleges and universities notify local law enforcement within 24 hours of learning that a student who resides in housing owned or operated by the institution is missing; NYU’s requirement that such notification be made regarding *all* students, residential and otherwise, is codified in the [New York University Missing Student Notification Policy](#).

### **III. Scope of this Policy**

This Policy applies to all NYU Employees at all locations in New York State.

Consistent with current University practices, NYU Employees who are made aware of any crime in University facilities outside of New York State are encouraged to report those crimes to the appropriate local Public Safety or security staff.

### **IV. Procedures for Implementation**

Upon becoming aware of a suspected Violent Felony Offense, excluding Sexual Offenses (*see below for applicable policy regarding reporting Sexual Offenses*), that has occurred on campus or in any University facility, Employees must immediately notify the Public Safety Command Center at 212/998-2222.

Violent Felony Offenses are defined in Section 70.02 of the New York State Penal Law. This list includes 63 offenses plus attempts to commit some of the offenses. Employees should not make the determination of whether a situation rises to the definition of a Violent Felony Offense. Instead, Employees should immediately report to Public Safety any situations that meet the following criteria:

- Violent acts or attempted violent acts against a person or persons, excluding Sexual Offenses;
- Use, possession, sale of, or threats to use any weapon;
- Injury to a person that is alleged to have been intentionally caused by another person, excluding Sexual Offenses;
- Fires or explosions that are believed to have been intentionally caused; and
- Threats of violence or terrorist acts.

Public Safety will investigate to determine whether the incident constitutes a Violent Felony Offense under the New York State Penal Law, and if so will contact the appropriate law enforcement agency.

#### Missing Students

Employees who become aware that a student may be missing should follow procedures in the University [Missing Student Notification Policy](#) by immediately reporting to Public Safety that a student may be missing.

#### Sexual Offenses

Employees who become aware of allegations of a Sexual Offense and are not Confidential Resources should follow procedures in the University [Sexual Misconduct, Relationship Violence, and Stalking Policy](#).

### **V. Policy Definitions**

**Employees:** those individuals who are compensated by the University when they are working for the University, including faculty, staff and student employees, whether as employees who are reported to the applicable taxing authorities as employees (e.g., on Form W-2 in the case of most U.S. employees) or who are otherwise considered to be employees under law (e.g., “common law” employees under U.S. law).

**Confidential Resources:** Individuals with legally-protected confidentiality, such as licensed mental health providers and pastoral counselors, who are functioning within the scope of those recognitions.

**Violent Felony Offenses:** Violent Felony Offenses are those crimes delineated in the New York State Penal Law, Section 70.02.

Incidents that should be evaluated as potential Violent Felony Offenses include those involving injuries alleged to have been caused intentionally (for example, assaults); forcible theft of property from a person (for example, robberies); use, sale, possession or threats of a firearm or other weapon; fires or explosions alleged to have been caused intentionally; terrorism or threats of terrorism; kidnapping; and stalking.

**Sexual Offenses:** Any sexual act directed against another person without the consent of the victim, including where the victim is incapable of giving consent.

*New York University reserves the right to change, alter or modify this policy at any time at its discretion and without notice. This policy does not create a contractual agreement of any kind.*

## **Related Policies**

[Missing Student Notification Policy](#)

[Weapons, Simulated Weapons, and Theatrical Use of Weapons Policy](#)

[Sexual Misconduct, Relationship Violence, and Stalking Policy](#)

### **Notes**

1. Dates of official enactment and amendments:
2. History:
3. Cross References: