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Responsible University Office:
*University Police
Division of Emergency Management*

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Timely Warning

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Scope

Timely Warnings are issued by the University of Nebraska Kearney Police Department (UNKPD), or their designee and are used to notify the campus community and visitors in a timely manner of specific crimes that occur within the University Clery geographic area that pose a serious or continued threat to the campus community members. This notification is intended to aid in the prevention of future crimes and allow community members and visitors to take steps to aid in their own safety. Timely Warnings withhold the victim's Personal Identifying Information. Timely warnings are designed to inform you of something that has already happened but may have a potential serious or ongoing impact on the University community.

The Clery Act doesn't define timely. A warning will be issued as soon as pertinent information is available. Generally, there is no allowance for taking time to review video footage, interviewing involved parties beyond the initial report, or completing an investigation, etc. Even if all of the facts surrounding a Clery Act criminal incident that represents a serious and continuing threat to students and employees are not available or known, a Timely Warning must be issued.

It is further the policy of this department to maintain compliance with applicable features of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Policy Statement

The University of Nebraska at Kearney, in compliance with Clery Act – 20 USC 1092, will notify the campus community of Clery-specified crimes reported to UNKPD occurring in Clery geographic areas that represent a serious or continued threat to students, employees and members of the Community by providing Timely Warnings.

Reason for Policy

This policy was created to establish the University's responsibilities and procedures for timely notifying the campus community members and visitors of specific crimes that occur within the Clery geographic area, upon confirmation of the threat.

Procedures

A. How to Report –

1. Campus Security Authorities (CSA's) are required to notify UNKPD any time that they believe an incident has occurred that may be a Clery reportable crime within the predetermined Clery geographic areas. Due to the confidential nature of their job responsibilities, Pastoral or Professional Counselors are exempt from reporting to the police.
2. UNKPD can be notified by calling 308-865-8911 or 911.
3. Local law enforcement agencies also have been asked to notify UNKPD if they become aware of a situation that warrants a notice to the University students, staff and faculty.
4. If this emergency is a serious health matter, he or she should contact Student Health and Counseling at 308-865-8218, or 911.

B. When to send a Timely Warning –

1. The UNKPD Chief or the designee is responsible for making the decision whether a Timely Warning will be issued. He or she can do this in consultation with other University and city departments if needed.
2. A Timely Warning must be issued for any Clery reportable crime that occurs within the institution's Clery geography.
3. Is the reported incident considered by the institution to represent a serious or continuing threat to the campus. Whether a reported crime constitutes a continuing threat must be decided on a case-by-case basis in light of all facts surrounding a crime. This includes factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.
4. A Timely Warning may be issued for other incidents as deemed necessary by UNKPD taking into consideration the seriousness of the threat, its likelihood to continue to be a threat to the community, and the frequency of the incidents.
5. The UNKPD Supervisor or the designee is responsible for making the decision whether a timely warning will be issued. He or she can do this in consultation with other University and city departments if needed.

6. When assessing if a notification is necessitated, officers will determine if the incident was a Clery crime, if the incident happened on Clery geographic area and if there is a serious or continuing threat to the campus
7. If a large amount of time has elapsed between the occurrence and the report, it may be determined that a notification is no longer needed.
8. If there is a compromise to law enforcement efforts to assist a victim, contain an emergency, respond to an emergency or otherwise mitigate an emergency, it may be determined that a notification is no longer needed.

C. Determine the Content of the Message –

1. The timely warning must contain sufficient information about the nature of the threat to allow members of the campus community to take action to protect themselves. The timely warning should include information that would promote safety and that would aid in the prevention of similar crimes.
2. A timely warning may include but is not limited to the following, unless issuing any of this information would risk compromising law efforts:
 - a) Date and approximate time of the incident;
 - b) A brief description of the incident;
 - c) Possible connection to previous incidents;
 - d) Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips);
 - e) This notification will withhold the names of the victims associated with any emergency;
 - f) Suspect description(s) when deemed appropriate and if there is sufficient detail; (The description of the subjects in a case will only be included in a timely warning if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, they will not be included in the notification);
 - g) Information on crime prevention, personal safety or other community safety resources;
 - h) UNKPD contact information.

D. Review of the Message –

1. Unless exigent circumstances exist, UNKPD Chief or designee will draft an email containing the proposed Timely Warning and forward it to UNK Communications and Community Relations for review and distribution.
2. If other departments are available at the time of the incident UNKPD may request assistance in sending the message. Other departments who have access and the ability to send the Timely Warnings are:
 - a) Communications and Community Relations
 - b) Emergency Planning and Management
 - c) Risk Management
3. If exigent circumstances exist, the notification will be sent by UNKPD without consultation or the review process.

E. Timing of the Timely Warning –

1. Although federal regulations provide no clear guidelines on the length of time between the receipt of a crime report and the dissemination of timely warnings, the University will take no more time than necessary to analyze the threat, determine the need for the notice and disseminate the timely warning. Due to necessity, a timely warning may be issued with few facts and then updated as more information is provided, if needed.
2. This does not preclude UNKPD personnel from issuing follow-up messages independently if the nature of the emergency changes and continues to pose a threat to the University community.

F. Distribution –

1. The Timely Warning must be distributed in a manner reasonably likely to reach the entire campus community (students, staff and faculty) as well as visitors.
2. Depending on the circumstances, any of the following methods, or combination thereof, may be used, including but not limited to:
 - a) UNK Alert. Communication devices can be cell phones (text and voice), landline phones, and e-mail addresses. Telephone numbers and e-mail addresses for UNKAlert will be maintained from SAP for employees and MyBLUE for students.
 - b) Students and employees who do not wish to receive emergency messages on their personal telephones or e-mail addresses may "opt-out". ([Opt-Out Form](#)) Students and employees **cannot** "opt-out" of receiving UNKAlert on UNK landline telephones, UNK e-mail addresses or cell phones provided by UNK.
 - c) It may be decided to manually update Facebook, Twitter and the UNK website home page with the information
 - d) Campus-wide Announce e-mail to employees
 - e) Campus-wide Announce or Student Bulletin e-mail to students
 - f) Voice Over Fire Alarm system
 - g) News release or media statement
 - h) Manual posting of notices
3. In order to disseminate emergency information to a larger community (other than UNK) we would contact the Buffalo County dispatch for them to utilize their alert system.
4. Unless exigent circumstances exist, the Department of Communications and Community Relations will determine the content of any follow-up messages with the assistance, as needed, from the Incident Commander, responding agencies and collaborating agencies. Any follow-up message will use some or all of the distribution systems available to the University.
5. This policy is **not** applicable if a notification is sent out under the Emergency Notification Policy.

G. External Notifications –

All external notifications will be handled by Communications and Community Relations, unless external media was used in the initial notification. Communications and Community Relations will be the contact department for all external media unless otherwise determined through the Incident Command Process.

H. System Testing –

1. The UNK Alert system is tested a minimum of once a semester by the EOT, unless it has already been activated for a real event prior to the scheduled drill.
 2. The Voice Over Fire Alarm Speaker system is tested bi-annually and the sprinkler systems are tested quarterly per NFPA requirements.
 3. Any issues or concerns discovered during testing or during issuance of any message will be immediately addressed.
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Definitions

- A. Campus Security Authority: A Campus Security Authority (CSA) is any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. This includes anyone with security responsibility or anyone who has a significant responsibility for student and campus activities, including but not limited to, the following:

- Chancellor
- Senior Vice Chancellor of Academic/ Student Affairs
- Dean of Student Affairs
- Police Officers
- Community Service Officers
- Student Conduct
- Housing Director, Resident Assistants, and Residential Life Coordinators
- Student Activities Staff
- Student Health Care
- Athletics Director and Coaches
- Human Resources
- Ombudsperson
- Title IX Coordinator
- Student Organization Advisors
- Part-time Victim's Advocate

- B. The Clery Act requires reporting of crimes in seven major categories, some with significant sub-categories and conditions:

1. Criminal Homicide
 - i. Murder & Non-negligent Manslaughter
 - ii. Manslaughter by Negligence
2. Sex Offenses
 - i. Rape
 - ii. Fondling
 - iii. Incest
 - iv. Statutory Rape
3. Robbery
4. Aggravated Assault
5. Burglary
6. Motor Vehicle Theft
7. Arson

- C. Hate crimes must be reported by category of prejudice, including race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and/or disability. In addition to the above-noted crimes, if the crime committed is classified as a hate crime, statistics are required for the following four additional crime categories:
1. Larceny/Theft
 2. Simple Assault
 3. Intimidation
 4. Destruction/Damage/Vandalism of Property
- D. The statistics for the following incidents must be reported in addition to those above:
1. Domestic Violence
 2. Dating Violence
 3. Stalking
- E. Institutions are required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):
1. Liquor Law Violations
 2. Drug Law Violations
 3. Illegal Weapons Possession
- F. Clery Geographic Area -
1. 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. This includes residence halls and any building or property that is within or reasonably contiguous and owned by the institution but controlled by another person, is frequently used by students and supports the institutional purposes (such as food or retail vendors).
 2. Non-campus building 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. It is frequently used by students and is not within the same reasonably contiguous geographic area of the institution.
 3. Public Property –
All public property, including thoroughfares, streets, sidewalks or parking facilities that is within the campus or immediately adjacent to and accessible from the campus.
- G. Pastoral Counselor -
A person who is associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.

H. Professional Counselor -

A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

Additional Contacts

<i>Contact</i>	<i>Department</i>	<i>Phone</i>	<i>Email</i>
Jim Davis	UNKPD / E.M.	308-865-8911	davisjf@unk.edu
Dawn Adams	UNKPD	308-865-8911	adamsdg@unk.edu
Michelle Holman	UNKPD / Clery Coordinator	308-865-8911	holmanmv@unk.edu

Forms

Related Information

History

New Version of Policy 12/06/2018

New Version of Policy 12/03/2019

New Version of Policy 08/30/2021