I. Policy Statement

The Medical University of South Carolina (MUSC) is committed to creating and maintaining a working, learning, and patient care environment that is free from crime and violence. As part of that commitment, MUSC prohibits violent acts, threats of violence, and intimidation. Any member of the MUSC community who commits or threatens to commit a violent act is subject to disciplinary action and/or civil or criminal prosecution as appropriate.

II. Scope

This Policy is applicable to all members of the MUSC community. This community includes, but is not limited to, students, employees (including residents, postdoctoral fellows, faculty, administrators, and staff), guests, independent contractors, vendors, visitors, invitees, and campers.

III. Approval Authority

The Executive Vice President for Academic Affairs and Provost and the Executive Vice President for Finance and Operations are the approval authorities for this Policy.
IV. Purpose Of This Policy

The purpose of this Policy is to provide the MUSC community with information about reporting crimes, the responsibilities of Campus Security Authorities, how the Department of Public Safety responds to reports of crimes, the rights of victims, and strategies to for reducing risk and contributing to a paradigm of safety.

V. Who Should Be Knowledgeable About This Policy

All members of the MUSC community.

VI. Policy

The substantive content of this Policy begins on page 4.

VII. Special Situations

Not Applicable.

VIII. Sanctions For Non-Compliance

Please refer to the body of the Policy.

IX. Related Information

The following policies and handbooks may contain relevant information:

- Policy on Prohibited Discrimination, Harassment, and Sexual Misconduct
- Standards of Professional Behavior Policy
- Treatment of Students Policy
- Code of Conduct
- Student Handbooks
- Human Resource policies
- Faculty Handbook
- Graduate Medical Education Handbook

X. Communication Plan

This Policy will be published in the Bulletin, on MUSC’s website, and will be included in new student and employee orientation materials (e.g., MyQuest modules, Handbooks, etc.). Senior administration will communicate the Policy to their teams and units using normal communication channels.
XI. Definitions

Please refer to the body of this Policy.

XII. Review Cycle

This Policy will be reviewed every three years.

XIII. Approval History

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IX. Approval Signatures

Lisa K. Saladin, PT, PhD, FAPTA
Executive Vice President for Academic Affairs and Provost

Lisa Montgomery, MHA
Executive Vice President for Finance and Operations

Office of the General Counsel
MUSCICUH
APPROVED AS TO FORM
BY:
DATE: 10/7/19
Crime Reporting Policy

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I. Reporting Crimes to Law Enforcement

Although MUSC encourages all members of its community to promptly report all known or suspected incidents of criminal activity to law enforcement, it is the victim’s choice whether to make such a report. Victims have the right to decline involvement with the police. The MUSC Department of Public Safety (DPS) will support all victims of crimes regardless of whether the victim decides to seek criminal prosecution of the offender or not. When members of the MUSC community request assistance with reporting a crime, MUSC officials will without delay comply with the individual’s request in notifying the proper authorities.\(^1\)

Call the MUSC Department of Public Safety if:

- You see someone committing a crime
- You need to report an old crime
- Someone is injured or ill
- You see fire or smell smoke
- You see anyone or anything suspicious
- You think you see a drunken driver
- You have knowledge of a chemical spill

Crime reports can be made at any time. Priority is given to reports of incidents that threaten the lives or safety of people, the security of property, and the peace of the community. DPS responds to all reports of crime and other emergencies immediately and with resources appropriate for the type of crime or incident reported. Reports of crimes in progress and all calls involving imminent threat to human life or extreme property damage typically results in multiple units being dispatched.

Professionally trained dispatchers are available 24 hours a day to answer calls. Reports can be made by phone at (843) 792-4196 for emergencies or (843) 792-2261 for non-emergencies, by dialing 2-4196 from any campus landline, via a call box,\(^2\) through the LiveSafe App,\(^3\) or in person at 101 Jonathan Lucas Street, first floor, Charleston, SC. If a crime happens off campus it should be reported to the local law enforcement agency by dialing 911.

Because police reports are public records under state law, DPS cannot hold reports of crime in confidence. However, DPS and all University offices will protect the identities of victims and

\(^1\) Pursuant to the Jessica Horton Act, if MUSC is made aware of a report alleging that Criminal Sexual Conduct occurred on MUSC’s campus, the Chief of DPS or a designee must notify the State Law Enforcement Division.

\(^2\) There are over 150 emergency call boxes around campus, including in the parking lots and garages. They can be used to report any type of emergency, including fire, medical, suspicious activity or crime-in-progress. By pressing the “emergency” button on a call box, you are immediately placed in contact with the DPS dispatcher and the blue light begins to flash. If you think someone is following you and you don’t want to stop at the call box, press the button and keep moving to the next call box, and press it also. This will allow DPS to determine your direction of travel so they may intercept you and provide assistance.

\(^3\) The LiveSafe app can be downloaded from the App Store or Google Play. The app is free and allows the user to report emergencies, report tips, report anonymously, and transmit your location to DPS or to other designated LiveSafe app users (e.g., you can use the SafeWalk feature to request that a friend tracks you through the app.)
witnesses associated with sexual assaults, dating and domestic violence, and stalking. Accordingly, MUSC will not publish personally identifiable information of victims or witnesses in the daily crime log, timely warnings, emergency notifications, and any accommodation or protective measure provided to victims unless confidentiality impairs the effectiveness of the measure.

II. Accurate and Prompt Reporting of Crimes

Preventing crime is a shared responsibility between law enforcement and the population it serves. Faculty, staff and students are encouraged to assume responsibility for their own security and the security of others by promptly and accurately reporting all crimes to DPS or other appropriate police agencies, whether the victim elects to, or is unable to make such a report.

If you witness something suspicious, do not become apathetic or assume someone else has or will report it. If you see something - say something. When reporting, always remember to accurately report the crime by answering these questions: who? what? when? where? and how?

When you call the police, be prepared to provide the following information:

- Your name and telephone number; type of incident or suspicious activity;
- The location of the incident that you are reporting;
- A detailed description of the suspect(s) and his/her location or direction of travel;
- A detailed description of any vehicle(s) involved in the incident;
- and the necessity for medical assistance.

III. Campus Security Authorities

For certain incidents, MUSC has specific reporting protocols designed to ensure that any criminal incident that occurs within MUSC’s Clery Geography (on campus, on public property bordering campus, and in non-campus areas leased or otherwise controlled by MUSC) is reported to the Department of Public Safety, the official campus authority for reporting all crimes. Alternatively, victims may choose to report criminal incidents to any employee or office that is designated as a Campus Security Authority (CSA). Whenever a CSA becomes aware of conduct that reasonably appears to constitute a Clery Act incident they must immediately report the incident to DPS.

The following crimes constitute Clery Act incidents4:

1. All primary crimes (murder, non-negligent manslaughter, and negligent manslaughter), sexual assault (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, and arson;
2. Hate crimes;
3. VAWA5 crimes: dating violence, domestic violence, and stalking; and
4. Arrests and referrals to university officials for violations of liquor, drug, and weapons laws.

4 Please refer to Appendix A for criminal definitions and further information about MUSC’s Clery Geography.
5 VAWA stands for Violence Against Women Reauthorization Act of 2013.
CSAs must report Clery Act incidents even if the information regarding the incident was shared with them in confidence. Specifically, CSAs must report the date and time of occurrence, the location, and the individuals involved if it is not an anonymous reporting situation. DPS provides CSAs with Clery Act Statistic Report Forms and Referral Forms, but CSAs can also report crimes to DPS by phone, email, or in person.

De-identified information will be published in the Annual Security Report and may be published in the daily campus crime log. This reporting helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety.

The Clery Compliance Coordinator maintains a list of all identified CSAs and other Clery Act-related documentation for the university. CSAs are notified annually of their status and reporting obligations, and they complete online training on an annual basis.

Pursuant to the Clery Act, MUSC has four categories of Campus Security Authorities:

1. The Department of Public Safety;
2. Non-DPS personnel with security responsibilities, such as those monitoring access to campus;
3. Any individual or organization specifically identified in this Policy to which students and employees should report criminal offenses;⁶ and
4. Officials⁷ with significant responsibility for student and campus activities. The term “responsibility” is interpreted broadly, so that most employees who interact with students in any position of authority are CSAs. This includes but is not limited to student affairs/student conduct staff, student activities staff, human resources staff, and advisors to student organizations. For more information about your responsibilities as a CSA or if you are not sure whether you are a CSA, please consult the FAQs for Campus Security Authorities or speak to DPS.

IV. Confidential Reporting to Pastoral Counselors and Professional Counselors

Only those CSAs who are pastoral or professional counselors are exempt from the requirement to report, and only if they learn of the Clery Act incident while acting in their counselor capacity. A pastoral counselor is defined as a person “associated with a religious order or denomination, 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.” A professional counselor is defined as “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 counselors who are not MUSC employees but are under contract to provide counseling at MUSC.

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⁶ Please refer to Appendix B for a list of offices and officials that are specifically designated by this Policy as Campus Security Authorities.
⁷ An official is a person with the authority or duty to take action or respond to particular issues on behalf of MUSC.
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This exemption also applies to individuals who are not yet licensed or certified as counselors but are under the supervision of a pastoral or professional counselor. However, an individual who has a professional counselor’s license but is employed by MUSC in a different capacity with significant responsibility for student and campus activities (e.g., as a dean of students), is not exempt from reporting a Clery Act incident. Similarly, an individual who has a dual role and learns about a crime when they are not serving as a counselor must report the incident. When appropriate, counselors may encourage the student to make a voluntary confidential report to MUSC for inclusion in the annual disclosure of crime statistics.

V. Anonymous Reporting of Crimes

Individuals can make confidential, anonymous reports to MUSC in the following ways:

- Calling (843) 792-2261
- Using the Silent Watch online form: [https://education.musc.edu/leadership/diversity/title-ix/reporting-prohibited-conduct/silent-watch](https://education.musc.edu/leadership/diversity/title-ix/reporting-prohibited-conduct/silent-watch)
- Using the Report Tips function on the LiveSafe App
- Completing the Harassment and Discrimination Reporting Form: [https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout_id=6](https://cm.maxient.com/reportingform.php?MedicalUnivofSC&layout_id=6)

Individuals can also make anonymous, confidential reports externally to:

- Information received by MUSC from Crime Stoppers must be investigated to determine its validity and accuracy. Depending upon the details provided, leads, type and severity of the incident, an investigation may take place.
- Confidential Hotline: (800) 296-0269. Any activity that is reasonably believed to be in violation of a law, regulation, MUSC policy, or any federal or state healthcare requirement may be reported to the confidential hotline, which is monitored by a third-party vendor and does not answer questions about MUSC services or facilities.

Providing information will help MUSC maintain accurate records regarding the number of incidents; determine if there is a pattern of conduct with regard to a particular location or responding party; and alert the campus community to potential dangers. Although individuals are permitted to make anonymous reports, DPS’s ability to respond meaningfully may be limited depending on the amount of information provided.

VI. Timely Warnings

The Department of Public Safety provides timely warnings to the MUSC community when a situation occurs within MUSC’s Clery Geography and represents a serious or continuing threat. Decisions to issue a timely warning will be made on a case-by-case basis in light of all the facts surrounding the crime and the continuing danger to the university community. The purpose of the warning is to aid in the prevention of similar crimes by alerting the community about the incident
and providing information on the actions people can take to diminish their chances of being victimized. The amount and type of information provided in a timely warning will vary depending on the circumstances of the crime. DPS will withhold the names of the victims as confidential while still providing enough information for community members to make safety decisions. Timely warnings are typically issued for all Clery Act crimes. DPS may also issue Public Safety Bulletins for other crime classifications and locations, as deemed necessary.

Timely warnings are distributed to the MUSC community by blast email. DPS will make an effort to distribute a timely warning as soon as pertinent information is available so that the timely warning is a preventive tool, not solely a description of the incident.

Timely warnings are different from Emergency Notifications, which serve to notify the entire MUSC community of an emergency or dangerous situation involving an immediate threat (e.g., hurricane or tornado warnings, armed intruder, bomb threat, etc.).

VII. Unfounded Crime Reports

According to the FBI’s Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases remain as official crime reports and are included in the Annual Security Report and daily crime log. They are explicitly labeled as “unfounded” cases.

VIII. Collection of Crime Statistics

DPS will review all incident reports for accuracy and compliance with reporting guidelines established by the South Carolina Law Enforcement Division (SLED) and the FBI. Incidents of crime are entered daily into a computerized database and forwarded to SLED on a monthly basis.

The City of Charleston Police Department primarily provides crime information for criminal offenses (including attempts) committed within MUSC’s Clery Geography. DPS also requests statistics for offenses committed within MUSC’s Clery Geography from the Charleston County Sheriff’s Office, Department of Health and Environmental Control, the South Carolina Department of Natural Resources Law Enforcement, South Carolina Highway Patrol, the South Carolina Law Enforcement Division., and various local, city, county, and other law enforcement agencies across South Carolina and the United States.

The Department of Public Safety publishes all de-identified statistical information required by the Clery Act in the Annual Security Report, and sends the report to the Department of Education by October 1 of each year.

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8 Emergency Notifications are described in detail in the Policy on Emergency Response and Evacuation Procedures.
IX. Orders of Protection and Restraining Orders

There are two types of restraining orders in South Carolina. An Order of Protection is a civil order issued by a family court judge that provides protection from “household members,” which in South Carolina includes former or current spouses, people who have a child in common, and live-in partners of the opposite sex. A restraining order is an order issued by a Magistrate against a person who is harassing or stalking the victim and is not a member of the victim’s household. Both types of orders may be filed in the county where the alleged act of abuse occurred, where the petitioner resides, or where the alleged abuser resides. An Order of Protection may also be filed in the county where the parties last resided together. Anyone in immediate danger may request an emergency hearing to receive a temporary restraining order within 24 hours of the petition.

MUSC complies with South Carolina law in recognizing protective orders by both in and out-of-state judicial authorities. Any person who obtains a protective order should provide a copy to the Department of Public Safety and to the Title IX Coordinator, who will assist that individual in creating a Safety Action Plan to reduce risk while on campus. This Safety Action Plan may include but is not limited to arranging safety escorts, special parking, changing classroom location or allowing a student to complete assignments from home, etc.

X. Seeking Medical Care

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at the Medical University Hospital Emergency Department located at 169 Ashley Avenue, Charleston, SC. The professionally trained medical staff can offer physical evidence recovery and collection by certified Forensic Nurse Examiners/Sexual Assault Nurse Examiners (SANE) for victims of sexual assault.

XI. Preserving Evidence

Preserving evidence is important in proving that an alleged criminal offense occurred and may be helpful in obtaining a protective order. In South Carolina, evidence may be collected even if the victim chooses to remain anonymous and not to make a report to law enforcement.

It is important that victims of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence that may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of crimes are encouraged to preserve electronic evidence by saving text messages, instant messages, emails, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to university disciplinary proceedings, investigators, or police.
As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, prosecution, disciplinary proceedings, or obtaining protective orders more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Department of Public Safety or other law enforcement with jurisdiction to preserve evidence in the event that the victim changes their mind at a later date.

XII. Victim’s Bill of Rights

South Carolina defines “victim” as “a person who suffers direct or threatened physical, psychological or financial harm as the result of the commission or attempted commission of a crime.” In accordance with the Victim’s Bill of Rights, victims of crime have a right to:

- be treated with fairness, respect and dignity, and to be free from intimidation, harassment or abuse throughout the criminal and juvenile justice process, and to be informed of the victim's constitutional rights, provided by statute;
- be reasonably informed when the accused or convicted person is arrested, released from custody or has escaped;
- be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present;
- be informed of and be allowed to submit either a written oral statement at all hearings affecting bond or bail;
- be heard at any proceeding involving a post-arrest release decision, a plea or sentencing;
- be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process;
- confer with prosecution, after the crime against the victim has been changed, before the trial or before any disposition and informed of the disposition;
- have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;
- receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury including both adult and juvenile offenders;
- be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;
- a reasonable disposition and prompt and final conclusion of the case\(^9\);
- have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

\(^9\) Upon request, MUSC will disclose the results of any disciplinary proceeding conducted by the university against a student or employee who is the alleged perpetrator of any crime of violence or a non-forceful sex offense to the alleged victim or next of kin, if the victim is deceased.
XIII. Victim Support Services

The Department of Public Safety employs a full-time Victim Advocate, who provides free assistance to crime victims through an incident and supports them as they navigate the criminal justice system. Debbie Underwood is the Victim Advocate for the DPS. She can be reached by phone at (843) 792-1986 or (843) 792-2261, or by email at: wagenbrd@musc.edu. The Victim Advocate offers the following services:

- Assists with applying for compensation and other financial, social service, and counseling services.
- Intervene on behalf of victims with creditors, employers, etc.
- Informs the victim of the status and progress of their case.
- Notifies victims of the arrest, detention, bond hearing, pretrial hearing or other court dates.
- Notifies victims prior to release of a juvenile to their parent/guardian.
- Arranges transportation to and from court.

The National Crime Victims Research and Treatment Center (NCVC) also offers several services for victims of crimes. NCVC employs staff that can help eligible victims obtain compensation for mental health counseling through Crime Victims Compensation Fund, sponsored by the South Carolina State Office of Victim Assistance (SOVA). NCVC has also partnered with the Charleston County Sheriff’s Office Victims’ Assistance Program to provide family survivors of homicide with confidential support resources. They offer support groups and a psychoeducational group to help survivors gain a better understanding of loss and grief, and to help promote change and growth in their lives. They also assist with transportation to crime-related appointments.

For more information about services and resources for victims, please refer to the following website: https://education.musc.edu/leadership/diversity/title-ix/resources.

XIV. Warning Signs of Abusive Behavior

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some warnings signs of abusive behavior:

1. Being afraid of your partner.
2. Constantly watching what you say to avoid a “blowup.”
3. Feelings of low self-worth and helplessness about your relationship.
4. Feeling isolated from family or friends because of your relationship.
5. Hiding bruises or other injuries from family or friends.
6. Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
7. Being monitored by your partner at home, work or school.
8. Being forced to do things you do not want to do.
If you are being abused or suspect that someone you know is being abused, below are some ways to speak up or intervene:

1. Get help by contacting the Center for Psychological Services, Student Health Services, or the Employee Assistance Program for support services
2. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider making a report with the Department of Public Safety and ask for a no-contact order to prevent future contact.
4. Consider getting a protective order or restraining order;
5. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
6. Trust your instincts—if something does not feel right in a relationship, speak up or end it.

XV. Bystander Intervention

A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders can prevent harm or intervene before a situation gets worse. All members of the MUSC community can help contribute to creating a safe and inclusive environment by becoming active bystanders (or upstanders) by:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence
- Overcoming barriers to intervening
- Identifying safe and effective intervention options
- Taking action to intervene

Examples of active bystander intervention include:

- Not leaving an overly intoxicated person at a bar/party alone
- Not leaving an unconscious person alone (alerting a campus security authority, EMS, DPS, local police, etc.)
- Walking a classmate to his/her car after class
- Calling police when a potentially violent situation is unfolding
- Intervening when someone is being belittled, degraded or emotionally abused
- Walking the victim away from the abuser
- Contacting others for help, like the Behavioral Support Intervention Team, Counseling and Psychological Services, Employee Assistance Program, Dean, Supervisor, CSA, etc.
XVI. Strategies for Risk Reduction

In an effort to promote safety and reduce conditions that facilitate violence, the Department of Public Safety recommends the following risk reductions strategies:

- Be accountable to one another.
- Respect other people’s wishes and don’t make assumptions about other people’s behaviors.
- Understand that flirting is not consent. Just because you believe you were “led on” doesn’t give you permission to act.
- Do not tolerate those who commit harassment or violence.
- Be aware of rape drugs.
- Keep track of how many drinks you have had.
- Try not to leave your drink unattended. Only drink from unopened containers or from drinks you watched being made and poured.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink.
- Avoid group drinks like punch bowls.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Try to come and leave parties and bars with a group of people you trust.
- Avoid giving out your personal information (phone number, address, etc).
- Make sure your cell phone is easily accessible and fully charged.
- Be familiar with where call boxes are installed on campus.
- Be aware of open buildings where you can use a phone.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.
- Avoid putting headphones in both ears so that you can be more aware of your surroundings.
- If walking back from campus late at night, try to walk with a friend.
- Carry a noisemaker (like a whistle) and small flashlight on your keychain.
- If walking feels unsafe contact Public Safety at (843) 792-4196 for a Safety Escort.