




# Timely Warning Notices: Developing Content



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# TWN OVERVIEW



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# TWN Handbook Guidance



- You must issue a timely warning for all *Clery Act* crimes that occur on your *Clery Act* geography that are
  - reported to campus security authorities or local police agencies; and
  - considered by the institution to represent a serious or continuing threat to students and employees.

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## TWN Methods of Distribution



### According to the Handbook:

*Although there is no required format for a timely warning, the warning must be reasonably **likely to reach the entire campus community**. Therefore, timely warnings must be issued in a manner that gets the word out quickly and effectively communitywide. The warning may be e-mailed, posted around campus, provided as a text message or otherwise **distributed according to your institution's policy**. A combination of dissemination methods may be used (2016, p. 6-15).*

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## TWN Methods of Distribution



### Handbook Guidance Continued:

*Timely warnings **may not** be issued in a manner or posted in a location that requires the campus community to make requests for them or to search for them (2016, p. 6-15).*

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## TWN Apply to ENTIRE Campus Community (PSU)



- Timely warnings are not limited to Clery Act crimes occurring in an IHE's Clery Geography that pose an ongoing threat to students and employees. The requirement extends to the entire campus community, including invitees and guests.

- *Institutions...must issue timely warnings anytime a Clery-reportable crime is reported to a CSA or the police that may pose an ongoing threat to students, employees, or other members of the campus community, including guests such as campers or persons attending concerts or sporting events. (FPRD, p. 26).*

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### When Warnings Aren't "Timely"



- Onerous procedural requirements (deciding by committee)
- Requiring approval of the decision that a TWN is needed or what it should say before it can be distributed
- Delayed reporting by CSAs (including Student Conduct/Title IX)
- Policies that establish arbitrary timeframes in which a TWN will be issued (e.g., "within 24 hours of receiving a report")

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### Does the LLE Investigation Factor into TWN Consideration?



**The possible risk of compromising law enforcement efforts.** This factor does not mean that in the event of a serious or continuing threat to your students or employees you should decide not to issue a timely warning. It means that the institution should consider the potential impact on various law enforcement operations as it issues these warnings (2016, p. 6-14).

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### TWN Handbook Guidance



We **recommend** that your institution consult with campus security personnel and/or local and state law enforcement authorities to discuss the timely warning requirement. We also recommend that your institution request that local law enforcement keep you informed on an immediate basis of crimes that may require timely warnings (2016, p. 6-14).

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## University of Montana FPRD



- No messages contained information about ongoing dangers to the campus community until December 21, 2011, five months after the Department's onsite visit and those messages lacked significant information including when or where the crimes occurred (UM FPRD, 2017, p. 18).

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## Scenario



At approximately 10:30pm, on a Friday evening, two Hispanic males were walking on a public street within the campus borders. A pickup truck drove past them in the opposite direction and then suddenly squealed the tires as the driver whipped the vehicle completely around and sped down the street towards the males. An unknown individual jumped out of the driver's side of the vehicle and approached the males with a tire iron in his hand.

The male subject, who was described as a middle-aged, balding white male, wearing a flannel shirt and jeans, approached the two Hispanic males and told them he was, "...sick of seeing their kind in his town and they should go back to Mexico!" He continued towards the men and began slapping the tire iron in his palm in a menacing manner. He then swung the tire iron through the air.

As the subject pointed the tire iron toward the men, he demanded the two males get on their knees and turn over their wallets. He then began yelling about building a wall to defend his country, when one of the Hispanic males charged him and tackled him to the ground. He told his friend to run away and get help as he wrestled with the subject. The Hispanic male then broke free and ran away, without further incident.

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## General Overview



- The institution is a two-year commuter school situated in a rural setting. Many students are not typically on campus during the timeframe of this incident. A bystander also reported the incident to the local law enforcement agency (LLEA). The bystander reported to local law enforcement that a Hispanic male tackled a white male to the ground. The LLEA is now investigating the incident.
- Within the past few weeks, a series of letters to the editor of the local newspaper have been calling for community members to support building a wall at the southern border of the U.S. The letters have served as a call to action to embolden some local community members to hold a rally to fundraise for the border wall.
- The local law enforcement agency notified Campus PD about the incident within 2 ½ hours. Campus PD received a report from the Hispanic males about the incident within minutes after the offense. The males encountered a blue light emergency phone within a few blocks of the incident and called for help.

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### To Distribute or Not to Distribute?



Should a Timely Warning Notice be distributed to the campus community based on the circumstances described in this report?

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### Write a TWN for the Scenario Provided



- Include everything that you believe should be included in a TWN...

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### Content of Warnings



- Insufficient description of the reported crime
  - "The College did not include accurate and/or essential details about such threats in some of the warnings that were issued...the contents...were often so vague as to constitute a failure to provide actual notice of the dangerous condition" (*Occidental FPRD*, 2017, p. 20)
- Lack of congruency between facts reported and information contained in TWN
  - TWN stated "no weapons were alluded to or seen" but Campus Safety records indicated that a weapon was displayed in the incident (*Occidental FPRD*, 2017, p. 20)

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The BLANK Police/Public Safety Department

**TIMELY WARNING PUBLICATION DETERMINATION FORM**

Date of Incident: \_\_\_\_\_ Date Reported to PD: \_\_\_\_\_

Classification: \_\_\_\_\_ File Number: \_\_\_\_\_

**Blast Email Sent to Community?** Date: \_\_\_\_\_ Yes No

**Timely Warning Notice Posted?** Date: \_\_\_\_\_ Yes No

**Has the subject been arrested/barred?** Yes No

**Was the threat to the community mitigated? (If so, explain below)** Yes No

**Was there any information withheld from the TWN based on a potential compromise to law enforcement efforts? (If so, please explain the details below).** Yes No

**If a Timely Warning Notice was not posted, indicate the reason(s) why:**

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Chief's Signature: \_\_\_\_\_