



UNIVERSITY OF CENTRAL FLORIDA

Office of the President

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| SUBJECT: Communication with Prosecuting Authority | Effective Date: 10/13/2021 | Policy Number: 2-106.2 | |
| | Supersedes: 2-106.1 | Page 1 | Of 3 |
| | Responsible Authority: Vice President and General Counsel | | |

DATE OF INITIAL ADOPTION AND EFFECTIVE DATE 4/21/2010

APPLICABILITY/ACCOUNTABILITY

This policy applies to all university departments and units, including all university direct support organizations and practice plan corporations.

POLICY STATEMENT

The Office of the General Counsel represents the University of Central Florida Board of Trustees with regard to criminal matters involving the university. The Office of the General Counsel is the only office authorized to communicate to any prosecuting authority whether the university will press or waive criminal charges where the university is the victim of a crime.

DEFINITIONS

Prosecuting authority. For purposes of this policy, the term “prosecuting authority” includes any office or individuals with authority to pursue criminal charges against alleged perpetrators. This would include offices such as the state and U.S. Attorney’s Offices.

PROCEDURES

The Office of the General Counsel must be informed of any and all criminal matters where the university or any of its departments or units is the victim of a crime. If a department or unit head learns of an arrest or a criminal matter where the university is the victim, he or she must alert the Office of the General Counsel.

The Office of the General Counsel will serve as the university's representative in dealing with prosecuting authorities in criminal matters where the university is the victim. Only the Office of the General Counsel can communicate whether or not the university will press charges against an individual or entity who is alleged to have committed a crime against the university or any of its departments or units, including any university direct support organization or practice plan corporation.

The university can be the victim of a crime on campus, such as by an event of vandalism of a university building, or off campus, such as by theft of a university vehicle parked at an off-campus location. In either event, the victimized university department should alert local law enforcement authorities (if on campus, the UCF Police Department) as soon as possible and subsequently notify the Office of the General Counsel.

Not addressed by this policy are:

(1) circumstances where an individual, such as a student or employee or a campus visitor, is the victim of a crime on or off campus. A university official who learns of such a crime should contact the local law enforcement authorities (if on campus, the university Police Department; if off campus, the local authorities where the crime occurred). In the event of an emergency, dial 911 for assistance.

(2) circumstances where a university employee is the victim of a crime while acting within the course and scope of their employment. In such instances, the supervisor or other individual in a position of authority who learns of such a crime should report to the local law enforcement authorities (as described above) and should also notify Human Resources to review what resources may be available and offered.

CONTACTS

Office of the General Counsel: (407) 823-2482; gcounsel@ucf.edu

University of Central Florida Police Department (407) 823-5555; Emergency 911;
policedept@ucf.edu

INITIATING AUTHORITY Vice President and General Counsel

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| POLICY APPROVAL (For use by the Office of the President) | |
| Policy Number: 2-106.2 | |
| Initiating Authority: <u></u> | Date: <u>9/30/21</u> |
| University Policies and Procedures Committee Chair: <u></u> | Date: <u>9/28/21</u> |
| President or Designee: <u>Alexander Cartwright</u> | Date: <u>10/13/2021</u> |

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