



# JAMES MADISON UNIVERSITY

## DEPARTMENT OF POLICE AND PUBLIC SAFETY



JMU PD Case number 2007-000657

### "Your Right to Know"

March 12, 2007

Timely Warning Update for JMU PD Case number 2007-000657 of ABDUCTION AND SUBSEQUENT SEXUAL BATTERY originally issued on January 25, 2007 necessitates an official **change of case status to:**

**UNFOUNDED**

**following the determination of a FALSE REPORT OF A CRIME having been made TO THE POLICE**

In compliance with the "Timely Notice" provisions of the federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998* the University Police are giving notice of a change of status in the previously reported **ABDUCTION AND SUBSEQUENT SEXUAL BATTERY** alleged to have occurred off main campus several blocks northwest of James Madison University on the grounds of the former Harrisonburg High School now known as JMU's Memorial Hall.

The reported offenses, alleged to have been abduction and subsequent sexual battery, were reported to have occurred on JMU's Memorial Hall campus. The alleged offenses had originally been reported by the complaining "victim" to have occurred on 01-23-2007 at approximately 1:00 a.m. This report, delayed by the complainant until later in the same day, though burdened with conflicting statements of fact by the alleged victim, could not be discounted by the police at that time. Due to the expectations of the TIMELY NOTIFICATION AND WARNING provisions of the federal "Clery" Act a warning relative to this complaint was required to be made to the university community, though the alleged report was somewhat suspect. The U.S. Department of Education officials, though an exact time line is not stated in the law, have articulated the expectation of 48 hours from time of report to the police until the warning is issued to the university community.

At that time the "suspect" was reported by the complainant to have been a Caucasian male driving a four door sedan, dark in color make and model undetermined.

The James Madison University Police all along had firm suspicion that they were dealing with a FALSE REPORT on the part of the "victim" but had no choice but to issue the Timely Warning on 01-25-07. Through a comprehensive and detailed investigation it was later determined that indeed the report was false, and so made willingly by the complainant. The complainant eventually recanted her previous report of abduction and sexual battery when confronted with the facts.

**Therefore the James Madison University Police have arrested the complainant and charged her with filing a FALSE REPORT OF A CRIME TO THE POLICE which in itself is a crime.**

It continues to be the duty of the institution to warn of possible "dangerous conditions" on or near its campus, and at affiliate organizations off campus; an "affirmative duty" exists to warn persons associated with this university of possible peril at the hands of some third party or parties. Until it can be positively proved otherwise on a case by case basis the JMU Police will continue the issuance of Timely Warnings to the university community. Please do not allow this false reporting by the complainant and subsequent arrest to discourage legitimate reports of suspected crimes. Such reports can be made by calling (540) 568-6911 or in person at Anthony-Seeger Hall (University Police HQ). Alternative means of reporting are by e-mail [pubsafety@jmu.edu](mailto:pubsafety@jmu.edu), or anonymously through "Silent Witness," at: <http://www.jmu.edu/pubsafety/SilentWitness.shtml>.

Thank you.