

The *Clery* Act

Campus Security Authority (CSA)
Reporting Requirements Training



*Jeannette
Clery*

History

- Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986.
- Her parents lobbied for a law that would require campuses to publicize crimes statistics.
- Congress enacted the Clery Act as a consumer protection law in 1990.
- Clery Act is tied to federal Financial Aid.

Goal of Clery

- Educate prospective and current students and employees about campus safety and security.
- Empower community members to take an active role in their safety and the safety of the community by keeping them informed.

Transparency!

Why is this important?

- Financial consequences
- Loss of federal financial aid
- Reputational harm
- Legal exposure
- Allan Hancock College is committed to campus safety

An Institutional Responsibility

Clery Requirements...

- Collect and publish crime statistics
- Assess for potential ongoing threat to campus community and consider issuing a RAVE Alert
- Identify and train campus CSAs
- Update and publish 120+ policy statements

Sharing Information

Immediate

Timely Warning

Emergency
Notification

Annual

Annual Security
Report (ASR)

Dept. of Ed
system

Ongoing

Daily Crime Log

AHC Alerts

➤ Timely Warnings

- ❖ Clearly Act-countable crime
- ❖ Represents a serious or continuing threat to students/employees

➤ Emergency Notifications

- ❖ Significant emergency or dangerous situation
- ❖ Occurring on campus
- ❖ Poses an immediate threat to health or safety of students/employees.

CSA Reporting

- Not all crimes are reported to police
- Reports may be made to employees:
Campus Security Authorities (CSAs)
- Accurate statistics must include police AND non-police reports
- CSAs are required to report crime disclosures

Who is a CSA?

Police

Security

Specific
Dept./
Staff

Responsible
for Student
and
Campus
Activities

Examples of CSAs at AHC

- Athletics (including coaches & trainers)
- Student Affairs Depts. (including Student Conduct)
- Title IX
- Human Resources
- Academic Personnel
- Academic Advisors
- Deans, VPs, Asst. VPs
- Hearing Boards

AHC is required to compile a list of current CSAs and ensure CSAs know about their reporting responsibility

CSA Reports

- Not a Police report (not investigated unless threat to campus is greater than risk to victim)
- CSA Reports used only to:
 1. collect accurate crime statistics
 2. assess potential ongoing threat to campus
- Names not required, but are helpful for accurately counting stats and threat assessment

Clery Reporting

- Three criteria to determine if a report must be made:
 1. Location (“Clery geography”)
 2. Type of crime (“Clery crimes”)
 3. Direct disclosure (to you or your office)
- AHC affiliation does not matter...all incidents that meet above criteria must be reported

Location is Key!

- Clery statistics are reports of crime that have occurred in campus-associated properties only.
- Victim, suspect, witness, etc. may be non-affiliates.

1. Clery Geography

1. Property owned/controlled by AHC, and directly supports educational purposes
2. Public property adjacent to and accessible from campus property

AHC Property

- Anywhere on core campus
- Buildings owned or leased by AHC (and used for educational purposes)
- Distant properties controlled by AHC
- Research locations, sites used by Club Sports, hotels for District-sponsored travel

Public Property

- Sidewalks and streets surrounding campus
- Sidewalk/street/sidewalk

2. Clery Crimes

- Criminal homicide
- Aggravated assault
- Robbery
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes
- Sexual offenses
 - Rape
 - Fondling
 - Incest
 - Statutory rape
- Domestic violence
- Dating violence
- Stalking*

Hate Crimes

Primary criminal offenses PLUS...

- Larceny-Theft
- Simple assault
- Intimidation
- Destruction/Damage/Vandalism of property

ONLY if the crime was motivated by a bias of:

- race
- religion
- gender
- gender identity
- sexual orientation
- ethnicity
- national origin
- disability

3. Direct Disclosures

- Only crimes directly disclosed to a CSA
- Overheard conversations or group discussions are not direct disclosures
- Disclosure can be third-hand, not necessarily victim, witness, etc.

Clery Crime Stats

- All reports of Clery crime disclosures made to CSAs
- Allegations, not investigated or confirmed criminal activity
- Attempted and completed crimes

What to Report...

❖ **Location**

❖ **Date/Time**

❖ **Crime**

❖ **Names**

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- Detailed description of location and crime is critical for classifying Clery statistics
 - Names help prevent double-counting crime reports

When to Report...

- CSA reports must be made IMMEDIATELY (or as soon as possible)
- AHC is required to make a timely assessment about a potential threat to campus

How to Report...

Clery
Website

Campus Security Authority

The Clery Act requires collecting and publishing statistics for crimes that occur on campus property and in certain other campus-associated locations. Because not all crimes are reported to Police, the Clery Act requires other campus staff, defined as Campus Security Authorities (CSAs), to tell campus Police about crimes reported to them.

A CSA is a campus employee with significant responsibility for student and campus activities or staff designated as individuals or departments to whom crimes should be reported.

Crime reports from CSAs are included in annual statistics, the daily crime log, and assessed for the possibility of a campus alert to warn the community about ongoing risks.

[CSA Reporting Form](#)

[CSA Reporting Procedures](#)

[Clery Act Crime Definitions](#)

CSA Report Reminders

- All reports of Clery crime disclosures made to CSAs
- Allegations, not investigated or confirmed criminal activity
- Attempted and completed crimes
- Victim, suspect, witness, etc. may be non-affiliates.

Receiving a Disclosure

- Emergencies or crimes in progress: call 911!
- If you think someone is about to disclose a crime to you, explain your reporting responsibility.

“It sounds like you are going to share something with me that I may need to report to the office that collects crime statistics.”

Receiving a Disclosure

- Explain that the report is for statistics reporting and a possible campus alert only.
- Ask if they want to make a report to AHCPD.
- Accept the facts. CSAs should not investigate or try to determine if a crime actually occurred.

Refer to Resources

- CSAs are expected to provide reporting parties with referrals to campus resources.
- Always refer victims of sexual assault, dating/domestic violence, and stalking to the AHC Student Health.
- Provide other referrals as appropriate.

Resources

Confidential:

- Student Health
(partially
confidential)

Non-Confidential:

- Title IX
- AHCPD
- Other Police agencies

Title IX Reporting

- You are also a Responsible Employee and must report sexual assault, dating/ domestic violence, and stalking to both Title IX and the AHCPD Clery Coordinator.
- Title IX reports must include names.
- For more info: [Title IX and Gender Equity \(hancockcollege.edu\)](https://www.hancockcollege.edu/title-ix)

<i>Clery Act</i>	<i>Title IX</i>
➤ Campus Security Authority: Specific individuals	➤ Responsible Employee: All non-confidential employees
➤ Sexual Violence	➤ Sexual Violence <u>and</u> Harassment
➤ Direct disclosures only	➤ Direct <u>or</u> indirect disclosures
➤ WHERE and What, not Who	➤ WHO, What, When, Where
➤ Report can be made without names	➤ Report must include any and all available information
➤ Generally no follow-up and no investigation	➤ Always follow-up, sometimes investigation

Disciplinary Referrals

- Alcohol Law Violation
- Drug Law Violation
- Weapons Law Violation

Disciplinary Referrals

- Law violations, not policy violations
- Do not require a CSA report, but must have internal process for tracking and providing to Clery Coordinator
- Contact police for drug and weapons violations!

Failure to comply

District policy requires that campuses and personnel adhere to the Clery Act. For now, it is important to know that failure to comply with the Clery Act could result in monetary penalties for the district and disciplinary action for the CSA.

A campus violating the Clery Act can be fined by the U.S. Department of Education for each violation. Other potential consequences include having Title IV funding limited and receiving negative media attention.