

CALU

The Clery Act & Campus Security Authorities (CSAs)

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**Office of
Social
Equity**

Topics/Content

1. Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) *"The Clery Act"*
 - a. The Clery Center
 - b. Definitions
 - c. Requirements
 - d. Review
2. Campus Security Authorities (CSAs)
 - a. Responsibilities
 - b. Reporting
 - c. Review
3. Resources



**Jeanne Clery Disclosure of
Campus Security Policy and
Campus Crime Statistics Act
(20 USC § 1092(f))**



Jeanne Ann Clery
1966-1986

Jeanne Clery, a 19 year old Lehigh University freshman, was raped and murdered while sleeping in her dorm room in 1986.

Jeanne did not know her killer. He was a freshman student at the university.

Her assailant is now spending his life behind bars without parole.

Her parents believe she would have been more cautious if she had known about other violent crimes at Lehigh University and Congress agreed.

“The Clery Act”



- Originally known as the **Campus Security Act**
- Landmark federal law requiring all U.S. colleges/universities to disclose information about crime on and around their campuses.
- The law is tied to an institution's participation in federal student financial aid programs, which applies to most institutions of higher education both public and private.
- **The Clery Act** is enforced by the United States Department of Education.



(Formerly Security On Campus, Inc.)

Nonprofit 501 (c)(3) organization is dedicated to safe campus communities nationwide with focus on advocacy, education, and collaboration.

Founded in 1987 by Jeanne's parents, Connie and Howard Clery following the rape and murder of their daughter while at college.

The Clerys feel their daughter death was the result of inadequate campus security coupled by an unknown escalating crime rate.

The Clery Act

Origins

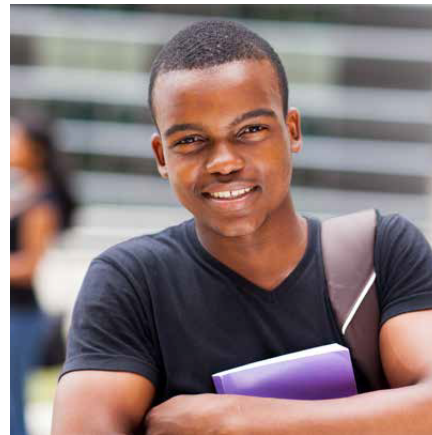
- Through the Clerys efforts Congress enacted the Crime Awareness and Campus Security Act of 1990.
- The law was amended in 1992 requiring schools to afford the victims of campus sexual assault certain basic rights.
- Then it was amended again in 1998 expanding the reporting requirements.
- 1998 Amendments formally named the law in memory of Jeanne Clery.



The Clery Act's Goal

The goal of **The Clery Act** is to ensure that accurate information about campus crimes committed and security procedures are published and accessible to:

- Students
- Prospective students
- Parents
- Employees
- Public



Information disclosed under the Clery Act can assist students and parents in making decisions which affect their personal safety by alerting them of potential dangers on campus.

The Clery Act Requirements

Reporting Annually and On-Going

- Disclose, collect, classify and count crime reports/statistics
- **Issue Timely Crime Alerts** – Clery Act specified crimes that represent an ongoing threat to the safety of students or employees
- **Issue Emergency Notifications** – upon confirmation of significant emergency or dangerous situation involving immediate threat to health or safety
- **Publish Annual Security Report**
- Submit Crime Statistics to Department of Education
- **Maintain a publicly available daily crime log**
- Implement missing student notification procedures
- **Maintain Fire Safety information** – including fire log, annual fire report with statistics and policy statements



The Clery Act
requires reporting
of crimes in
major categories,
some with
significant
sub-categories
and conditions:



1. **Criminal Homicide**
 - a. Murder & Non-negligent manslaughter
 - b. Negligent manslaughter
2. **Sex Offenses (including Dating Violence & Domestic Violence)**
 - a. Forcible
 - b. Non-Forcible
3. **Robbery**
4. **Aggravated Assault**
5. **Burglary, where:**
 - a. There is evidence of unlawful entry (trespass), which may be either forcible or not involve force.
 - b. Unlawful entry must be of a structure - having four walls, a roof, and a door.
 - c. There is evidence that the entry was made in order to commit a felony or theft.
6. **Motor Vehicle Theft**
7. **Arson**
8. **Stalking**

Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):



1. Liquor Law Violations
2. Drug Law Violations
3. Illegal Weapons Possession

Hate Crimes
must be reported
by category of
prejudice,
including:



1. Race
2. Gender
3. Religion
4. Sexual Orientation
5. Ethnicity
6. Disability

Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

1. Larceny/Theft
2. Simple Assault
3. Intimidation
4. Destruction/
Damage/
Vandalism of
Property



The Clery Act

Violations

Violators can be “fined” up to \$35,000 per incident by the U.S. Department of Education, the agency charged with enforcement of the Act.

Review: The Clery Act



- Many crimes, especially sexual assaults, are not reported to police
- **The Clery Act** requires institutions of higher education receiving federal financial aid to report specific crime statistics on campus and provide safety and crime information to members of the campus community
- Each campus is responsible for establishing appropriate procedures to implement these requirements
- Employees and students are notified by October 1 of each year that the campus annual security report is updated and available

Campus Security Authorities (CSAs)

What does The Clery Act have to do with me?



Many crimes and incidents, especially sexual assaults, are not reported to the police.

To ensure that students know about dangers on their campuses, **The Clery Act** requires institutions to gather and publish data from additional **Campus Security Authorities**.

➤ *That's where you come in.*

What is a Campus Security Authority (CSA)?

The Clery Act requires that the University gather and publish crime data from multiple sources, including a Campus Security Authority.

The law defines 4 categories of a Campus Security Authority:

- 1. University Campus Police**
- 2. Security Staff** (non-police) responsible for monitoring University property, including Resident Hall Staff, Special Event Security Staff, etc.
- 3. People/Offices designated under our University policy** as those to whom crimes should be reported
- 4. Officials with significant responsibility** for student and campus activities (*Focuses on Function not Title*), includes non-employees

Am I a Campus Security Authority (CSA)?

CSAs are defined by **job function** and not by title.



Functions:

A CSA is anyone who has significant responsibility for student AND campus activities. The law defines "significant responsibility" broadly and includes, but is not limited to:

- Student Housing
- Student Discipline and Conduct Proceedings

Who Exactly Are CSAs?

(Paid and Volunteer)

Examples of CSAs

- Deans
- Student Housing Staff
- Athletic Coaches
- Student Activities Coordinators
- Officials who oversee a student center
- Student Conduct Officers
- Resident Assistants (RAs)
- Student Advisors
- Faculty Advisors to student organizations

Are NOT CSAs

- Administrative staff not responsible for student activities (e.g., payroll, facilities)
- Clerical staff
- Individual faculty who DO NOT serve as Advisors to registered student organizations/groups
- Medical Staff in the Student Wellness Center, or Counselors in the Counseling Center, who only provide care to individual students
- Non-professional/Contract Staff

CSA Reporting Exemptions



1. **Licensed Professional Mental Health Counselors**
2. **Pastoral Counselors** (employed by a religious organization to provide confidential counseling) and are working within the scope of their license or religious assignment.

*Although **Licensed Professional Mental Health Counselors** and **Pastoral Counselors** are exempt from **The Clery Act** requirements, the University encourages such counselors to tell victims about the Confidential Reporting Process (under their discretion).*

Victims have the option of reporting crimes confidentially to a CSA. This means the University will keep a record that a crime occurred, but will not publish any identifying information. Reports filed in this manner are counted and disclosed in the annual crime statistics.

Confidential Reporting

- Tell the person you must report the incident as an anonymous statistic, but will not identify anyone involved.
- Even if an individual is **exempt** from being a **CSA** and does not have to report an incident/crime, they can tell the person how she/he can report the crime anonymously to Police.
- Ultimately, it is the Victim's or Witness's decision to take to the Police or not.
- Offer the individual information regarding on-campus and local resources:
 - *Reporting Contacts (University Police, Local Police, etc.)*
 - *Victims Assistance Programs*
 - *Medical contacts and locations*

I am a CSA, but not a Counselor, what should I do?

If someone tells you about a crime or an incident that may be a crime, you must **RECORD** the information and submit a **REPORT** to the **Public Safety & University Police**, Pollock Maintenance Building, 724-938-4299.

***Record Just Facts:** Campus Police will investigate and tabulate appropriate statistics. You do not have to investigate – you are not a Detective!*

What do I have to Record and Report and When?

***Do Not Identify the Victim in your CSA Report,** but you may identify the Victim to the Police if they are agreeable.*

***When in doubt:** RECORD and REPORT immediately! **Timing is Everything!** You do not have to prove what happened or was at fault. You aren't to find the perpetrator.*

Questions to Ask

All Situations

- ✓ Is a violent situation currently in progress?
- ✓ Is the victim in danger?
- ✓ Did the victim seek medical help? Or, do they need medical attention?
- ✓ Has the police been called?
- ✓ Is the victim a minor (under the age of 18)?
- ✓ Is the victim or assailant a student?
- ✓ Are the victim or assailant acquaintances?
- ✓ Does the victim wish to remain anonymous?
- ✓ Has the incident been reported to the police?
- ✓ Was either party under the influence of alcohol or drugs?

Arson

Specific Questions

- ✓ What was burned or attempted to be burned?
- ✓ Was anyone hurt?
- ✓ Was property damaged? How much?
- ✓ When did it happen?
- ✓ When was it discovered?
- ✓ Was there graffiti or other evidence of hate motivation?

Hate Crimes (Personal)

Specific Questions

- ✓ Did the attacker confront the victim in person?
- ✓ Did the attacker use or threaten to use force? What kind?
- ✓ Was there a weapon?
- ✓ Was the victim injured?
- ✓ Did the attack or threat (verbal, phone, email) include racial, ethnic, religious or homophobic comments?

Hate Crimes (Property)

Specific Questions

- ✓ Was the target personal property, a personal residence, business, house of worship, or ethnic organization?
- ✓ Was property damaged? Value?
- ✓ Did the attack include any expression related to race, gender, religion, sexual orientation, ethnicity, or disability?

Report ANY vandalism to a house of worship, or ethnic, religious or Gay or Lesbian organization as a hate crime.

Liquor, Drugs, & Weapons Law Violations

Specific Questions

- ✓ Police must keep statistics on numbers of people arrested for liquor law violations, drug law violations and illegal weapons possession.
- ✓ Student housing and Student Affairs officers must keep statistics on number of people referred for disciplinary action for drug, liquor law and weapons violations.
 - Disciplinary referrals should not include incidents in which the person is also arrested for the same offense.
- ✓ Statistics must reflect total number of persons involved, not incidents.

Robbery, Burglary, Theft

Specific Questions

- ✓ What was taken or attempted to be taken?
- ✓ Where was the items taken from off the person or from a residence, dorm room, office, etc.
- ✓ Was the door open, closed and/or locked?
- ✓ How did the perpetrator get in?
- ✓ What was item(s) value?
- ✓ Did the perpetrator accost the victim in person?
 - **If yes, then ask the following questions:**
 - Did the perpetrator use or threaten force?
 - Was a weapon involved? If so, what kind?
 - Did the victim feel threatened or in danger?

Sex Offense

Specific Questions

- ✓ Did assailant sue or threaten force?
- ✓ Was a weapon involved? If so, what kind?
- ✓ Did the assailant penetrate the victim's body?
- ✓ Did the victim consent?
- ✓ Did the victim know the assailant?
- ✓ Was the victim unable to consent due to drugs or alcohol use?

Vehicle Theft

Specific Questions

- ✓ What kind of vehicle (make, model, year, color, 2 or 4 door, etc.)
- ✓ Where was it taken from?
- ✓ When was it taken?
- ✓ Has it been recovered?
- ✓ Does the person know who did it?
 - “Joyriding” is a motor vehicle theft if the vehicle is taken by person without lawful access or consent.

Just The Facts!

Be sure to document: Who, What, When, & Where?

- ✓ When the crime or incident occurred – dates and times.
- ✓ When the person reported to you.
- ✓ Complete description of the crime or incident with as much accuracy as possible.
- ✓ Location: Where did the crime or incident occur?
 - On campus or other property controlled by the University or Student Association/Club:
 - Property adjacent to campus
 - University event
 - Building and room

Review: Who are CSAs?

- CSAs are defined by job function and not by title.
- A CSA is anyone who has significant responsibility for student AND campus activities.
- Examples of CSAs include Deans, Student Housing Staff, Athletic Coaches, and Student Coordinators, and Advisors (paid and volunteer).
- Administrative, clerical staff, or faculty positions without responsibility for student activities or advising do not meet the requirements of a CSA.
- Licensed Professional Mental Health Counselors and Pastoral Counselors are exempt from **The Clery Act** requirements.

Review: Clery Act Reportable Crimes

- Aggravated Assault
- Arson
- Arrests & Disciplinary Referrals for Law Violations concerning:
 - Liquor
 - Drugs
 - Weapons
- Burglary
- Criminal Homicide
- Hate Crimes
- Motor Vehicle Theft
- Robbery
- Sex Offenses – (including Dating Violence & Domestic Violence) – forcible and non-forcible offenses
- Stalking

Resources

- **Counseling Center**, Carter Hall G53, 724-938-4056
- **End Violence Center**, Carter Hall G45, 724-938-5707
- **Social Equity**, South Hall 112, 724-938-4014
- **Student Affairs**, Carter Hall G35, 724-938-4439
- **Wellness Center**, Carter Hall G53, 724-938-4232
- **Women's Center**, Carter Hall G45, 724-938-5857
- **Threat Response Assessment and Intervention Team (T.R.A.I.T.) & Dept. of Public Safety & University Police**, Pollock Maintenance Building, 724-938-4299, **EMERGENCY:** From any on-campus phone & Dial **H-E-L-P** or go to any public pay phone & **Dial *1**. (*Identify the situation as an emergency and an officer will be dispatched immediately.)



Off Campus/Public Resources

- **POLICE EMERGENCY, Dial 911**
- **Washington County 24-Hour Crisis Hotline/STTARS Program, 1-877-225-3567**
- **Washington County 24-Hour Domestic Violence Services Hotline, 1-800-791-4000**



THANK YOU

California University of Pennsylvania and The Office of Social Equity thank you for attending today's training and for upholding the responsibilities of being a Campus Security Authority.



Office of Social Equity www.calu.edu/SocialEquity

Office of Social Equity
Campus Security Authority (CSA) Training
Training Receipt



In order to get credit for completing this training, you must print and complete this page, then return it to the Office of Social Equity, South Hall 112, Mailbox #9.

I acknowledge (by my signature on this Training Receipt) that on _____ (date) I completed and understood the **Campus Security (CSA) Training** (online version) presented by the **Office of Social Equity**. I also agree to uphold the responsibilities of being a CSA.

Full Name (Please Print): _____
(Last Name) (First Name) (Middle Name)

Signature: X _____

Cal U email: _____ @calu.edu **CWID (Students Only): #C** _____

Department (Faculty & Staff Only): _____

Title (Faculty & Staff Only): _____

Classification (Please check the appropriate categories below):

- _____ Cal U Employee
- _____ Management
- _____ Faculty
- _____ Staff
- _____ Coach or Coaching Staff
- _____ Facilities/Physical Plant Staff
- _____ Student
- _____ Student Athlete
- _____ Student Employee (Work-Study Student, Graduate Assistant, Intern, etc.)
- _____ Volunteer
- _____ Other