

East Stroudsburg University Campus Security Authority Training

Campus police and campus security
authorities must report crimes in the
annual crime statistics



Background to the Clery Act

In 1986 Jeanne Clery, a freshman at Lehigh University, was murdered and sexually assaulted in her campus residence hall room.

Her school hadn't informed students about 38 violent crimes on campus in the three years preceding her murder.

What is the Clery Act?

The “**Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act**” (formerly the Campus Security Act) is a federal law that requires institutions of higher education in the United States to disclose campus security information including crime statistics for the campus and surrounding areas.

What is required by the Clery Act?

- Publish and distribute an annual Campus Security report by October 1st of each year
- Inform current and prospective students and employees about the Campus Security report
- Notify the campus in a timely way of crimes that threaten safety
- Support and keep an up-to-date daily log of all reported crimes

Which schools must comply with the Clery Act?

- All institutions of postsecondary education, both public and private, that participate in federal student aid programs must publish and disseminate an annual campus security report as well as make timely warnings
- Violations of the Act can result in fines up to \$35,000 by the US Department of Education

Distribution Requirements

- Each campus must publish its Campus Security Report by October 1st of each year
- The report must be published within a single document and may come in electronic and print format

Three years of crime statistics



- The campus security report provides information on crime statistics for the three years prior to publication

What and who is a CSA?

- A CSA is a Campus Security Authority
- CSA's are officials with significant responsibility for student and campus activities
- Many crimes that are reported persons on campus are not reported to Police, especially sexual assaults
- The Clery Act requires we gather and publish crime data to ensure that students and others know about dangers on campus. Crimes that are reported to CSA's will be collected for the annual report.

What makes you a CSA?



- The law defines four categories of Campus Security Authority:
 1. University Police
 2. Non-police security staff
 3. People and offices designated under ESU policy
 4. Officials with significant responsibility for student and campus activities

Campus Security Authority's Responsibilities

**A campus security authority's
key responsibility is to
encourage crime victims and
witnesses to report crimes to
any campus security authority
or campus police**

Why do we need CSA's?

For accurate reporting of incidents! ESU is legally required to publish an annual security report. The report must include *all crimes that are reported to police agencies or to a CSA, even if there is no police investigation.*

What it means to be a CSA

- If someone tells you about a crime or an incident that might be a crime, record the information and submit a report
- Simply get the facts-experts will do the analysis
- To make a report, please complete the Clery Incident Report Form and forward it to campus police
- When in doubt, report it
- Questions? Contact the campus police CSA coordinator at 570-422-3124

Crime Reporting

- Contact ESU Police at (570) 422-3064 for non-emergencies; 911 for emergencies



Examples of CSA's

- At ESU, ALL EMPLOYEES are encouraged to report all incidents of potential criminal activity to the University Police
- Deans, student housing staff, athletic coaches, student activities coordinators, student judicial officers and faculty advisors to student organizations are generally considered CSA's by definition
- If you are directly affiliated with and responsible for students, they are likely to report an incident to you and you have a duty to report this as a CSA

Who ISN'T a CSA:

- Although some persons at ESU may not be considered a CSA by definition they still have an obligation to report suspect incidents to the proper authorities.

When do crimes need to be reported in the Clery Act?

- Report the crime whenever a victim or witness calls it to your attention.



Timing is critical

Be sure to document...

- **When** the crime or incident occurred
- **When** it was reported to you

The law requires that the crime be counted for the calendar year in which it is reported.

Report All Crimes even if it did not occur at ESU

For example:

- A student tells you about a crime that occurred at a different college before he transferred here
- A student reports an assault that happened away from campus and did not involve a campus activity (e.g., home for spring break, in an off-campus student apartment, on vacation or at an off-campus job with a private company.
- *** These incidents may not be CLERY reportable, this determination will be made by the CLERY compliance staff.

Do tell the student about reporting options and refer for help

For example:

- A student tells you she was raped by another student at an off-campus apartment

Although the crime did not occur at a location covered by Clery reporting, the accused student may be subject to ESU disciplinary action for this off-campus conduct. Getting accurate information and forwarding the CSA report will assist in ensuring proper reporting and follow through of the incident through Clery and Title IX.

Just get the facts

- Police will categorize the report; your job is to get the information the person is willing to tell you.

Remember:

You are not a detective

You don't have to prove what happened or who was at fault

You are not supposed to find the perpetrator

- Use the report form provided by ESU. The identity of a victim is **confidential** and not required for Clery purposes and **should not be included** in your CSA report.

What crimes need to be reported?

- The Clery Act specifies these categories:
 1. Criminal homicide (murder)
 2. Sex offenses (forcible and non-forcible)
 3. Robbery
 4. Aggravated assault
 5. Burglary
 6. Motor vehicle theft
 7. Arson
 8. Manslaughter
 9. Hate Crimes
 10. Domestic violence, Dating violence, and stalking incidents
 11. Arrests or persons referred to campus disciplinary action for liquor law and drug related violations and illegal weapons possession

Hate Crimes

Hate crimes are those from the list of Clery reportable crimes plus larceny-theft, simple assault, intimidation and destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability of the victim.

*** The determination if a hate crime has occurred is not the job of the CSA, report the incident and all information to the Clery coordinator who will make this determination.

Disciplinary referrals

It's a disciplinary referral:

- ❖ If a campus official initiates disciplinary action against a student who was referred
- ❖ When officials keep a record of the referral
- ❖ When the violation results in a sanction



Which locations should statistics be collected from?

The Clery Act identifies four crime location categories. Campuses need to collect and report statistics from each one. These categories include:

- On campus buildings or property
- Dormitories or other student residences
- Non-campus buildings or property
- Public property

On campus buildings or property

- Buildings or properties the University owns and controls, and uses to support its educational goals (classrooms, laboratories, libraries, etc.)
- Property the University owns but someone else controls on campus or within the same geographical area, such as fast food restaurants, drug stores, clothing stores, etc.

Dormitories or other student residences



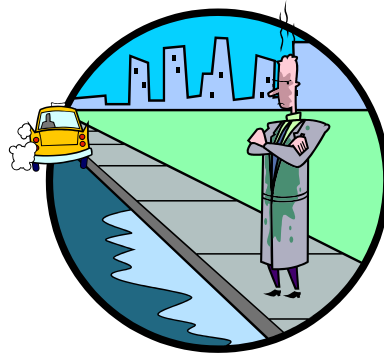
The Clery Act requires crime statistics for dormitories and other student residences, even when they're on campus

Non campus buildings or property

- Campus must report crime statistics for any non-campus building or property owned or controlled by an official student organization
- Any building not within the same reasonable contiguous geographical area of the main institution that the institution owns and operates in support of its educational goals and that students frequently use

Public property

Public property includes streets, sidewalks, parking lots, parks, etc., that lie within the campus or right next to it



Policy statements and descriptions

The Campus Security Report must contain policy statements in seven basic areas:

- Crime reporting policy, procedure and responses
- Access to campus facilities and residence halls
- Security considerations used in maintenance
- Enforcement and arrest authority of campus police
- Working relationship with state and local police
- Encouragement of prompt reporting of crimes
- Drug and alcohol abuse prevention information

Notify the campus – in a timely way – of crimes
that threaten safety

- Notification may be given by voice mail, email, information bulletins, newspaper announcements, etc.
- The campus must be notified in a timely manner
- A timely response may prevent someone else from being harmed

Questions ?

- Thank you for your time and attention. Please visit our website for further information and the CSA forms and checklist.
- [ESU University Police](https://www.esu.edu/university_police)
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