

# CLERY INCIDENT REPORT FORM

CAMPUS SECURITY AUTHORITY

EAST STROUDSBURG UNIVERSITY

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One purpose of CLERY is to encourage reporting and the accurate collection of campus crime statistics to promote crime awareness and to enhance campus safety through reliable statistical records. The purpose of this report form is to provide a uniform procedure for documenting the *What, When, Where* of certain reportable crimes and/or non-criminal hate motivated incidents that have occurred within one of the four reporting locations and which have been reported to a Campus Security Authority (CSA) other than the ESU University Police and Safety Department. **Data collected on this form is to be used to increase public safety, not to identify the victim. Therefore, no personal identifying information shall be included on this form.**

It is the policy of East Stroudsburg University to encourage victims and/or witnesses to crime(s) to report such crimes to the police and/or to a designated Campus Security Authority. For the purposes of CLERY, CSA's are required to document certain reportable crimes and non-criminal hate motivated incidents which have been reported to them and which have occurred in the following locations:

- 1) **On-campus property:** Offense statistics for any building or property owned or controlled by the University within the same reasonably contiguous geographic area and used by the University in direct support of, or in a manner related to, the University's educational purpose, including buildings or property the location described herein that is owned by the University but controlled by another person and which is frequently used by students. (Excluding Residential Life buildings).
- 2) **On-campus residential life buildings**
- 3) **Non-campus property:** Offense statistics for non-campus property or building owned or controlled by the University that is frequently used by students and is not within the same reasonably contiguous geographic area of the institution, or any building/property that is owned or controlled by a student organization that is officially recognized by the institution.
- 4) **Public property:** Offense statistics for public property located immediately adjacent to and accessible from campus, including: thoroughfares, sidewalks, streets, lands, parks and beaches.

**For CLERY purposes, the student status (yes/no) of the offender or the victim is not a relevant fact as to whether or not this report form is to be completed. If a violation of one of the 14 highlighted offenses occurs, documentation is required.**

**CLERY documentation is not satisfied by simply directing/referring the reporting party to the University Police and Safety department. In order for East Stroudsburg University to satisfy the statistical reporting requirements of the Clery Act, all CSA's are required to complete this form when certain any of the specified offenses listed below are reported to them. Nonetheless, a person reporting a crime shall also be encouraged to report the crime to the East Stroudsburg University Police and Safety Department.**

Name of CSA receiving report: _____ Department: _____
Date reported: _____ Time reported: _____

Date of incident: \_\_\_\_\_ Time of incident: \_\_\_\_\_

Location:  On-campus (**excluding** residence halls)  Public Property

On-campus residence halls  Non-campus property  Unknown

Other \_\_\_\_\_

Reporting party:  Victim  Witness

Other \_\_\_\_\_

Police report filed:  Yes Date filed: \_\_\_\_\_ ESU PD Report # \_\_\_\_\_

No  Unknown

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> <b>Murder</b>                   | <input type="checkbox"/> <b>Aggravated assault</b>     | <input type="checkbox"/> <b>Burglary</b>                   |
| <input type="checkbox"/> <b>Manslaughter</b>             | <input type="checkbox"/> <b>Sex offense (forcible)</b> | <input type="checkbox"/> <b>Sex offense (non-forcible)</b> |
| <input type="checkbox"/> <b>Stalking</b>                 | <input type="checkbox"/> <b>Domestic Violence</b>      | <input type="checkbox"/> <b>Dating Violence</b>            |
| <input type="checkbox"/> <b>Drug/narcotic violations</b> | <input type="checkbox"/> <b>Robbery</b>                | <input type="checkbox"/> <b>Motor vehicle theft</b>        |
| <input type="checkbox"/> <b>Arson</b>                    | <input type="checkbox"/> <b>Weapons violation</b>      | <input type="checkbox"/> <b>Alcohol violation</b>          |

**Hate crime (type) Any of the above offenses or crimes of:**

Bodily injury \_\_\_ Vandalism \_\_\_ Assault \_\_\_  
Theft \_\_\_ Intimidation \_\_\_ Other \_\_\_

Category of Prejudice:

- |   |  |
|---|--|
| <input type="checkbox"/> Ethnicity          | <input type="checkbox"/> Disability      |
| <input type="checkbox"/> Race               | <input type="checkbox"/> National origin |
| <input type="checkbox"/> Religion           | <input type="checkbox"/> Gender          |
| <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Gender identity |

**Hate incident (non-criminal incident)**

Description of offender: Gender \_\_\_\_\_ Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_

Hair color \_\_\_\_\_

ESU affiliation  Yes  No  Unknown

Student  Faculty  Staff

Name\* \_\_\_\_\_ Address\* \_\_\_\_\_

\*optional

Description of crime or incident: \_\_\_\_\_

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**Sex offense, Domestic violence, Dating violence and Stalking:** These offenses are of special concern to the campus community because they have been historically under reported. The victims of these offenses typically desire confidentiality and anonymity; as a result, he/she will often seek a reporting source other than law enforcement such as a designated Campus Security Authority. Because the offender may continue to pose a threat to the community, the threat potential needs to be evaluated and the campus community alerted/warned as necessary. In this regard, the following additional information is requested.

Known offender (friend, classmate, acquaintance, date, etc.)  
 ESU affiliated ( student  staff  faculty)  
 Unknown offender (stranger)

Victim was not injured (excluding emotional/psychological trauma)  
 Victim was injured – describe injuries:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alcohol involved:       Offender       Victim  
 Drugs involved:         Offender       Victim  
 Narcotics involved:     Offender       Victim  
 Weapon involved:        Yes             No

Describe weapon: \_\_\_\_\_  
\_\_\_\_\_

Additional information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Definitions

### **Murder**

The willful (non-negligent) killing of a human being by another

### **Manslaughter**

The killing of another person through gross negligence

### **Sex offense (forcible)**

Any sexual act directed against another person without the **other** person's consent (includes attempts)

- a. Sexual intercourse (penetration-however slight)
- b. Sodomy (penetration, however slight)
- c. Oral copulation (vaginal, anal)
- d. Rape with a foreign object (penetration vaginal or anal-however slight)
- e. Sexual battery (the touching of the intimate parts [sexual organ, anus, groin, or buttocks of any person, or the breast of a female] of another person for the purpose of sexual gratification)

### **Sex offense (non-forcible)**

Any unlawful, but consensual sex act with another person (includes attempts)

- a. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited)
- b. Statutory rape (intercourse with a person who is under the age of consent-18 years)

### **Robbery**

The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear (includes attempts)

### **Aggravated assault**

An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury (includes attempts, and whether or not an injury occurred)

### **Burglary**

The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony (excludes vehicle burglary)

### **Motor vehicle theft**

The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle (includes attempts)

### **Arson**

The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another (includes attempts)

### **Drug/narcotic violations**

The unlawful possession, sale, use, transportation, cultivation, manufacturing, maintaining an unlawful place (drug/narcotic violations referred for campus disciplinary action under the student conduct code need not be reported to the police department)

### **Alcohol violations**

The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place

### **Weapons violation**

The unlawful possession or control of any firearm, deadly weapon (including nunchakus or billy club), illegal knife or explosive device while on the property of East Stroudsburg University, except as required in the lawful course of business or as authorized by the East Stroudsburg University Chief of Police

### **Dating Violence**

Violence committed by a person-

- (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  1. The length of the relationship
  2. The type of relationship
  3. The frequency of interaction between the persons involved in the relationship.

**Domestic Violence**

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

- (a) Fear for his or her safety or the safety of others
- (b) Suffer substantial emotional distress

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## **Hate crime**

A criminal act involving one/more of the listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

## **Hate incident**

Any non-criminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

## **DEFINITION OF CAMPUS SECURITY AUTHORITY (CSA)**

- a. A campus police department or campus security department of the university.
  - b. Any individual who has responsibility for campus security but who is not a member of the East Stroudsburg University police or the campus security staff (e.g. parking enforcement staff, campus safety escort staff, special even security)
  - c. Any individual specified in the University's statement of campus security policy as an individual to which students and employees should report criminal offenses.
  - d. An individual of the University who has significant responsibility for student and/or campus activities (e.g. student housing, student discipline, athletic directors/coaches and campus student judicial officials)
- a. If the reported incident constitutes a threat to the safety of the ESU community, in addition to completing this form, the CSA shall immediately telephone the ESU police department at (570) 422-3064.
  - b. Confidential and anonymous reports are accepted. However, if the reporting party is a victim of a sex offense, he/she should also be encouraged to report the crime directly to the police department and/or Women's Resources of Monroe County at (570) 424-2093
  - c. While second hand reports are inherently unreliable and are difficult to verify, such reports shall also be accepted
  - d. Clery reporting (this form) does not replace or change any existing reporting requirements or procedures for disciplinary referrals for student or employee misconduct.
  - e. Hate crimes present a special reporting challenge. CLERY requires the CSA to document each reported crime or discipline occurrence, and CLERY requires the CSA to record the category of prejudice.

**Transmit report:** To the ESU Police and Safety Department, fax to (570) 422-3677, email to [rolson@esu.edu](mailto:rolson@esu.edu), or hand deliver to the ESU Police and Safety Department. Any questions concerning this form or the CLERY ACT should be directed to the ESU Police and Safety Department at (570) 422-3064