Campus Security Authority Training

CLERY ACT REPORTING COMPLIANCE
In 1986 Jeanne Clery was raped and murdered in her dorm room at Lehigh University.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was enacted in 1990 as a consumer protection law.

The goal of the Clery Act is to ensure that students, prospective students, parents, and employees have access to accurate information about crimes committed on campus and campus security procedures.
What is the Clery Act?

- Information disclosed under the Clery Act can assist students and parents in making decisions that affect their personal safety. It provides prospective students and employees with valuable information about our campus.

- Institutions of higher education receiving federal financial aid must:
  - Report specific crime statistics and provide safety and security information to current and prospective members of the campus community,
  - Issue Timely Warnings and Emergency Notifications, and
  - Publish annual reports of campus crime statistics and security policies.

- The law is tied to federal student financial aid programs, and violators can be fined up to $54,000 per incident by the Department of Education.
Clery Act Requirements include…

- Collect, classify, count, and disclose crime reports and statistics
  - Maintain a publicly available daily crime log
  - Publish an Annual Security Report with previous 3 years of crime statistics
  - Submit crime statistics to the Department of Education annually

- Issue campus alerts
  - Timely Warnings for any Clery Act-countable crime that represents a serious or continuing threat to students/employees
  - Emergency Notifications upon confirmation of a significant emergency or dangerous situation occurring on campus that poses an immediate threat to health or safety of students/employees

- Providing Fire Safety information, including maintaining a fire log and publishing an Annual Fire Safety Report with statistics and policy statements
The **Annual Security Report** (ASR) contains more than just crime statistics—it also contains details of various **safety and security policies and procedures**, including (but not limited to):

- Procedures to report crimes (and other emergencies);
- Emergency response and evacuation procedures;
- Missing student protocols;
- Policies and procedures related to dating violence, domestic violence, sexual assault, and stalking; and
- Alcohol and Drug policies.

Employees and students are notified every year, in **October**, that the campus Annual Security Report is updated and available.
Clery Act Requirements

- The spirit of the Clery Act is: **knowledge = power**. The more information community members have, the safer they are.
- Information is shared immediately, daily, and annually.

**Immediate**
- Timely Warnings
- Emergency Notifications

**Ongoing**
- Daily Crime Log

**Annual**
- Annual Security Report (ASR)
- ED crime stats
The Clery Act requires that Universities gather information about reports of crime from multiple sources to ensure that students and others know about potential dangers on campus.

A Campus Security Authority (CSA) is someone required by the Clery Act to share crime reports with the office that gathers and publishes crime statistics.

It is important for members of the campus community other than the police department to report crimes reported to them because many crimes, especially sexual assaults, are not reported to police.

Campus safety is a collaborative effort.
The law defines 4 categories of a Campus Security Authority:

- University Police
- Non-police security staff responsible for monitoring University property (e.g., CSOs, event staff)
- People/Offices designated under our policy as those to whom crimes should be reported
- “Officials with significant responsibility for student and campus activities”
Who is a CSA?

- Campus officials are designated as CSAs based on their **job function**, not by their title.

- A CSA is any University official with significant responsibility for student AND campus activities.

- “Official” is defined as any person who has the **authority and duty to take action** and respond to particular issues on behalf of the institution.

- Officials whose functions involve **building relationships with students** are considered CSAs.

- Student employees can also be CSAs.
Who is **not** a CSA?

The following are examples of employees who are not CSAs:

- Faculty (unless serving as advisor to a registered Student Organization)
- Administrative staff not responsible for student activities (e.g., facilities management, clerical, payroll)
- Physicians and licensed mental health clinicians who only provide care to individual students
- CARE advocates
- Ombuds Office
Voluntary Confidential Reporting

- Although licensed mental health counselors are exempt from Clery Act requirements, the University encourages such counselors to tell victims about the confidential reporting process if, in their judgment, it is appropriate to discuss crime reporting with the client.

- Victims have the option of reporting crimes confidentially to a CSA. This means the University will keep a record that a crime occurred without revealing any of the victim/survivor’s personally identifying information. Criminal reports filed in this manner are counted and disclosed as statistics in the Annual Security Report.

- Anyone can fill out an anonymous crime report on the UCPD website.
When to Report

- Only certain crimes are published in Clery Act crime statistics.
- The two criteria for Clery-reportable crimes are type of crime and location of crime/incident (referred to as “Clery geography”).

**CLERY CRIMES**

+ **CLERY GEOGRAPHY**

= **CLERY STATISTICS**
CSAs are responsible for collecting and reporting on the following crimes reported to them:

- **Criminal homicide** (murder and manslaughter)
- Sex offenses: rape, fondling, incest, statutory rape
- Aggravated assault
- Robbery
- Burglary
- Motor vehicle theft
- Arson
- **Hate crimes** (crime above plus larceny-theft, simple assault, destruction/damage/vandalism of property, or intimidation, if motivated by race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability)
- VAWA offenses: dating violence, domestic violence, stalking
Crimes to Report for Clery Act

- For crime definitions and additional information about the types of crimes that CSAs must report, refer to [www.police.ucsb.edu/files/docs/clery-act-crime-definitions.pdf](http://www.police.ucsb.edu/files/docs/clery-act-crime-definitions.pdf) (available on the UCPD Clery Act web page: [www.police.ucsb.edu/clery-act](http://www.police.ucsb.edu/clery-act)).

- If you are uncertain if a crime meets the Clery Act requirements for reporting, make a CSA report and let the Clery Act Coordinator make that determination.
  - Describe the incident/crime as completely and accurately as you can.

- To be safe, please make a CSA report for any incident that is criminal in nature.
Clery Geography

- Clery Act crime reporting depends on the location of the crime.
- Crimes that occur in locations owned or controlled by UCSB or public property immediately adjacent to and accessible from campus must be reported.
A CSA must report an incident if it occurred:

- Anywhere on campus (includes streets, grounds, and parking lots within campus boundaries);
- In student housing facilities;
- On public property adjacent to the campus (e.g., roads, sidewalks);
- In buildings/property owned or controlled by a University-recognized student organization (e.g., fraternities and sororities); or
- In buildings/property not a part of core campus (more than one mile from campus) but owned or controlled by UCSB, used in direct support of educational purposes, and frequently used by students.
Student travel (“stay-away trips”) are also subject to Clery Act reporting when certain conditions are met:

- The University has a written agreement for control and use of the facility visited, including hotel stays for University- or Student Organization-sponsored travel (a hotel receipt is considered an agreement).
- The same location is visited repeatedly (i.e., more than one night or at least one night a year in consecutive years).
For additional information on locations that require Clery Act reporting, refer to [www.police.ucsb.edu/files/docs/clery-act-geography.pdf](http://www.police.ucsb.edu/files/docs/clery-act-geography.pdf) (available on the UCPD Clery Act web page: [www.police.ucsb.edu/clery-act](http://www.police.ucsb.edu/clery-act)).

If you are uncertain if a location meets Clery Act requirements, **make a report** and let the Clery Coordinator make that determination.

CSAs must report any criminal incident that happened in Clery geography. It does not matter if the alleged victim is or reporter is a member of the campus community. **Only location matters.**

*Note that sexual violence crimes must be reported to the Title IX Office, regardless of where they occurred.*
Receiving a Report

- If a violent crime is in progress, call 911.

- Inform the reporting party that you are a CSA, which means you must report criminal incidents to the department that collects campus crime statistics (UCPD).

- Explain that the University is required to track crime statistics and, in certain cases, take steps to warn the campus community about serious or continuing threats to the community.

- Inform the reporting party that names are not included in crime statistics reports, but that you can make a report without including their name if they would prefer.
Receiving a Report

As a CSA, you are required to:

- **Get the facts**: where, what, when, who, etc.;
- Report all Clery Act-related crimes **immediately** to campus Police so the campus can comply with Timely Warning and Emergency Notification policies;
- Inform victims of their reporting options, including Police and the Title IX Office, and inform them of **confidential reporting options**; and
- Provide information about **campus resources** (e.g., CARE, CAPS, Student Health).
Receiving a Report

Important questions to ask…

- Where, when, what, who, etc.? (facts only; no investigation)
- Has the incident has been reported to Police or to another CSA?
- Would you like to make a report to Police or the Title IX Office for an investigation?
- Do you (and/or victim) know about campus support resources such as CAPS, SHS, CARE?
- Do you (victim) wish to remain anonymous?
As a CSA, you are not responsible for:

- **Investigating** the crime;
- **Determining the validity** of a report (all reports must be included in Clery statistics, regardless of investigative findings);
- Reporting crimes when a student was away from campus and not involved in a University activity (e.g., at home during spring break or prior to attending UCSB); or
- Reporting crimes occurring **outside Clery Act geography**.

  - Remember that sexual violence crimes must be reported to the Title IX Office, regardless of where they occurred.
Making a CSA Report

- Fill out an online form at [www.police.ucsb.edu/csareport](http://www.police.ucsb.edu/csareport).

- Describe the incident/crime as completely and accurately as you can: where, what, when, who, etc.
  - **Location** and details of the crime are important in determining Clery Act reporting requirements.
  - Accurate **date and time** help prevent double-counting crimes.
  - **Names** help prevent double-counting crimes.

- Send form **immediately** to [clery@police.ucsb.edu](mailto:clery@police.ucsb.edu) or fax to **805-893-8569**. **Timely reporting is critical!**

The Clery Act requires institutions of higher education receiving federal financial aid to collect and report specific crime statistics, issue campus alerts, and publish safety and security policies and procedures.

A Campus Security Authority (CSA) is anyone who has significant responsibility for student and campus activities.

The Clery Act requires that particular crimes be reported: criminal homicide; sex offenses (rape, fondling, statutory rape, incest); aggravated assault; robbery; burglary; motor vehicle theft; arson; hate crimes; dating violence; domestic violence; and stalking.

Crimes must be reported when they occur in certain locations, including on-campus property, public property adjacent to campus, non-campus property owned or controlled by UCSB or recognized Student Orgs, and school-related student travel.

CSAs are required to get the facts, report all Clery-related crimes to the Police immediately, inform victims of confidential reporting options, and provide victims with referrals to resources.
For more information and advice, contact UCSB’s Clery Act Compliance Coordinator, Marisa Huston, at 805-893-2324 or marisa.huston@ucsb.edu.

Additional information about the Clery Act and helpful resources are available on the Clery Act web page of the UCPD website: www.police.ucsb.edu/clery-act.

Other Reporting Requirements

- Clery Act compliance is just ONE aspect of safety. You may have other reporting responsibilities, depending on your role.

- **Title IX/Responsible Employee**: Incidents of sexual violence, sexual harassment or other prohibited behavior must be reported to the Title IX Office. A responsible employee is any employee who has the authority to take action to redress sexual violence, who has been given the duty to report incidents of sexual violence, or can be reasonably thought to have this authority or responsibility. Refer to the Responsible Employee brochure on the Title IX website for more information: oeosh.ucsb.edu/titleix/resources/Responsible_Employees.Brochure.pdf.

- **CANRA**: California Child Abuse and Neglect Reporting Act (CANRA) requires that all University employees and administrators who are Mandated Reporters make required reports to child protection or law enforcement agencies. Refer to the University’s policy on Reporting Child Abuse and Neglect: http://policy.ucop.edu/doc/4000603/CANRA.
University of California, Santa Barbara
Police Department, Clery Act Compliance

www.police.ucsb.edu/clery-act

Thank you!