Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

Part One: What you need to know if you are a Campus Security Authority at The University of Alabama
What is the Clery Act?

• Jeanne Clery was sexually assaulted and murdered in her dorm room at Lehigh University in 1986. The law, enacted in her memory, is intended to ensure that students and others are informed about violent campus crimes so they can make informed decisions.

• The Clery Act requires that universities report crime statistics to current and prospective students and employees and provide timely warnings of crimes that represent a serious or continuing threat to students and employees.
Department of Education
Penalties for Failure to Comply

• Increased from $27,500 to $35,000 per violation (effective 10/2/12)

• Worst Case Scenario: Our institution being barred from receiving federal financial assistance

• Monetary penalties imposed on other institutions include:

I. Yale: $165,000 - failed to report 4 sex offenses, property on campus, 7 policies (4/13)

II. Tarleton State University: $123,500 settlement – failed to report crimes (07/12)

III. Eastern Michigan University: $350,000 failure to provide timely warning about a murder on campus, lacked a timely warning policy, missed policy statements, failed to get crime stats from city, failed to update crime log - largest penalty (12/07)

IV. Washington State University: $82,500 fine reduced to $15,000; failed to report 2 sex offenses and 3 required policy statements not in report (03/12)
What does it have to do with You?

• Many crimes, especially sexual assaults, are not reported to police.

• The Clery Act requires that we gather and publish crime data to ensure that students and others know about dangers on campus.

• Data is collected from a wide variety of “Campus Security Authorities.” This is where you come in.
What makes you a Campus Security Authority?

The Clery Act regulations define four categories of Campus Security Authorities:

- University Police
- Non-police staff responsible for campus security, like monitoring the entrance into University property
- People/offices designated under our policy as those to whom crimes should be reported
- Other “Officials with significant responsibility for student and campus activities”
How did you get to be a Campus Security Authority?

• The last category of “Campus Security Authority” (CSA) is defined broadly to ensure complete coverage and thorough reporting of crimes.

• Many UA staff and faculty are CSA’s having “significant responsibility for student and campus activities”.

• Defined by function not title.

• A few of the many examples of Campus Security Authorities:
  
  I. Coaches and Coaching Staff
  II. Advisors to Student Organizations
  III. Student Residential Advisors or Assistants
  IV. Greek Affairs Coordinators
Who is EXEMPT from reporting requirements?

1. Licensed professional mental health counselors (such as those in our Counseling Center, Student Health Center, and Women's Resource Center) OR

2. Pastoral counselors (employed by a religious organization to provide confidential counseling)

who are working within the scope of their license or religious assignment at the time they receive the crime report.

- UA encourages professional and pastoral counselors, although not required to report crimes, to tell victims about the **Confidential Reporting Process**. The counselor must make a judgment call: is it appropriate to discuss crime reporting in this particular situation?
Quiz Question #1

Which of the following are NOT Campus Security Authorities?

A. Football Coaches
B. Greek Affairs Coordinator
C. Starbucks Barista
D. Dean of Students
Quiz Question #1

Answer:  C. - Starbucks Barista

Cafeteria or clerical staff are not examples of Campus Security Authorities as defined by their job function unless they also have significant responsibility for student and campus activities.

Consider the function of that individual or office to determine if they are a CSA.

When in doubt, report it!

Please call Sgt. John Hooks at 348-8361 with any questions.
Centralized Reporting Channels at UA for Collection of Crime Statistics

Anyone can report any crime to Sgt. John Hooks at UAPD (205-348-8361 or jhooks@uapd.ua.edu) at any time.

Reporting from the following CSAs is required once a month to the UAPD Community Services Division (Sgt. Hooks), even if you have nothing to report.

For CSAs in Residential Life Staff, report crimes to Jimmy Hubbard (who will consolidate and send in the form monthly to UAPD).

For CSAs in Intercollegiate Athletics, report crimes to Jon Dever

For CSAs in Office of Vice President for Student Affairs, or Dean of Students Office, report crimes to Stacy Jones

For CSAs who are advisors to student organizations, report crimes to Rosalind Moore.

For CSAs in the Women’s Resource Center, report crimes to Paige Miller.

For CSAs in the Recreation Center, report crimes to Andre Love

For CSAs in the Study Abroad Program, report crimes to Sgt. John Hooks.

For CSAs in the Office of Judicial Affairs, report crimes to Jill Satcher.

February 1 is the absolute deadline for the previous reporting year.
So you’re a CSA – what do you have to do?

- If someone tells you (a CSA) about a crime or an incident that may be a crime, you must record the information and submit a report.

- Just get the facts, experts will do the analysis.

- When in doubt, report it! (More information to come on using the Reporting Form)

- If the crime poses a serious or continuing threat to the campus community (assault), contact UAPD immediately. This helps the campus meet its requirement to provide timely warnings.

- Confidential Reporting Process: victims can report crimes confidentially (no names or criminal investigation) to be included in crime statistics.
WHAT do you have to report?

These **crimes** must be reported (definitions available on form):

- Criminal homicide
- Sex offenses, forcible & non-forcible
- Aggravated assault
- Robbery
- Burglary
- Motor vehicle theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking

You must also report **arrests and referrals for disciplinary actions** involving weapon law, drug abuse & liquor law violations.
WHAT else do you have to report?

You must also report **Hate Crimes**, including:

- Any of the first ten crimes listed on the prior slide; and
- Any incidents of Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property, or other crimes involving bodily injury to any person.

That were **motivated by the offender’s BIAS**

- Bias types: race, religion, ethnicity, national origin, disability, gender, sexual orientation, gender identity
The following crime occurred in the parking lot next to Paty Hall on campus:
An international student from Iran leaves his car door unlocked overnight and realizes the following day that his backpack containing a brand new laptop has been stolen. This crime must be reported to UAPD and included in the crime statistics.

A. True
B. False
Quiz Question #2

Answer: B. – False

This example does not meet the criteria for reporting because:

1) Theft, even from a locked or unlocked vehicle, is also known as larceny, and larceny-theft is not a reportable crime.

2) It does not meet the criteria for burglary because thefts from automobiles are classified as Unlawful Breaking and Entering a Vehicle which is also not a reportable crime.

3) If, however, sufficient objective facts lead a reasonable person to conclude that the person who took the backpack was motivated, in whole or in part, by bias against students from Iran, then the crime would be reportable as a Hate Crime.

Bottom Line: Report the incident to UAPD and let them determine if it is a reportable Clery crime.
Timing and Location

Be sure to document:

- *When* and *Where* the crime or incident occurred;
- *When* it was reported to you.

The law requires that the crime be reported for the calendar year in which it was first reported to a Campus Security Authority or police – not when it occurred.

A crime must be reported if it occurred in any of the following locations:

- On campus
- In on-campus student residences (even if privately owned & operated)
- On public property adjacent to campus (e.g. roads, parking lots, sidewalks)
- On certain off-campus property (noncampus buildings or property)
Two Types of Off-Campus Property

1. Property owned or controlled by a student organization registered with UA (e.g., a fraternity)

2. Property owned, leased or controlled by UA that is
   - Used in direct support of, or in relation to, UA’s educational purposes,
   - Frequently used by UA students, and,
   - Not within the same reasonably contiguous geographic area.
When is location controlled by UA and frequently used by students to count?

1. If UA has written agreement for location used to offer a class or program (only for dates & times it is rented)

2. If UA has a written agreement for a location used to house its students (hotel, apartment bldg., & associated common areas for dates & times rented)

3. If UA makes repeated use of a location (trip once a year, domestic or abroad, to same hotel) and enters into agreement for use of that location.

4. If UA sponsors short-stay “away” trips for its students and enters into agreement for the use of particular space or area (three-week art study trip to another city)
Reporting Locations to UAPD

• Regardless of whether a crime occurs at the off-campus properties frequently used by students for educational purposes, you are REQUIRED to send information about these locations to UAPD (Sgt. John Hooks at 205-348-8361 or jhooks@uapd.ua.edu)

• UAPD is REQUIRED to contact law enforcement in each of these off-campus locations each year to collect crime statistics for reportable crimes that occurred in that location you may have leased or rented while your students were there.

• PLEASE HELP UA COMPLY BY NOTIFYING UAPD OF THESE TYPE OF OFF-CAMPUS ARRANGEMENTS!
Quiz Question #3

Based on their location, which of these crimes **would** be reported?

A. A burglary occurs at the residence of two UA students on 6th Street behind the Strip.

B. A student assaults another student with a stick at a sorority party at a house owned by the UA sorority located a mile from campus.

C. A student’s car is stolen while visiting a friend at an off-campus apartment complex to study for a test.
Answer: B. - A student assaults another student with a stick at a sorority party at a house owned by the UA sorority located a mile from campus.

The sorority house is controlled by a student organization that is officially recognized by the institution.

Any building or property:
1. owned or controlled by a student organization that is officially recognized by the institution or;
2. owned or controlled by an institution that is used in direct support of the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographical area of the institution.
Just get the facts

• Remember: your job is to record the information the person is willing to tell you and to ensure that it is reported.

• You are not a detective.

• You don’t have to prove what happened, who was at fault, or correctly classify the crime (but the form will provide definitions to help you identify the crime).

• You aren’t supposed to find the perpetrator.

• When using the report form, please identify the person reporting the incident, unless they specifically request to remain anonymous.
Describe Options To Victim

- **DO** let the victim know about *options* for reporting to police.

- Inform her/him about the confidential reporting process.

- **BUT:** The decision isn’t yours; a person who talks to you may not want to talk to police, and they don’t have to.

- But, a CSA is REQUIRED to report the incident as a statistic, even though the victim does not want to file a police report and/or requested confidentiality.

  - Use the Reporting Form available on-line at [http://police.ua.edu/clery.html](http://police.ua.edu/clery.html)
Refer Victims to Resources

A CSA should tell the victim about other resources on campus that can help them.

- Victim Assistance programs (Women’s Resource Center);
- Title IX Coordinator and Deputy Coordinators for reporting sexual assault, sexual violence and other harassment (see www.titleix.ua.edu for complete information on reporting officials and other information);
- Designated Harassment Resource Persons for harassment based on any protected status (race, national origin, sex, sexual orientation, religion, disability, etc.)
- Office of Student Conduct to initiate disciplinary action against another student;
- Available medical treatment (DCH-ER); and
- Counseling services for students (Women’s Resource Center, Counseling Center) and staff (Women’s Resource Center, Employee Assistance Program-EAP).
Questions???

• Contact Sgt. John Hooks at UAPD 205-348-8361 or jhooks@uapd.ua.edu

• For emergencies, call 205-348-5454, 911 or the nearest emergency blue phone.

• For non emergencies, call 205-348-5454.