





## The Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

Jeanne Clery was raped and murdered in her dorm room at Pennsylvania's Lehigh University in 1986. Her killer was later found to be another student.

It was also later discovered that her killer, who lived off campus, was able to gain access to the dormitory by way of a doorway propped open by residents using a pizza box for their convenient access.

Her parents believe she would have been more cautious if she had known about other violent crimes at Lehigh and Congress agreed. The Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

The Crime Awareness and Campus Security Act, first enacted in 1990,was subsequently amended in 1998 to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly referred to as the Clery Act.

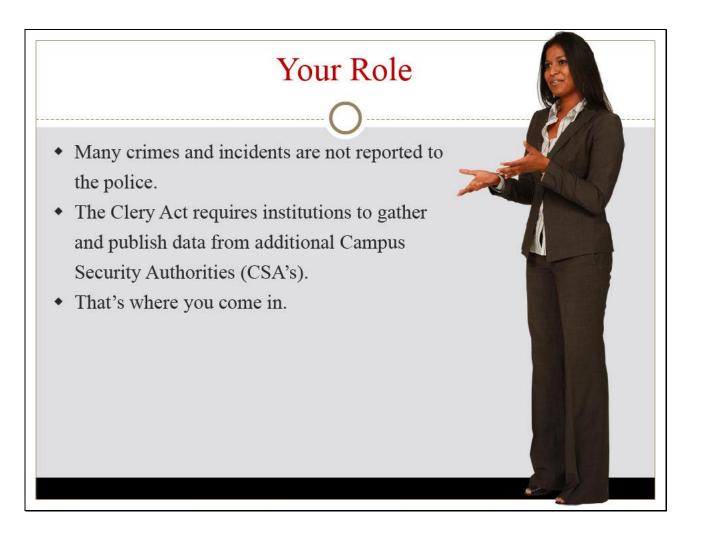
The Clery Act requires higher education institutions to report crime statistics to current & prospective students & employees.

On Aug. 14, 2008, the Higher Education Opportunity Act or HEOA reauthorized and expanded the Higher Education Opportunity Act of 1965, as amended. HEOA amended the Clery Act and created additional safety- and security-related requirements for institutions.

## The Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

Some of the requirements specifically added are:

- A disclosure regarding the relationship of campus security personnel with state and local law enforcement agencies (Clery amendment)
- Text clarifying the definition of an on-campus student housing facility (Clery and HEOA)
- Fire safety reporting requirements for institutions with on-campus student housing facilities (HEOA)
- The collection of crime reports from individuals and organizations associated with your institution (i.e., campus security authorities or CSAs)

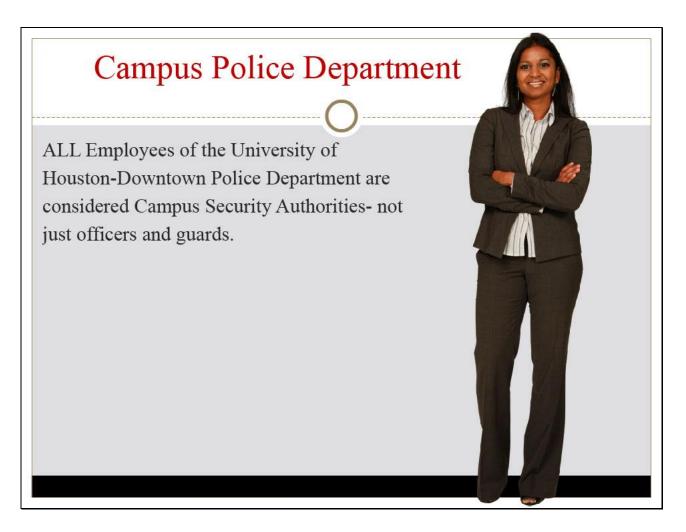


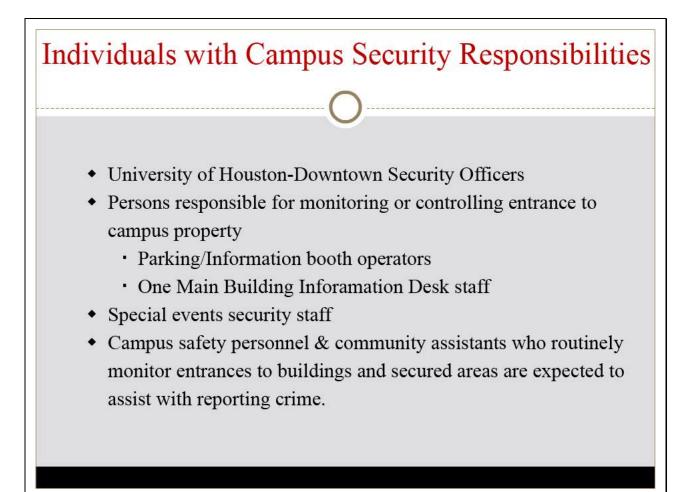
# **Campus Security Authorities**

Four categories of CSA's

- Campus Police Departments
- Individuals with campus security responsibilities, but not campus police or security
- Individuals designated by the University
- Officials with significant responsibility for student and campus activities









### Officials with Significant Responsibility for Student & Campus Activities

- Focus on function of official, not just title
- Significant contact with students
- Line responsibility
- Many include officials not specifically employed as "faculty" or "staff"

#### Examples of Officials with Significant Responsibility for Student and Campus Activities

- Dean of Students
- Provost and Staff
- Student Judicial Programs / Other Discipline Officials
- Directors or Managers in Student Affairs
- Officials who oversee extracurricular activities
- Sports and Facilities Staff
- Student Health Staff
- Faculty Advisors and Advisors to Student Group
- THIS LIST IS <u>NOT</u> ALL INCLUSIVE



# You Do Not Have to Report if ...

- You are a licensed mental health counselor and
- You are working within the scope of your license
- However, you are encouraged to inform persons you counsel of procedures available to report crimes on a voluntary and confidential basis.



# What do I have to Report?

#### The Nine Clery Crimes

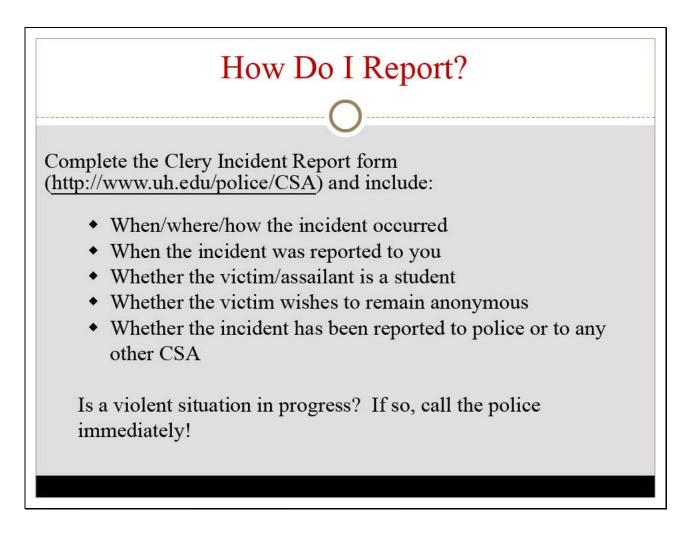
- Criminal homicide
- Sex offenses—forcible & non-forcible
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Arrests & disciplinary referrals for violations of liquor, drug, & weapons laws
- Hate crimes
- Domestic violence
- Dating violence
- Stalking



# When Do I Have to Report? You must report a crime if it occurred On campus On public property adjacent to campus On non-campus property owned or controlled by the University or a recognized student organization When in doubt, REPORT!

# Just Get the Facts

- You don't have to prove what happened or who was at fault.
- You don't have to identify the victim in the CSA Report unless the victim is agreeable.
- You should let the person know about options for reporting to the police and provide information regarding medical and other assistance.
- You should tell the person how he/she can report anonymously to the police.
- A person who talks to you may not want to talk to the police—and doesn't have to.
- If asked, tell the person you <u>must</u> report the incident as an anonymous statistic.
- REMEMBER: The decision regarding reporting isn't yours!



# Violence Against Women Act (VAWA)

Intended to provide and promote the awareness of:

- Domestic Violence
- Dating Violence
- Sexual Assault
- Stalking
- Consent



## Domestic Violence is defined as:

Abuse committed against an adult or minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child or is having a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.

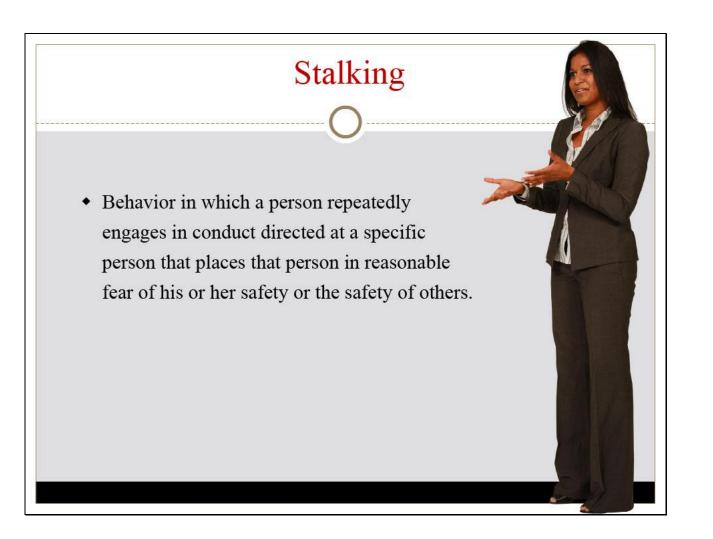
# **Dating Violence**

The term "dating violence" means 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.

# Sexual Assault

- Engaging in physical sexual activity without the consent of the other person
- An act of sexual assault may involve:
  - Physical force, violence, threat, or intimidation
  - Ignoring the objections of the other person
  - Causing the other person's intoxication or incapacitation through the use of drugs or alcohol
  - Taking advantage of the other person's incapacitation, including his or her voluntary intoxication, his or her state of intimidation, or other inability to consent



## Consent

• Informed:

• Consisting of an affirmative, unambiguous, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

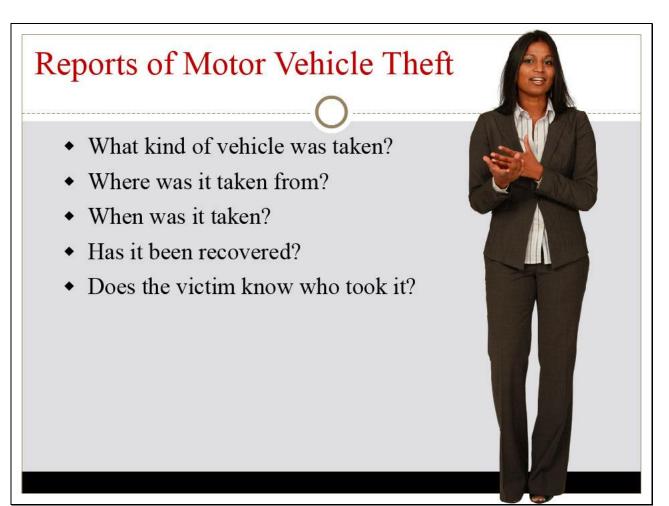
- Voluntary:
  - · Given without coercion, force, threats, or intimidation
  - Positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.
- Revocable:
  - Consent to some form of sexual activity does not imply consent to other forms of sexual activity.
  - Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent has been revoked, sexual activity must stop immediately.

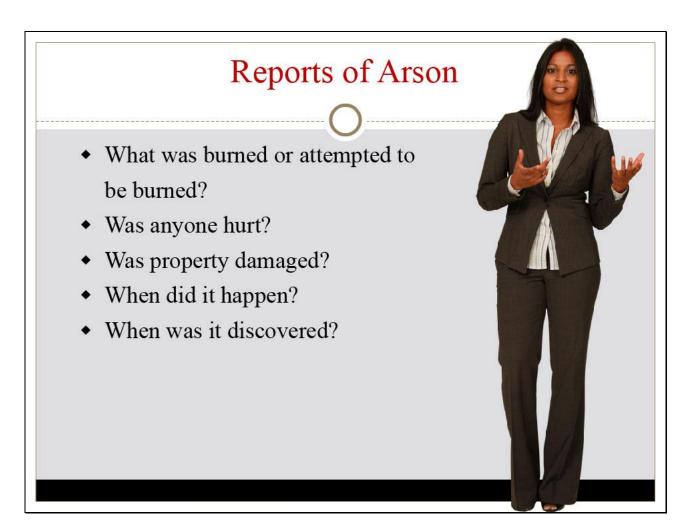
# Reports of Aggravated Assaults

- Is victim in danger?
- Did assailant use or threaten force?
- Was a weapon used, displayed or threatened to be used?
- Did the victim receive serious injuries?
- Broken bones
- Cuts or lacerations
- Permanent injuries
- Loss of consciousness
- Emergency treatment or hospitalization
- Did victim know assailant?

# Reports of Robbery or Burglary

- What was taken or attempted to be taken?
- What is its value?
- Did perpetrator accost victim in person? If yes..
  - Did the perpetrator use or threaten force? A weapon? What kind?
  - Was victim injured?
  - Did victim feel threatened or in danger?
- Was the item taken from inside a residence or office?
- Was the building open at the time of the theft?
- Was door open, closed or locked?
- How did the thief get in?
- Is the suspect known?





# Reports of Personal Hate Crime

Hate crimes may be applied to any Clery reportable crime, as well as thefts, simple assaults, intimidation and vandalism.

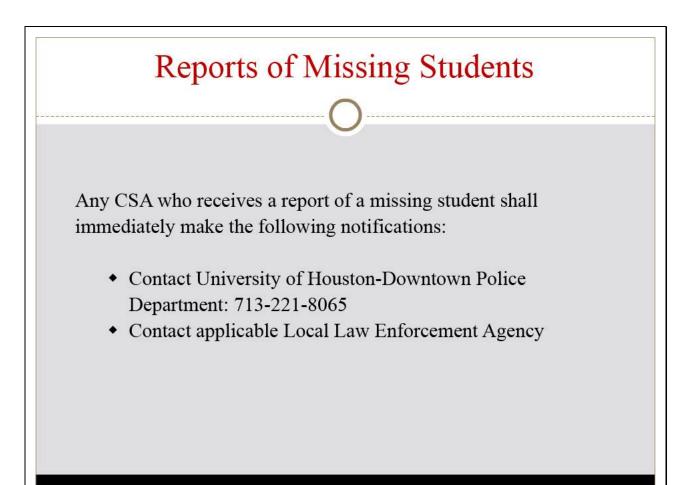
- Did the attacker confront the victim in person?
- Did the attacker use or threaten to use force? What kind?
- Was there a weapon?
- Was the victim injured?
- Did the attack or threat (verbal, phone, email) include racial, ethnic, religious or homophobic comments?

# **Reports of Property Hate Crimes**

- 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/lesbian organization as a hate crime.

## Reports of Liquor, Drug, and Weapon Law Violations

- Police must keep statistics on numbers of people arrested for liquor law violations, drug law violations and illegal weapons possession.
- Student judicial 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.





University of Houston-Downtown Police Department Attention: CSA Report One Main Street, Suite 118N Houston, TX 77002

Clery Compliance Officer: Mrs. Jackie Nelson

