

University of Alabama Police Department



Clery Disclosure of Campus Security Policy & Campus Crime Statistics Act

Part 1: Campus Security Authority Training

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)
 - V. Penn State: Nearly \$2.4 Million related to investigation stemming from Sandusky case (11/16)



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 and Gender 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?



Centralized Reporting Channels at UA for Collection of Crime Statistics

Anyone can report any crime to Compliance Officer Dr. Chad Clark (cclark@fa.ua.edu) at any time. Reporting from the following CSAs is required once a month to the UAPD Community Services Division/Clery Office, even if you have nothing to report.

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

For CSAs in **Intercollegiate Athletics**, report crimes to Jon Dever jdever@ia.ua.edu

For CSAs in Office of Vice President for Student Affairs, or **Dean of Students Office**, report crimes to Stacy Jones sjones@sa.ua.edu

For CSAs who are **advisors to student organizations**, report crimes to Rosalind Moore. rmoore@sa.ua.edu

For CSAs in the **Women and Gender Resource Center**, report crimes to Neshia Smith. Neshia.r.smith@sa.ua.edu

For CSAs in the **Recreation Center**, report crimes to Andre Love. adlove1@sa.ua.edu

For CSAs in the **Study Abroad Program**, report crimes to Carolina Robinson. caroler@ua.edu

For CSAs in the **Office of Judicial Affairs**, report crimes to Katrina Smelley. ksmelley@sa.ua.edu

April 1 is the absolute deadline for the previous reporting year, though reporting incidents as they are reported to you is the recommended approach.



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- Murder & Non-Negligent Manslaughter**
- **Sex offenses- Rape, Fondling, Incest, Statutory Rape**
- **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



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 Compliance Officer Dr. Chad Clark (cclark@fa.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!



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>



Refer Victims to Resources

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

- Victim Assistance programs (Women and Gender 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 and Gender Resource Center, Counseling Center) and staff (Women and Gender Resource Center, Employee Assistance Program-EAP).



Questions???

- Contact Dr. Chad Clark (cclark@fa.ua.edu), the Clery Compliance Officer
- Clery Office Phone: 205-347-0547
- For emergencies, call 205-348-5454, 911 or the nearest emergency blue phone.
- For non emergencies, call 205-348-5454.

