

**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
Statistics Act (Clery Act)**

Clery Act Training



Who is Jeanne Clery?

Jeanne Clery was a college student who was raped, mutilated and murdered in her dorm room at Lehigh University in 1986. The suspect, another college student, was able to access Clery's dorm room because multiple doors had been propped open.

What is the Clery Act?

Jeanne Clery's parents pressed for a law that would require institutions to report crime statistics so families would be informed about crime on, near, and immediately adjacent to campus, and be able to make sound decisions about student safety.

The federal consumer law, now known as The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act,) which is named after their daughter, requires institutions that receive federal financial aid funds to comply with the following:

General requirements of the Clery Act

Collect, classify and count specific crime statistics (Clery Act crimes)

Publish an [Annual Security and Fire* Safety Report \(ASFSR\)](#), which contains the three previous years of crime and fire statistics—make it available by October 1 of each year and notify students and employees of its availability.

Maintain a daily crime log and a fire* log

*institutions with on campus housing

Requirements, continued

Disclose certain safety and security policies in the ASFSR

Issue Campus Alerts--Timely Warnings and Emergency Notifications

Disclose specific policies and practices regarding fire safety and missing persons (for institutions with on campus housing)

Requirements, continued

Provide required educational programs and campaigns

Disclose procedures for institutional disciplinary action in cases of sexual assault, dating violence, domestic violence and stalking

Provide written information regarding on and off campus resources to victims of sexual assault, domestic violence, dating violence and stalking

Now that you have a basic understanding of the Clery Act and some requirements, let's break it down and review the following:

Crimes that need to be reported.

Reportable locations under the Clery Act (Clery "geography").

Responsibilities of a Campus Security Authority (CSA).

Timely warnings and emergency notifications.

Clery Act Crimes—primary crimes

- >Murder and Non-negligent Manslaughter
- >Manslaughter by Negligence
- >Sexual Assault—Rape, Fondling, Incest and Statutory Rape
- >Robbery
- >Aggravated Assault
- >Burglary
- >Motor Vehicle Theft
- >Arson

Clery Act Crimes—hate crimes

Hate Crimes—any of the primary crimes on the previous slide, plus:

- >Larceny/Theft
- >Simple Assault
- >Intimidation
- >Destruction/Damage/ Vandalism of Property

Hate Crime considerations

Hate crimes must be motivated by one (or more) of eight categories of bias: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability.

Must show the victim was intentionally targeted because of the perpetrator's bias against that victim (evaluated on a case-by-case basis).

Clery Act Crimes

Violence Against Women Act (VAWA) Crimes

>Sexual assault—rape, fondling, statutory rape, incest (already listed in primary crimes, but are part of **VAWA**)

>Dating Violence

>Domestic Violence*

>Stalking

*Certain roommate incidents may be classified as domestic violence

Clery Act Crimes

Additional reportable crimes

- >Drug offenses—arrests and referrals
- >Alcohol offenses—arrests and referrals—only criminal acts, not violation of University policy
- >Weapon offenses—arrests and referrals

Reportable locations--“Geography”

On campus property—a building or property owned or controlled by the University within the same reasonably contiguous geographic area, used in direct support of/manner related to educational purposes; or owned by the University and controlled by another, frequently used by students and supports the University’s purposes (bookstore, etc.). Galloway, Atlantic City, Hammonton, Manahawkin, Woodbine and the Marine Field Station in Port Republic are separate campuses. **On campus housing** is a subset—to be reported in this category, an incident must occur inside a housing building.

Non-campus property—buildings owned/controlled by the University, directly support/relate to educational purposes, frequently used by students, not within the same reasonably contiguous area.

Public Property—property within or immediately adjacent to campus (generally considered to be sidewalk, street, opposite sidewalk).



**CSA=
CAMPUS SECURITY
AUTHORITY**

Who is a CSA?

- >Any individual who works in a campus Police Department or a campus Security Department of an institution
- >Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or campus security department
- >Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
- >An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

Exemptions*

Pastoral counselors

Professional counselors

*Must be acting in their official capacity.

Who is not a CSA?

Generally speaking,

Professors--with no responsibility for student and campus activity beyond the classroom

Clerical staff

Maintenance workers

How do I know if I am a CSA?

- >Annually, the Clery Compliance Coordinator, with assistance from Human Resources, develops a list of individuals who are Campus Security Authorities.
- >Training is conducted primarily via an online platform.
- >In-person training is conducted with certain employees (police, security, etc.) and upon request.

What is the responsibility of a CSA?

This is simple...

CSAs must report information about any Clery Act crime that they receive—including reports from third parties, but not things they overhear or are disclosed publicly in a classroom or at an event.

>Must be one of the previously specified crimes

>Must occur on Clery geography

If you are not sure, ask the Clery Compliance Coordinator.

But let's be very clear....

If there is an actual emergency or crime in progress, and you require a police, fire or ambulance response immediately, always dial **9-1-1!**

For non-emergent situations which require a police response, the police department can be reached at 609-652-4390 or extension 4390 from a campus phone.

The purpose of a CSA report to the Clery Compliance Coordinator is so the crime can be evaluated for a timely warning and be included in the statistical crime information in the ASFSR.

CSAs should:

Obtain information about the type of crime, individuals involved, and location,

be sure to report to a supervisor and the Clery Compliance Coordinator in a timely manner,

and

be supportive to the reporting party and offer University services and options.



Victim/complainant notification

If a student or employee reports a Violence Against Women Act (VAWA) crime—sexual assault, to include rape, fondling, incest or statutory rape; domestic violence, dating violence or stalking, **whether the incident(s) occurred on or off campus**—they must be provided with [Complainant Rights and Options!](#)

The Complainant Rights and Options document can be found on the Clery page of the Stockton.edu website.

The screenshot shows the top portion of a document titled "Complainant Notification" from Stockton University. The header includes the university's logo and name, "NEW JERSEY'S DISTINCTIVE PUBLIC UNIVERSITY", and the date "Fall 2020". Below the title is a subtitle: "OF RIGHTS AND OPTIONS WHILE ATTENDING STOCKTON UNIVERSITY". A blue box contains a paragraph stating the university's commitment to a safe environment and its adherence to federal laws regarding sexual misconduct. Below this, there are two columns: "Retaliation Prohibited" (highlighted in yellow) and "SUPPORTIVE MEASURES UNDER TITLE IX". The "Retaliation Prohibited" section states that no employee or student should be subjected to adverse consequences for reporting a crime. The "SUPPORTIVE MEASURES UNDER TITLE IX" section lists various measures like contact orders, housing changes, and deadline extensions.

Can a CSA maintain the confidentiality of a victim?

Reports of crimes from CSAs are used to compile crime statistics of Clery Act crimes which occur on Clery Act geography. Reports will also be used to determine whether a timely warning should be issued to the campus community.

CSA reports may be made without personally identifying information if the victim requests to remain anonymous and the report will not automatically result in a police response and investigation, unless the victim requests such a response.

CSAs should not:

Investigate or attempt to determine if the crime occurred—all crimes are to be reported to the Clery Compliance Coordinator once you receive a report.

Pressure a victim to contact police if the victim does not wish to do so—some individuals may not want police involvement and that is their right. **This is one of the main purposes of a CSA report—to capture all crimes that may not have been reported to law enforcement authorities so the crimes can be included in Clery crime statistics. Victims do not have to report to police to receive supportive measures.**

Wait to report the information—crimes must be reported in a timely manner—report as soon as possible! The University may be required to issue a timely warning if the crime you are reporting poses a serious or continuing threat to the community.

Timely warnings and emergency notifications

	Emergency Notifications	Timely Warnings
Scope	Significant emergency or dangerous situation	Clery crimes, reported to CSAs or local police agencies
Triggered by?	Event that is currently occurring on or imminently threatening campus	Crimes that occurred and represent an ongoing threat
Where event occurs?	Only on campus	Anywhere on Clery Geography
When to issue warning?	Immediately upon confirmation of situation	As soon as pertinent information is available

How to report a Clery Act crime for statistical purposes

Utilize the CSA Reporting Form button (displayed at right) on the Clery page of the stockton.edu website

Contact the Clery Compliance Coordinator via University Police at 609-652-4390

Send an email to the Clery Compliance Coordinator:

rosanne.latoracca@stockton.edu



Missing students/Fires

If someone reports that any student is missing, notify University Police immediately.

The Clery Act has specific requirements regarding missing residential students.

If there is a fire in one of the housing units, notify University Police immediately.

The Clery Act has specific requirements regarding reporting fires in on campus housing.

Police/Fire/Ambulance Emergency

9-1-1

Non-emergency

609-652-4390 or

extension 4390

The End

Questions?

Always looking for comments and suggestions to improve this presentation.

Please contact Ro Latoracca, Clery Compliance Coordinator, at 609-652-4390, ext. 5989, at building 71 (across from North lot) or via email: rosanne.latoracca@stockton.edu

Visit [Stockton's Clery Page](#), where you will find Stockton's Annual Security and Fire Safety Report, [Crime Log](#), [Complainant Notification of Rights and Options Document](#) and additional information about the Clery Act.

For more information, please see the [Higher Ed Handbook, 2016 edition](#), which was recently rescinded, but provides additional information on the Clery Act and requirements. [Rescission announcement and replacement document.](#)