

## **Clery Act Training Information for Campus Security Authorities**

Welcome to Wytheville Community College Clery Act training for Campus Security Authorities and the college's responsible employees. This training is intended to familiarize you with the requirements of the Jeanne Clery Campus Security Policy and Crime Statistics Disclosure Act, most commonly referred to as the Clery Act. Along with a general overview of the Clery Act, this presentation will provide an understanding of the College's obligations under the law, the reporting requirements for Campus Security Authorities (CSA), and the proper procedures for reporting allegations of crimes by Responsible Employees.

### **Why are you viewing this training?**

In accordance to federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act, Virginia Western is required to identify and notify certain employees of their designation as a Campus Security Authority. If you're watching this training, chances are you are a Campus Security Authority, or CSA. The term "Campus Security Authority" refers to an individual who, because of his or her function for the college, has an obligation under the Clery Act to notify the college of alleged Clery crimes. As a CSA, it is critical you understand the Clery Act and what it requires of you. The training you're about to participate in will ensure you're knowledgeable of the law and aware of your obligations under federal statute. All Virginia Western CSA's are required to complete this training annually.

### **Brief History of Clery**

- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is named in memory of Lehigh University freshman Jeanne Clery who was brutally raped and murdered by a fellow student in her residence hall room in 1986. Shortly after the murder, her parents discovered that in the three years prior, there had been 38 undisclosed violent crimes that occurred on Lehigh's campus. Her parents believe she and her fellow students would have been more cautious if they had known about the other violent crimes on campus.
- It is judged that the University did not share vital campus safety issues with the campus community. Under the federally mandated Clery Act, universities and colleges that receive federal financial aid must report certain crime statistics, alert campus of imminent dangers and issue an Annual Campus Security Report to current and prospective students and employees.

[WCC Annual Report](#)

### **Clery Report and Policy Requirements**

Three of the main requirements of the Clery Act for colleges, focuses on the disclosure of certain timely and annual information about campus crime and security policies. These three requirements are:

- The responsibility to collect, classify, and count crimes.
- The College must issue timely campus warnings about imminent dangers.

- The College must publish an Annual Security Report.

**We will review each of these requirements in more detail throughout the training.**

*NOTE: CSA specific responsibilities cannot be discussed without an understanding of the College's Clery specific requirements first.*

## **The Three Major Clery Requirements**

### **FIRST - Collect, classify, and count crime**

The FIRST MAJOR REQUIREMENT that the College must comply with is the responsibility to collect, classify, and count crimes. The Clery Act requires institutions to disclose three general categories of crime statistics: criminal offenses, hate crimes, arrests and violations of Title IX and , if they occurred in a Clery geographic location.

### **SECOND -Issue Campus Alerts and Timely Warnings**

The next and SECOND MAJOR REQUIREMENT under the Clery Act calls for the issuance of campus alerts when a serious or ongoing threat has been identified. There are two types of campus alerts under the Clery Act: a Timely Warning and an Emergency Notification.

### **THIRD - Publish a Daily Crime Log and Annual Security Report**

The THIRD MAJOR REQUIREMENT is that the college publish a [Daily Crime Log](#) of criminal incidents and alleged criminal incidents that are reported. We are also mandated to publish an Annual Security Report by October first of each year. This report provides statistics for the previous three years concerning reported crimes that occurred in a Clery geographic location. This report also includes institutional policies concerning campus security.

## **FIRST CLERY ACT REQUIREMENT:**

**Collect, classify, and count crimes:** The first major requirement the College must comply with is the responsibility to collect, classify, and count crimes. The Clery Act requires institutions to disclose three general categories of crime statistics: criminal offenses, hate crimes, and arrests and referrals for disciplinary action, if they occurred in a Clery Geographic location.

The College must gather this crime data from a number of sources, including Campus Police, the Office of the Dean of Student Services (Student Conduct), local law enforcement agencies, and individuals and organizations associated with our institution such as Campus Security Authorities.

Maintaining Statistics There are three general categories of crime statistics:\*

- Criminal Offenses
- Hate Crimes

- Arrests and Referrals for Disciplinary Action
- \*if they occurred in a Clery Geographic location [Clery Handbook Page 2-1.](#)

## **Reportable Criminal Offenses:**

**Criminal Homicide-** Murder/Nonnegligent manslaughter and negligent manslaughter.

**Sex Offenses-** There are two classifications of sex offenses: forcible and nonforcible. A forcible sex offense includes a broad scope of offenses, including forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling. Non-forcible sex offenses are much more limited in scope and only include incest and statutory rape.

**Burglary-** The unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft-** The theft or attempted theft of a motor vehicle.

**Robbery-** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Arson-** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Aggravated Assault-** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

**Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Includes threats of, or use of physical, sexual, verbal, emotional, economic or psychological action to influence or control the victim.

**Domestic Violence** - Violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

**Stalking-** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

**Hate Crimes** - While a hate crime includes each of the criminal offenses under the Clery Act, it may also include larceny, simple assault, intimidation, and destruction, damage, or vandalism of property.

- A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.
- Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, or national origin.

**Arrests and Referrals for Disciplinary Action** - In addition to criminal offenses and hate crimes, institutions must also gather data on arrests and referrals for disciplinary action. Only those instances where an arrest or referral for disciplinary action was made are included in this category.

**Weapons Violations**- The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Violations** - Violations of state and local laws relating to unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations** - The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance, and all attempts to commit any of the aforementioned.

### **Clery Geographic Locations for Crime Reporting**

Now that you know which criminal offenses are reportable under the Clery Act, let's look at the geographic location requirements under the Act.

Reportable Locations:

- On-campus
- Public Property within, or immediately adjacent to and accessible from the campus.
- Non-campus buildings or property owned, leased, or controlled by the college or an officially recognized student organization that are not within the contiguous geographic area of the campus.

The Clery Act identifies on-campus as: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

The Clery Act identifies public property as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

The Clery Act identifies non-campus as: Any building or property owned or controlled by WCC that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### **Second Clery Act Requirement:**

Campus Alerts and/or Timely Warnings - The second requirement under the Clery Act calls for the issuance of campus alerts when a serious or ongoing threat has been identified. There are two types of campus alerts under the Clery Act:

- Timely Warnings
- Emergency Notifications

While Timely Warnings and Emergency Notifications are very similar, there are distinct triggers for each of the alerts. These differences and triggers will be discussed next.

**Timely Warnings:** Alerts the campus to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Are used when a crime has already occurred but represents an ongoing threat.

**Emergency Notifications:** Notification of significant emergency or dangerous situations involving immediate threat to the health and safety of students or employees on campus and are not limited to prior acts or crime. VW Alert is a service designed to alert the Virginia Western community when situations arise that affect the ability of a campus to function normally. To register, please visit [WCC Alert](#).

Warnings and notifications may be issued in a variety of ways:

- VW Alert text service ([WCC Alert](#))
- Notices on websites
- Digital Signage on campus
- Campus-wide Phone Messages
- Email messages
- Media releases
- Posters
- Alert to regional police and sheriff's agencies

## **Second Clery Act Requirement:**

The third requirement under the Clery Act calls for the publishing of an Annual Security Report and the maintaining of a Daily Crime Log:

### **Annual Security Report requirements:**

The annual Security Report is made available to the campus community and is submitted to the U.S. Department of Education by October First of each year.

The report includes institutional policies concerning campus security, sexual assault and policies related to alcohol and other drugs.

The report is produced and published by the Virginia Western Campus Police Department.

- Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Campus Police Office at **(276) 223-4713 -or- (276)631-0131** or by visiting [WCC Annual Security Report](#) .

Daily Crime Log “Any institution, regardless of whether it is public or private, that has a campus police or security department, must create, maintain, and make available a daily crime log. The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported to the campus police department.”

Virginia Western maintains a Daily Crime Log of Clery Reportable Offences as well as other non-Clery calls for service.

Clery reportable Crimes are posted to the log within two days of receiving the report.

[The WCC Crime Log can be found here.](#)

## **What is your role?**

### **Campus Security Authority**

Now that we have reviewed the College’s requirements under the Clery Act, we will now review the individual responsibilities that some of our employees and volunteers must abide by.

Campus Security Authority is a Clery specific term, that encompasses four groups of individuals and organizations associated with an institution, that are required by law to report criminal offenses, hate crimes, and arrests and referrals for disciplinary action that occur in a Clery geographic location.

*DOE definition: “If someone has significant responsibility for student and campus activities, he or she is a campus security authority.”*

### **Who is a Campus Security Authority?**

- Campus Police
- Security Officers and people responsible for campus security.
- Officials with significant responsibility for student and campus activities.

- Any official of an institution who has significant responsibility for student and campus activities. (An “official” is defined as any person who has the responsibility to take action or respond to particular issues on behalf of the institution).

### What are the responsibilities of a CSA?

If you become AWARE of a Clery reportable offense that occurs in a Clery geographic location, you are required by law to promptly report the crime to the Campus Police Department. As a review, the offenses that you are required to report are: Criminal Homicide, Forcible and Nonforcible Sex Offenses, Burglary, Motor Vehicle Theft, Robbery, Aggravated Assault, Arson, Dating Violence, Domestic Violence, Stalking, Hate Crimes and Arrests or Referrals for Weapon, Drug, and Liquor law violations.

To clarify, you do not need to witness the crime. Under the Clery Act, a crime is “reported” when it is brought to the attention of a campus security authority by a victim, witness, other third party, or even the offender. Whether the reporting party is affiliated with the college or not has no bearing on your responsibility to report.

### What are the “Best Practices” for Campus Security Authorities (CSA)?

If you receive a report of a crime and believe it was provided in good faith, you should encourage the reporter to contact the police. If the individual reporting does not wish to report the crime to police, they are not required to do so. In a scenario where a crime is disclosed to you but the reporter does not wish to speak with police, tell the person you must report the incident but will not provide their personally identifiable information.

### Reporting a Clery Crime:

There are two ways in which a Campus Security Authority will report a crime:

- Contact the WCC Campus Police (276) 223-4713 -or- (276) 631-0131
- Complete a Campus Security Authority Incident Report Form. This simple electronic form can be found on the Campus Police website.

### Report Follow up:

In the event that you file a Campus Security Authority Incident Report Form, a few things may occur:

- If you provide contact information for yourself or the victim, the Campus Police will follow-up regarding additional services and resources the College can offer.
- Each report is taken very seriously and a Timely Warning will be considered for all reports. If a Timely Warning is appropriate, the College will issue the notification in a manner that will alert the campus community of the threat.
- In sexual assault cases, the incident will be reported to the Virginia Western Title IX coordinator. If you provide contact information for yourself or the victim, the Title IX coordinator will follow-up regarding additional services and resources.

*Begin Here. Become Anything.*

Additional Resources:

- [Clery Resources](#)
- [Handbook for Campus Safety \(Clery Handbook\)](#)
- [Federal Student Aid Handbook - Clery Act Appendix](#)
- [Wytheville Community College Campus Police](#)
- [Office on Violence Against Women](#)
- [FBI Hate Crime Statistics](#)
- [Violence Against Women Reauthorization Act of 2013](#)