Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

Commonly referred to as “The Clery Act”

WHAT YOU NEED TO KNOW IF YOU ARE A CAMPUS SECURITY AUTHORITY AT FAMU
Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986 by another student. Her school had not informed students about 38 violent crimes that occurred on campus in the three years prior to her murder. It is the belief of her parents that Jeanne would have been more cautious or made a different school choice if she had known about other violent crimes at Lehigh. The law enacted in her memory is intended to ensure that students and other campus community members are informed about campus crime so they can make informed decisions.
The Clery Act requires that universities distribute crime statistics to current students and all campus employees by October 1 each year.

Crime statistics must be made available to all perspective students and staff upon request.
What is included in the report?

- Crime reporting policy, procedure, and responses
- Access to campus facilities and residence halls
- Security considerations used in maintenance
- Enforcement and arrest authority of campus police
- Working relationship with state and local police
- Encouragement of prompt reporting of crimes
- Drug and alcohol abuse prevention information
Continued:

- Campus and community crime statistics
- Policies for reporting crimes and emergencies
- Campus Security Authorities and Resources
- Campus Sexual Assault Programs
- Registered Sex Offender Information
- Emergency Notification and Timely Warning Policy
- Missing Student Notification Policy
- Annual Fire Safety Report
Campuses that maintain a police department are required to maintain a daily crime log that contains specified information about any and all crimes that occur within the patrol jurisdiction of the campus police and that are reported to the campus police department. The campus must make the crime log for the most recent 60-day period open to public inspection during normal business hours, while crime logs containing material more than 60-days old must be retained for seven years for public inspection upon two days’ notice.
What does this mean to you?

- Many crimes (especially sexual assaults) go unreported to police but may be reported to others.

- Data is collected from Campus Security Authorities to get the most accurate crime statistics possible which is where you come in.
Timely Warnings

Information provided by Campus Security Authority personnel will assist Public Safety in issuing Timely Warnings to alert the campus to crimes that pose a serious or continuing threat.
The law defines four categories of Campus Security Authority:

- University Police
- Non-police security staff responsible for monitoring university property
- People or offices designated by our policies as those to whom crimes should be reported
- Officials with significant responsibility for students and campus activities – which is YOU!
Campus Security Authorities are:

Defined by function, not title. CSAs have:

- Significant responsibility for student and campus activities;
- Regular contact with students

The category of “Campus Security Authority” is defined broadly to ensure complete coverage and thorough reporting of crimes.
Examples of Campus Security Authorities:

- Student housing staff
- Athletic coaches
- Student activities coordinators
- Student judicial officers
- Faculty advisors to student organizations
- Health Services staff
Personnel not considered as Campus Security Authority are:

Administrative staff not responsible for students (e.g., payroll, facilities)

Clerical Staff

Individual faculty who do NOT serve as advisor to a registered student organization
Who is EXEMPT from reporting requirements?

Licensed professional mental health counselors

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.
As a CSA:

If someone tells you about a crime or an incident that may be a crime, you must record the information and submit a report to FAMU Police.

• Just get the facts, experts will determine the crime
• Fill out the CSA reporting form
• Tell the victim about options to report and how to do so
• Offer help by connecting to campus programs that assist victims of sexual assault and other assault.
What must be reported:

These crimes must be reported:

- Homicide
- Sex Offenses
- Aggravated Assault
- Robbery
- Burglary
- Motor Vehicle Theft
- Arson

(Definitions provided separately)
You must also report:

• Hate crimes, including any of the seven previously listed crimes, and; Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property if motivated by bias (race, gender, religion, sexual orientation, ethnicity/national origin, disability)

• Liquor, drug and weapons violations—both arrests AND disciplinary referrals
When in doubt - report it!
Timing Is Critical

Be sure to document when the crime or incident occurred and 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, not when it was reported to police by a CSA.
A crime must be reported if it occurred

- On campus
- In on-campus student residences
- On public property adjacent to campus (e.g., roads, sidewalks)
- On certain off-campus property . . .
Continued:

The law includes some off-campus locations that are a part of, or so closely related to, the University that crimes occurring at those locations are included in campus crime statistics.

Examples: Crimes occurring at student organization-owned or controlled properties and at University owned or controlled facilities “frequently used by students”
How to report crime statistics to be included in the Clery Report:

• For emergencies and crimes in progress, call 9-1-1

• FAMU Police (850) 599-3256

• Fill out Campus Security Authority (CSA) Incident Report Form on the FAMU Public Safety Website, under the Clery Act & Crime Stats tab, and Campus Security Authorities sub-tabs
Crimes not connected to FAMU are not included

For example:

- A student tells you about a crime that occurred at a different college before he transferred to FAMU; or

- A student reports an assault that happened while she was away from campus and not involved in a campus activity – e.g., at home on spring break, on vacation, or at a summer job with a private company.
Report the facts

Police will categorize the reported incidents. Your job is to get the information the person is willing to tell you. **Remember:**

- You are not a police officer or detective.
- You don’t have to prove what happened, determine who was at fault, or classify the crime.
- You aren’t supposed to find the perpetrator.

Use the CSA report form available on the FAMU Public Safety web page, but **DO NOT** identify the victim.
Describe Options

Let the person know about options to report crimes to the police

- A person who talks to you may not want to talk to police – **and doesn’t have to.**

Exception: when the victim reports a crime to a professional who is mandated by law to report specific crimes; for example, child abuse.
Offer referrals to campus resources including:

- **Student Affairs, FHAC 308**  
  (850) 599-3183

- **Student Health Services**  
  (850) 599-3777

- **Counseling Services**  
  (850) 599-3145
Filling out the Report form:

Is a violent crime in progress? If so, call police immediately!

**Describe the incident or crime** - What happened? How, when, and where did it happen?

- Answering questions on the form will help police determine the correct category
- Write a description of the incident
- Incomplete information can help
Filling out the form: you are not the expert, and you don’t have to be:

- You don’t have to know the crime classification
- Indicate the crime that seems most likely
- Provide as much detail as possible; helps prevent double reporting of the incident
- Public Safety will make the final determination and classify the crimes
Definitions of Crimes

- Aggravated Assault: unlawful attack upon another with intent to inflict severe or aggravated bodily injury, using a weapon or some means likely to produce death or great bodily harm.

- Arson: willful or malicious burning or attempt to burn a dwelling house, public building, vehicle, personal property, etc.
Definitions of Crimes

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

- Criminal Homicide: murder, non-negligent manslaughter (willful killing of a person); and, negligent manslaughter (including vehicular manslaughter) (killing of another through gross negligence.)
Definitions of Crimes

• Disciplinary Referrals: Incidents in which a student was not arrested, but was referred for campus disciplinary action for liquor or drug law violations or illegal weapons possession.

• Drug Law Violation: Violations of state and local laws related to the possession, sale, use, growing, manufacturing, and making of narcotic drugs.
Definitions of Crimes

Hate Crimes: Any of the 7 listed crimes, or Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property where there is evidence that:

- the crime was motivated by bias; and,

- the victim was intentionally selected because of the victim’s actual or perceived race, religion, gender, sexual orientation, ethnicity/national origin or physical/mental disability.
Definitions of Crimes

• Intimidation: Unlawfully placing a person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

• Larceny/Theft: Unlawful taking, carrying, leading, or riding away of property from the possession of another.

• Liquor Law Violation: Violation of laws prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor or furnishing liquor to a minor.
Definitions of Crimes

• Motor Vehicle Theft: Theft or attempted theft of a motor vehicle.

• Robbery: Taking or attempting to take anything of value from a person by force or violence.
Definitions of Crimes

- Sex offenses, forcible and non-forcible
  - Forcible sex offenses: rape, sodomy, forcible fondling, and sexual assault with an object
  - Non-forcible: statutory rape and incest
Definitions of Crimes

• Simple Assault: Assaults or attempted assaults where no weapon was used with no serious injury to the victim.

• Vandalism: To willfully destroy, injure, disfigure, or deface any public or private property without consent of the owner.

• Weapons Law Violation: The violation of laws or ordinances regulating weapons.
Definitions of Crimes

Questions re: sex offenses:

- Was the act committed forced and/or non-consensual?

- Was the victim incapable of giving consent because of temporary/permanent mental/physical incapacity, or because underage?

- Was assault facilitated by (including intoxicated persons) drugs/alcohol?
Definitions of Crimes

- Questions re: robbery
  - Was force or a weapon used or threatened?
  - Was victim injured?
  - Did victim feel fearful, threatened or endangered?
Definitions of Crimes

- Questions regarding burglary:
  - Was item taken from inside residence halls, classroom, office, store, lab, or other structure?
  - Was structure, room, store, or office open, closed, or locked?
  - How did thief get into the structure/room etc.?

*It’s important to establish the elements of burglary because theft is not reportable under Clery*
Definitions of Crimes

• Hate crimes questions:
  • Was the target personal property, a personal residence, house of worship, or ethnic organization?
  • Did the incident involve any expression of hatred (e.g. graffiti, comments) re: race, gender, ethnicity, religion, sexual orientation, or disability?
  • Did any personal injury result from the incident?
• Report ANY vandalism to property that is the result of a hate crime
Definitions of Crimes

• Liquor, drug, and weapon law violations:
  • Police report statistics on arrests for liquor, drug, and weapons-related crimes
  • Report statistics on disciplinary referrals for drug, liquor, and weapon **law violations** (except when the individual was also arrested for the same act)
  • Statistics must reflect number of persons involved (head count), not just number of incidents (for these crimes only)
Annual Clery Report

To get more information on campus safety and to read the Clery Report go to:

http://www.famu.edu/index.cfm?PublicSafety&ANNUALCAMPUSSECURITYREPORT
Questions?

Contact:
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850-599-3256
THANK YOU