



Clery Act Overview and CSA Responsibilities

Presented by:
Pikes Peak Community College
Campus Police

CLERY ACT & CSA TRAINING CONTENT ADVISORY

This training, including supplemental information offered separately, may contain information on sensitive topics such as definitions and scenarios involving crimes of violence. Such crimes may include sexual assault, hate crimes, and relationship violence.

Please reach out to the PPCC Counseling Center (for students) or the Colorado State Employee Assistance Program (CSEAP) (for employees) if you need support resources.

CLERY ACT & CSA TRAINING OBJECTIVES

By the end of this training, you should be able to:

- Understand Clery Act requirements.
- Describe the responsibilities of a Campus Security Authority.
- Know how to report crimes to Campus Police.

The Clery Act: An Overview

INTRODUCTION: WHAT IS THE CLERY ACT?

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (aka Clery Act) is a federal law requiring colleges and universities that receive federal financial aid to disclose certain crime statistics and policies regarding campus safety and security programs.

CLERY ACT BACKGROUND



- The Clery Act is named in memory of 19-year-old Lehigh University freshman Jeanne Clery, who was raped and murdered in her residence hall room by a fellow student in 1986.
- Jeanne's parents discovered that students hadn't been told about 38 violent crimes that occurred at Lehigh in the three years prior to her murder.

CLERY ACT BACKGROUND (continued)

- Standards for campus crime reporting didn't exist, so the Clerys lobbied for policy changes.
- In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990*.
- The Act was amended in 1992, 1998, 2000, and 2008. The 1998 amendment renamed the law in memory of Jeanne Clery.
- The *Violence Against Women Reauthorization Act of 2013* included amendments to the Clery Act.

CLERY ACT REQUIREMENTS

The Clery Act requires higher education institutions to:

- Collect, classify, and count crime reports and crime statistics.
- Issue campus alerts (timely warnings and emergency notifications).
- Provide educational programs and campaigns to promote awareness of dating violence, domestic violence, sexual assault, and stalking.
- Have procedures for disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking.
- Publish an Annual Security Report that includes three years' worth of crime statistics.
- Maintain a daily crime log (for institutions with a campus police or security department).
- Submit annual crime statistics to the Department of Education.
- Institutions with residential facilities have additional requirements, including missing student notification procedures; fire safety information; maintain a fire log; publish an annual fire safety report; and submit annual fire statistics to the Department of Education.

CLERY ACT COMPLIANCE

The U.S. Department of Education monitors Clery compliance and is authorized to impose fines and sanctions on all educational institutions that fail to meet Clery Act reporting requirements.

On February 3, 2021, the Department of Education announced that violations of the Clery Act could result in a fine of \$59,017 for each violation.

Campus Security Authorities (CSAs)

WHAT DOES THE CLERY ACT HAVE TO DO WITH ME?

- All PPCC students, staff, and faculty are responsible for helping to maintain safety and security on campus.
- Some PPCC community members might be hesitant to report crimes to Campus Police, but they may be more inclined to report them to other college-affiliated individuals including Campus Security Authorities (CSAs).

WHO IS CONSIDERED A CAMPUS SECURITY AUTHORITY?

Campus Security Authority (CSA) is a Clery Act-specific term that applies to individuals and organizations who, because of their function for the College, are required by law to notify PPCC of alleged Clery Act crimes that are reported to them in good faith, or alleged Clery Act crimes that they may personally witness.

- In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.
- Under the Clery Act, a crime is “reported” when it is brought to the attention of a CSA or local law enforcement personnel by a victim, witness, other third party, or even the offender. It doesn’t matter whether the individuals involved are associated with PPCC.

WHO IS CONSIDERED A CAMPUS SECURITY AUTHORITY? (continued)

The Clery Act defines four general categories of CSAs:

- A campus police department.
- Persons responsible for campus security (non-police).
- Institutional individuals/offices to which crimes should be reported (e.g. Title IX, Dean of Students, Human Resources, etc.).
- Officials with significant responsibility for student and campus activities (including clubs/student organizations, and student discipline and campus judicial proceedings).

WHO IS CONSIDERED A CAMPUS SECURITY AUTHORITY? (continued)


Examples of those who should NOT be designated as CSAs include:

- Individual faculty and instructors who are not advisors to student groups
- Clerical staff
- Facilities/maintenance staff
- Information Technology Support & Services staff (ITSS)
- Other non-professional and contract staff

WHO IS CONSIDERED A CAMPUS SECURITY AUTHORITY? (continued)

Designation as a CSA focuses on a person's function, not just their job title. PPCC CSAs include, but are not limited to:

- President's Office and staff
- Campus Police Officers and staff
- Faculty advisors to student groups
- Director of Student Life
- Dean of Students
- Title IX coordinator
- Ombudsperson
- Director of the Counseling Center
- Academic deans
- Others as assigned



What You Need to Know if You Are a Campus Security Authority (CSA)

YOUR RESPONSIBILITY AS A CSA

CSAs must promptly report to PPCC Campus Police any Clery Act crimes, or alleged crimes:

- That are reported to you by students, employees, or visitors; or
- That you personally observe

AND

- That are committed
 - On a PPCC campus
 - On PPCC-owned or controlled noncampus property
 - On public property immediately adjacent to a PPCC campus.

YOUR RESPONSIBILITY AS A CSA (continued)

CSAs are not required to report crimes if:

- The crime occurred somewhere other than a PPCC campus, noncampus property, or public property adjacent to a PPCC campus.
- The crime occurred while the person was away from campus and not involved in a College-sponsored activity (e.g. at home, on spring break, etc.).
- The CSA learned about an incident in an indirect manner (e.g. overheard, mentioned during in-class discussion, stated during a speech or other presentation).

YOUR RESPONSIBILITY AS A CSA (continued)

A CSA does not have to report if:

- They are a licensed mental health counselor or a pastoral counselor (employed by a religious organization to provide confidential counseling);

AND

- They are working within the scope of their license or religious assignment at the time they are made aware of the information.

WHEN SHOULD A CSA REPORT A CLERY CRIME?

- Under the Clery Act, a crime is “reported” when it is brought to the attention of Campus Police or a Campus Security Authority by a victim, witness, third party, or even the offender.
- It doesn’t matter whether the individual(s) involved in the crime, or reporting the crime, is/are associated with PPCC.
- CSAs must report Clery-reportable crimes to PPCC Campus Police as soon as possible after being notified of, or observing, an incident.
- Depending on the crime or incident, PPCC officials will determine if a timely warning should be issued to the PPCC community.

WHEN SHOULD A CSA REPORT A CLERY CRIME? (continued)

- CSAs are encouraged to inform PPCC Campus Police of any crimes or incidents that are reported to them, not just Clery crimes.
- However, under the Clery Act, CSAs are only obligated to report Clery Act qualifying crimes.
- You do not have to be a CSA to report a Clery Act crime. Anyone can report crimes at any time.

WHEN SHOULD A CSA REPORT A CLERY CRIME? (continued)

Prior to filing a report, ask yourself the following questions:

- Is it a qualified Clery Act crime/incident?
- Did the crime/incident occur in one of the geographic areas defined by the Clery Act?
- Was this crime/incident specifically reported to me as a Campus Security Authority?

If you answered “yes” to those questions, you are required to report that incident to PPCC Campus Police in a timely manner.

WHAT CRIMES SHOULD A CSA REPORT?

The following crimes are reportable under the Clery Act:

- Murder/Non-Negligent Manslaughter
- Manslaughter by Negligence
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking
- Weapon Law Violations (Arrests & Disciplinary Referrals)
- Drug Abuse Violations (Arrests & Disciplinary Referrals)
- Liquor Law Violations (Arrests & Disciplinary Referrals)
- Hate Crimes and Crimes Committed Due to Bias

Complete definitions may be found on the PPCC Campus Police website on the “Clery Act Information” page.

THE GEOGRAPHY OF CLERY CRIME REPORTING

PPCC is required to report statistics on Clery-reportable crimes that occur at certain locations within its “Clery geography.” These include:

- On-campus:
 - Centennial Campus
 - Downtown Studio Campus (including Studio West)
 - Rampart Range Campus
 - CHES (Center for Healthcare Education & Simulation)
- Noncampus locations:
 - Fort Carson and Peterson AFB
 - Technical Education Campus (Springs Fab)
 - The Quad
 - Catalyst Campus
 - Aspen Valley Ranch

THE GEOGRAPHY OF CLERY CRIME REPORTING (continued)

- Public Property:
 - Public property within a PPCC campus (Centennial, Downtown Studio, Rampart Range, CHES), or immediately adjacent to and accessible from a PPCC campus.
 - Bus stops
 - Sidewalks
 - Streets
 - Parks and greenbelts

WHAT DOES A CSA NEED TO DO?

When a CSA receives information about a crime or alleged crime*, they should:

- Gather and document as much pertinent information as possible about the incident.
- Inform the reporting party of their right to withhold personally identifying information.
- Offer options for notifying PPCC Campus Police, submitting an anonymous report, obtaining victim assistance, etc.
- Submit a report to PPCC Campus Police as soon as possible.

* **Note:** Allegations are counted as actual crimes for Clery statistical purposes.

WHAT DOES A CSA NEED TO DO? (continued)

If the reported Clery Act crime is made “in good faith”, meaning that there is a reasonable basis for believing that the information is not a rumor or mere hearsay, then the crime must be reported.

WHAT DOES A CSA NEED TO DO? (continued)

Gather and document facts and details.

- What was the nature of the crime?
- When and where did the crime or incident occur?
- Is the victim or the offender affiliated with PPCC? Are they known to one another?
- Does the victim wish to remain anonymous?
- Has the incident been reported to PPCC Campus Police, local law enforcement, or to any other CSA?
- When was the incident reported to you?

WHAT DOES A CSA NEED TO DO? (continued)

Explain reporting requirements.

Individuals who report crimes to you in your role as a CSA are encouraged to also report incidents to PPCC Campus Police or local law enforcement, but they are not required to do so.

If an individual does not wish to speak to police, advise them that you must report the incident for statistical purposes but will not provide their personally identifiable information without their consent.

Anonymously reported crimes will still be evaluated to determine whether a timely warning should be issued.

WHAT DOES A CSA NEED TO DO? (continued)

Offer information and resources.

- How to report to Campus Police or local law enforcement.
 - Individuals should be encouraged to report the incident to police, but they are not required to do so.
- Anonymous reporting options
 - Safe2Tell: 1-877-542-SAFE (7233) or <https://safe2tell.org/>
 - Pikes Peak Area Crime Stoppers: 719-634-STOP (7867) or <http://www.crimestop.net/>
- Campus programs for assisting victims.
- How to obtain medical attention if needed.

WHAT DOES A CSA NEED TO DO? (continued)

CSAs should not:

- Make judgments.
- Include opinions in their report.
- Interrogate the reporting party or victim.
- Attempt to contact the involved parties.
- Investigate the crime or attempt to determine whether a crime, in fact, took place.
 - Investigations will be conducted by law enforcement, Title IX investigators, or others with investigative responsibilities.

HOW DOES A PPCC CSA REPORT A CLERY CRIME?

- Notify PPCC Campus Police by phone (719-502-2911 or X2911 from any campus phone), or by going to one of the Campus Police offices.

AND

- Complete a Clery CSA Report online:
 - <https://www.ppcc.edu/p/forms/clery-csa-report-form>
 - Or:
 - Log in at my.ppcc.edu
 - Click on the Forms tab
 - Type the word *clery* in the box that appears below the phrase *Filter by keyword*.

HOW DOES A PPCC CSA REPORT A CLERY CRIME? (continued)

When in doubt...

REPORT

If you are unsure if a crime is covered by the Clery Act, report it anyway. Let PPCC Campus Police and/or other PPCC Clery Act compliance personnel make the determination.

WHAT HAPPENS AFTER A CSA FILES A REPORT?

- The Clery CSA Report will be reviewed by PPCC officials to determine whether the incident warrants a timely warning for the PPCC community.
- The PPCC Clery Compliance Coordinator will work in conjunction with PPCC Campus Police to determine the appropriate classification of the reported incident.
- Annually, the PPCC Clery Compliance Coordinator will:
 - Consolidate crime data collected from multiple sources (including CSA reports).
 - Report all qualifying crime data to the Department of Education.
 - Publish the data in PPCC's Annual Security Report (ASR).
- PPCC Human Resource Services will inform the PPCC community when and where the Annual Security Report will be available.

QUESTIONS?

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