

# Campus Security Authorities



Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act

# The Clery Act

- ✎ Jeanne Clery, a nineteen year old freshman, was raped and murdered while asleep in her Lehigh University residence hall room in 1986
- ✎ As a result, a federal law called the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime statistics Act (Clery Act) was enacted in 1990 and amended in 1992, 1998, 2000, and 2008

# Why the Clery Act?

- ✎ The Clery Act promotes a safe and secure campus.
- ✎ Clery Act requirements provide students and their families with accurate, complete and timely information about crime and campus safety so that they can make informed decisions.
- ✎ Consequences of non-compliance include fines of up to \$35,000 per violation and potential limitation, suspension, or termination of eligibility for Title IV funding (student financial aid).

# TAMU's Responsibilities

Colleges and universities participating in student financial assistance programs must comply with the Clery Act and:

- ✧ Identify Campus Security Authorities (CSAs);
- ✧ Issue emergency notifications and timely warnings;
- ✧ Collect, classify, and count crimes reported to the campus police, local law enforcement, and CSAs;
- ✧ Publish an annual security report with campus security policies and crime statistics; and
- ✧ Submit crime statistics to the Department of Education.

# Crime Statistics

The crime must occur on the institution's Clery geography.

- ∞ On-campus property
- ∞ Public property within or adjacent to and accessible from campus
- ∞ Non-campus buildings or property owned or controlled by the University or a recognized student organization

# Continued

- ✎ The crime must fit a Clery crime category.
- ✎ Criminal offenses - murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and nonforcible), robbery, aggravated assault, burglary, motor vehicle theft, and arson. Additional crimes include domestic violence, dating violence, and stalking.
- ✎ Hate crimes involving larceny, simple assault, and vandalism in addition to the criminal offenses listed above.
- ✎ Arrests and referrals for disciplinary actions – liquor, drug, and weapons law violations

# Crime Reporting

The Texas A&M International University encourages victims to report criminal incidents to the police. However, a victim of a crime may be more inclined to report it to someone other than the police.

Therefore, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be campus security authorities, or CSAs.

# Campus Security Authority (CSA)

A CSA is a Clery-specific term that includes:

- ✎ University police officers, security officers and student workers;
- ✎ Individuals outside university police departments who have campus security responsibility;
- ✎ Any individual or organization specified in the statement of campus security policy as an individual or organization to which students and employees should report criminal offenses; and,
- ✎ A university official who has significant responsibility for student and campus activities including, but not limited to, student housing, student discipline, and campus judicial proceedings.

# Identifying CSAs

A&M System universities are responsible for identifying individuals and organizations at their institutions that meet the Clery Act definition of a CSA.

- ✎ An individual's or organization's function determines whether or not the individual or organization is a CSA;
- ✎ When an institution identifies CSAs, officials whose functions involve relationships with students should be carefully considered; and
- ✎ If a person has significant responsibility for students and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings, he or she is a CSA.

# Examples of CSAs

Examples of persons who meet the criteria of a CSA:

- ✧ A dean of students who oversees student housing, a student center or student extracurricular activities;
- ✧ A director of athletics, a team coach or a faculty or staff advisor to a student organization.
- ✧ A student resident advisor or assistant or a student who monitors access to dormitories.
- ✧ A coordinator of Greek affairs.

# Who are not CSA's

- ✎ Faculty who do not have any responsibility for student and campus activity beyond the classroom.
- ✎ Support staff such as clerical or cafeteria staff.

# Exceptions

Exceptions:

- ∞ While having responsibility for student and campus activities, professional and pastoral counselors are allowed an exemption from reporting while acting in the scope of their official duties as a counselor. However, a professional or pastoral counselor who is an advisor to a student organization loses the exception and becomes a CSA.

# CSA Responsibilities

- ✧ The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police or security department, those allegations of *Clery Act* crimes that he or she concludes were made in good faith.
- ✧ Under the Clery Act, a crime is reported when it is brought to the attention of a CSA or law enforcement by a victim, a witness, other third party, or the offender.
- ✧ CSAs should forward crime reports promptly to their university police department.
- ✧ The report may be the basis for determining if there is a serious or continuing threat to the safety of the campus community that requires a timely warning or an immediate threat requiring an emergency notification.

# Responsibilities Cont.

- ✧ CSAs should encourage individuals to report crimes to their university's police department.
- ✧ After the CSA makes a report, the police department has 2 days to include the information in the crime log.
- ✧ CSAs should encourage individuals to report crimes to their university's police department.
- ✧ In an emergency situation, the reporting person should call 911 or the CSA may call on their behalf.
- ✧ If the person needs assistance, the CSA should provide information for seeking help and let the person know that help is available even if the person does not want an investigation conducted.

# Responsibilities Cont.

- ✎ If the reporting person does not want to contact the police, the CSA should report the crime to the university police.
- ✎ The CSA should also submit a report to alert the university police of the crime even if the reporting party indicates that they will contact the police.

# Not a CSA's Responsibilities

- ✎ A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.
- ✎ A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.
- ✎ It's also not a CSA's responsibility to try and convince a victim to contact law enforcement if the victim chooses not to do so.

# Reporting Alleged Crimes

- ✧ CSAs should report crimes to the university police department.
- ✧ UPD can be reached by dialing 956-326-2100 for non emergencies and 956-326-2911 for on campus emergencies.
- ✧ UPD is physically located in the Killam Library (lower level), KL005. UPD normal business hours are from 8:00a.m. through 5:00p.m. from Monday thru Friday. Police officers patrol 24 hours a day 365 days a year.
- ✧ Dispatchers answer calls for service 24 hours a day 365 days a year

# Reporting Cont.

- ✎ When submitting a report, the CSA should provide as much information as is available to assist university police in categorizing the crime such as
  - ✎ location of the crime,
  - ✎ when the crime occurred,
  - ✎ description of the crime,
  - ✎ injuries or weapons,
  - ✎ threats of violence,
  - ✎ commission of crime because of bias, and
  - ✎ personally identifying information (victim or suspect).

# Reporting Cont.

- ✎ If the reporting person has concerns, advise that a crime can be reported without filing charges, and confidentially. Information reported confidentially is disclosed in the university's Annual Security Report as an anonymous statistic. Confidentiality is maintained to the extent allowed by law.
- ✎ If the reporting person does not want the report to go further than the CSA, explain that the CSA is required to submit a crime report for statistical purposes, but the report can be submitted without identifying the victim or others involved.

# Reporting Cont.

- ✎ When personally identifiable information is provided, it is used for law enforcement purposes to avoid double counting crimes. No personally identifiable information will be included in the Clery statistical disclosures.
- ✎ If unsure whether an incident is a Clery crime, or criminal in nature, the CSA should report it to the university police department and let them make the decision.

# Example of CSA Reporting

## Scenario 1:

- ✎ A resident assistant who has been identified as a CSA is told by a fellow student that she has been raped and is seeking emotional and medical support. The resident assistant should document this information as a crime report. It should be reported regardless of whether the victim chooses to file a report with law enforcement or press charges.

# Example Cont.

## Scenario 2:

The director of Student Housing gets a call from a counseling center in town. The caller wants to let the director know that four students from the university sought assistance at the center and told the center's counselors that they had been sexually assaulted on campus and were seeking emotional support. They did not want police investigations. These are third party reports and the director, having no reason to believe that they were not made in good faith, should document all of the information she was given and forward the reports to the university police department.

# Inquiries

- For questions regarding Clery reporting, contact Captain Thomas Smith at 956-326-2102 or by email at [thomas@tamiu.edu](mailto:thomas@tamiu.edu)