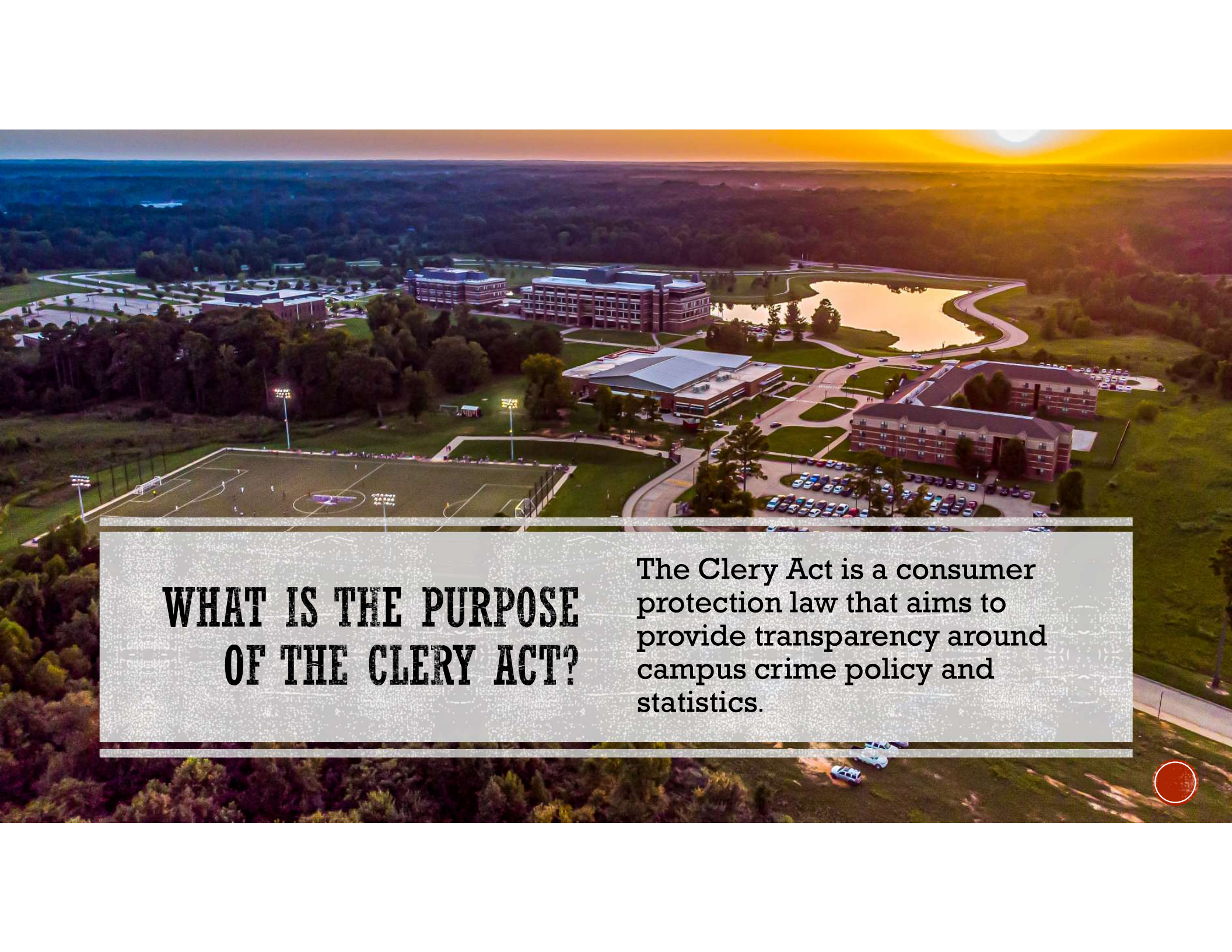# CLERY ACT
CAMPUS SECURITY
AUTHORITY TRAINING

Texas A&M University - Texarkana

WHAT IS THE CLERY ACT?

Jeanne Clery was raped and murdered while asleep in her dorm room at Lehigh University in 1986. She was murdered by another student who entered her dorm room through three propped-open doors.

Her parents discovered that there had been numerous reports of propped-open doors, and there had been 38 violent crimes in the three years prior to her murder at Lehigh. They believed she would have been more cautious if she had known about the other violent crimes at Lehigh.

WHAT IS THE PURPOSE OF THE CLERY ACT?

The Clery Act is a consumer protection law that aims to provide transparency around campus crime policy and statistics.

Clery Act Requirements – The Basics

- Collect, classify, and count crime reports and statistics

• Issue campus alerts and warning notices	• Publish an Annual Security Report (Due date: October 1)
• Disclose missing student notification procedures, when applicable	• Submit crime and fire statistics to the Department, when applicable
• Disclose procedures for institutional disciplinary actions	• Provide educational programs and campaigns
• Keep a daily crime log, when applicable	• Disclose fire safety information, when applicable

WHAT DOES THE CLERY ACT REQUIRE?

CONSEQUENCES OF NON-COMPLIANCE

Suspension or limiting the institution's Title IX funding

Institution's name will be provided to Congress by the Secretary of Education

Department of Education can issue civil fines up to $62,689 per violation

Final Review Determination Reports are public record

Institution will receive negative media attention

Failure to comply with the Clery Act can be used in court to demonstrate an indifference to security issues during a security liability litigation

CLERY GEOGRAPHY

- On campus (with slight reporting distinctions for on campus student housing)

- On public property within or immediately adjacent to the campus

- In or on non-campus buildings or property that your college owns or controls

CAMPUS SECURITY AUTHORITIES (CSA)

The Clery Act requires the institution to identify individuals and organizations that meet the definition of a Campus Security Authority

Dorm monitor   Director of Admissions   Victim Advocates   Dean of Students   University Police   Coaches

WHO IS A CSA?

The law defines four categories of Campus Security Authority:

1. University Police/Security Department

2. Individuals responsible for security

  ◦ Access Monitor

  ◦ Resident Assistant

3. Individuals or offices designated to receive crime reports

4. Officials with significant responsibility for student and campus activities

Greek Life Advisor   Athletic Director   Resident Advisors   Desk Assistants   Residence life Coordinator

WHO IS NOT A CSA?

Faculty without responsibility for student or campus activities outside of the classroom

Support Staff (Clerical, Food service workers, Facilities staff)

Licensed Professional or Pastoral Counselors

Health Educators

A CSA'S PRIMARY RESPONSIBILITY IS:

to report allegations of Clery Act crimes reported to them to the official or office designated by the institution to collect crime report information.

WHAT ARE CLERY CRIMES?

Criminal Offense

Criminal Homicide: murder and non-negligent manslaughter

Criminal Homicide: negligent manslaughter

Sexual Assault: rape, fondling, statutory rape, and incest

Robbery

Aggravated Assault

Burglary

Motor Vehicle Theft

Arson

CLERY CRIMES CONT.

Violation of Law (not University policies or regulations)

Liquor Law Violation (does not apply to public intoxication or DUI)

- Drug Law Violation

- Weapon Law Violation

Hate Crime

- Larceny-Theft

- Simple Assault

- Intimidation

- Destruction/Damages/Vandalism of Property

- Criminal Offense (as described above)

VAWA Crimes

- Domestic Violence

- Dating Violence

- Stalking

CSAs are not responsible for

- **investigating**
- reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner
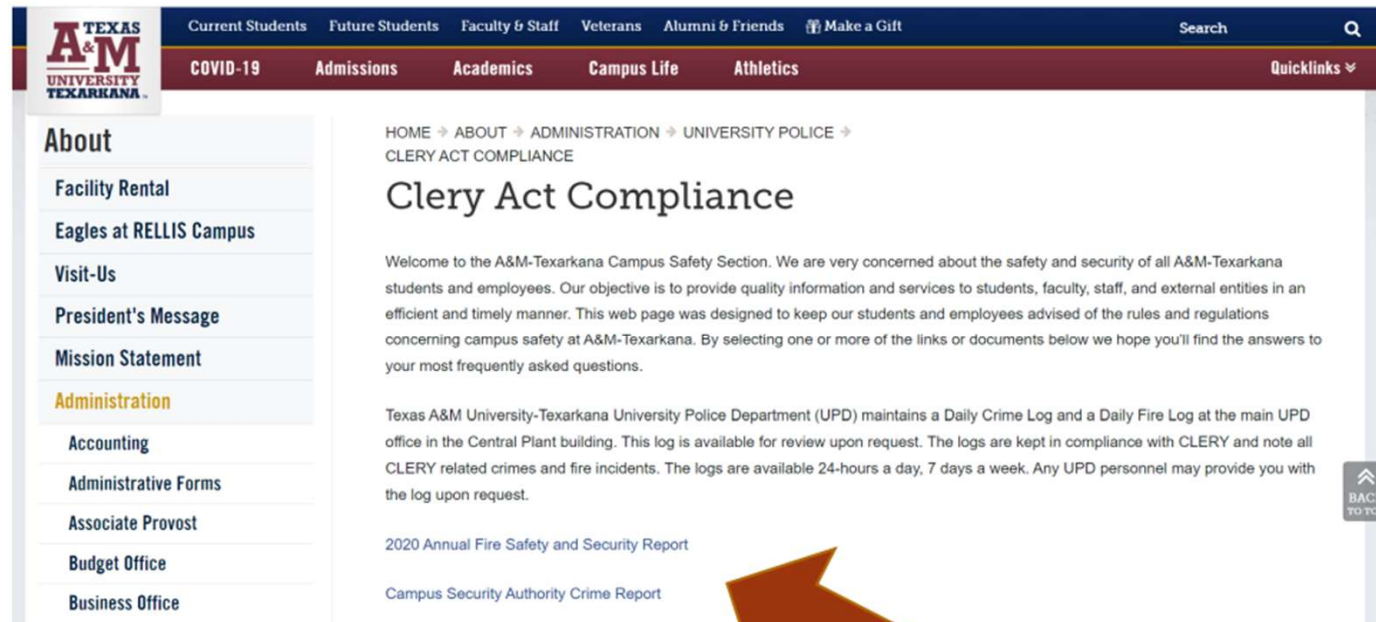
A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel. A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.

HOW DO I MAKE A CSA REPORT?

https://it-lf-ecmf2.ads.tamu.edu/Forms/Clery_CSA_Crime_Report

IMPORTANT!

If unsure whether an incident is a Clery crime, or criminal in nature, the CSA should report it to the university police department or designated official and let them make the decision.

Questions?