



COLORADOSCHOOL OF **MINES**

Campus Security Authorities

A Requirement of the CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act



INTRODUCTION – The Clery Act

- ▶ The Clery Act is a federal law requiring all institutions of higher education that participate in the federal student financial aid program to disclose information about certain crime that occurs on and near the campus. It affects nearly all public and private institutions and is enforced by the U.S. Department of Education.
- ▶ Under the Clery Act, the university must collect and disclose data about the number and types of crimes that occur on campus.
- ▶ CSM must publish an Annual Security Report (ASR) including crime statistics and safety and security policy statements to students, faculty and staff.

INTRODUCTION – The Clery Act

- ▶ The reported statistics include:
 - The location the crimes occurred (i.e. res halls)
 - The types of crimes that were reported
 - The year the crimes were reported
 - Liquor, drug and weapon violations
- ▶ Identities of victims or alleged suspects are not given in Clery Act reports.
- ▶ Details about Clery Act reporting and what is expected of institutions and employees can be found in the Handbook for Campus Safety and Security Reporting, published by the US Department of Education.

The CAMPUS SECURITY AUTHORITY

- ▶ Campus Security Authority (CSA) is a Clery term that encompasses groups of individuals and organizations associated with an institution.
- ▶ Campus Security Authorities are defined as any individual who has significant contact with students or responsibility for student and campus activities including, but not limited to housing, disciplinary action, or judicial proceedings.
- ▶ The Department of Education stresses training of campus CSA's.

Who is a CSA

- ▶ The requirement defines four categories of CSA:
 - Campus Police
 - Security staff responsible for monitoring university property
 - People designated as those to whom crimes may be reported
 - Officials with significant responsibility for student and campus activities (THIS IS THE CATCH ALL PART)
 - This category includes deans, student housing staff, athletic coaches, student activities coordinators, student judicial officers, and faculty advisors to student organizations.

Who is a CSA

The role of CSA is defined by function, NOT by job title

- ▶ **Campus Security Authority does not apply to:**
 - Administrative staff not responsible for students
 - Clerical staff
 - Faculty members who do not serve as an advisor to a registered organization
 - Doctors and counselors who work in a strictly clinical role and are not involved in student activities

REMEMBER

- ▶ A CSA is anyone who has significant contact with students or responsibility for student and campus activities.
- ▶ Any faculty or staff member who is an advisor to a student union, student group, student club or any other student organization is automatically a Campus Security Authority.
- ▶ Any faculty or staff member who has a participatory role in the disciplinary process of a student is automatically a Campus Security Authority.

EXAMPLES

- ▶ Individuals who meet the criteria for being a CSA:
 - A Dean of Students
 - Student housing or student extracurricular activities staff.
 - A Director of Athletics and team coaches
 - Employees / Staff who monitor access = Recreation Center Staff
 - A Faculty Advisor to a Student Group
 - Coordinator of Greek Affairs
 - Public Safety / Police Department
- ▶ If someone has significant responsibility for student and campus activity, they are a Campus Security Authority

WHY A CAMPUS SECURITY AUTHORITY

- ▶ The Department of Education recognizes that not everyone wants to report crimes to campus or local law enforcement.
- ▶ They tend to feel more comfortable confiding in their Club Advisor, Coach, Counselor or their Dean, or the Human Resource Services Office, among others.
- ▶ Offenses reported to those persons are required by Federal Law to be counted in our Annual Security Report.

WHAT DOES A CAMPUS SECURITY AUTHORITY DO

- ▶ The function of a CSA is to report to the official or office designated by the institution to collect crime report information (Public Safety and/or Student Life) those allegations of Clery Act crimes that you conclude were made in good faith.

Reporting as a CSA

- ▶ As a designated CSA, if someone tells you about an incident that may be a crime, you must record that information and submit a report. The crimes you report are collected in a database and statistics are made publically available for student awareness.
- ▶ No individual information or names are published.
- ▶ There is a Clery Act reporting form available from Public Safety and online. Use the form to report any incident.

Reporting as a CSA

- ▶ Victims can report crimes confidentially to a CSA, to be included in crime statistics without giving a name or initiating criminal investigation. The decision isn't yours; a student who talks to you may not want to talk to the police, and does not have to. CSA cannot keep confidential from reporting. Note in your report if the student wants to remain confidential.
- ▶ As you get the information, focus on getting the facts. The police will do the analysis. Even an incomplete report can help. Police will categorize the report; your job is to get the information the student is willing to tell you.
- ▶ Remember: You are not a detective. You do not have to prove what happened or who was at fault, or classify the crime.

WHAT SHOULDN'T A CAMPUS SECURITY AUTHORITY DO

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

Questions to Ask

- ▶ When collecting information for a report, be sure to ask the following questions:
- ▶ Is a violent crime in progress? If so call 911 immediately
- ▶ Does the victim need medical assistance? If so call 911
- ▶ Has the victim sought or is the victim in need of assistance/services?
- ▶ What happened? How, when, and where did it happen? Is there an identified suspect? Has the incident been reported to police or another CSA?
- ▶ Does the victim wish to report confidentially?

Hate Crimes

- ▶ Hate crimes are crimes that target members of a certain racial, ethnic, religious or other group and are motivated by hate. Report any vandalism to the property of a religious, ethnic, or LGBT organization as a hate crime, even if you are not sure that a hate crime was involved.
- ▶ In cases of possible or suspected hate crimes, ask the previous questions and:
 - Was the target personal property, a personal residence, house of worship, or ethnic organization?
 - Did the incident involve any expression of hatred (such as graffiti or comments) regarding race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability?
 - Did any personal injury result from the incident?

Describe Options

- ▶ If a student reports a crime to you, let the student know about options for reporting to police. Whether or not the student chooses to be named in the report, do refer the student to campus and other resources, including:
 - Available medical treatment
 - Campus resources for sexual assault and other crimes
 - Counseling and psychological services
 - Dean of Students

What to Report

- ▶ You can report any crime, BUT – Crimes that **MUST** be reported include:
 - Criminal homicide; Murder and non-negligent manslaughter; and Negligent manslaughter
 - Sexual Assault: Rape; Fondling; Incest; Statutory Rape
 - Domestic Violence / Dating Violence / Stalking
 - Robbery
 - Aggravated Assault
 - Burglary
 - Motor Vehicle Theft
 - Arson
 - Hate Crimes
 - If you become aware of liquor, drug or weapons violations, you **MUST** report those as well.
 - Report crime attempts as well as crimes that are completed.
 - You may not be sure that what is being told to you qualifies as a crime. Even if you have doubts, you should file a report.

What to Report: Location

- ▶ A crime must be reported if it occurred on campus or in on-campus student residences (even if privately owned and operated).
- ▶ Crimes must also be reported if they take place on public property adjacent to campus, or in off-campus locations deemed closely related to the university. These off-campus properties are termed “non-campus property”, defined by law to include:
 - Property owned or controlled by the university
 - Property owned or controlled by a student organization (e.g. a fraternity)
 - Public property adjacent to campus (e.g. roads and sidewalks)

What to Report: Location

EXCEPTION

- ▶ When a student or employee reports that they or someone has been a victim of Sexual Assault, Dating Violence, Domestic Violence, or Stalking;
- ▶ Whether the offense occurred on or off campus, it should be reported.

What to Report

- ▶ It is not necessary to report a crime that occurred to a transfer student while studying at another college. Similarly, you are not required to report crimes that happened away from campus and campus activities (such as when the student was on vacation or working for private company)
- ▶ Regardless of where a crime takes place, tell the student about reporting options and refer the student for help. Not sure, check with Public Safety.

What to Report: Time

- ▶ 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.
- ▶ Clery Act statistical reports do not include when the crime occurred, or when it was reported to police. However, police records will need to have this information.

What Do I Need To Do

- ▶ Not a Clery crime – You can report anything to Public Safety at any time.
- ▶ Annually Public Safety emails Departments requesting if Clery crimes were reported during the calendar year, and to provide that to Public Safety.
- ▶ If you have a crime to report, you should document as much information as possible. If you would like to use a crime report form, Public Safety can provide one.
- ▶ Even if they wish to remain anonymous and/or do not want police involvement that is okay, you still need to report the crime.

Guidelines

- ▶ Under Clery, a crime is “reported” when it is brought to the attention of a Campus Security Authority or local law enforcement personnel by a victim, witness, other third party or even the offender.
- ▶ It doesn't matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution.
- ▶ If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay.
- ▶ You are not responsible for determining whether a crime took place or to convince a victim to contact law enforcement, but to document and report to the police.

Summary

- ▶ A Campus Security Authority (CSA) is anyone who has significant contact with students or responsibility for student and campus activities.
- ▶ As a CSA, you are responsible for reporting crimes that occur on campus, in public areas surrounding campus, and in university owned or controlled properties. Statistics for all reported campus crimes are published annually for the benefit of the campus community.
- ▶ Your report should include information of the crime, the time the crime was reported to you, and the kind of crime that was committed. As you ask questions and write your report, focus on collecting as many details as you can, and do your best to describe them. Interpretation of the report and any investigation that is needed will be handled by the police.

In Closing

- ▶ Thank you for your time.
- ▶ Please contact Public Safety with questions or concerns 303-273-3333.
- ▶ Chief of Police Greg Bohlen 303-273-3059
gbohlen@mines.edu