

Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

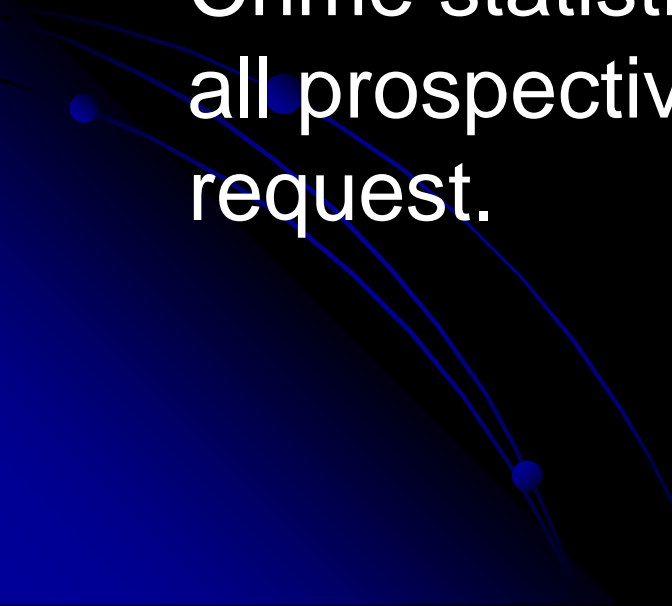
Commonly referred to as
“The Clery Act”

What you need to know if you are a
Campus Security Authority at MTSU



What is the Clery Act?

Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986. Her killer was another student. Her school had not informed students about 38 violent crimes on campus in the three years preceding her murder. Her parents believe she 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 prospective students and staff upon request.
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What's included in the report?

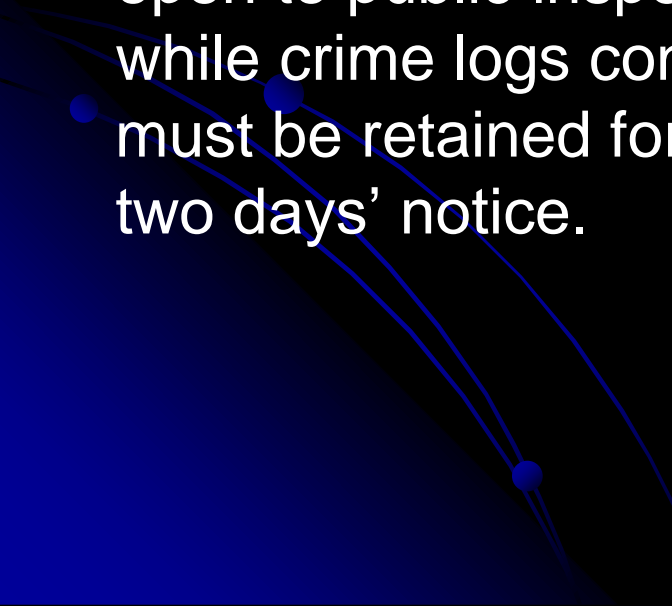
- Crime reporting policies, procedures, and responses
- Access to campus facilities and residence halls
- Security considerations used in maintenance
- Enforcement and arrest authority of campus police
- Working relationship with state and local police
- Encouragement of prompt reporting of crimes
-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

The report will also include:

- 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

Crime Log Information

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.

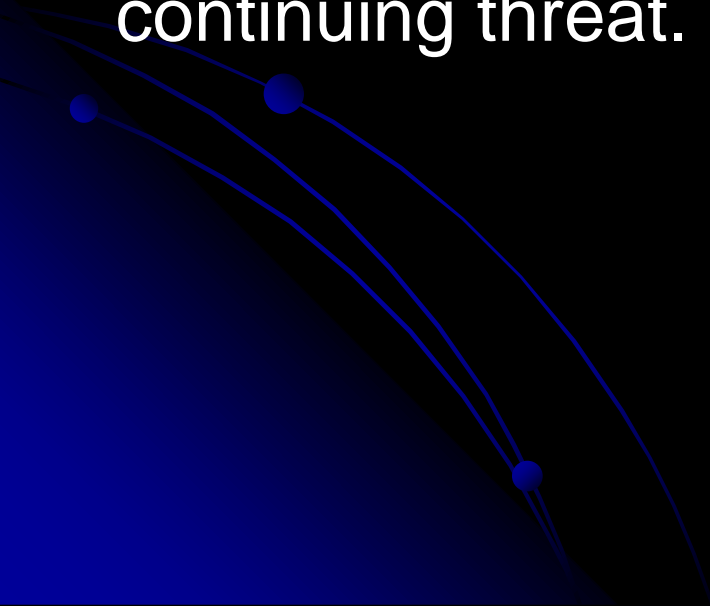


But what does this have to do with YOU?

- 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 – that's where you come in.

Timely Warnings

Information provided by CSAs will assist the University Police in issuing Timely Warnings to alert the campus to crimes that pose a serious or continuing threat.



What makes you a Campus Security Authority (CSA)?

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 – **THAT'S YOU!**

Campus Security Authorities are:

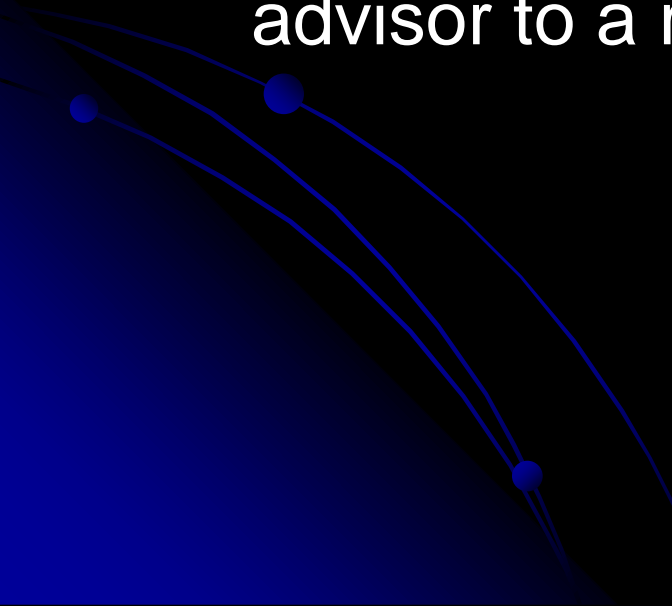
Defined by function, not title. CSAs have:

- 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
 - Advisors to student organizations
 - Health Services staff
- 

Who ISN'T a Campus Security Authority

- 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
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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
- 


So you're a CSA – What do you have to do?

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 University 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 do you have to report?

These crimes must be reported:

- Murder
 - Sex offenses, forcible or non-forcible
 - Robbery
 - Aggravated assault
 - Burglary
 - Motor vehicle theft
 - Manslaughter
 - Arson
- 

What do you have to report? (continued)

As of March 7, 2014, these additional offenses must be reported:

- Dating violence
 - Domestic violence
 - Stalking
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What do you have to report? (continued)

You must also report:

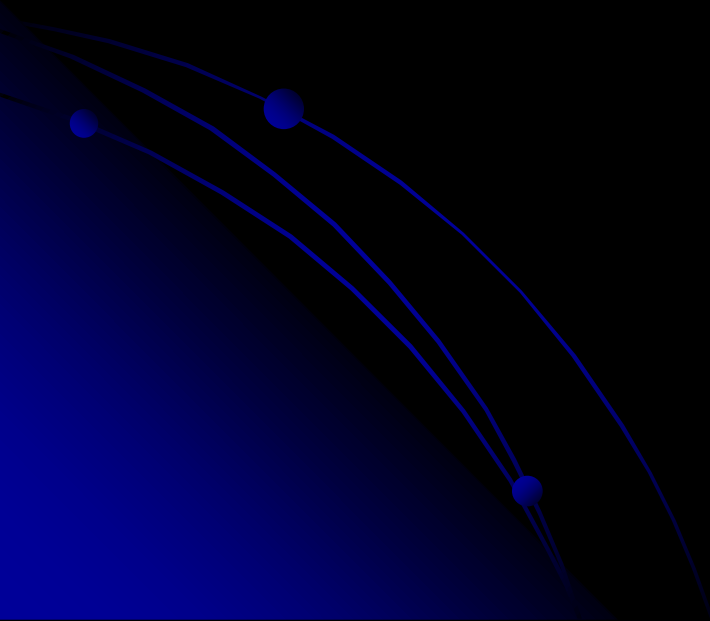
- Hate crimes, including any of the previously listed crimes; and,
- Larceny-Theft, simple assault, intimidation, or destruction/damage/vandalism of property in which the victim is intentionally selected because of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

What do I have to report? (continued)

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 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.

Location, location, location

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 . . .

Location (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
- University Police (615) 898-2424
- Fill out Campus Security Authority Crime & Incident Report Form found on the MTSU Website:
<http://police.mtsu.edu>.
- A direct link to the worksheet is:
http://police.mtsu.edu/CSA_Worksheet.pdf

Crimes not connected to MTSU are not included

For example,

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

Just 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 University Police web page, but DON'T 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 mandated by law to be reported; for example, child abuse.

Offer referrals to campus resources including

- MTSU Title IX Coordinator, Dr. Marian V. Wilson
(615) 898-2185
- MTSU Student Affairs, KUC 212
(615) 898-2440
- MTSU Student Health Services
(615) 898-2988
- MTSU Counseling Services, KUC 326-S
(615) 898-2670

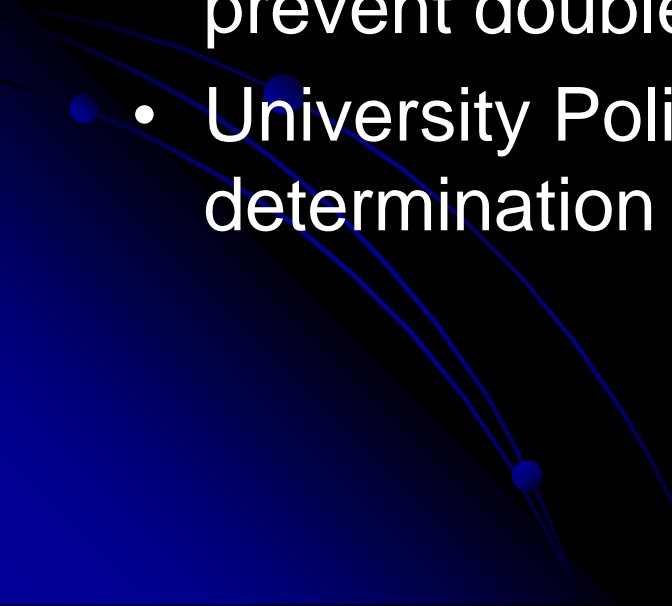
Filling out the report form:

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
- Even incomplete information can help

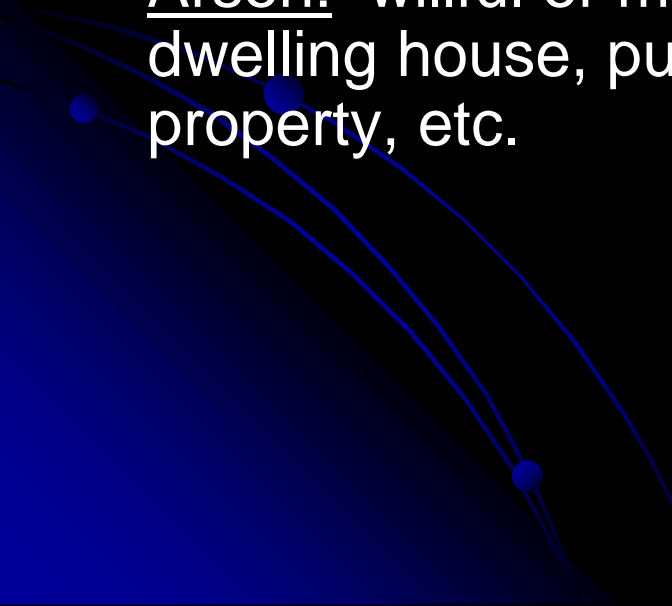
Filling out the form: you're not the expert, and you don't have to be

- 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.
 - University Police will make the final determination and classify the crimes.
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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.

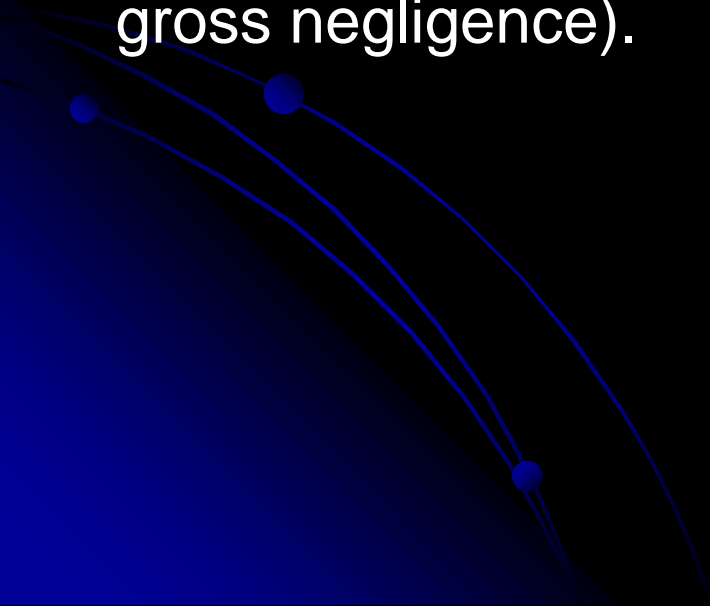
Arson: willful or malicious burning or attempt to burn a dwelling house, public building, vehicle, personal property, etc.



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

Dating Violence: violence committed by a person

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship.
 - The type of relationship.
 - The frequency of interaction between the persons involved in the relationship.

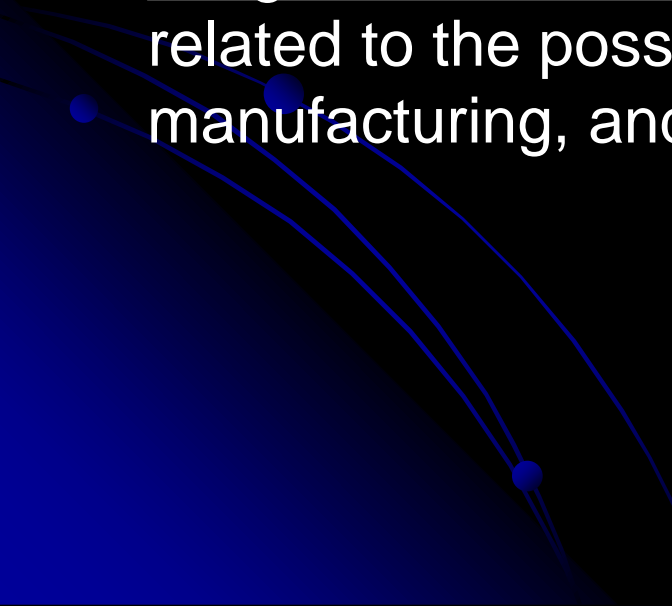
Definitions of Crimes

Domestic Violence: violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Definitions of Crimes

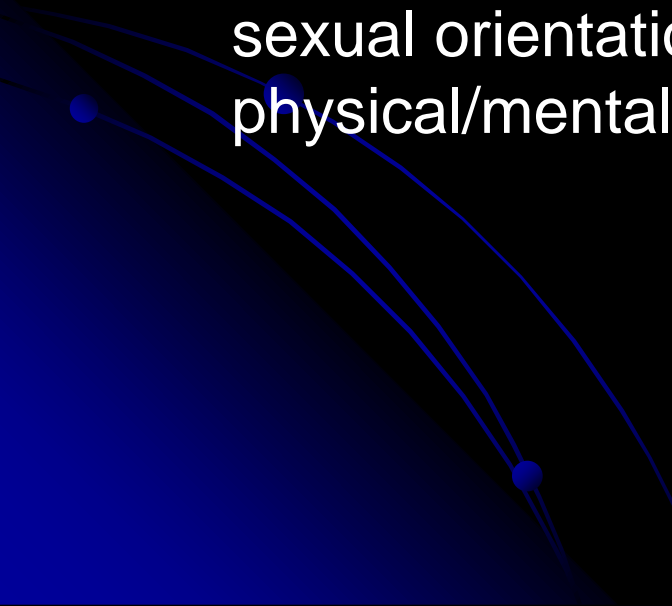
Disciplinary Referrals: Incidents in which a student was not arrested, but was referred for campus disciplinary action for liquor or drug law violations or illegal weapons possession.

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



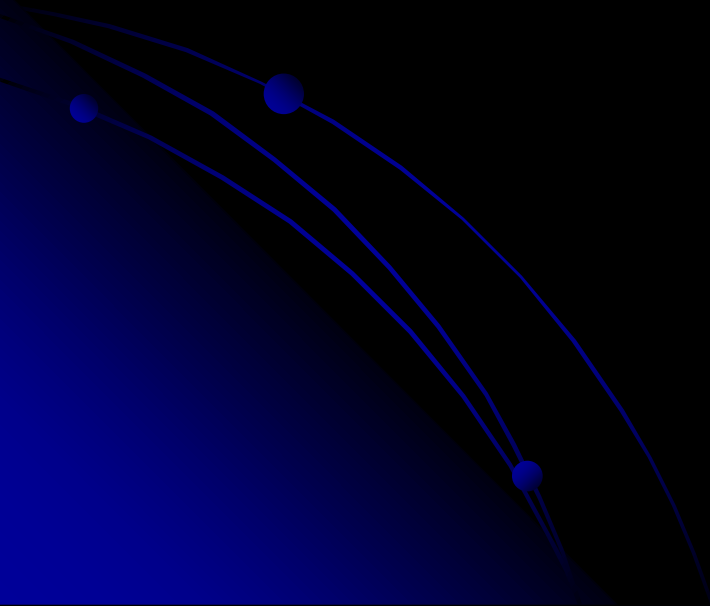
Definitions of Crimes

Hate Crimes: Any of the previously listed crimes, 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.
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Definitions of Crimes

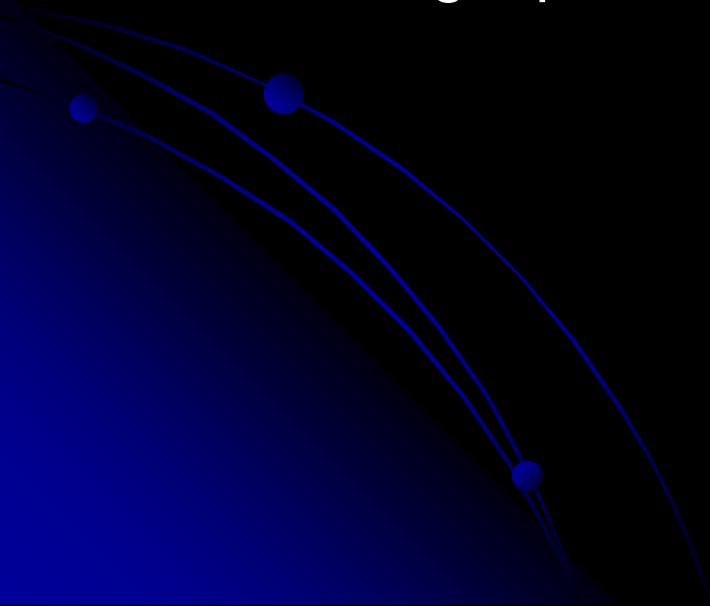
Intimidation: Unlawfully placing a person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.



Definitions of Crimes

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

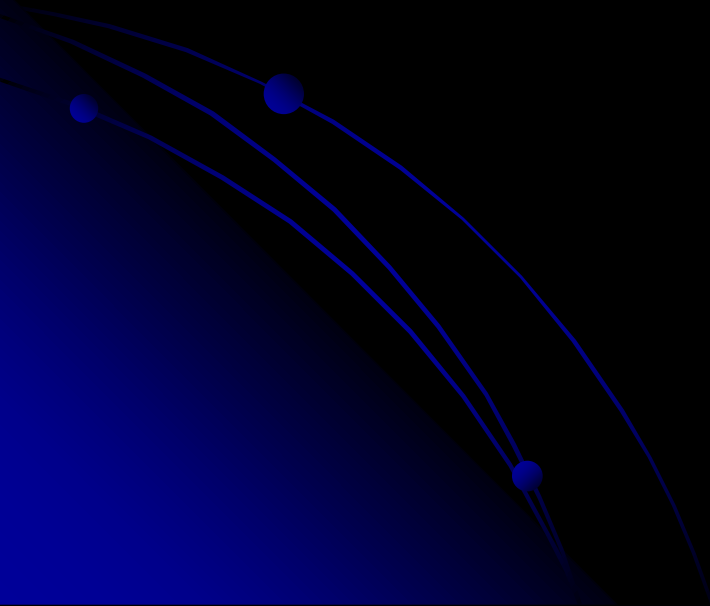
Liquor Law Violation: Violation of laws prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor or furnishing liquor to a minor.



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.

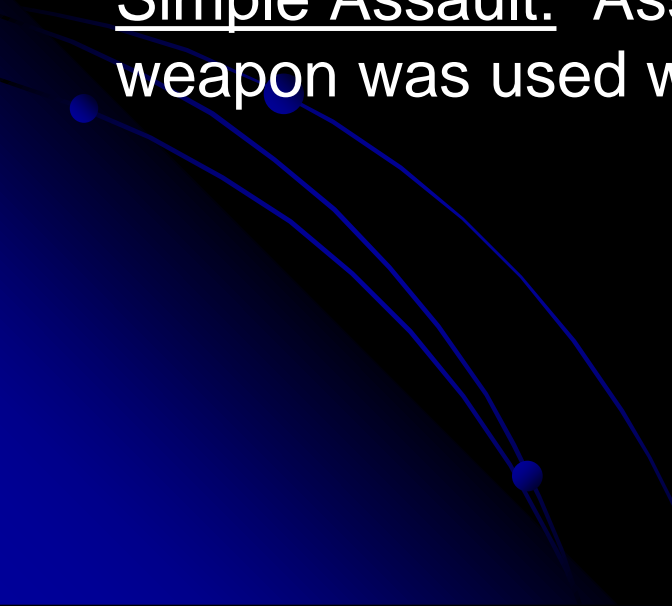


Definitions of Crimes

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

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



Definitions of Crimes

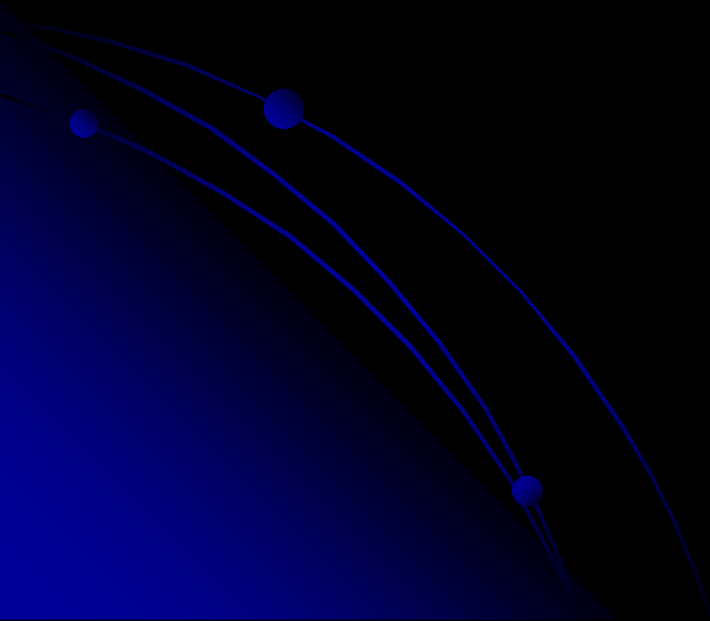
Stalking: course of conduct directed at a specific person that would cause a reasonable person to:

- fear for his or her safety or the safety of others; or
 - suffer substantial emotional distress.
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Definitions of Crimes

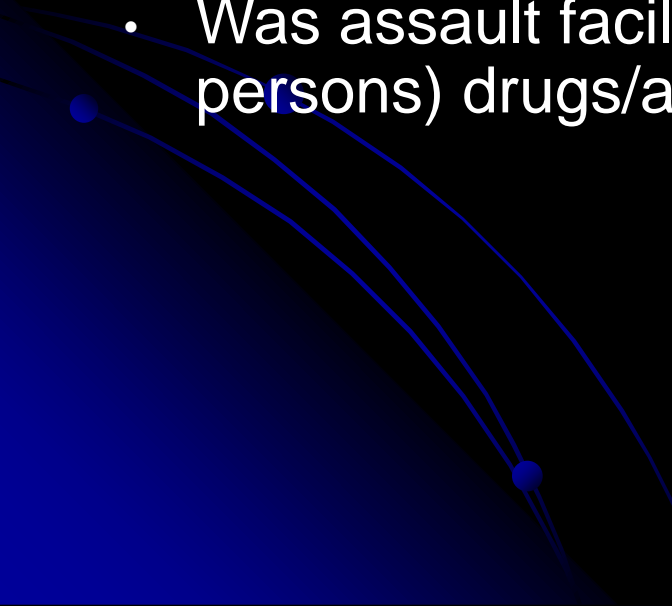
Vandalism: To willfully destroy, injure, disfigure, or deface any public or private property without consent of the owner.

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



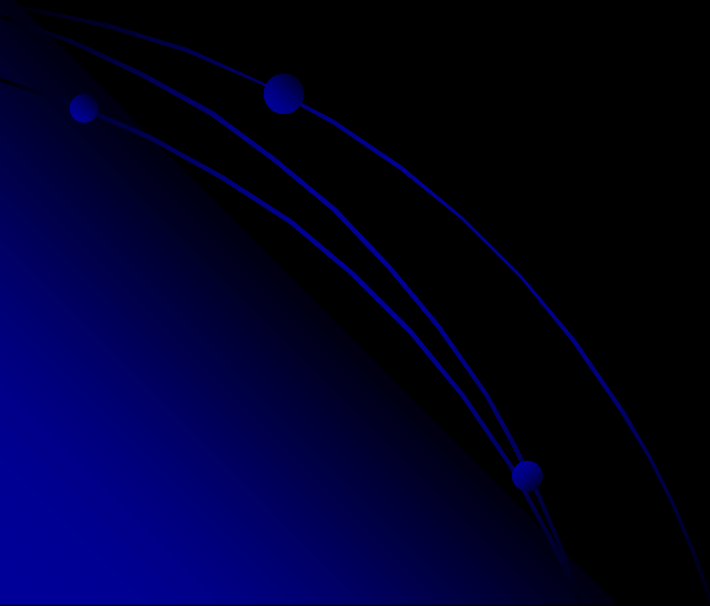
Definitions of Crimes

Questions regarding 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?
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Definitions of Crimes

Questions regarding 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 hall, 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 crime questions:

- Was the target personal property, personal residence, house of worship, or ethnic organization?
- Did the incident involve any expression of hatred (e.g. graffiti, comments) regarding 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

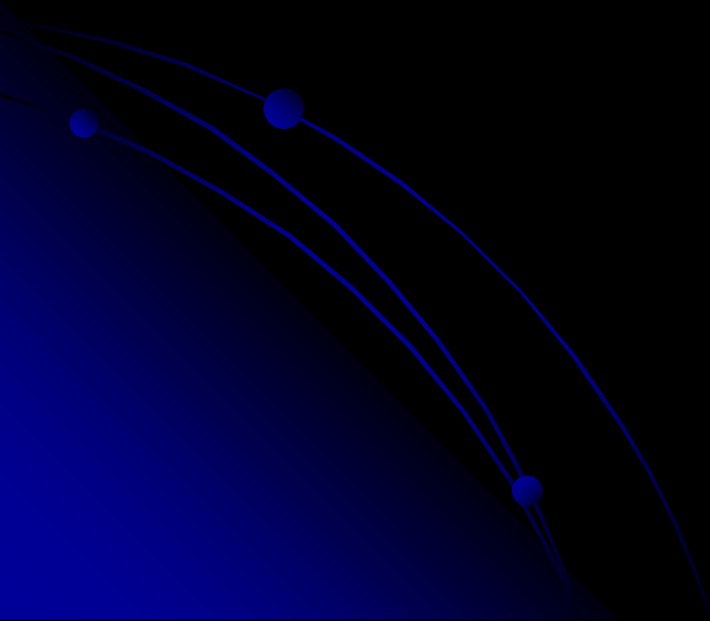
Liquor, drug, and weapon law violations:

- 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.mtsu.edu/police/docs/2015ASR-FINALDRAFT.pdf>



Questions?

Contact:

Major Jason Morton, Asst. Director of University Police

jason.morton@mtsu.edu

(615) 898-2424

Heidi Zimmerman, University Counsel

heidi.zimmerman@mtsu.edu

(615) 898-2025

THANK YOU

