

The *Clery* Act

Campus Security Authority (CSA)
Reporting Requirements Training



*Jeannette
Clery*

History

- Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986.
- Her parents lobbied for a law that would require campuses to publicize crimes statistics.
- Congress enacted the Clery Act as a consumer protection law in 1990.
- Clery Act is tied to federal Financial Aid.

Goal of Clery

- Educate prospective and current students and employees about campus safety and security.
- Empower community members to take an active role in their safety and the safety of the community by keeping them informed.

Transparency!

Why is this important?

- Financial consequences
- Loss of federal financial aid
- Reputational harm
- Legal exposure
- UCSB is committed to campus safety!

Clery Requirements...

An Institutional Responsibility

- Collect and publish crime and fire statistics
- Assess for potential ongoing threat to campus community and consider issuing a UCSB Alert
- Identify and train 1300+ CSAs
- Update and publish 120+ policy statements

Sharing Information

Immediate

Timely Warning

Emergency
Notification

Annual

Annual Security
Report (ASR)

Dept. of Ed
system

Ongoing

Daily Crime Log

UCSB Alerts

➤ Timely Warnings

- ❖ Clearly Act-countable crime
- ❖ Represents a serious or continuing threat to students/employees

➤ Emergency Notifications

- ❖ Significant emergency or dangerous situation
- ❖ Occurring on campus
- ❖ Poses an immediate threat to health or safety of students/employees.

CSA Reporting

- Not all crimes are reported to police
- Reports may be made to employees:
Campus Security Authorities (CSAs)
- Accurate statistics must include police AND non-police reports
- CSAs are required to report crime disclosures

Who is a CSA?

Police

Security

Specific
Dept./
Staff

Responsible
for Student
and
Campus
Activities

Examples of CSAs at UCSB

- | | |
|---|--|
| <ul style="list-style-type: none">➤ Athletics (including coaches & trainers)➤ HDAE Depts. (including RAs, ARDs, & RDs)➤ Student Affairs Depts. (including Student Conduct & Greek Life) | <ul style="list-style-type: none">➤ Title IX➤ Human Resources➤ Academic Personnel➤ Academic Advisors➤ Deans, AVCs, Chancellor➤ Hearing Boards |
|---|--|

UCSB is required to maintain a list of current CSAs and ensure CSAs know about their reporting responsibility

CSA Reports

- Not a Police report (not investigated unless threat to campus is greater than risk to victim)
- CSA Reports used only to:
 1. collect accurate crime statistics
 2. assess potential ongoing threat to campus
- Names not required, but are helpful for accurately counting stats and threat assessment

Clery Reporting

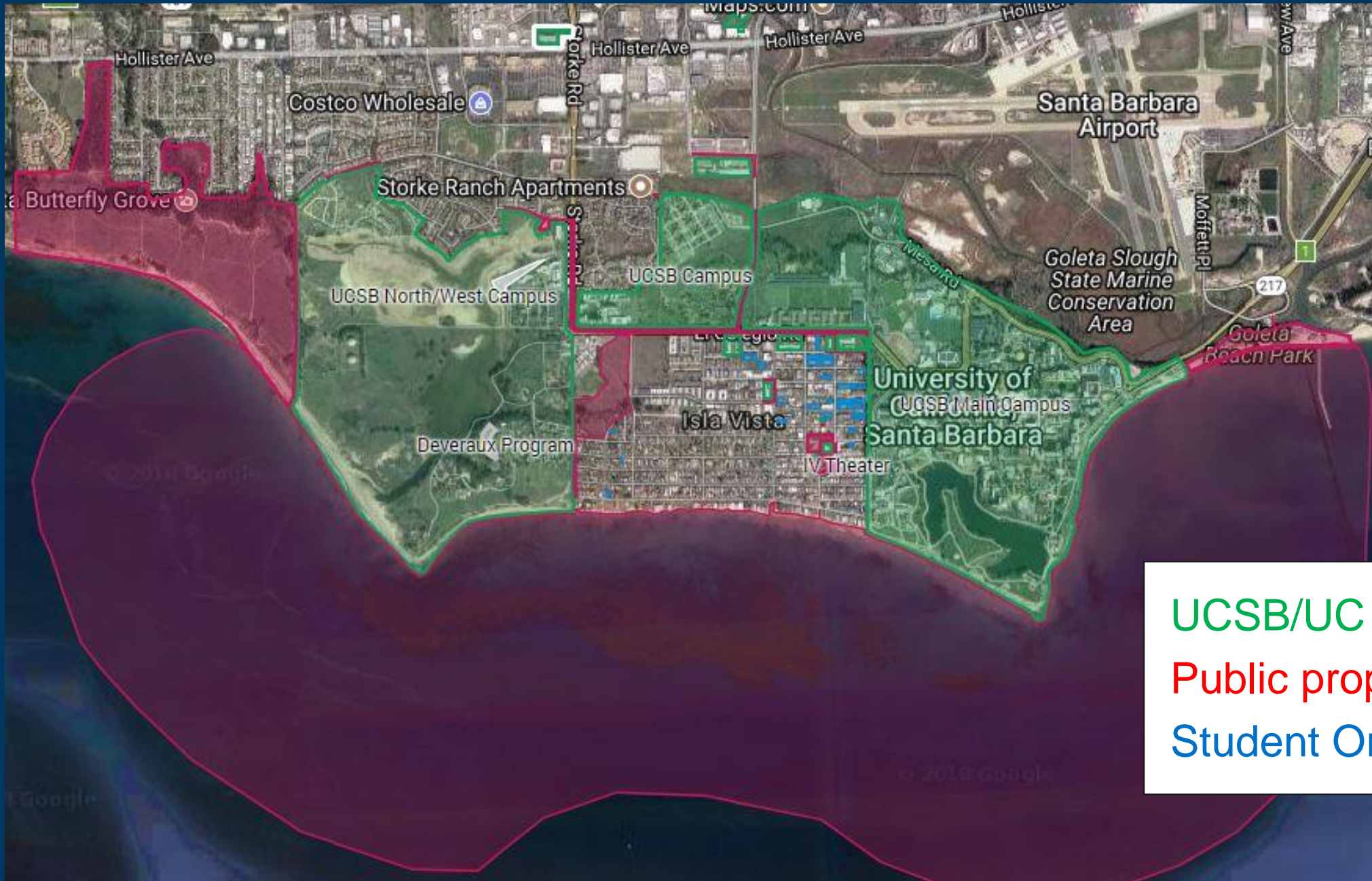
- Three criteria to determine if a report must be made:
 1. Location (“Clery geography”)
 2. Type of crime (“Clery crimes”)
 3. Direct disclosure (to you or your office)
- UCSB affiliation does not matter...all incidents that meet above criteria must be reported

Location is Key!

- Clery statistics are reports of crime that have occurred in campus-associated properties only.
- Victim, suspect, witness, etc. may be non-affiliates.

1. Clery Geography

1. Property owned/controlled by UCSB, and directly supports educational purposes
2. Public property adjacent to and accessible from campus property
3. Property owned/controlled by UCSB-recognized Student Org



UCSB/UC Regents
Public property
Student Orgs

UCSB Property

- Anywhere on core campus
- Buildings in IV owned or leased by UC (and used for educational purposes)
 - Embarcadero Hall, IV Theatre, Tropicana, etc.
- Distant properties controlled by UCSB
 - Research locations, sites used by Club Sports, hotels for University-sponsored travel

Public Property

- Sidewalks and streets surrounding campus
- Sidewalk/street/sidewalk
- Parks in the “Isla Vista loop” and parks adjacent to West Campus
- Adjacent beaches and ocean (out one mile)

Student Org Property

- Must be a Student Org registered with OSL
 - Fraternities/Sororities
 - Non-Greek Student Orgs
- Building controlled by the organization
- Hotels for Student Org-sponsored travel

2. Clery Crimes

- Criminal homicide
- Aggravated assault
- Robbery
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes
- Sexual offenses
 - Rape
 - Fondling
 - Incest
 - Statutory rape
- Domestic violence
- Dating violence
- Stalking*

Hate Crimes

Primary criminal offenses PLUS...

- Larceny-Theft
- Simple assault
- Intimidation
- Destruction/Damage/Vandalism of property

ONLY if the crime was motivated by a bias of:

- race
- religion
- gender
- gender identity
- sexual orientation
- ethnicity
- national origin
- disability

3. Direct Disclosures

- Only crimes directly disclosed to a CSA
- Overheard conversations or group discussions are not direct disclosures
- Disclosure can be third-hand, not necessarily victim, witness, etc.

Clery Crime Stats

- All reports of Clery crime disclosures made to CSAs
- Allegations, not investigated or confirmed criminal activity
- Attempted and completed crimes

What to Report...

❖ **Location**

❖ **Date/Time**

❖ **Crime**

❖ **Names**

-
- Detailed description of location and crime is critical for classifying Clery statistics
 - Names help prevent double-counting crime reports

When to Report...

- CSA reports must be made IMMEDIATELY (or as soon as possible)
- UCSB is required to make a timely assessment about a potential threat to campus

How to Report...

Clery Website

CLERY ACT

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

For Campus Security Authorities (CSAs)

[CSA Report Form](#)

[CSA Reporting Guide](#)

[CSA Reporting Procedure](#)

[CSA PowerPoint Training](#)

[Clery Act Crime Definitions](#)

[Clery Act Geography](#)

[UCOP Clery Act Introduction](#)

[US DOE Handbook](#)

In accordance with the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (Clery Act), the UCSB Police Department publishes an Annual Security Report to provide information regarding campus safety and security policies, crime statistics, and resources to current and prospective students and employees. This report includes statistics for the previous three years concerning crimes reported to Campus Security Authorities (CSAs) that occurred on campus, in certain off-campus buildings or property, and on public property adjacent to and accessible from campus. The report also includes campus policies concerning crime prevention, crime reporting, alcohol and drug use, sexual and interpersonal violence, student discipline, and other matters. To access the Annual Security Report, visit www.police.ucsb.edu/asr or click on the link below. A copy of this report may also be requested by contacting the UCSB Police Department (call 805-893-3446 or visit 574 Public Safety Bldg., Santa Barbara, CA 93106 during business hours).

Additionally, UCSB's Environmental Health & Safety Department publishes fire statistics and fire-related policies in an Annual Fire Safety Report or click on the link below. A hard copy document can be provided upon request by calling the Campus Fire Marshal's office at (805) 893-3785.

Learn more about other Clery Act requirements using the links below.

[Timely Warnings & Emergency Notifications](#)

[Daily Crime Log & Map](#)

[CSA Information & Resources](#)



CSA Report Form

UCSB

UCSB Incident Report Form

i Welcome to the University of California, Santa Barbara (UCSB) Incident Report Form.

Be Advised: **This is NOT a Police Report.** To make a report to UCPD, please fill out *UCPD's Report* www.police.ucsb.edu/contact-us/report-crime.

For Emergencies and Crimes in Progress, please CALL 9-1-1 immediately.

[Clery / CSA Report](#): Select this form to report any criminal offense to the Clery Act Compliance Committee or a Security Report.

Report Type

Report Type *

Please indicate the type of incident you are reporting.

- Clery / CSA
- Academic Misconduct
- Behavioral Misconduct (Non-Academic)
- Student Organizational Misconduct
- Disciplinary Clearance

www.police.ucsb.edu/csareport

CSA Report Reminders

- All reports of Clery crime disclosures made to CSAs
- Allegations, not investigated or confirmed criminal activity
- Attempted and completed crimes
- Victim, suspect, witness, etc. may be non-affiliates.

Receiving a Disclosure

- Emergencies or crimes in progress: call 911!
- If you think someone is about to disclose a crime to you, explain your reporting responsibility.

“It sounds like you are going to share something with me that I may need to report to the office that collects crime statistics.”

Receiving a Disclosure

- Explain that the report is for statistics reporting and a possible campus alert only.
- Ask if they want to make a report to UCPD.
- Accept the facts. CSAs should not investigate or try to determine if a crime actually occurred.

Refer to Resources

- CSAs are expected to provide reporting parties with referrals to campus resources.
- Always refer victims of sexual assault, dating/domestic violence, and stalking to the CARE Office.
- Provide other referrals as appropriate.



Resources

Confidential:

- CARE
- CAPS (students)
- ASAP (staff)
- Ombuds
- Student Health
(partially confidential)

Non-Confidential:

- Title IX
- UCPD
- Other Police agencies



Clery

Title IX

Title IX Reporting

- You are also a Responsible Employee and must report sexual assault, dating/ domestic violence, and stalking to both Title IX and the Clery Coordinator.
- Title IX reports must include names.
- For more info: <https://titleix.ucsb.edu/>

Annual Fire Safety Report (AFSR)

- Fire Statistics for On-Campus Student Housing
- Number of Fire Drills held per calendar year
- Procedures in case of a fire and evacuation
- Description of each fire safety system
- Policies on portable electrical appliances, smoking, and open flames
- Who to report a fire to if one occurs

Fire Reporting

- Emergency or Active Fire: call 911
- Evidence of a fire that has already been extinguished:
 - UCPD: (805) 893-3446
 - Campus Fire Marshal: (805) 893-5848

Immediate Reporting: Fires must be added to Fire Log w/in 2 days

Definition of a Fire

“Any instance of open flame or other burning in a place not intended to contain burning or in an uncontrolled manner.”

<i>Clery Act</i>	<i>Title IX</i>
➤ Campus Security Authority: Specific individuals	➤ Responsible Employee: All non-confidential employees
➤ Sexual Violence	➤ Sexual Violence <u>and</u> Harassment
➤ Direct disclosures only	➤ Direct <u>or</u> indirect disclosures
➤ WHERE and What, not Who	➤ WHO, What, When, Where
➤ Report can be made without names	➤ Report must include any and all available information
➤ Generally no follow-up and no investigation	➤ Always follow-up, sometimes investigation

Title IX / Clery / CANRA Reporting

	<u>Title IX</u> Responsible Employee (RE)	<u>Clery Act</u> Campus Security Authority (CSA)	<u>CANRA</u> Mandated Reporter
Sexual Violence* in Clery Geography**	✓	✓	Only if victim under 18
Sexual Violence* NOT in Clery Geography**	✓		Only if victim under 18
Sexual Harassment	✓		
Other Crimes*** in Clery Geography**		✓	
Additional Information	Names and any/all available information required	Names not required (but helpful)	Names and any/all available information required
	Report required upon learning of incident-- either directly or indirectly told/witnessed	Report required ONLY for direct disclosure of incident to CSA	Report required upon learning of incident-- either directly or indirectly told/witnessed

*Sexual Violence = rape, incest, statutory rape, fondling, dating/domestic violence, stalking

**Clery Geography = UCSB properties, UCSB Student Org properties, public property adjacent to UCSB property

***Other Crimes = homicide, aggravated assault, robbery, burglary, motor vehicle theft, arson, hate crimes

Disciplinary Referrals

- Alcohol Law Violation
- Drug Law Violation
- Weapons Law Violation



Disciplinary Referrals

- Law violations, not policy violations
- Do not require a CSA report, but must have internal process for tracking and providing to Clery Coordinator
- Contact police for drug and weapons violations!



Clery Resources

Clery Coordinator:

- 893-2324
- clery@police.ucsb.edu

Clery and CSA Resources:

- www.police.ucsb.edu/clery-act
- www.police.ucsb.edu/csainfo