



# **CAMPUS SECURITY AUTHORITY TRAINING**

Clery Act

# What is the Clery Act?

- Part of the Higher Education Act of 1965, it is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies.
- All public and private postsecondary institutions participating in federal student aid are subject to the law. Violators can be fined by the Department of Education for violating the law and risk loss of federal aid.

# What Does MU Have To Do?

- The Clery Act requires the University to collect, maintain, and make available to current and perspective students and employees:
  - Annual Report
  - Crime Statistics
  - Timely Warnings

# Police Can't Do It All

- Federal law allows colleges and universities to identify campus positions that must also report selected crimes for statistical purposes.
- Those identified as having special reporting requirements are called **CAMPUS SECURITY AUTHORITIES** (this title is for reporting purposes **only**, there is **no** enforcement requirement)



# Who Is A CAMPUS SECURITY AUTHORITY?

- Focus on individuals students might seek out to report a crime
  - Line responsibility
  - Student life - housing, judiciary, dispute resolution, clubs, sports, etc.
  - Contact with students
- Focus on student activity advisors, residence advisors, coaches, and academic advisors, not faculty and staff

# Who Is Generally Included?

- Includes:
  - Vice President for Student Affairs and non-support staff
  - Student Housing officials
  - Judicial Affairs & discipline
  - Athletic director & team coaches
  - Any advisor to student groups (clubs, club sports, etc.)
  - Director of Human Resources and non-support staff

# Campus Security Authorities

- Some examples of those **excluded** from the definition of campus security authority include:
  - Individual faculty who are not advisors to student groups
  - Individual campus health center physicians
  - Clerical staff
  - Licensed counselors

# Campus Security Authorities

- **YOU DO NOT HAVE TO REPORT IF:**
  - You are a licensed mental health counselor or a pastoral counselor (recognized by a religious organization to provide confidential counseling)

## **AND**

- You are working within the scope of your license or religious assignment at the time of the report.



# Campus Security Authorities

- Even though as a counselor you don't have to report, you can tell the person how she/he can report the crime anonymously to Police
- Millersville University encourages anonymous reports of crimes by counselors and victims

# CSA Reporting

- I'm not a counselor...what must I do?
- If someone tells you about a crime or an incident that may be a crime, you must record the information and report it to the University Police Department
  - Just get the information as related by the person
  - Police will do the analysis
  - Use the Clery Incident Form
- When in doubt, report

# CSA Reporting

- Tell the person you must report the incident as an anonymous statistic but will not identify anyone involved unless the victim consents to being identified
  - Let the person know about options for reporting to Police
- **Remember:** The decision to identify someone isn't yours to make
  - A person who talks to you does not have to talk to the Police

# Police Reporting Options

- Crimes can be reported anonymously by using the on-line reporting form
- Crimes can be reported to the Police but the victim may request that no action be taken by signing a waiver of prosecution form
- Victims can give statements and designate who may view that statement



# Clery Crimes By Classification

- Criminal homicide
  - Murder and Non-negligent Manslaughter
  - Negligent Manslaughter
- Sex offenses
  - forcible & non-forcible
- Dating Violence, Domestic Violence and Stalking
- Robbery
- Aggravated assault

# More Clery Crimes

- Burglary
  - Forcible entry
  - Unlawful entry – no force
- Motor vehicle theft
- Arson
- Liquor, drug, or weapons law violations (Housing only)
- Hate crimes (Definitions at end of tutorial)

# What Must Be Reported

- Type of Crime
- Location of the Crime
  - On campus
  - On campus, in residence halls
  - On public property adjacent to campus
  - On non-campus property owned or controlled by the University or a recognized student organization
- Timing
  - Date and Time the crime or incident occurred
  - When the person reported it to you

# CSA Information

- Get the information the person wants to tell you, University Police will decide what type of crime has occurred
  - You don't have to prove what happened or who was at fault
  - You aren't supposed to find the perpetrator
  - Don't identify the victim unless the victim consents to being identified
- If you're not sure if a crime should be reported, report it and let University Police decide



# Additional CSA Considerations

- If the person reporting the crime is in imminent danger or harm, telephone the University Police Department immediately dial **9-1-1**.



# Crime Definitions

- CRIMINAL HOMICIDE

- *Murder and Non-negligent Manslaughter:*  
*The willful (non-negligent) killing of one human being by another.*
- *Manslaughter by Negligence:*  
*The killing of another person through gross negligence.*

# Crime Definitions

- SEX OFFENSE DEFINITIONS

- Sex Offenses - Forcible

- *Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.*

- Sex Offenses - Non-Forcible

- *Unlawful, non-forcible sexual intercourse.*
    - *Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
    - *Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.*

# Crime Definitions

- Dating Violence, Domestic Violence and Stalking
- Dating Violence
  - Violence committed by a person who is or was in a social relationship of a romantic or intimate nature with the victim
- Domestic Violence
  - Includes felony and misdemeanor violence committed against a spouse or intimate partner or a cohabitating relationship as spouse or intimate partner. Also includes violence committed by a youth or adult under family violence laws.
- Stalking
  - Includes a person who engages in a course of conduct directed or focused at another person that would cause a reasonable person to fear for his/her safety or suffer substantial emotional distress.



# Crime Definitions

- AGGRAVATED ASSAULT

- *An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)*

- ROBBERY

- *The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.*

# Crime Definitions

- MOTOR VEHICLE THEFT
  - *The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned--including joyriding.)*
- BURGLARY
  - *The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.*

# Crime Definitions

- ILLEGAL WEAPONS POSSESSION
  - *The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.*
- ARSON
  - *Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.*



# Crime Definitions

- DRUG LAW VIOLATIONS

- *Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.*

- LIQUOR LAW VIOLATIONS

- *The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition)*



# Crime Definitions

- HATE CRIMES

- *Any of the aforementioned crimes, and any other crime involving bodily injury reported, in which there is evidence that the victim was intentionally selected because of the perpetrator's bias of the following areas: race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability.*



Questions or concerns regarding your role as a Campus Security Authority can be directed to Chief Peter Anders at (717)871-5972 or at [Peter.Anders@Millersville.edu](mailto:Peter.Anders@Millersville.edu)