Jeanne Clery Campus Security Policy & Crime Statistics Disclosure Act

What you need to know as a Campus Security Authority at Drexel University

Revised 07/26/2012
What is the Clery Act?

Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986. The law enacted in her memory is intended to ensure that students and others are informed about violent campus crimes so they can make informed decisions.

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)* is a federal mandate enacted in 1990 and amended in 1998 and 2008. It requires all institutions of higher education that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The *Clery Act* is enforced by the U.S. Department of Education. Campuses that fail to comply with the act can be penalized with large fines and may be suspended from participating in the federal financial aid program.
Many crimes and incidents, especially sexual assaults, are not reported to the police.

To ensure that students know about dangers on their campuses, the Clery Act requires institutions to gather and publish data from all Campus Security Authorities for 3 years.

That’s where you come in!
What Makes Me A Campus Security Authority?

The Clery Act Defines Four Categories:

- Campus police departments
- Individuals with campus security responsibilities
- Individuals designated by the campus and
- Anyone with any responsibility for student and campus activities who may receive complaints from a victim of crime.

That’s You!
Who is EXEMPT from reporting requirements?

- Licensed professional mental health counselors
  and
- Pastoral counselors employed by a religious organization to provide confidential counseling
  
  *Both must be working within the scope of their license or religious assignment for the University at the time they receive the crime report*
I am a Campus Security Authority and I am not employed as a counselor – What do I have to do?

If someone tells you about a crime or an incident that may be a crime, you must record the information and promptly report it to the Drexel University Police Department.
To Whom Should Crimes Be Reported?

Immediately report all crimes, campus emergencies & crimes in progress to the Drexel University Police Department by calling the University Public Safety Communications Center at 215-895-2222

OR Philadelphia Police at 911

OR

by utilizing the crime statistic reporting form located online at the Drexel Public Safety website.
You MUST report any and all of the following crimes:

- Criminal Homicide and Non-Negligent Manslaughter
- Negligent Manslaughter
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Crimes Involving Juveniles
- Forcible Sex Offenses
- Non-Forcible Sex Offenses
- Arrests & Disciplinary Referrals For Liquor, Drug and Weapons Law Violations
Crimes Involving Juveniles

A juvenile is anyone under the age of 18 years.

Due to the seriousness of crimes involving juveniles there is an added duty of care!

YOU MUST IMMEDIATELY REPORT ANY AND ALL INCIDENTS INVOLVING JUVENILES to the Drexel University Police Department at 215-895-2222 OR Philadelphia Police at 9-1-1
Definitions

Criminal Homicide - The willful (non-negligent) killing of one human being by another. As a general rule, any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime is classified as Murder and Non-Negligent Manslaughter. You must not classify the following as Murder and Non-Negligent Manslaughter: suicides, fetal deaths, traffic fatalities, accidental deaths, assaults to murder and attempts to murder.

Negligent Manslaughter - Is defined as the killing of another person through gross negligence. As a general rule, any death caused by the gross negligence of another is classified as Negligent Manslaughter. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities, are not included in the category Negligent Manslaughter.

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.
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.

**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.

**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 and include joyriding)
Definitions

**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.

**Hate Crimes** - Crimes, including any of the aforementioned offenses, and any other crime involving bodily injury, larceny, simple assault, intimidation and vandalism, that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias. The categories of bias are:

- Race
- Gender
- Religion
- Sexual orientation
- Ethnicity/national origin
- Disability
Definitions

Sex Offenses – Forcible

**Forcible Rape** - The carnal knowledge of a 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

**Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the persons will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
Definitions

Sex Offenses – Forcible (continued)

**Sexual Assault With An Object** - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of 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 because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Forcible Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth or because of his/her temporary or permanent mental incapacity.
Definitions

Sex Offenses – Non-forcible

**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
Arrests & Disciplinary Referrals

In addition to disclosing statistics for the aforementioned crimes, the *Clery Act* requires institutions to disclose both the number of arrests and the number of persons referred for disciplinary action for:

**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.

**Drug law violations** - Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadone); and dangerous nonnarcotic drugs (barbituates, benzedrine).
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.

Note: Drunkenness and driving under the influence are not included in this definition.
It’s important to remember that you are to disclose “violations of the law” resulting in arrests or persons being referred for disciplinary action.

Do not include violations of your institution’s policies that resulted in persons being referred for disciplinary action if there was no violation of the law. For example, if a student of legal drinking age in the state in which your institution is located violates your institution’s “dry campus” policy and is referred for disciplinary action, that statistic should not be included in your institution’s crime statistics, because the referral was not the result of a violation of the law.

**When in doubt report!!!**

The Drexel University Police Department will make the determination on whether there was a violation of the law.
Timely Reporting is Critical

Be sure to document & report in a timely manner:

- **When** - the crime or incident occurred
- **Where** - the crime and incident occurred and
- **When** - it was reported to you
A crime must be reported if it occurred:

- On campus or on Drexel University property
- In on-campus student residences (even if privately owned & operated)
- On public property adjacent to campus
- On certain non-campus property or off-campus property

Remember: **WHEN IN DOUBT REPORT!!!**
Tell The Student About Reporting Options, And Where They Can Receive Assistance!

For example:

A student tells you that she was raped by another student at her off-campus apartment. The victim is eligible for campus assistance and resources from:

- The Office of Victim Support & Intervention Services
- Counseling Services
- Student Health Services
- Residential Living Office

Although the crime did not occur at a location covered by Clery reporting, the accused student IS subject to criminal and University disciplinary action for this off-campus conduct.

Remember: **WHEN IN DOUBT REPORT!!!**
Just the facts...

Your job is to get the information the person is willing to tell you

**Remember:**

- The police will investigate and categorize the incident
- You are not a detective
- You don’t have to prove what happened or who was at fault
- You are not supposed to find the perpetrator
- Use the report form, but DO NOT identify the victim UNLESS he or she gives you permission

**Remember:** WHEN IN DOUBT REPORT!!!
Describe options

- Encourage the person to report the incident to police but do not insist. The decision isn’t yours. A person who talks to you may not want to talk to the police – and doesn’t have to.

- Tell him/her about the Confidential Reporting process

Remember: WHEN IN DOUBT REPORT!!!
Clery Disclosure Requirements

- Timely Warnings
- Daily Crime Log
- Annual Statistics
The Clery Act requires campuses to alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

Information must be reported in a timely manner so that a determination can be made to issue a Timely Warning to the Drexel Community.

Information that Promotes safety

Allows Individuals to Protect Themselves and

Identifies the Time, Location and Type of Crime
### The Daily Crime Log

Is located on the Public Safety Website at:
http://www.drexel.edu/publicsafety/crimereporting/crimelog/

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<th>Date Reported:</th>
<th>Location:</th>
<th>Synopsis:</th>
<th>Disposition:</th>
<th>Report #:</th>
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<td>CLOSED, NO FURTHER PSD ACTION</td>
<td>1005-02109</td>
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<td>LARCENY-THEFT - From Buildings</td>
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<td>05/20/10 - THU at 15:09</td>
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<td>Disposition:</td>
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</tbody>
</table>
Any Campus Security Authority who receives a report of a missing student shall immediately contact the Drexel University Public Safety Communications Center to report the information.

**DREXEL PUBLIC SAFETY:**

215-895-2222

Remember: **WHEN IN DOUBT REPORT!!!**
Help is at hand….

Drexel University Public Safety

Clery Compliance Officer

Maurizio DeLisi

md594@drexel.edu

215-895-0368

www.drexel.edu/publicsafety/crimereporting/clery/