
**CLERY ACT COMPLIANCE TRAINING
CAMPUS SECURITY AUTHORITIES (CSA)**



USC University of
Southern California



GOALS OF CSA TRAINING

Background of the Clery Act

Overall Clery Act requirements

Your responsibilities as a Campus Security Authorities (CSA)

What, When and How to Report

BACKGROUND



The Clery Act, codified at 20 U.S.C. § 1092(f) as a part of the Higher Education Act of 1965, requires all institutions to disclose certain information about campus crime and security policies.

Department of Education's Authority:

- The Department may impose a civil monetary penalty of more than \$70,000 per violation.
- The Department may also place restrictions and limitations on the institution's ability to participate in federal funding programs, up to complete suspension.

Why Does this Matter?

- “Knowledge is power” *Sir Francis Bacon* – By creating awareness about crime on campus, students and employees can be proactive about their safety
- Federally legislated
 - The U. S. Department of Education has the authority to impose fines of up to \$70,000 per violation or to limit or suspend the University’s ability to participate in Federal Student Financial Aid Programs
- USC Clery Policy

PRIMARY INSTITUTIONAL REQUIREMENTS

COLLECT, CLASSIFY & COUNT CRIME

Clery act crimes in Clery reportable geography

Publicize in Annual Security Report

Submit to Dept of ED annually

Procedure for collecting crimes

ISSUE CAMPUS ALERTS

Notice to the university community of serious or ongoing dangers

Timely warnings

Emergency notifications

University discretionary alerts

Annual exercise is required

ANNUAL SECURITY & FIRE SAFETY REPORT

Compilation of crime statistics (3 years) and security policies and procedures

Distribute to all students, faculty, and staff by Oct 1 of each year

Provide notice of availability to prospective students and employees

Elements required to be met for each Clery "campus"

PRIMARY INSTITUTIONAL REQUIREMENTS

DISCLOSE MISSING STUDENT PROTOCOLS

Institutions with campus housing are required to have a policy

Ability to identify a contact person

Address who may be contacted/when

Procedures to notify law enforcement

MAINTAIN A DAILY CRIME LOG

Institutions with police/security must have chronological list of crimes reported

Crimes must be included within 2 business days

Log is publicly available and open to inspection

Includes all crimes in Clery geography and DPS jurisdiction

MAINTAIN A DAILY FIRE LOG AND PUBLISH AN ANNUAL FIRE REPORT

Institutions with campus housing must maintain a fire log and distribute a report

Fire Log captures residence hall incidents

Annual Fire Report is combined with Annual Security Report (Oct 1)

Fire drills and incidents must be reported

Campus Alerts Requirement

Emergency Notification: Immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.

Examples: Outbreak of meningitis, approaching tornado or other weather emergency, gas leak, terrorist incident, bomb threat, etc.

Campus Alerts Requirement

Timely Warnings: Alert the campus community to Clery-reportable crimes that are:

- reported to campus security authorities (CSAs) or local police agencies; and
- considered by the institution to represent a serious or continuing threat to students and employees

Daily Crime and Fire Log

- Institutions with on campus police or security must maintain a daily log of all crimes reported to the campus police or security department and make the log available to the public.
- <https://dps.usc.edu/alerts/log/>

ASR Requirement

Annual Security Report (ASR)
Institutions participating in
Title IV funding must publish
and distribute an ASR

- Campus Crime
Statistics for the past 3
years
- Safety and security
related policy
statements and
information
- Fire safety information
and statistics for
institutions with on
campus student
housing

Clery Act Crime Reporting Requirement

Requires the gathering and disclosure of crime statistics from local law enforcement for incidents occurring on Clery geography.

Requires the gathering and disclosure of campus crime statistics and mandates the collection of information regarding incidents from non-law enforcement “campus security authorities.”

“Campus security authority” is a Clery specific term that encompasses four groups of individuals and organizations associated with an institution:

CLERY DATA COLLECTION

CAMPUS SECURITY AUTHORITY

“Campus security authorities” (CSA) is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution:

1. University Police
2. Non-police people or offices responsible for campus security
3. Officials with significant responsibility for student and campus activities
4. Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses

CLERY REPORTABLE LOCATIONS

On Campus

Non-campus buildings owned, leased, or controlled by USC

Public property within, or immediately adjacent to and accessible from, Campus

CLERY REPORTABLE CRIMES

Homicide

Aggravated assault

Sex offenses: rape, fondling, statutory rape & incest

Burglary

Robbery

Motor vehicle theft

Arson

Hazing

Hate Crime

Drug/alcohol/weapons violations

– arrests and referrals

Domestic violence

Dating violence

Stalking

Clery Geography



ON-CAMPUS



PUBLIC PROPERTY



**NON-CAMPUS BUILDING
OR PROPERTY**



ON CAMPUS

Owned or controlled by the institution, within the same reasonably contiguous geographic area and used to meet or support the institution's educational purposes.

Residence Halls	Administrative Buildings	Buildings that house classrooms/labs
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Owned by the institution but controlled by another person, frequently used by students, and used to support institutional purposes

Food vendors	Book stores	Other retail vendors
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PUBLIC PROPERTY

Owned by a public entity – city, state or federal government, within or immediately adjacent to campus, and is accessible from campus

Streets,
sidewalks,
bike paths

Public parking
facilities or
transit stops

Public Park or
waterway



NON-CAMPUS

Not part of the main campus nor a separate campus, is owned or controlled by the institution or a recognized student organization or institution-associated entity, is used in support of or in relation to the institution's educational purposes.

Off Campus
USC
housing

Off Campus
Research
Facilities,
Classrooms,
etc.

Fraternity &
Sorority
owned
property

USC
sponsored
Student
trips

Five General Crime Categories

Crime
offenses

Hate
crimes

Arrests &
referrals

VAWA

Hazing

Clery Crimes

Criminal Homicide

- **Murder & Non-Negligent Manslaughter** -- The willful (non-negligent) killing of one human being by another. Any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime must be classified as murder/non-negligent manslaughter.
- **Negligent Manslaughter** – The killing of another person through gross negligence

Clery Crimes

Sex Offenses (use NIBRS definitions)

- **Rape**- The penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without consent of the victim.
- **Fondling**- The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest**- Sexual Intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape**- Sexual Intercourse with a person who is under the statutory age of consent.

Clery Crimes

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.

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Also includes attacks using personal weapons, such as hands, arms, feet, fists and teeth that result in serious or aggravated injury (ie. Broken bones, loss of consciousness or significant blood loss, or requires medical treatment or hospitalization, such as stitches or casting, etc.)

Burglary - The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle

Arson - The 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.

Hazing

Hazing - any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

(aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

(cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(dd) causing, coercing, or otherwise inducing another person to perform sexual acts;

(ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(ff) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

(gg) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.”

Hazing

Student Organization - The term “student organization,” for purposes of reporting under the Stop Campus Hazing Act, means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Hate Crimes

- A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim

Reportable Bias Types:

- Race
- Religion
- Sexual Orientation
- Gender
- Gender Identity
- Ethnicity
- National Origin
- Disability

VAWA


Violence Against Women Act (VAWA)

- **Domestic Violence** – a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common, etc.
- **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
- **Stalking** – engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; suffer substantial emotional distress

Scenario One

A female student reports that her ex-boyfriend had sex with her in her campus residence hall room while she was unconscious after a night of drinking alcohol.


Count this as one on-campus, residence hall Rape.
Also, include one on-campus, residence hall Dating Violence.



A male student slips a date rape drug into a female student's drink at a non-campus fraternity house. Before he can lure the victim away from her friends, however, someone notices what he had done and summons the police.

Count this as one non-campus Aggravated Assault.






Someone enters an unlocked dorm room on campus and steals a student's wallet. Investigation determines that the student's roommate did not take the wallet. Because no one else had lawful access to the dorm room at the time the wallet was taken, it had to have been taken by someone who did not have lawful access.

Include this as one on-campus, residence hall Burglary.





A student is seen setting fire to a paper advertisement on an on-campus dormitory bulletin board. Investigation determines that the student willfully set fire to the paper.

Include this as one on-campus, residence hall Arson.



CAMPUS SECURITY AUTHORITY REPORTING

1. Report to the Department of Public Safety; or
2. Report to Office of Civil Rights Compliance (Coordination between OCRC and Clery Compliance);
3. USC Report & Response at <https://report.usc.edu/>

Information that a CSA must report includes:

- Description of the incident;
- General description of the location (if known); and
- General description of the timeframe of the incident (if known)



UJSC

QUESTIONS?

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