

CLERY ACT COMPLIANCE

CAMPUS SECURITY AUTHORITY TRAINING

What you need to know about your role as a
Campus Security Authority



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The Clery Act and Campus Security Authorities

A Federal Law known as the Clery Act, requires the Department of Public Safety at each campus to report to the US Department of Education and the PVCC campus community, statistics concerning the occurrence of certain criminal offenses that are reported to the Public Safety Department, or any official (employee) of the institution who is defined as a Campus Security Authority (CSA)

You are a Campus Security Authority

Your position at PVCC has been designated as a Campus Security Authority (CSA), either by the Clery Act or by the Paradise Valley Community College Administration

As a Campus Security Authority, you are required to report to the PVCC Department of Public Safety *certain crimes*, that are reported to you by students or other campus employees.

Origin of The Clery Act



- In 1986, Jeanne Clery was a 19 year old freshman at Lehigh University in Pennsylvania.
- She was sexually assaulted, strangled and murdered in her dorm room (the suspect was caught and prosecuted).
- There had been 38 violent crimes on Lehigh's campus in the three years prior to Jeanne's murder.
- At the time, colleges and universities were not required to disclose crime statistics.

Jeanne's parents, Connie and Howard Clery, began the foundation "Security on Campus" and lobbied Congress for the passage of the Clery Act -- which requires institutions to maintain and disclose information about crimes on or near their campus.

CAMPUS SECURITY AUTHORITY

In order to comply with the Clery Act, the college administration must:

- Determine who the institution's Campus Security Authorities are
- Advise them of their role as a CSA
- Describe their responsibilities
- Provide training

Who are Campus Security Authorities?

They are ANY employees of the institution, who are in a position to develop relationships with students, or has significant responsibility for student and campus activities.

(This includes Board approved, temporary and volunteer staff)

How are employees designated as CSA's

- Individuals may be designated as CSA's based on whether they perform the following functions
 - Their official job responsibilities involve significant interaction with students and/or campus activities and organizations
 - They serve as informal or unofficial mentors to students.
 - They serve as a member in an office or of a committee, to whom students are instructed to report or discuss crimes, allegations of crimes, and other situations.
 - They have oversight for disciplinary procedures
 - Their position is designated a CSA by the Clery Act (Ex: Coaches)

Examples of CSA's

- Campus Public Safety Department staff
- Faculty or staff student club advisors
- Dean of Students
- Director/Asst Director of Athletics and ALL COACHES (including volunteer coaches)
- Specialized staff that work with students on a daily basis. (Example: Disability Services, Veterans Affairs, International Students etc.)
- Other faculty or staff that the campus administration designates as CSA's
- Campus Counseling Department employees. (Counseling Department staff are considered Service Faculty and as such are not exempt from reporting)

Who are not CSA's

- Faculty (unless a student club/activity advisor)
- Clerical staff
- Facilities staff
- Food service staff
- Academic advisors
- Athletic trainers
- Licensed Psychologists (must report sexual offenses under Title IX)

Campus Security Authority Responsibilities

If a Campus Security Authority receives information about a Clery reportable crime, and believes the report was made in good faith, they should document the incident and must report it to the proper:

“Campus Reporting Authority.”

Campus Reporting Authority

For Clery reportable crimes, the **ONLY** proper Campus Reporting Authority within the Maricopa County Community College District, is the MCCCCD Department of Public Safety

At PVCC it's the Public Safety office

You may report the incident to your supervisor, department head, division chair, or the Dean of Students (required for Title IX offenses), but it still must be reported to the Department of Public Safety

Clery Act vs Title IX

- The Clery Act and Title IX are separate federal laws, but they overlap in the area of reporting sexual offenses.
- Under Title IX, ALL campus employees must report Title IX offenses to the Campus Title IX Investigator. At PVCC it's the Vice President of Student Affairs.
- Sexual offenses that are reported under Title IX, are also Clery reportable offenses.
- If a sexual offense is reported to the Vice President of Student Affairs as required under Title IX, it is also required to be reported to the Department of Public Safety under the Clery Act.

It's Not Who and It's Not When

It's not the who:

- For a Clery reportable crime, It does not matter if the victim or offender are MCCCCD students or have any affiliation with the College District. As long as the incident occurred on campus property.
- It does not have to be the victim who reports the crime to you. For example, if the friend of the victim tells you about a crime, you must notify your campus Department of Public Safety.

It's not the When:

- Even if someone tells you about a crime that occurred 2 years ago, you must notify the campus Department of Public Safety.
- Clery crime statistics are counted for the year that the crime was reported, not the year that it occurred.

What Crimes Are Required To Be Reported under the Clery Act?

- Homicides
- Sexual Offenses (forcible, non-forcible and sexual harassment)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate/Bias Related Crimes (Any criminal offense under Arizona law that was committed based on the bias of the suspect)
 - Types of Bias
 - Disability
 - Ethnicity
 - Gender
 - Gender Identity
 - National Origin

Crimes Continued

- Race
- Religion
- Sexual Orientation
- Stalking (new as of 2013)
- Dating Violence (new as of 2013)
- Domestic Violence (new as of 2013)
- Criminal:
 - Drug Abuse Violations
 - Liquor Law Violations
 - Weapons Law Violations

Crime Definitions

- **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** The killing of another person through gross negligence
- **Forcible Sex Offenses:** Any sexual act (forcible rape, forcible sodomy, sexual assault with an object, forcible fondling) or an attempted sexual act directed against another person, forcibly and/or against that persons will, or not forcibly or against the persons will where the victim is incapable of giving consent.
 - **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that persons will, or not forcibly or against the persons will where the victim is incapable of giving consent.
 - **Forcible Fondling:** The touching of private body parts of another person for the purpose of sexual gratification, forcibly and/or against that persons will, or not forcibly or against the persons will where the victim is incapable of giving consent.
 - **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that persons will, or not forcibly or against the persons will where the victim is incapable of giving consent.
 - **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 persons will, or not forcibly or against the persons will where the victim is incapable of giving consent.

Definitions Continued

- **Non-Forcible Sex Offense:** Unlawful non-forcible sexual intercourse (incest, Sexual conduct with a minor).
 - **Incest:** Non-forcible sexual intercourse between persons who are related to each other with the degrees wherein marriage is prohibited by law.
 - **Sexual Conduct with a Minor:** Non-forcible sexual intercourse with a person who is under the age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person on 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.
- **Burglary:** The unlawful entry of a structure (excluding a vehicle) to commit a felony or a theft. **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.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

Definitions Continued

- **Stalking (new as of 2013):** A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct would cause a reasonable person to fear for the person's safety or safety of that person's immediate family member and that person in fact fears for the person's safety or the safety of that person immediate family member. This also includes the fear of death for that person or immediate family member. Acts may include, but are not limited to:
 - Following
 - Observing
 - Monitoring
 - Threatening
 - Surveillance
 - Communicating to or about a person
 - Interfering with or damaging a person's property or pet
 - Contact via electronic communication
- **Dating Violence (new as of 2013):** Violence committed by a person who is or has been in an intimate or romantic relationship with the victim. This includes, but not limited to, sexual or physical abuse or the threat of such abuse.

Definitions Continued

- **Domestic Violence (new as of 2013):** Any person who murders, kidnaps, physically assaults in any manner, threatens, harasses, damages the victim's property or interferes with the personal liberty of another. It includes:
 - Family Members including: spouse's family and step-family members
 - People who are married, or were married
 - Previously dated or are currently dating, or are or were in a sexual relationship
 - Have a child in common
 - Is pregnant by the other party
 - Share or have shared a household (ex: roommates)
- **Weapons Law Violations:** The violations of laws or ordinances dealing with weapons offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; alien possession of deadly weapons; and all attempts to commit any of the aforementioned.

Definitions Continued

- **Drug Abuse 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 non-narcotic drugs (barbiturates, 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 (drunkenness and driving under the influence are not included in this definition).

Your Role as a Campus Security Authority

Encourage crime victims and witnesses to report any crimes to the PVCC Department of Public Safety.

Formally notify the Public Safety office of any Clery reportable crimes you are made aware of.

Just collect the facts

- You are not a detective
- You don't have to prove what happened or who was at fault
- You aren't expected to find the suspect

Role Continued

Explain to the victim that you are required to notify the campus Department of Public Safety of the incident.

- The victim can remain anonymous, if they wish.
- The victim can also make a confidential report. (they provide their identifying information, but do not want any action taken)
- The victim does not have to speak with the police.
- You may wait to file a report until you are alone, but make the report as soon as possible. The crime may require a Timely Warning to be issued by the campus.

Reporting a Crime

The incident may be reported to the PVCC Department of Public Safety office in following manner:

- You may call Public Safety at (480) 784-0911 and a police officer will respond to your location to take a report.
- The victim/witness/complainant may come to the Public Safety office in person and make a report.
- You may complete the Campus Security Authority Incident Report form and send it to the Public Safety office. The form may be found on the PVCC Public Safety website under the Campus Security Authority heading.

CSA Information

- The campus Public Safety Department is required to keep a list of all CSA's, and document their training. The following information is required to be kept on file:
 - Your Name
 - Your Department
 - Your Title
 - Your Email Address

Quiz-Currently Not Available

As part of your training as a Campus Security Authority, you are required to take quiz. The quiz is also on Canvas. You must pass the quiz with a score of 80%

Questions?

If you have questions regarding your duty as a Campus Security Authority, you can contact the PVCC Public Safety office at (602) 787-7902.

You will also find more information about CSA's on the PVCC Public Safety website at:

<http://www.pvc.maricopa.edu/safety>