

Clery Act - Campus Security Authority (CSA) Training

What is the Clery Act?

- The Jeanne Clery Act is a consumer protection law passed in 1990, which requires all colleges and universities who receive federal funding to share information about crime on campus, efforts to improve campus safety, as well as inform the public of the actual Clery Crime Statistics that occur within a university's Clery Geography campus. This information is made publicly accessible through the university's annual security report.
- Jeanne Clery was a university student who was sexually assaulted and murdered in her residence hall room in 1986. Her parents advocated that institutions make their crime statistics public information so that consumers can make informed decisions. This became known as the Clery Act.

Jeanne Clery



“Lest we forget the meaning of her Death. That we must protect one another, so that her life will not have been in vain.”

Requirements of the Clery Act

All Campuses:

- Collect, Classify and Count Crime Reports
- Issue Campus Alerts (Timely Warnings)
- Publish and Annual Safety and Security Report
- Submit Crime Statistics to the Education Department

For Campuses with Housing:

- Fire Safety Information and Fire Log
- Missing Student Notification Process

For Campuses with Campus Police/Security:

- Must have a Daily Crime Log

Who are CSA's on the UNM Campus?

- Police
- Campus Security/Student Security/Contracted Security
- Advocacy Centers, Dean of Students Office and Office of Equal Opportunity
- Lastly, any university official who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline, and the following:
 - All housing personnel including RA's, Area Coordinators, Hall Coordinators, etc.
 - Athletic Coaches and most athletic personnel
 - Faculty and Staff Advisors (To student groups and student trips)
 - Student Activities Staff
 - Other Individuals as identified by UNM (Academic advisors, college deans chairs, etc.)

You have been identified as a CSA - So what does that mean?

- It means you have an important role at the University of New Mexico.
- This role is to assist someone who has reported a crime to you:
 - Listening to that person reporting, but do not judge that person
 - Providing resources for the person reporting the incident to you
 - Informing them that you must report the incident for Clery reporting purposes, but you do not have to report their name if they would like that left out. Although let them know that having their name helps for classification purposes.

What to do if someone reports a crime to you.

- You must immediately report the incident via Campus Security Authority Crime Report Form, if the crime appears to be one that UNM is required to include in its annual Clery Act crime statistics. Reporting the incident means the UNM Police can look into criminal actions, can track crime trends, can target efforts on certain crimes or areas, and it means we can be more aware of what is going on within our UNM Community
- Ask them if they would like to report the crime to the Police. It is not a requirement that they report it to the police, but you must report it if it is a Clery Crime.
- Under Title IX, a UNM Employee may have different reporting requirements than CSAs. In the event that a sexual misconduct matter is reported to you, it is important to understand both your CSA and Title IX reporting requirements. If you have any questions, you can visit the following website: http://oeo.unm.edu/title-ix/reporting_obligations.html

CSA's Must/Have To/Will Report the Following Information on the Clery Reporting Form:

- When it Happened
- When it was reported to you
- Type of Clery Crime
- Location of the Crime (Give Example)
- Brief Description of Incident (explaining what they told you)



CSA Reporting Form Information

The Campus Security Authority Crime Report Form describes these criminal offenses in more detail. If you are unsure whether the incident described to you falls into one of these crimes, your default should be to report it. A UNM police officer and the Clery Act Compliance Officer receive these reports and will evaluate the information on the form and will promptly follow-up with you if there are questions.



CSA Reporting Form Information (Sexual Misconduct)

- If the person reports to you that he or she was the victim of a sexual assault, fill out the CSA report. Once you are done, an additional message will prompt you to fill out a supplemental report regarding the sexual assault. Do not worry if you cannot answer all of the questions on the form; provide the information that you have from the person reporting the offense to you. *You may additionally have other reporting responsibilities under Title IX, which will require you to disclose the identities of all involved parties.*
- The form will be located on the UNM Police website and the additional form will also be sent to the Title IX Coordinator.

CSA Reporting Information (Hate Crimes)

- If the person reports to you that he or she was the victim of a hate bias incident (defined later in this presentation), fill out the CSA report. Once you are done, you will have the option to fill out a supplemental report regarding the hate bias incident. Do not worry if you cannot answer all of the questions on the form; provide the information that you have from the person reporting the offense to you.
- The form will be located on the UNM Police website the additional form will also be sent to the Director of the Office of Equal Opportunity, so inform the person if they do not want to have their name shared, they do not need to add their name (although it is very helpful to have the person's name)

Departments who have a reporting avenue other than the CSA Reporting Form

The following have their own reporting databases to report Clery Incidents, so please utilize your own database management system and not the CSA Reporting form. These areas include:

- Dean of Students Office (Advocate)
- UNM Campus Police (UNM Police Report)
- Student Housing (Advocate)
- HSC Security (HSC Incident Report)

CSA Reporting Form

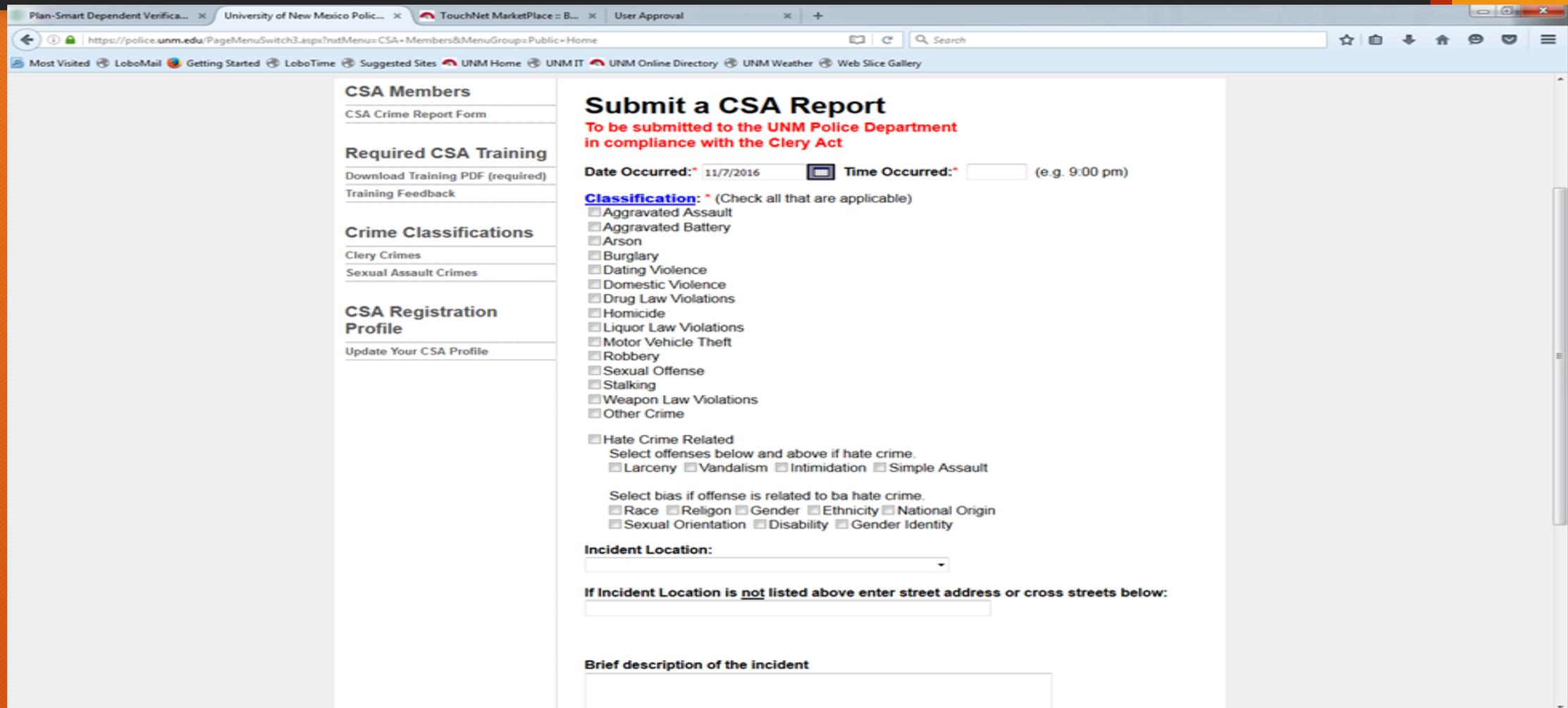
The following screen shots show the reporting form that is used through the Campus Police website for CSA's. As a reminder, the following areas do not utilize the UNMPD reporting form, as they have their own reporting database system(s):

- Dean of Students Office
- UNM Campus Police
- UNM Residence Life
- UNMH Security
- ACC Residence Life Properties



CSA Reporting Form - UNMPD (Screen Shot)

<https://police.unm.edu/>



The screenshot shows a web browser window with the URL <https://police.unm.edu/PageMenuSwitch3.aspx?xmlMenu=CSA+Members&MenuGroup=Public+Home>. The page is titled "Submit a CSA Report" and includes a navigation menu on the left and a main content area with various form fields and checkboxes.

CSA Members

- CSA Crime Report Form

Required CSA Training

- Download Training PDF (required)
- Training Feedback

Crime Classifications

- Clery Crimes
- Sexual Assault Crimes

CSA Registration Profile

- Update Your CSA Profile

Submit a CSA Report
To be submitted to the UNM Police Department in compliance with the Clery Act

Date Occurred: 11/7/2016 Time Occurred: (e.g. 9:00 pm)

Classification: * (Check all that are applicable)

- Aggravated Assault
- Aggravated Battery
- Arson
- Burglary
- Dating Violence
- Domestic Violence
- Drug Law Violations
- Homicide
- Liquor Law Violations
- Motor Vehicle Theft
- Robbery
- Sexual Offense
- Stalking
- Weapon Law Violations
- Other Crime

Hate Crime Related
Select offenses below and above if hate crime.
 Larceny Vandalism Intimidation Simple Assault

Select bias if offense is related to ba hate crime.
 Race Religion Gender Ethnicity National Origin
 Sexual Orientation Disability Gender Identity

Incident Location:

If Incident Location is not listed above enter street address or cross streets below:

Brief description of the incident

CSA Reporting Form (Screen Shot)

The screenshot shows a web browser window with the URL <https://police.unm.edu/PageMenuSwitch3.aspx?txtMenu=CSA+Members&MenuGroups=Public+Home>. The browser tabs include "Plan-Smart Dependent Verifica...", "University of New Mexico Polic...", "TouchNet MarketPlace = B...", and "User Approval". The browser's address bar and search bar are visible. The page content is a reporting form with the following sections:

- Stalking
- Weapon Law Violations
- Other Crime
- Hate Crime Related
 - Select offenses below and above if hate crime.
 - Larceny Vandalism Intimidation Simple Assault
 - Select bias if offense is related to ba hate crime.
 - Race Religion Gender Ethnicity National Origin
 - Sexual Orientation Disability Gender Identity

Incident Location:

If Incident Location is not listed above enter street address or cross streets below:

Brief description of the incident

Check the appropriate answer to the following questions:

Did the crime occur in a building or on the street? * Building Street

Did the crime occur on school owned, controlled, or leased property? * Yes No

Did the crime occur at a University-sponsored activity or event? * Yes No

CSA Submitter's Name:

Best Contact Number:

Email Address:

© The University of New Mexico, Albuquerque, NM 87131, (505) 277-0111 - email: info@unmpd.org
New Mexico's Flagship University

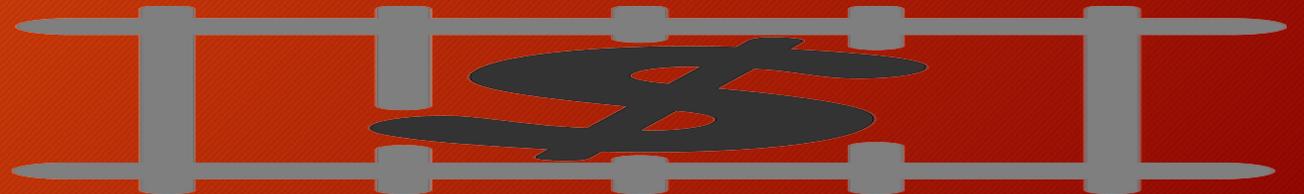
Why must we report Clery Crimes?

- Requirement: Is to have universities or colleges gather Clery Act Crime Statistics from both local law enforcement and Campus Security Authorities (CSA's). If we do not comply with Clery, fines can be up to \$58,000+ per occurrence.
- Identifies crime trends at UNM
- Gives individuals who are planning to attend a college crime statistic information about that college, so that parents and/or students can make an informed decision about attending the college

Why must we report Clery Crimes or Serious Incidents (Cont..)

Campus Alerting Purposes:

- **Lobo Alerts (Emergency Notifications)** - These are notifications of immediate emergencies on campus, such as:
 - An active shooter
 - A building fire
 - Tornado
- **Lobo Advisories (Timely Warnings)** - These are advisories sent out to campus when a Clery crime has been reported to a CSA that is a serious or continued threat to the UNM Campus.



What don't CSA's Do?

- You don't decide if a crime has been committed
- You don't tell the student they can keep the situation confidential, as you have to report the incident to the appropriate authority on your campus
- You should not try to apprehend the subject of the alleged crime
- You do not become the investigator of the incident



Clery Crimes that must be reported (includes a definition of the crime)

- Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
- Negligent Manslaughter is defined as the killing of another person through gross negligence.
- Aggravated Assault - Aggravated assault is 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.
- Robbery is 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.
- Burglary is the unlawful entry of a structure to commit a felony or a theft.
- Motor vehicle theft is the theft or attempted theft of a motor vehicle
- Arson is 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.

Clery Crimes that must be reported, with Definitions (Cont.)

- Sex Offenses—Forcible is defined as 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.
- There are Two Types of Forcible Sex Offenses that are reported on our Clery Report:
 - **Forcible Rape** is 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). This offense includes the forcible rape of both males and females.
 - **Forcible Fondling** is 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.

Clery Crimes that must be reported, with Definitions (Cont.)

- Non-Forcible Sex Offenses that are reported on our Clery Report:
 - Incest = Non-forcible sexual intercourse between person 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.

Clery Crimes that must be reported, with Definitions (Cont.)

- 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.
- Domestic Violence - A felony or misdemeanor crime of violence committed by:
 - A Current or former Spouse or intimate partner of the victim
 - By a person with whom the victim shares a child in common
 - By a person who is cohabitating with, or has cohabitated with, the victim as spouse or intimate partner
 - By a person similarly situated to a spouse of a victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
 - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
- Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety of others or suffer substantial emotional distress.

Clery Hate Crimes that must be reported, with Definitions

- A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. (Remember, this would include all the Clery Crimes listed in the previous slides, plus the following four items:)
 - (Only for HC's) Larceny- Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
 - (Only for HC's) Simple Assault is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Clery Hate Crimes that must be reported, with Definitions (Cont.)

- (Only for HC's) Intimidation is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- (Only for HC's) Destruction/Damage/Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Campus Police CSA Survey

- In the spring of each year the UNM Police will also send you a survey requesting to send over any Clery type incidents that had not been reported in the calendar year prior. Ideally this should be zero, because Clery Crimes should be reported promptly through the CSA Report seen earlier in these slides. You must return the survey, even if you are not reporting any crimes.



Why is it important to know where a situation occurred? *Clery Geography*

As a CSA you only need to report crimes that occur on UNM's Campus Geography, which is:

On Campus Property = Any UNM Owned Buildings on Main, North or South Campus

Non Campus Property = Any UNM Owned or Leased Buildings, not on Main, North or South Campus.

Public Property = Any public property that borders UNM's Main Campus, such as the sidewalks and the streets that border UNM. For Example: The sidewalk on both sides of Central Avenue (the part of Central that directly borders UNM on the South side of Main Campus) would be considered Public Property

No matter where the Crime is Reported, you still need to report the incident. However, the information above can assist in filling out the CSA Reporting form.



Student Trips (Athletics, Classes Taught Off Site and Student Group Trips)

A requirement of the Clery Act, is that universities must reach out to the local law enforcement agencies for the off-site classes or trips mentioned above to see if any Clery reportable crimes occurred in those locations. These areas are considered non-campus areas for Clery classification purposes. Specifically, the Clery Compliance Officer needs to know:

- Any hotel (address and dates of stay included) your students stayed at for more than one night, where UNM Funds were used
- Any classroom space (address and dates/time utilized), where there was a written agreement to utilize the space
- It would be helpful for you to provide the local authorities e-mail address if this is out of the country



Student Trips (Athletics, Classes Taught Off Site and Student Group Trips)

However, for these trips, we do not need to know the following:

- If you students made their own reservations with their own money
- Any day field trips you took, unless you had a written agreement for your group to exclusively utilize the space
- Any hotel stays that were just one night stays
- If your students were staying at host family houses, where there was no money or written agreement made by the university
- The field or school where your team played

Examples of Collecting Information

Here is the situation, a student comes to you and asks if they can tell you something that has happened to them.

What should be your first statement?

- Answer = Tactfully inform the person that you must report certain crimes, however, I do not have to share your name should I need to report it.

The student decides after you tell them your statement to disclose that their ex-boyfriend is stalking them.

What kind of questions should you be asking them, should they not already disclose this to you?

- Answer = Do you feel safe now, have you reported this incident to anyone else, where did it occur and when did it occur (Although - REMEMBER YOU ARE NOT AN INVESTIGATOR, so do not become an investigator)

Example of Collecting Information from a reporting person

What resources should you be telling them about?

- Answer = UNM Police, LoboRESPECT, LGBTQ Resource Center, WRC and OEO (if a sexual misconduct issue or hate bias incident)

Should you let them know that you have to report this incident?

- Answer = Yes, remind them you need to report the incident, should it fit a Clery Crime Category or Title IX Category, but remember for Title IX related incidents you will have to share the identities of all parties involved with the Title IX Coordinator. (Again it is helpful to have their name if they would like to give their name for all Clery Reported crimes, but not a requirement) What is your next step?

- Answer = Report it and remember that you may have reporting requirements through Title IX

CSA Misc. Scenarios

- What if you are a faculty advisor to a student group and someone in your class writes a paper about them being sexually assaulted two years ago.
- What if someone tells you that they were just robbed at gun point out on Johnson Field? What do you do and why is it important to report this immediately through to the Police or through the CSA Reporting requirements?
- When should you report situations through either Police or through the CSA Reporting form?

Answers to Questions

- What if you are a faculty advisor to a student group and someone in your class writes a paper about them being sexually assaulted two years ago. As a CSA you do not need to report an incident that was disclosed through a paper in your class, because it was not disclosed to you as a report of a crime.
- What if someone tells you that they were just robbed at gun point out on Johnson Field? What do you do and why is it important to report this immediately through to the Police or through the CSA Reporting requirements? As a CSA you need to make sure the student feels safe and has reported the incident to UNM Campus Police. If they have not reported to police you should help them in making that report, by telling them where campus police is located or walking them over to Campus Police. It is important to report this immediately via a phone call, because the UNM Police Department may need to put out an Emergency Notification or Lobo Advisory informing the campus of a serious threat to our community. Additionally, you should be letting the student know of the various resources on campus, as this type of incident can have a serious impact on a student.
- When should you report situations through either Police or through the CSA Reporting form? All of the time

What are the UNM Resources for Clery Incidents (Anonymous and Confidential Reporting Areas)

The following departments must report Clery Reportable crimes, but they do not have to share the students name and the student does not have to state their name to be seen:

- LoboRESPECT Advocacy Center - (505) 277-2911
- Women's Resource Center - (505) 277-3716
- LGBTQ Resource Center - (505) 277-5428
- Vassar House - (505) 277-3712

Versus

The following departments that must ask your name, but will not share your information even for Clery Reporting purposes without your consent, unless it falls under certain exceptions per our state law.

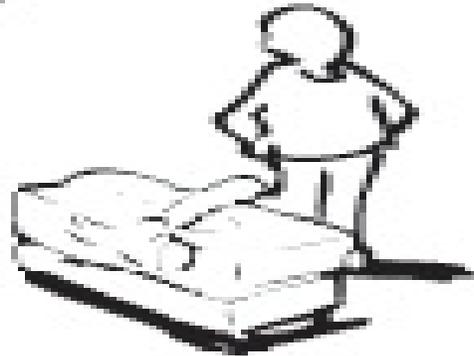
- UNM Student Health and Counseling (SHAC)
- UNM Hospital



Community Resources

- Agora Crisis Center 505-277-3013
- SANE 505-884-7263

Key Resources



What is your Campus Security Authority (CSA) Knowledge?

Is a faculty advisor to a student group a CSA?

Yes

No

As a CSA, should you investigate the incident?

Yes

No

Is a violation of the skateboard policy a CSA Crime?

Yes

No

What is your Campus Security Authority (CSA) Knowledge?

Is a faculty advisor to a student group a CSA?

Yes

No

As a CSA, should you investigate the incident?

Yes

No

Is a violation of the skateboard policy a CSA Crime?

Yes

No

Questions - our contact information is:

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- James Madrid jmadrid2@unm.edu
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