

The image features a gold-colored police badge for the Coastal Bend College Police Department. The badge is oval-shaped with a textured background. At the top, the words "POLICE DEPARTMENT" are written in blue, arched letters. In the center, there is a circular emblem with a blue and white design. Below the emblem, a white banner contains the text "COASTAL BEND COLLEGE" in blue, arched letters. At the bottom of the badge, the year "1965" is inscribed in blue. Overlaid on the badge is the title of the document in large, bold, red text.

The Jeanne Clery Disclosure of Campus Security Policy & Crime Statistics Act

Prepared by the Coastal Bend College Police Department



Duties of a Campus Security Authority



Background to the *Clery Act*

- Jeanne Clery was raped and murdered in her dorm room at Lehigh University in 1986. Her killer was another student. Her parents believe she would have been more cautious if she had known about other violent crimes at Lehigh.
- Congress agreed. The Clery Act, first enacted in 1990 and amended in 1998, requires higher education institutions to report crime statistics to current & prospective students & employees.



Clery imposed Reporting Requirements

The Clery Act is an Federal statute that requires Colleges and Universities to:

- report 10 categories of crime and student conduct complaints
- THAT OCCUR within the Clery Jurisdiction of the IHE *and*
- Report all statistical data to the United States Department of Education on an annual basis.



What the Clery Act accomplishes

- The Act IS NOT a campus law enforcement initiative and has nothing to do with solvability factors or arrest and conviction rates for campus crimes.
- IT IS a consumer law that requires IHEs collect and publish reported campus crime statistics on 10 specifically listed crimes.
- Clery also requires the collection and publishing of the numbers of certain student conduct issues (*Drugs, guns, and alcohol violations of student code of conduct*)
- that occurred on or directly adjacent to property owned or used by an IHE during a given year or during a college supported event.



Campus Security Authorities (CSA)

I'm not a law enforcement or security officer, what does this have to do with me?

- Many crimes committed in our society are not reported to the police.
- To ensure that students know about dangers on their campuses, the Clery Act requires IHEs to actively gather and publish data from Campus Security Authorities.

Why me? *Is it my special talents and winning personality?*

Not..... Really its just your job title.....



Why me? Continued...



You have been declared a CSA because you are a CBC employee who's job duties place you in a special relationship with STUDENTS who may confide in you reportable information requiring counting under the CLERY Act.



You will be issued a *Captain America* decoder ring and a whistle... again... ***NOT...***



Who are *Campus Security Authorities (CSAs)*?

Under the **Clery Act**, the four categories below are deemed CSAs;

- Police Officers (*duh*)
- Employees with Campus Security Responsibilities (*another duh*)
- Employees Designated by the IHE as CSAs (*still another duh*)
- Employees with Significant Responsibility for Student and Campus Activities who are likely to receive complaints from a victim of crime. *Bam. That's the crack most of you fall into.*

Responsible for campus security



Category 1 – Campus Police Departments

All Officers of the Coastal Bend Police Department
to include contract Police Officers



Responsible for campus security



- Category 2 – Individuals with Campus Security Responsibilities.

ie; closest we have to this description are the Courtesy Patrol Employees





Responsible for campus security

- **Category 3 – Individuals Designated by the Campus.**
 - President's Office and Staff
 - Provost's Office and Staff
 - Deans
 - Student Affairs Counselors
 - Others as designated



Laundry list of Designated Cat. 3 CSAs

Include:

- ALL Deans, Asst. Deans and Program Coordinators
- Provost and Staff
- Representatives of Housing and Resident Life
- Student Judicial Officials / Other Discipline Officials
- Site Directors
- Title IX personnel (*Coordinator and Investigators*)
- Directors or Managers of Student Service Centers
- Officials who oversee extracurricular activities.
- Director of Athletics, Coaches, Trainers, Staff
- Student Health Directors
- Faculty Advisors and Advisers to Student Groups
- Instructors with advising duties (*most if not all FTE instructors*)

Responsible for campus security



Category 4 – Officials with Significant Responsibility for Student & Campus Activities

- Focus on Function of official, not just title
- Significant Contact with Students
- Line Responsibility
- May include Officials not specifically employed as “Faculty” or “Staff”



NOT CSAs & do NOT have to report

- Employed by CBC as **Licensed Mental Health Counselors** working within the scope of their license
- Persons not employed by CBC but provide confidential counseling to students and/or employees. (i.e. ***Private counselor/ Religious Counselor***)
- Individual **faculty who are not advisors** to student groups
- Clerical staff
- Non-professional and contract staff

Confidential reporting



Even if **you are not a CSA** and don't have to report, you can still tell the person how she/he can report the crime to Police.

I'm a Campus Security Authority what do I have to do?



- If someone tells you about a Clery crime THAT OCCURRED ON CBC PROPERTY or on public streets immediately adjacent to CBC, or during a CBC event you must record the information and submit it to the Coastal Bend College Police Department
- **Just get the facts**, CBC Police will investigate the crime and tabulate appropriate statistics.

I'm not sure.....



When in doubt...

REPORT



What crimes must I report?

The Magic 10



The **10 CLERY CRIMES** that must be reported

- Criminal homicide
- Sex offenses—forcible & non-forcible
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Arrests & disciplinary referrals for violations of liquor, drug, & weapons laws
- Hate crimes
- Domestic/Dating Violence
- Stalking



“CLERY REPORT”

First and foremost, as a citizen you can (and should) report serious crimes to the police

CLERY REPORT means documenting that the crime;

1. fell into one of the Ten categories listed in the last slide *and*
2. occurred on or adjacent to a CBC campus or it occurred during a CBC event.

That’s it... The information in the Clery Report should come from a credible source, a crime victim or credible eye witness (*i.e.- observed the crime as it happened or discovered the crime*)

APPLICABILITY



DO NOT CLERY REPORT CRIMES AS A CSA IF:

1. A person tells you about a crime that occurred before he/she came to Coastal Bend College OR
2. While he/she was off campus and not involved in a CBC Sponsored activity—e.g., at home, at the mall shopping, on a date, on spring break etc. OR
3. the crime reported to you is not one of the CLERY 10 listed

Timing is (almost) everything



Document: *(IF YOU KNOW)*

- When did the crime or incident occur?
NOTE if it didn't occur on CBC property or on an adjacent street, don't Clery Report.
- When did the person report it to you?



For all crimes determine;

*IF you wish to win the Ace Detective
Decoder Ring, Remember*

WWWWW (5W)

For all crimes determine;

WHO?

This one is not as important as the rest in collecting Clery Data, we really don't want or need WHO in the reporting process.

However WHO is important to the police in their investigation. Nothing prohibits you from sharing information with police so long as you do not identify the victim. In most cases the victim will self-identify to police.

For all crimes determine;

WHAT?

Without a doubt the one of most important questions in Clery Reporting

➤ *What is the crime committed and is it one of the Clery 10?*

For all crimes determine;

WHEN did the crime occur? *If just occurred determine if:*

- *Is anyone injured?*
- *Does EMS need to be summoned?*
- *Did the crime occur on CBC Property?*
- *Have Police been notified?*
- *Description of the perpetrator(s)*

For all crimes determine;

WHERE?

PROBABLY THE MOST IMPORTANT QUESTION
IN CLERY REPORTING BECAUSE IF IT WAS
NOT COMMITTED ON CLERY JURISDICTION,
IT IS NOT REPORTABLE

For all crimes determine;

WHY?

- This the other question that is not as important as the rest in collecting Clery Data. Clery doesn't typically need a WHY in the reporting process.
- The exception is when you are reporting HATE or Domestic Violence (*Includes Dating Violence*) related Crimes

Just the Facts



Police will categorize the report: your only duty is to get the information the person wants to tell you.

- You are not a law enforcement officer, your only duty is to report what you were told.
- 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 in the CSA Report (but may identify to police if victim is agreeable.)
- You are under no duty to report if the crime is not one of the CLERY 10 listed earlier in the presentation

Just the facts – the PROCESS



- CSAs (You) are under no duty to report if the crime occurred off of CBC property and not during a school sanctioned event.
- Let victim know about options for reporting to Police.
- Tell victim how he/she can report anonymously to Police.
- BUT: The decision isn't yours!

A person who talks to you may not want to talk to Police - *and doesn't have to.*

BUT document you must...



Regardless of whether the crime is one of the CLERY 10



Provide the person with information on;

- Reporting the crime to police.
- Campus programs for assisting victims of sexual and other assault.
- Procedures for seeking medical help.



Written reporting

Write out (*word process the report PLEASE*) what you know and provide a copy to the CBCPD and DO not identify the victim in the report

- Tell the person you must report the incident as an anonymous statistic but will not identify anyone involved.
- Again do not use the reporting person's name or other identifiers unless you have their permission to do so.
- Document what you were told by the reporting party.
- Ultimately it will be up to CBCPD to categorize the crime, so please be as descriptive as possible.

IF YOU CAN, Find out the following



- Where did the crime being reported occur?
- Is victim and/or suspect a student? Are they acquaintances?
- Does victim wish to remain anonymous?
- Has the incident been reported to police or to any other CSA?



Sex Offense/Assault

- When and where?
- Is a violent situation in progress?
- Call 911 for Police and EMS if needed
- Is offender still on property?
- Obtain description of offender if possible

Robbery, burglary, theft (something was stolen)



- Is the perpetrator(s) still on campus?
- Description of perpetrator(s)
- **If just occurred, Call police and report the crime and any description of perpetrators**



Victim VS Witness – Violent Felonies

This is more of an FYI, but a victim of offense can remain anonymous and does **NOT** have to file charges or cooperate with police, *however*

a WITNESS to any violent crime must cooperate with police under Texas Law. *(Texas Penal Code § 38.171.*

Failure to Report Felony is a Class A Misdemeanor, 1 year in jail, \$4000 fine or both)

Motor vehicle theft



- **Was it stolen from CBC campus?**
- **What kind of vehicle?**
- **License plate number?**
- **Does the reporting person know who did it?**





CSA should gather information from student informing you concerning:

- Did Arson occur on CBC Property?
- What was the target property of the Arson?
- Was anyone hurt?
- When did it happen?

If In Progress call 911 and report fire and location



HATE CRIMES

CRIMES MOTIVATED BY or TARGETING BECAUSE OF:

- race,
- gender,
- religion

- sexual orientation
- ethnicity
- disability

Hate crimes



Note that while it is important to determine this type of crime, this determination of whether the predicate crime is a Hate Crime should not be made by you, but by the investigating law enforcement agency.

LIQUOR, DRUG, WEAPONS LAW VIOLATIONS

SOUNDS LIKE A BIKER PARTY!



1. CBC must report statistics on numbers of people arrested for liquor law violations, drug law violations and illegal weapons possession THAT OCCUR ON CAMPUS.
2. Employees responsible for Student Conduct complaints must keep statistics on number of people referred for disciplinary action for drug, liquor law and weapons violations.
 - ***Disciplinary referrals should not include incidents in which the person is also arrested for the same offense. (Double Count)***
3. Statistics must reflect total number of persons involved, not incidents.

Domestic/Dating Violence and Stalking (VAWA)



CBCPD must keep statistics on numbers crimes involving any type of

- *domestic assault*
- *dating violence*
- *stalking (harassment)*

if any part of the crime occurs on CBC property.



Missing Student Reports

Any CSA who receives a report of a missing student shall immediately make attempts to determine the students status and if status cannot be determined, then make the following notifications:

IF STUDENT RESIDES OFF CAMPUS

- Contact applicable Local Law Enforcement Agency

IF STUDENT RESIDES ON CAMPUS

- Contact Coastal Bend Police Department: 361-354-2611 or Chief Behr at 361-318-6707 Weekends or after hours.

CBCPD Missing Person Policy can be accessed from Public Safety link on main CBC webpage.

QUESTIONS?

CONTACT



KEVIN BEHR
CBC POLICE CHIEF
EXT 2338

cbcpolice@coastalbend.edu

