

Campus Security Authority Information

The following provides information on what makes an individual a Campus Security Authority and his/her responsibilities under the Clery Act. It includes a Q & A to help provide further clarification. Questions about the role and responsibilities of CSAs, or the Clery Act in general, should be directed to the University's Accreditation/Compliance Manager (ACM) at (402) 472-8430 or at: mmaas2@unl.edu.

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a federal law better known as the Clery Act, was enacted to help create safer university communities throughout the nation. The overall intent of the Clery Act is to encourage the reporting and collection of accurate campus crime data, to promote crime and safety awareness, and to enhance campus security. As part of the requirements, institutions must implement a system that ensures accurate and timely crime reporting.

Statistics for certain identified categories of crimes, arrests and referrals occurring at specific locations (on or adjacent to University property) must be publicized through an annual campus safety and security report, which the Clery Act mandates be made available to the campus community by October 1st of each year. UNL's report can be found at: <http://police.unl.edu/safety-reports-and-statistics#annual-report>. These statistics must also be submitted to the U.S. Department of Education's website by the same date.

Another key requirement of the Clery Act is to issue safety alerts, or timely warnings, to the campus community regarding crimes considered to be a serious or a continuing threat to University community members. In order to meet this requirement, incidents must be adequately reported so that alerts can be issued when necessary.

Defining Campus Security Authorities

The Clery Act identifies certain categories of institutional employees that are considered "Campus Security Authorities," and as a result, have a federally mandated responsibility to forward reports of crimes that are reported to them. The actual definition is broad and includes a wide range of positions as a way to ensure institutions are including all employees that may be applicable, and in turn, obtain as accurate a picture of crime on campus as possible.

The Act defines the following four general categories of CSAs:

1. A campus police department;
2. Persons responsible for campus security (non-police);
3. Institutional individuals/offices to which crimes should be reported (e.g. Title IX, Dean of Students, Human Resources, etc.);
4. Officials with significant responsibility for student and campus activities.

To determine which individuals are CSAs, one must consider job functions that involve direct relationships with students that are beyond the classroom (not simply related to the class/course material). If someone is directly connected to student/campus activities, then they are a CSA. Some examples in this category include, but are not limited to:

- Team Coaches (head coach down to graduate assistants/volunteer coaches)
- Advisors (both academic & student organization)
- Residence Directors/Assistants
- Greek Affairs Coordinators
- Guest Relations/Security Attendants
- Title IX Coordinators/Investigators
- Student Activity Coordinators
- Deans/Directors of Student-related Programs
- Victim advocates/Others providing advocacy services

- Student peer education advisors

There are times when someone who is not normally a CSA becomes one. Crime reporting and CSA responsibilities extend off-campus when students (not applicable when staff only) are involved in travel controlled and/or arranged by the University. Per the Clery Act, off-site locations become reportable when specific thresholds are met: 1) If the institution sponsors students on an overnight trip *every year* and the students stay in the *same hotel each year*; 2) If the institution sponsors short-stay “away” trips of *more than one night* for its students. When either criteria is met, crimes occurring at these locations during the trip must be reported. As such, any University employee who arranges and/or accompanies the students on the trip *automatically becomes a CSA*.

Receiving a Crime Report

A Clery Act crime is considered “reported” when it is directly brought to the attention of a CSA, University Police or local law enforcement personnel by a victim, witness, third party, or even the offender. The party reporting the crime does not need to be University-affiliated, and the report does not have to lead to police involvement.

While CSAs are only obligated to forward reports of Clery Act qualifying crimes which occurred on Clery reportable geography, they are encouraged to promptly relay the report of *all* crimes to University Police.

If a CSA receives a report of a Clery Act crime and believes it was provided “in good faith,” meaning that there is reasonable basis for believing that the information is not rumor or hearsay, then the crime must be reported. What must be forwarded, therefore, are reports of *alleged* criminal incidents; there does not have to be proof that the crime occurred.

CSAs have an important role in complying with the Clery Act. Timely forwarding of crime reports by CSAs allows the University the opportunity to review whether or not an emergency alert or timely warning should be issued, and it assists in maintaining and providing accurate crime data.

CSA Response to Reported Crimes

1. When a crime involving an emergency situation is reported, the CSA should try address the emergency to the extent possible and immediately call 911 or (402) 472-2222.
2. If not an emergency, the CSA should ask the individual if he/she would like to report the incident to the police. If they do and want help in the reporting process, the CSA should coordinate and contact University Police via phone at (402) 472-2222 or in person at 300 N. 17th Street. If no police involvement is desired, or the individual says they will notify the police on his/her own, but the CSA has no firsthand knowledge/confirmation that the report was filed, the CSA must complete a [Clery Act Crime Survey Form](#) to ensure that a report is made. Please see the following:
 - a. The CSA should explain that they are a federally mandated crime reporter and are required to submit a report for statistical purposes if they are not involved in the report being made to the police, but that this report can be submitted without identifying the reporting party and/or victim if anonymity is requested. CSAs are encouraged to use the following statement when talking with the reporting party: *“As part of my position on campus, I am a federally mandated crime reporter for the University. I am required to report this incident for statistical purposes. If you request confidentiality, my report will not include your name, or that of any other involved individuals. My report will contain only the information you provide. Do you have any questions? Would you like to help me fill it out?”*
3. If the reporting party is a victim of a sex offense and University Police are not involved, he/she should be encouraged to contact the University’s designated local victim advocate and/or University counseling and health care services: [Voices of Hope 24-Hour Crisis Line](#) at (402) 475-7273 for 24-hour/7 days a week confidential support or the University Health Center at (402) 472-5000. University employees can also

receive counseling and support through the University's [Employee Assistance Program](#) at (402) 472-3107 or (800) 755-2655.

4. If the CSA has firsthand knowledge/confirmation that the reporting party or someone else has already filed a report with University Police, or has placed the information into a system that ensures University Police will be informed, then the CSA has fulfilled his/her duty and is not obligated to complete and submit an electronic form. When in doubt, the on-line reporting form should be completed and submitted. All reports are reviewed to ensure that there is no double-counting of crimes.
5. CSAs *should not* investigate a crime reported to them or attempt to determine whether in fact a crime took place. They should not try to determine and/or find the perpetrator. CSAs should simply report the crime promptly to University Police or complete an electronic report; timeliness is essential, as the incident may warrant a University issued timely warning.

Frequently Asked Questions

What makes someone a Campus Security Authority/CSA?

It is the *function* that the person is serving, and not simply the *title*. It is those individuals that have secondary relationships with students that extend beyond the classroom and related conversations. If someone is acting as an advisor, even if it is not their official title, they have a direct relationship with students, and therefore, those students may feel comfortable in telling this person of a crime of which they were the victim. The definition provided by the Clery Act is intentionally broad, as the idea is to include as many people as possible to ensure all crimes are reported. You cannot decline to be a CSA; if your role fits the definition, you are a CSA.

Who is not a CSA?

Individuals that do not deal with students outside of a normal classroom or business setting are not considered CSAs. As you will see, this is a very limited list. The following non-CSA positions and functions include, but are not limited to:

- Faculty member without responsibility for student/campus activity beyond the classroom;
- Clerical or administrative support staff;
- Cafeteria/facilities maintenance/information technology staff.

While not CSAs, nothing prohibits these positions for forwarding reports of crimes that they may receive.

What do I have to do?

Your basic responsibility is to be a contact person for students who feel more comfortable reporting an incident to you than to the police. You should encourage, but not press, the reporting party to contact the police, and help them upon request. Ask what happened and obtain as much information as you can, but don't push for details; just go with what they freely tell you. You must forward the report by either reporting it directly to the UNL Police Department (with approval of victim) or completing a [Clery Act Crime Survey Form](#). You do not have to be an expert on Clery crimes or locations; simply report the information to the best of your understanding.

What crimes do I need to report? Does it matter where they occur?

You should report *any* crime that is reported to you. You are *required* to report the following crimes:

- Murder/ Non-negligent Manslaughter;
- Manslaughter by Negligence;
- Sexual Assault – Rape, Forcible Fondling, Statutory Rape, Incest
- Robbery;
- Aggravated Assault;

- Burglary;
- Motor Vehicle Theft;
- Arson;
- Dating Violence;
- Domestic Violence;
- Stalking;
- Specifically if any of the above were Hate Crimes, and if a Hate Crime, the following additional crimes:
 - Larceny-Theft;
 - Simple Assault;
 - Intimidation;
 - Destruction/Damage/Vandalism of Property.
- Weapons Law Violations;
- Drug Law Violations;
- Alcohol Law Violations.

The above crimes only need to be reported if they occurred at the following locations:

- On-campus UNL property, including Student Housing (the core campus, out one mile);
- Off-campus but on UNL owned/controlled property (includes trips meeting specific criteria);
- On public property going through/directly adjacent to campus.

Please be aware that you are not expected (or required) to be absolutely correct regarding the specific crime designation or the reportable location; if you have any doubts, just report what you think it is and provide as much information as possible, and the Clery Compliance Coordinator will determine if it must be reported as part of the Clery statistics and how it should be classified. More specific information on the crimes and locations, as well as a training video, can be found at: <http://police.unl.edu/being-campus-security-authority>.

What's the difference between reporting a crime to the UNL Police Department and reporting it via the electronic report form?

When a crime is reported to University Police, the report will be taken by a UNLPD officer and an official police report will be written. The officer may follow up with the victim, if known, although an official investigation will not occur if the victim does not want it. When a [Clery Act Crime Survey Form](#) is completed, the form goes directly to the Clery Compliance Coordinator and is used strictly for statistical purposes and there is no police report generated*. All crimes should be reported *directly to University Police*, unless the reporting party is adamant that they do not want any law enforcement notification or involvement.

*It is important for victims to know that even if they do not desire an investigation at the time, they can always request one in the future. This is why it is important for a report to be made to the police, even if the victim does not want to take action; it allows the incident to be officially documented and an investigation to begin immediately upon request from the victim at a later date.

How do I determine when a crime occurs on "public property" and should be reported, and when it shouldn't?

The Clery definition of public property includes *"all public property, including thoroughfares, streets, sidewalks, and parking facilities that is within the campus, or immediately adjacent to and accessible from campus"*. The general rule for campus property bounded by public property is to include the sidewalk in front of the campus property, the public street, and the public sidewalk across from the campus property (sidewalk/street/sidewalk). If a crime occurs on any public street or sidewalk that goes through the campus, it must be reported. If a crime occurs on the public sidewalk across from a campus building, it must be reported. As with any incident, if you are not sure about reporting, please contact the ACM for clarification, or simply complete the report and provide information regarding the location.

Why is making me, a normal employee, responsible for reporting the crime necessary?

The intent of including non-law enforcement personnel as CSAs is to acknowledge that many individuals, students in particular, are hesitant about reporting crimes to the police; they may, however, be inclined to report incidents to campus affiliated individuals with which they feel comfortable due to their direct relationship. By having this extra layer, the ability to obtain information concerning crimes on campus is greatly improved. Having accurate crime statistics will help the University know what prevention and safety awareness programs are needed and allow the UNL Police Department to best use its resources for crime prevention.

How soon do I need to report an incident? What if I forget?

Reports of any incidents that you receive should be forwarded *as soon as possible*, either through a call, email or direct contact with University Police, or via an electronic report. However, some incidents still may not get reported (i.e. it was felt to be too minor to report at the time or the CSA just didn't get to it). In January of every year, a request for crime reports will be sent to all CSAs (annual verification). At this time, you can complete a [Clery Act Crime Survey Form](#) and provide information on any incidents reported to you in the previous calendar year. If you reported the incidents as they occurred, your obligation to report is complete; you simply need to check the appropriate box on the electronic form as a way to provide verification that all reports were handled as appropriate.

How do I handle a serious crime, such as sexual assault or domestic violence?

First of all, you need to make sure that you are there to support the victim. You must let the victim know that you will help them contact the UNL Police or any other UNL official (Dean of Students, Title IX Coordinator, etc.) if they so choose. The victim should be encouraged to report the incident to the UNL Police, however, they should not be pushed. They should also be encouraged to receive help from victim's services or some other form of counseling service, and to contact University officials so that they can take the appropriate action. You may want to suggest the need to be checked out at a health care facility, and that they not bathe or change clothes or do any cleaning up prior to receiving medical assistance in order to preserve evidence. It is important to provide information on where they can go for medical assistance and the location of victim's services (UNL has a number of pamphlets for this purpose).

Do I need to look into an incident and investigate to see if it really happened before I report it?

No, and you should not try. CSAs are *not* responsible for determining if a reported crime actually took place; they must simply relay what was told to them. CSAs are also not responsible for contacting or trying to apprehend the alleged perpetrator of a crime, as this is the UNL Police Department's responsibility. As noted above, if a report is made and there is no reason to believe that the report was not in good faith, forward it.

What if I am unsure if an incident is a crime or if it should be reported under Clery?

Forward the report! It will be reviewed and included in the statistics if necessary. It is better to provide the report when unsure than to do nothing, as we do not want to omit any Clery-reportable crimes from our statistics or not issue a Timely Warning if one is warranted. The ACM is always there to provide consultation, so feel free to contact him/her if you are unsure whether a reportable crime occurred.

If the University Police Department is not going to investigate every reported crime, what is the purpose of reporting the incidents, outside of the Clery mandate?

Many crimes do not get reported to the police, per the desire of the victims. By collecting data from other sources, we are getting a more accurate number for crimes that occur on or near campus. This information is made public and serves as a resource for the campus community and potential students/employees to use to

make informed decisions regarding their safety. In addition, the report will be evaluated to determine if there is an ongoing threat to the campus community, and if necessary, a Timely Warning will be issued.

Are there any positions that meet the definition of a CSA, but are exempt from the reporting requirement?

Yes, certain individuals who would normally be CSAs are exempt from disclosing information when acting within the scope of their license or certificate. For UNL, this would professional counselors (person whose official responsibility includes providing mental health counseling to members of the UNL community and who is functioning within the scope of his or her license or certification). This definition also applies counselors who are not employees of UNL, but are under contract to provide counseling for UNL. When acting in their counselor roles, these employees do not have to report, although they can report if it is okay with the victim (either to the police or simply for inclusion in the statistics).

What happens if I do not forward report criminal incidents?

You run the risk of getting yourself and the University into serious trouble. The United States Department of Education enforces the Clery Act and may level civil penalties against institutions of higher education up to \$35,000 *per violation*, or may suspend them from participating in federal student financial aid programs.

What happens after an electronic report form is completed?

The Clery Compliance Coordinator will thoroughly review each report. He/she will ensure that the incident has not already been reported, verify that the crime is Clery reportable, classify the incident in the proper crime and geographical categories, and make a determination if the incident warrants a timely warning (if it does, it will be forwarded to a University Police sworn supervisor for issuance of the warning; no police report is generated, however). The information will be entered into a database for storage, and then provided to the Department of Education for publication on their website and provided in the University's [Annual Campus Crime and Fire Safety Security Report](#) (statistics are for the three previous calendar year). Remember, that when an electronic report is completed to relay a crime instead of reporting directly to law enforcement, there is absolutely no police involvement and so nothing is on record for any future police action.

If a victim's name is included in a report, will it end up becoming public?

No, names are *never* made public. No Clery-related report or Timely Warning *will ever* include names or other information that allows a victim to be easily identified. If a report is made to University Police, names will be kept confidential to the extent allowed by law. The aim of the Clery Act is to obtain crime frequency information and include it in the publicized statistics, and not to identify victims or ensure that the incident is investigated.

Is the Clery Act and Title IX the same thing?

No. While there are some similarities, they are two totally different laws. For the Clery Act, reporting is required only for Clery-defined crimes occurring within Clery-defined geography. The reports are for statistical and safety review purposes, and investigation may not take place if not wanted by the victim. Crime reports must be forwarded by CSAs to University Police directly or via electronic report; names can be withheld. For Title IX, *any* incidents of sexual harassment or misconduct, which includes sexual assault, stalking, domestic violence or dating violence occurring on campus, or between members of the campus community, whether on-or-off campus, must be reported and then investigated by Title IX, regardless of whether the victim desires the investigation. Reports must be forwarded by "Responsible Employees" to the Title IX Coordinator, and the report must include the names of those involved when known.