

# DIVISION *of* PUBLIC SAFETY

<http://www.publicsafety.upenn.edu>

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## CLERY CRIME REPORTING MODULE

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Division of Public Safety  
Office of Institutional Compliance



UNIVERSITY *of* PENNSYLVANIA  
Maureen S. Rush, M.S., CPP  
Vice President for Public Safety

# Crime Awareness & Campus Security Act

- In 1990, Congress enacted the Crime Awareness and Campus Security Act which amended the Higher Education Act of 1965 (HEA). The Act requires all postsecondary institutions in the United States participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The purpose of the act is to create awareness of campus crimes so that students and employees may better protect themselves.

## The Clery Act

- The Crime Awareness and Campus Security Act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act in memory of Jeanne Clery, a student who was murdered in her dorm room at Lehigh University on April 5, 1986.

# University Requirements Under the Clery Act

- Policy Disclosure
- Record Collection and Retention
- Information Dissemination
- Reporting Crimes

# Policy Disclosure

**The following information must be provided to students and employees per the Clery Act. The University of Pennsylvania includes this information in its Campus Safety and Security Annual Report.**

- Procedures for students and others to report criminal actions or other emergencies occurring on campus;
- Security of and access to campus facilities; and
- Campus law enforcement information.

# Record Collection & Retention

## Here is how the University of Pennsylvania complies:

- The Office of Institutional Compliance and the Division of Public Safety keep records of crimes reported to campus security authorities.
- The Division of Public Safety makes a good faith effort to get certain crime statistics from law enforcement agencies to include in its Campus Safety and Security annual report and web-based report to the Department of Education.
- The Division of Public Safety keeps an electronic, daily crime log that is open to the public in the lobby of 4040 Chestnut Street, 24 hours a day, seven days a week.

# Information Dissemination

## Here is how the University of Pennsylvania complies:

- The Division of Public Safety works with several University departments to publish the Campus Safety and Security annual report. This report is distributed to current employees and students. Prospective students and employees are also informed about the content and availability of the report.
- The Division of Public Safety provides a timely warning of any Clery Act crime that might represent an ongoing threat to the safety of students or employees.
- The Division of Public Safety provides access to its crime log via a kiosk in the lobby of 4040 Chestnut Street which is available 24 hours a day, seven days a week.

# Who Must Report Crimes?

**Campus Security Authorities are responsible for reporting crimes and are defined as:**

- Campus Police/Division of Public Safety
- Non-police security staff responsible for monitoring campus property
- Officials with significant responsibility for student and campus activities (Pastoral and Professional Counselors are Exempt)

## Department of Education Recommendations for Campus Security Authorities

- Annual notification of reporting requirements
- Training (Including timely warning duty and Clery Act Crime definitions)
- Standard incident reports to be completed for each crime
- Designated office to oversee Campus Security Authorities

The Office of Audit, Compliance and Privacy and the Division of Public Safety oversee the annual notification of campus security authorities and provide training to these individuals.

# Consequences of Noncompliance

- Civil fines up to \$27,500 per violation may be issued
- Damage to reputation

*Compliance is monitored by the  
U.S. Department of Education*

# Penn's Achievements in Crime Reporting

- The University of Pennsylvania is the recipient of the 2003 Jeanne Clery Campus Safety Award.
- Penn received praise in several 2006 *Philadelphia Inquirer* articles for its crime reporting efforts.
- Penn praised at Senate Subcommittee hearing in 2006 focusing on campus safety and crime reporting; considered a model institution for crime reporting.

## Case Study 1:

A student tells a College House Dean that she has been raped and is seeking emotional and medical support. The student does not want to report the crime. Is the College House Dean responsible for reporting the crime?

- **Yes.** The College House Dean is considered a campus security authority since s/he has significant student responsibility. Additionally, rape is a reportable crime under the Clery Act. Even though the student chooses not to report the crime for investigational purposes, for statistical purposes the College House Dean has a duty to report the details of the crime WITHOUT disclosing details that would reveal the student's identity (i.e., student's name or dorm room number).

## Case Study 2:

A student was raped at a Center City location. She is seeking rape counseling. Is this a reportable crime under the Clery Act?

- **No.** This crime did not take place in one of the geographical areas the University is responsible for including in its report. Therefore, it is not reportable under the Clery Act. However, because of the serious nature of sexual assaults and the importance of gathering information to help prevent such assaults and assist the Penn community, all sexual assaults should be reported to the Division of Public Safety.

## Case Study 3:

A female student is walking across campus and her backside is smacked by a high school student running across campus with a group of other teenagers. Is this a reportable crime under the Clery Act?

- **Yes.** It is a reportable crime because it fits the definition of Forcible Fondling under the Forcible Sex Offenses category. Campus Security Authorities are only required to report incidents. They are not expected to classify these incidents under the Clery reportable offenses. For this reason, we encourage Campus Security Authorities to err on the side of reporting incidents. The Division of Public Safety will determine what should be reported under the Clery Act and how it should be classified.

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