The Clery Act
Campus Security Authority Guide

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HISTORY OF THE CLERY ACT
The Crime Awareness and Campus Security Act of 1990 renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) in 1998, requires higher education institutions to report crime statistics to current and prospective students and employees and the US Department of Education. It further requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students of employees, and to disclose their campus security policies. To learn more about the Act, visit http://www.securtiyoncampus.org

WHO IS A CAMPUS SECURITY AUTHORITY
The Clery Act defines a CSA as:

- A member of Public Safety
- An individual who has responsibility for campus security but does not constitute a police or security department (for example, monitoring the entrance to a building)
- An individual or organization specified in the institution’s security policy as an individual or organization to which students and employees should report criminal offenses
- An official of an institution who has significant responsibility for student campus activities
- Examples of CSA’s: Resident assistants, CLCD Professional staff, Director of Community Standards, Director of Athletics, Athletic team coaches, assistant coaches, athletic trainers, Dean of Students Office staff, Faculty Advisors to student organizations.
CLERY ACT RESPONSIBILITIES
To ensure that students know about dangers on their campuses, the Clery Act requires institutions to gather and publish data from Campus Security Authorities (CSA’s).
The CSA’s should have baseline knowledge of the following components of the Clery Act.

- Development, disclosure, implementation of campus security policy
  - The Public Safety Office, which includes the coordination of Emergency Management, works to develop security policy based on current laws, trends and review of criminal incidents on campus. We disclose information to our campus community through educational/awareness programming and through the Annual Security and Fire Safety Report. Policies are implemented upon the formulation of additional security measures and or local, state and federal laws.

- Timely warnings
  - A Timely Warning will be issued to the community when incidents of criminal activity, specifically the crimes reported on our statistics page, occur on campus or within the immediate proximity of campus. Timely Warnings may also be issued when instances of criminal behavior pose a potential threat to the community. Timely Warnings are not Emergency Notifications. Timely Warnings are sent to inform our community of less than imminent threats or reoccurring crime trends. Timely Warnings are sent by means of the same modes of communication, with the exception of SMS text messages. Text messages are reserved for instances when an imminent threat is perceived. [http://www.depauw.edu/studentlife/campus-safety/publicsafety/timely-warnings-crime-alerts/](http://www.depauw.edu/studentlife/campus-safety/publicsafety/timely-warnings-crime-alerts/)

- Daily Crime Log
  - Any institution, regardless of whether it’s public or private, that has a campus police or security department, must create, maintain and make available a daily crime log. The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported to Public Safety. A daily log of all crimes reported to Public Safety is available on line at: [http://www.depauw.edu/studentlife/campus-safety/publicsafety/activity-report/year/2012/](http://www.depauw.edu/studentlife/campus-safety/publicsafety/activity-report/year/2012/)

- Annual Security Report
  - The report contains information regarding campus security and personal safety including topics such as: crime prevention, fire safety, university police law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. It also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in off-campus buildings (Greek Housing Facilities) or property owned or controlled by DePauw; and on public property within, or immediately adjacent to and accessible from the campus. The report is available on line at: [http://www.depauw.edu/studentlife/campus-safety/annualreport/](http://www.depauw.edu/studentlife/campus-safety/annualreport/)

- Emergency Response
  - The Emergency Management Office coordinates the "Emergency Planning Committee” which is responsible for developing and maintaining the University “All Hazards Emergency Response Plan". The Emergency Planning Committee oversees policy formation, response protocol and the annual testing of "response and evacuation" procedures via table top exercises. The Emergency Management Coordinator in collaboration with Public Safety provides training and information on preparedness, response, evacuation, recovery, and mitigation issues. The testing and training is conducted via emergency notification tests, as well as fire safety and building evacuation drills. Emergency Procedures may be found on line at: [http://www.depauw.edu/studentlife/campus-safety/emergencypreparation/emergency-procedures/](http://www.depauw.edu/studentlife/campus-safety/emergencypreparation/emergency-procedures/)
I AM A CSA – WHAT SHOULD I DO? CSA RESPONSIBILITIES

- If the person reporting the crime is in imminent danger, dial 911
- Provide Resource information to the individual
- Report Clery crimes to Public Safety (if not already involved) to be included in annual statistics
- *The CSA is NOT responsible for determining if a crime took place or investigating.*

WHEN TO REPORT

- If someone tells you about a crime or an incident that may be a crime, you must report it to the designated office or official responsible for collecting Clery report information. At DePauw, the Director of Public Safety is responsible for collecting Clery report information.
- Please make notice to the Public Safety Office when a report is made to you vs. waiting until the end of the year, etc.
- The reportable Clery crimes are “good faith” reports. (reasonable basis to believe it is not rumor or hearsay) Information can be from a witness, 3rd party, victim or offender.
- Tell the person you must report the incident as a confidential statistic but will not identify anyone involved unless the victim consents to being identified
- When in doubt, report

HOW TO REPORT - REPORTING OPTIONS

- If the individual wants to make a report/have the incident investigated, let the person know about options for reporting to law enforcement, including meeting with Public Safety and/or local law enforcement. Contact information provided below.
- If the individual does not want to make a report/have the incident investigated, use the statistic form to notify Public Safety. Also tell the person how they can report confidentially through the web form “Silent Witness” on the Office of Public Safety webpage at http://www.depauw.edu/studentlife/campus-safety/publicsafety/campus-safety-services/silent-witness/
- Crimes that you, as Campus Security Authorities become aware of should be reported to Public Safety either by providing information about the incident or using a statistics form.
- You may either report to the duty Officer by calling 765-658-4261 or by emailing police@depauw.edu You may also communicate directly with the Angela Nally, the Director of Public Safety at adnally@depauw.edu

CLERY CRIMES

We must provide statistics for the following crime categories. If you have knowledge of other criminal behavior you are encouraged to report to Public Safety, however these “Clery Crimes” must be reported.

**Murder/Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

**Negligent Manslaughter:** the killing of another person through gross negligence.

**Sex Offenses-Forcible:** 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 or giving consent.
A. Forcible Rape
The carnal knowledge of a person, forcibly and/or against the person’s will; or not forcibly against the person’s will where the victim is incapable or giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

B. Forcible Sodomy
Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly 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 or physical incapacity.

C. 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 person’s will; or not forcibly against the person’s will where the victim is incapable or giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

D. Forcible Fondling
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.

Sex Offenses- Non-forcible: Unlawful, non-forcible sexual intercourse.

- A. Incest
  Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- B. Statutory Rape
  Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery: the taking or attempting to take anything from value of 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.

Aggravated Assault: 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. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding)

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

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 ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intertemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)
**Hate Crimes**

We are also required to report statistics for bias-related (hate) crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons: possessing carrying, etc. (see definitions on the front page) and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault (see definitions below).

**Larceny**: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism**: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation**: 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.

**Simple Assault**: 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.

If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc... the assault is then also classified as a hate crime.

*Note – there are categories under each – if you are unsure, report it to Police.

**WHAT INFORMATION SHOULD I INCLUDE IN MY NOTICE TO PUBLIC SAFETY?**

- Type of crime
- Location of the Crime
- Timing
  - Date and Time the crime or incident occurred
  - When the person reported it you
- Name of Victim (if the victim wishes to be identified)
- Identities of any known suspects or witnesses (if the victim wishes to identify)
- Description of the incident or crime
- Get the information the person wants to tell you, Public Safety will classify the crime. Detailed information will help correctly categorize the crime
- You don’t have to prove what happened or who was at fault
- You aren’t supposed to find the perpetrator
RESOURCE INFORMATION YOU SHOULD PROVIDE TO THE REPORTING PERSON

- Programs for assisting victims of crime, including sexual and other assault
- Procedures for seeking medical help
- Options for reporting the crime to the police

On Campus Resources

- **Sexual Assault Survivor Advocates (SASA)** - SASAs are staff persons who have been trained in sexual assault response and resources. A SASA is someone who can present all of the options available. The SASA is available to support students in crisis as well as refer them to various resources. A SASA may be contacted directly at (765) 658-4650 or reached by calling Public Safety Dispatch at (765) 658-4261.

- **Public Safety Office** - Public Safety Officers can help you consider both the legal and campus judicial processes. You may also wish to report to another Law Enforcement Agency and an officer can assist you with making contact with another agency. Call 911 if an emergency or (765) 658-4261.

- **Wellness Center** – Students may seek medical treatment at the wellness Center where medical staff can treat injuries and provide medical services. If you need immediate medical treatment, request an ambulance by dialing 911. **Sexual Assault Nurse Examiner (SANE)** - After a sexual assault, a student may contact the Health Service Office directly or may be referred by the Public Safety Office, Counseling Services, a SASA or other Student Life offices. The staff at Student Health Services are trained to offer caring, confidential services and to consider the emotional and medical needs of the survivor/victim. Our medical staff includes specially trained sexual assault forensic examiners who provide comprehensive care to sexual assault patients. A SANE provider may be reached by calling (765) 658-4268 or after hours by calling Public Safety Dispatch at (765) 658-4261.

- **Dean of Students Office** - The Dean of Students Office is responsible for the on-campus sexual misconduct policy and process. Staff in the Office can also be helpful in facilitating room changes and providing assistance in navigating any academic or other concerns that may result from an incident. The Associate Dean of Students is Cara Setchell. She may be reached at (765) 658-4270 or at carasetchell@depauw.edu.

- **Women's Center** - The DePauw Women's Center serves as a resource for students, faculty, staff, and the Greencastle community interested in acting on behalf of women's issues at DePauw. Sarah Ryan is the Director of the Center and she may be reached at the following number (765) 658-4173 or at sryan@depauw.edu.

- **Counseling Services** - The Wellness Center supports the academic success, physical health and mental well being of all students by providing the highest quality services in a timely and confidential manner. A counselor may be reached by calling (765) 658-4268 or after hours by calling Public Safety Dispatch at (765) 658-4261.

- **Campus Living and Community Development Office (CLCD)** - Campus Living and Community Development staff are good resources for all students. All staff members have been trained to know the various resources available on campus and can help students navigate this process. Myrna Hernandez is the Director of CLCD and may be reached at (765) 658-4062 or by e-mailing myrnahernandez@depauw.edu.
Off Campus Resources

- **Medical Services:**
  - Putnam County Hospital 765-653-5121
  - Wishard Hospital Center of Hope 317-630-7646
  - Methodist Hospital Center of Hope 317-926-4673

- **Counseling Services:**
  - Hamilton Center, Inc 765-653-1024
  - Cummins Mental Health 765.653-2669
  - Mental Health Association (Putnam County) 765-653-3310

- **Police:**
  - Greencastle Police Department 765-653-2925
  - Putnam County Sheriff’s Department 765-653-3211
  - Indiana State Police, Putnamville Division 765-653-4114
  - Putnam County Central Dispatch 765-653-5115

- **Crisis Intervention:**
  - Putnam County Family Support Services 765-653-4820
  - Rape, Abuse, Incest, National Network (800) 656-HOPE
  - Indiana Coalition Against Sexual Assault (800) 332-7385

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**Public Safety Information**

DePauw Public Safety  
408 S. Locust St., Room 200  
Greencastle, IN 46135  
Director: Angela Nally  
Phone: 765-658-4261  
Fax: 765-658-4274  
Email: police@depauw.edu