




The Clery Act

Your Responsibility as a Campus
Security Authority (CSA)

● Training Objectives

- Provide an overview of the Clery Act
- Define what a Campus Security Authority (CSA) is
- Define your obligations as a Campus Security Authority
- Provide training on completing the CSA Disclosure form
- Location categories defined under the Clery Act
- Clery Reportable Crimes reported under the Clery Act
- Provide information on the uses of your disclosures



Disclosures and Additional Information

- When feasible, examples and definitions of crimes have been taken from the Department of Education's 2016 Handbook for Campus Safety and Security Reporting. A copy of the handbook is accessible by visiting the following website:
<https://www2.ed.gov/admins/lead/safety/handbook.pdf>
- For questions concerning District of Columbia Official Code please visit the following website:
<https://advance.lexis.com/container?config=014FJABmNTMyNmZINy00N2U5LTRmNDktYmIOYS1jMzc4ZjNkNDcwZWUKAFBvZENhdGFsb2dWztW4MDtB3pBcSj7IPd0T&crd=4167aedef-09c9-4c9d-9a46-ca20801b1c52&prid=fdd1be97-405a-4c14-86d8-33a00a4ed358>



What is the Clery Act?

The Clery Act requires that all colleges and universities that participate in federal financial aid programs keep and disclose specific information. This disclosure must be made to all current and prospective students and employees.



What is the Clery Act?

The requirements are as follows:


- Collect and publish statistics for crimes occurring on or near university owned or controlled properties
- Issue campus alerts (timely warnings and emergency notifications)
- Publish an Annual Security Report (ASR) containing statistics for reports of designated Clery crimes by October 1st
- Publish and maintain a daily crime log based on data from all reported crimes. This log must be updated within two business days of receiving additional reports
- Publish an Annual Fire Report (AFR) containing statistics for incidents of fires in on-campus residential halls by October 1st
- Publish and maintain a daily fire log containing information from reports of fires in on-campus residential halls. This log must be updated within two business days of receipt of new reports
- Submit crime and on campus residential fire statistics to the Department of Education
- File missing student notification

● Clery Act History



During the early morning hours of April 5, 1986, Jean Clery, a 19 year old Lehigh University freshman was tortured, raped and murdered in her residence hall room. Her killer was a drug and alcohol abuser, a Lehigh University student whom Jeanne had never met. He gained access to her room by proceeding, unopposed, through three propped open doors, each of which should have been locked. He was convicted and sentenced to death.

Her parents, Connie and Howard Clery found that only four percent of colleges and universities reported crime on their campuses to the Federal Bureau of Investigation. The Clery's went to work to mandate that all college and universities disclose crimes that occur on their campuses and prepare an annual campus security report that shows the crime statistics and what security measures are taking place on campus. In 1990, the Campus Security Act was passed. It was later renamed the Clery Act.



**What does
it have to
do with
you?**

Many community members are hesitant to report crimes to campus police.

Crime Data is collected from a wide variety of “Campus Security Authorities”, in addition to reports taken by campus police and local police agencies.



Campus Security Authority

- Campus Security Authority is a Clery Act-specific term that encompasses four groups of individuals and organizations within an institution:
- A campus police department or a campus security department of an institution. All individuals who work for the department are campus security authorities
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department
 - Ex: Individuals who are responsible for monitoring entrances into institutional property
- Any individual or organization specified in an institution's statement of campus 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 and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings



Examples of Campus Security Authorities

- A dean of students who oversees student housing, a student center or student extracurricular activities
- A director of athletics, a team coach or a faculty advisor to a student group
- A student resident advisor or assistant or a student who monitors access to dormitories
- A coordinator of Greek affairs
- Defined by function, not title:
 - Significant responsibility for student AND campus activities
 - Contact with students



Who ISN'T a Campus Security Authority?

- A faculty member who does not have any responsibility for student and campus activity beyond the classroom
- Clerical or cafeteria staff
- Doctors in the Student Health Center, or Counselors in the Counseling Center, who only provide care to individual students

● The Function of a Campus Security Authority

- The function of a campus security authority is to report to the official or office designated by the institution to collect crime report information, such as the campus police (AUPD via the Clery Compliance Coordinator unless a crime is on-going), those allegations of Clery Act crimes that he or she receives
- CSAs are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA
- This means that CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation; that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.*

* The Handbook for Campus Safety and Security, Department of Education, June 2016

● Scenario One: The Residence Assistant

A resident assistant who has been identified as a CSA is told by a fellow student that she has been raped and is seeking emotional and medical support.

The resident assistant should forward the report to the institution's designated official for inclusion in the statistics regardless of whether the victim chooses to file a report with law enforcement or press charges.

Scenario Two: The Athletics

● Director

A student mentions to her boyfriend that a number of rooms on her dorm floor were broken into during the previous night's football game. Later that day, her boyfriend tells the athletics director (AD) what he heard. The AD asks which dorm it was and what, if anything else, the boyfriend knows about the incident.

The AD should document the information and forward it to the school's campus security department or the institution's designated official for inclusion in the statistics per the school's crime reporting policy.

● Scenario Three: Function Dependent

Jane, a resident advisor, is attending a Take Back the Night rally at her school. She attends the event as a participant and is not involved in providing any counseling services. As part of the event's programming, a student gives a speech in which she says that she was raped on campus last year. In response to hearing the speech, three other students decide to address the crowd and disclose their own experiences being sexually assaulted. After the event, Jane returns to her room where a student from her housing facility knocks on her door and tells her that she was sexually assaulted at an on-campus party in another housing facility three months ago.

● **Scenario Three: Function Dependent**

Jane should forward the report of the incident that was reported to her as she was acting in her capacity as an RA for her housing facility.

Jane should not report the Sexual Assaults that she heard discussed at the Take Back the Night event.



Additional Information on Your Role as a Campus Security Authority

1. You are not a confidential source in your role as a campus security authority. You should make anyone who may report crimes to you aware of the fact that you are obligated to report information regarding the incident to the Police Department.
2. Complainants (victims) should be informed about how this information will be gathered (i.e. CSA Disclosure Form) and potentially used (i.e. crime log, timely notifications, annual security report).
3. You should advise complainants of their options to file a report with AUPD.



Reporting Crimes

- Per internal practice, ALL criminal activity, regardless of the location or whether it is a Clery applicable crime, should be reported to the American University Police Department as soon as it is disclosed to an AU staff/faculty/employee, unless that AU staff/faculty/employee is a medical professional, licensed counselor (acting under their licensure), or a pastoral counselor.
- On going crimes should immediately be reported to the Police Department at (202) 885-3636.



Exemption for Pastoral and Professional Counselors

There are two types of individuals who, although they may have significant responsibility for student and campus activities, are not campus security authorities under the Clery Act:

1. Pastoral counselor: A person who is:

- Associated with a religious order or denomination;
- Is recognized by that religious order or denomination as someone who provides confidential counseling; and
- Is functioning within the scope of that recognition as a pastoral counselor



Exemption for Pastoral and Professional Counselors

2. Professional counselor: A person:

- *Whose official responsibilities include providing mental health counseling to members of the institution's community; and*
- *Who is functioning within the scope of the counselor's license or certification*

This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.



Traditional Reporting Option

- Victims can report crimes to AUPD by contacting the department at (202) 885-2527 (non-emergency) or (202) 885-3636. An officer will be sent to take a report from the victim.
- Such reports will be used for crime alerts, daily crime log entries, or Annual Security Report crime statistics or safety advisories.



Confidential Reporting Option

Victims can report crimes confidentially (no names or criminal investigation) to be included in crime statistics.

The American University Police Department's Crime Stoppers Web page at:
<https://www.crimestoppersusa.org/>

Such reports will not be used for crime alerts, daily crime log entries, or Annual Security Report crime statistics unless the occurrences can be substantiated through investigation.

This method should not be used to report crimes in progress.



Filing a Report on Behalf of a Victim

- While you have the right to file a third party report on behalf of the victim, you should generally not contact the American University Police Department and file a police report on behalf of a victim who does not wish to file a report with the Department. Providing victim information in a police report will generate, at a minimum, a preliminary investigation on the part of the police department.
- You should complete the CSA disclosure form and submit it to the Clery Compliance Coordinator at AUPD to fulfill your obligations if a victim does not wish to file a report with AUPD. Completed and submitted CSA disclosure forms will be followed up by a phone call by the Clery Compliance Coordinator to ascertain additional information if needed.



Filing a Report on Behalf of a Victim

You should contact AUPD at (202) 885-3636 and file a police report if:

- You fear for the safety of the victim. An officer will conduct a welfare check on the student to ascertain if they are safe. The Dean of Students should also be notified if there are concerns with a victim's well-being to ensure they are provided with resources to address the concerns.
- If the victim discloses information regarding the suspect which may assist in preventing similar incidents from occurring. You may also disclose this information on your CSA Disclosure form.
- If the crime is on going and you reporting the incident will assist in the apprehension of a suspect or mitigate the threat to the campus community.

● What Shouldn't a Campus Security Authority Do?

- A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel (AUPD or MPD).
- A campus security authority should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement (AUPD or MPD).
- It's also not a CSA's responsibility to try and convince a victim to contact law enforcement if the victim chooses not to do so.



Reporting Crimes

- Crimes In Progress – American University Police Department at (202) 885-3636
- Completed Crimes In Which A Police Report is Requested – American University Police Department at (202) 885-2527
- Crimes to Be Reported Through CSA Disclosure Form – Mr. Gregory Solomon at clerycompliance@American.edu
- For questions regarding reporting options, contact Mr. Gregory Solomon by email at clerycompliance@American.edu. In his absence, contact Captain William Sowers by email at sowers@american.edu.



Reporting Crimes with the CSA Disclosure Form

- The form is located on Blackboard and is in fillable PDF form
- To access Blackboard, go to <https://blackboard.american.edu/> and use your AU username and password (same one for logging into your computer and email)
- Find “My Courses” on the top right portion of your screen and click on the link for CTRL-PS-999-002: Campus Security Authority Training

Reporting Crimes with the CSA Disclosure Form

https://blackboard.american.edu/vst/apps/login/ Blackboard Learn Welcome

Convert Select

Blackboard@AU

LOGIN

Click below to launch login screen:

Login

BLACKBOARD HELP

What's new in AU Blackboard 2015
Help for Students
Help for Faculty
Contact Blackboard Support

ANNOUNCEMENTS

Blackboard Help

(Tuesday, December 15, 2015)
Students and Faculty, please call us 24/7 with your questions at (202) 966-3994, or write us at blackboard@american.edu

Please do not use Internet Explorer when using Blackboard.

(Wednesday, October 21, 2015)
It is recommended that you use Firefox, Safari or Chrome when using Blackboard.

Mobile Blackboard Apps are Free!

(Thursday, July 16, 2015)
The Blackboard Mobile Learn Application is now free for all AU users! You can download it for free from the App store and there will be no subscription charges. Additionally, there is a BB student app that students can use to access their courses on mobile devices. Search for BB Student in the app store.

Bb

Reporting Crimes with the CSA Disclosure Form

AMERICAN UNIVERSITY
WASHINGTON, DC

Log in to American University - Blackboard Learn

USERNAME

> @american.edu

PASSWORD

LOG IN

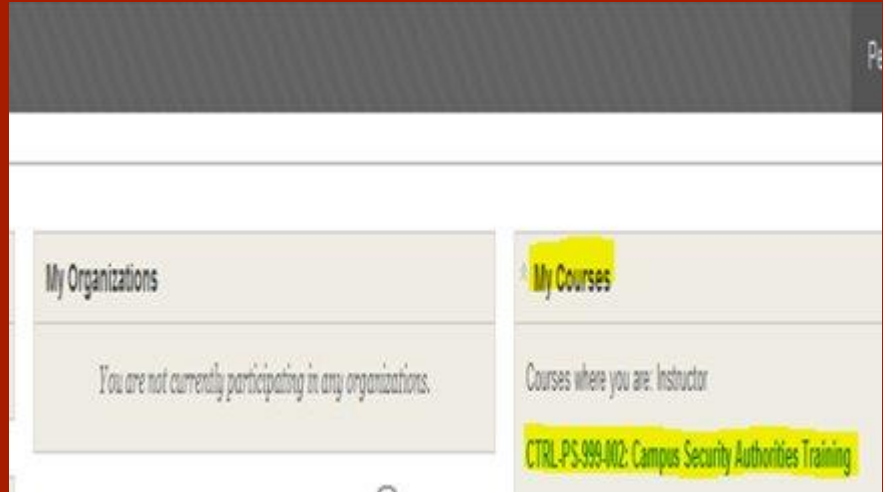
> [Reset an expired or forgotten password](#)

> [Need assistance? Contact the IT Help Desk](#)

Bb

Blackboard Blackboard Learn production system for American University


● Reporting Crimes with the CSA Disclosure Form



Reporting Crimes with the CSA Disclosure Form

The link for the Clery Reporting Form will be on the top left hand side of the screen. Click on it to open the PDF form.





The CSA Disclosure Form Part 1: General Instructions

- Contains general information on completing the form
- Contains phone numbers for assistance in completing the form
- Contains routing information for completed forms
- Contains special instructions for Human Resources personnel

● The CSA Disclosure Form: Part 1: General Instructions

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

Instructions and Incident Report Form

General Instructions:

1. This form is to be completed & mailed immediately for any incident reported to your office (see definitions on back). Copy blank forms as needed. One form should be used per incident.
2. Do not complete this form if the incident previously has been reported to the Department of Public Safety (DPS).
3. Mail forms to Executive Director's Office, American University Department of Public Safety, 4400 Massachusetts Avenue NW, Washington, DC 20016-8068, immediately upon an incident being reported to your office. Forms may also be emailed to clerycompliance@american.edu.
4. If there were no incidents reported in the calendar year (January 1 – December 31), please check the appropriate box in section one, complete section nine and mail it no later than June 1st of the following year. (Ex. If no incidents were reported in 2015, the completed form should be submitted no later than June 1, 2016).
5. Questions regarding this may be directed to 202-885-2537 or 202-885-2571.

Additional Special Instructions to the Student Conduct & Conflict Resolution Services Office and Human Resources (HR):

In addition to the crimes listed below, a separate form has been attached for incidents (whether or not previously reported to the Department of Public Safety) resulting in a referral for disciplinary action for all below incidents as well as:

1. Liquor Law Violations;
2. Drug Abuse Violations; and
3. Illegal Weapons Possession.

● The CSA Disclosure Form: Part 2 Clery Reportable Geography

Contains the definitions for each type of Clery geography

The following location classifications should be used when completing Section 6 (Additional Information)

On Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor)

Dormitory or Residential Facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on campus student housing facility.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

Non Campus Property: Property owned or controlled by American University or a student organization registered with American University off campus.

● The CSA Disclosure Form: Part 3 Clery Reportable Crimes

Contains the definitions for each type of Clery crime requiring the completion of a CSA Disclosure Form

The following incident classifications should be used when completing Section 2 (Type of Incident)

Murder and Non-Negligent Manslaughter: The willful killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

Sex Offenses: Any sexual act directed against another person without the consent of the victim including instances where the victim is incapable of giving consent. Forcible Sex offenses include rape, sodomy, sexual assault with object, and forcible fondling (groping). Non-forcible sex offenses include statutory rape, and incest.

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 and probably would result in serious personal injury if the crime were successfully completed.) Was a weapon used? What type?
Did the victim require medical attention?

Robbery: Taking/attempting to take something by force, violence, threat, or putting the victim in fear.
Was force or a weapon used or threatened? Was victim injured? Did victim feel fearful, threatened or endangered?

Burglary: Unlawful entry into a structure to commit a felony or theft.
Was the item taken from inside dorm room, office, store, lab or other structure? Was the structure, room, store or office open, closed or locked? How did the individual get into the structure/room, etc.?

Motor Vehicle Theft: Theft of automobiles (does not include bicycles).

Arson: Willful or malicious burning/attempt to burn structure, vehicle, or personal property of another.

●
**The CSA
Disclosure
Form Part 5
Section 1:
Reportable
Incident**

This section is used for incident tracking.

It consists of two boxes, one indicating no incidents to report (CSAs not receiving disclosures throughout the year); and one for your CSA reference number (if your department has a tracking number).

Once annually, CSAs will be asked to submit a completed form to the Clery Compliance Coordinator (Greg) affirming that no incidents have been reported to them if they have not been advised of any incidents throughout the year. This is to help ensure all reports are accounted for.

● The CSA Disclosure Form: Part 5: Section 1: Reportable Incident

1.	Reportable Incident
<input type="checkbox"/>	No Incidents to Report (Go to #9 below)
	Your Reference Number: <input type="text"/>



Select to indicate that no reports have been submitted during the previous calendar year



Use if your department has an internal tracking number associated with the complaint

●
**The CSA
Disclosure
Form Part 5:
Section 2:
Type of
Incident**

- This section is used chose the applicable Clery crimes reported to a CSA.
- It is important to refer to Part 4 (Clery Crime Definitions) or your online training when determining how to complete this section. If you are unsure of a crime classification, select unknown.

● The CSA Disclosure Form: Part 5: Section 2: Type of Incident

2. Type of Incident (Check all that Apply) – See Definitions section on attached sheet				
<input type="checkbox"/>	Unknown/Other	<input type="checkbox"/>	Robbery	Hate/Bias Crimes (Check appropriate Clery crime (to left) Or Hate/Crime specific offense (below) and complete Section 8
<input type="checkbox"/>	Murder & Non-Negligent	<input type="checkbox"/>	Aggravated Assault	
<input type="checkbox"/>	Manslaughter	<input type="checkbox"/>	Burglary	
<input type="checkbox"/>	Manslaughter by Negligence	<input type="checkbox"/>	Motor Vehicle Theft	<input type="checkbox"/> Larceny-Theft (Hate Crime Only)
Sex Offense – Forcible		<input type="checkbox"/>	Arson	<input type="checkbox"/> Simple Assault (Hate Crime Only)
<input type="checkbox"/>	Rape	<input type="checkbox"/>	Dating Violence	<input type="checkbox"/> Intimidation (Hate Crime Only)
<input type="checkbox"/>	Fondling	<input type="checkbox"/>	Domestic Violence	<input type="checkbox"/> Destruction/Damage/Vandalism of Property (Hate Crime Only)
<input type="checkbox"/>	Not Specified	<input type="checkbox"/>	Stalking	
Sex Offense – Non-Forcible		<input type="checkbox"/>		
<input type="checkbox"/>	Statutory Rape	<input type="checkbox"/>		
<input type="checkbox"/>	Incest	<input type="checkbox"/>		



Reportable Crimes Under Clery

- This section is used chose the applicable Clery crimes reported to a CSA.
- It is important to refer to Part 4 (Clery Crime Definitions) or your online training when determining how to complete this section. If you are unsure of a crime classification, select unknown.



Reportable Crimes Under Clery

1. Murder/Non-negligent Manslaughter
2. Manslaughter by Negligence
3. Sex Offenses (Forcible or Non-forcible)
 - a. Rape
 - b. Forcible Fondling
 - c. Incest
 - d. Statutory Rape
4. Robbery
5. Aggravated Assault
6. Burglary
7. Motor Vehicle Theft
8. Arson



Reportable Crimes Under Clery

9. Hate Crimes for 1-8, plus
 - a. Larceny-Theft
 - b. Simply Assault
 - c. Intimidation
 - d. Destruction, Damage, or Vandalism of property
10. Arrests and Referrals for Disciplinary Action for Liquor Law Violations
11. Arrests and Referrals for Disciplinary Action for Drug Law Violations
12. Arrests and Referrals for Disciplinary Action for Weapons Law Violations

●
**Clery
Definitions:
Murder and
Non-
Negligent
Manslaughter**

Murder and Non-Negligent Manslaughter

- The willful (non-negligent) killing of one human being by another
- Includes any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime
- Does not include suicides, fetal deaths, traffic fatalities, accidental deaths, attempt to murder, justifiable homicide

- **Clery Definitions:**
Murder and Non-Negligent Manslaughter

Example One:

Two groups of students get into an argument in a campus parking lot. Jim punches Joe and causes him to hit his head on a concrete sidewalk, inflicting severe head trauma. Two days later, Joe dies. Disclose this as one incident of on-campus Murder and Non-negligent Manslaughter.

Example Two:

A student is shot and killed during an armed Robbery on a city-owned sidewalk in front of a building on campus. Disclose this as one incident of public property Murder and Non-negligent Manslaughter.

●
**Clery
Definitions:
Manslaughter
by Negligence**

**Manslaughter by Negligence (Negligent
Manslaughter)**

- The killing of one human being by another through gross negligence
- Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another
- Does not include deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, traffic fatalities

● Clery Definitions: Negligent Manslaughter

Example One:

Two students, Jim and Mike, are handling a gun at an on-campus residence hall owned by the institution, and Jim “jokingly” points the gun at Mike. Jim fires the gun, and Mike is killed. Jim claims no knowledge of the gun being loaded. Disclose this as one Manslaughter by Negligence on-campus category and on-campus student housing facility (Dormitory or Residential Facility).



**Clery
Definitions:
Clery
Reportable
Crimes**

Sex Offenses

- Any sexual act directed against another person, without consent of the victim including instances where the victim is incapable of giving consent
- Also included in these definitions are attempted sexual assaults
- For the purposes of Clery, there are two groups of sex offenses which are Forcible Sex Offenses and Non-Forcible Sex Offenses



**Clery
Definitions:
Clery
Reportable
Crimes**

Forcible Sex Offenses

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.

Two types of forcible sex offenses:

- Rape (includes previously separate categories of sodomy and sexual assault with an object)
- Fondling



Clery Definitions: Rape

Rape

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- The revised definition includes either Male or Female Victims or Offenders
- Includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity, (e.g., due to the influence of drugs or alcohol or because of age)

In determining whether or not a reported incident can be classified as Rape, it may be helpful to be able to answer the following:

- Where on the body was the contact?
- Was there penetration of the vagina or anus or of the mouth with a sex organ?
- Was the victim intoxicated, under the influence of drugs or unable to consent due to permanent mental incapacity?

● Clery Definitions: Rape

Example One:

A female student reports that her ex-boyfriend had sex with her in her campus residence hall room while she was unconscious after a night of drinking alcohol. Disclose this as one count of Rape in the on-campus category and in the on-campus student housing facility category (Dormitory or Residential Facility).

Example Two:

A male student reports that while making out with another male student in his dorm, that the offender forcibly stuck his penis into the victim's mouth. Disclose this as one count of rape on campus and in an on campus residential facility.

Example Three:

A female athlete reports that she went out drinking with her girlfriend. She passed out when returning home due to intoxication. When she awoke, her girlfriend was fingering her. Disclose this as one count of rape.

●
**Clery
Definitions:
Forcible
Fondling**

Forcible Sex Offenses - Continued

Fondling

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person's will or where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

For the purposes of classifying an incident, it is helpful to know:

- Where was the victim touched?
- Is there reason to believe that the touch was sexual in nature?

● Clery Definitions: Forcible Fondling

Example One:

A woman is walking on a public sidewalk in front of your campus and a man pinches her buttocks as he runs by her. Disclose this as one public property Fondling only if the victim reports that it was sexual in nature.

Example Two:

A female student reports that while at a dance in MGC, an unknown male grinded against her and touched her breasts without her permission. Disclose this as an on campus forcible fondling if the victim reports that it was sexual in nature.



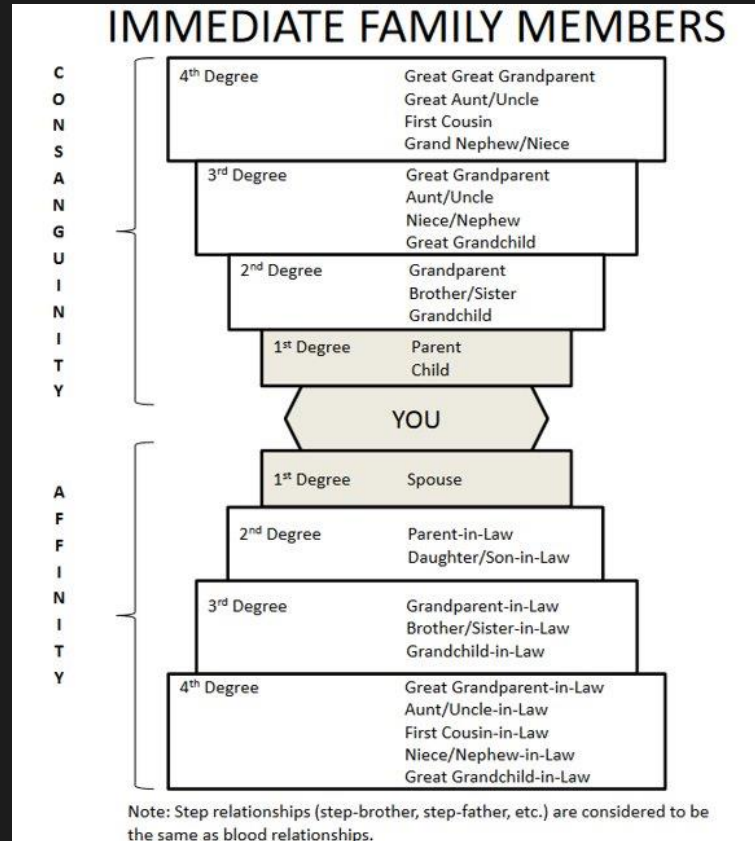
Clery Definitions: Incest


Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

§ 22-1901. Definition and penalty.

If any person in the District related to another person within and not including the fourth degree of consanguinity, computed according to the rules of the Roman or civil law, shall marry or cohabit with or have sexual intercourse with such other so-related person, knowing him or her to be within said degree of relationship, the person so offending shall be deemed guilty of incest.

● Clery Definitions: Incest






Clergy Definitions: Statutory Rape

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

- Per DC Official Code 22-3001 (5a), a minor is a person who has not reached the age of 18 years and a child is a person who has not yet attained the age of 16 years.
- Per DC Official Code 22-3001 a “significant relationship” includes:
- A parent, sibling, aunt, uncle, or grandparent, whether related by blood, marriage, domestic partnership, or adoption;
- A legal or de facto guardian or any person, more than 4 years older than the victim, who resides intermittently or permanently in the same dwelling as the victim;
- The person or the spouse, domestic partner, or paramour of the person who is charged with any duty or responsibility for the health, welfare, or supervision of the victim at the time of the act; and
- Any employee or volunteer of a school, church, synagogue, mosque, or other religious institution, or an educational, social, recreational, athletic, musical, charitable, or youth facility, organization, or program, including a teacher, coach, counselor, clergy, youth leader, chorus director, bus driver, administrator, or support staff, or any other person in a position of trust with or authority over a child or a minor.




Clery Definitions: Statutory Rape

§ 22-3009.01. First degree sexual abuse of a minor.

Whoever, being 18 years of age or older, is in a significant relationship with a minor, and engages in a sexual act with that minor or causes that minor to engage in a sexual act. (Ex: 40 professor year old with a 17 year old student).

§ 22-3008. First degree child sexual abuse.

Whoever, being at least 4 years older than a child, engages in a sexual act with that child or causes that child to engage in a sexual act. (Ex: 17 year old with a 13 year old).



Clery Definitions: Robbery

Robbery

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.

This includes carjacking.

Some questions to ask:

- Was force (physical assault) or a weapon used or threatened?
- What was taken or attempted to be taken?
- Was the victim injured?
- Did the victim feel fearful, threatened, or endangered?

● Clery Definitions: Robbery

Example One:

Two students returning to campus from a night at a local bar are approached by three armed men on a city sidewalk outside their residence hall and told to hand over their wallets. The students comply, and the three armed men leave without harming the students. Disclose this as one Robbery on public property.

Example Two:

A faculty member reports that while walking through the Quad, a man punched him and took his cell phone from his hand. Disclose this as one Robbery on campus.

●
**Clery
Definitions:
Aggravated
Assault**

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually 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 and probably would result in serious personal injury if the crime were successfully completed.



Clery Definitions: Aggravated Assault

Counted as Aggravated Assaults:

- Assaults or attempt to kill or murder
- Poisoning (including use of date rape drugs)
- Assault with a dangerous weapon
- Maiming
- Mayhem
- Assault with explosives
- Assault with disease (in cases where the offender is aware that he or she is infected with a deadly disease and deliberately attempts to inflict the disease by biting, spitting, etc.)

Some questions to ask:

- Was a weapon used? What type?
- What injuries were sustained?
- Does or did the victim need medical attention?

● Clery Definitions: Aggravated Assault

Example One:

Sarah and Anne have a heated argument at a party in a residence hall. Sarah grabs a lacrosse stick and repeatedly beats Anne across the back with it, breaking several ribs. Include this as one Aggravated Assault on campus and in a residential facility.

Example Two:

A male student slips a date rape drug into a female student's drink at a University owned non campus building. Before he can lure the victim away from her friends, however, someone notices what he had done and summons the police. Count this as one non-campus Aggravated Assault.



Clery Definitions: Burglary

Unlawful entry into a structure to commit a felony or theft. The use of force is not required for it to be a burglary. The lawfulness of the suspect to be in the room determines if it is a burglary.

Examples of **lawful** access include:

- A student uses her keycard to enter her dorm. She lets five other students who do not have key cards for that dorm into the building. All six of the students have lawful access to the building.
- A student has a party in her dorm room with four guests. All five students have lawful access to the dorm room.
- A faculty member has an office in the science building. Students are in and out of the office while the science building is open. Anyone from the campus community going in the office during this time has lawful access.



Clery Definitions: Burglary

Examples of **unlawful** access include:

- A student uses her keycard to enter a dorm. Without her knowing, a student without a keycard to the building walks in after her. The student without the keycard does not have lawful access to the building.
- A student has a party in her dorm room with four invited guests. When the party is over the host asks everyone to leave. She leaves the door unlocked while she goes to visit another student. One of the students who attended the party opens the door and takes some money off of the desk. That student does not have lawful access to the room.
- A faculty member has an office in the science building. One night when the science building is locked, a maintenance worker who does not have a work order for the building, uses a maintenance key to unlock the building and then unlock the faculty member's door and steals a computer. The maintenance worker does not have lawful access to the office.

● Clery Definitions: Burglary

The unlawful entry must occur within a structure, which is defined as having *four walls, a roof, and a door*.

This includes:

- Apartment, barn, cabin, church, condominium, dwelling house, factory, garage, house trailer or houseboat (if used as a permanent dwelling), mill, office, other building, outbuilding, public building, railroad car, room, school, stable, storage facility, vessel (ship) and warehouse
- Any house trailer or other mobile unit that is permanently fixed as an office, residence or storehouse
- Structures do not include cars, trucks or other non-permanent items such as lockers, filing cabinets, etc.



Clery Definitions: Burglary

Some questions to ask:

- Was the item(s) taken from inside a dorm room, office, store, lab, or other structure?
- Was the structure, room, store, or office open, closed or locked?
- Did anyone else have lawful access to the area (i.e. does someone else live there? Was there maintenance work done during the time of the theft? Were guests over?)
- How did the suspect get into the structure?

● Clery Definitions: Burglary

Example One:

A room in an on-campus dormitory is broken into and a laptop is stolen by a student living down the hall. Because the student unlawfully entered the room, include this as one on-campus Burglary and one on-campus student housing facility Burglary.

Example Two:

A maintenance worker without a work order uses his keys to enter a locked on-campus office to search for something to steal. Include this as one on-campus Burglary because the maintenance worker did not have a right to be in the office at the time of the theft. He unlawfully entered the office with the intent to steal something. (Because the intent was to steal something, it's a Burglary even if the maintenance worker leaves empty-handed.)



Clery Definitions: Motor Vehicle Theft

Theft of automobiles, trucks, etc. including joyriding (taking by person without lawful access). Does not include thefts from motor vehicles.

Classify as Motor Vehicle Theft:

- The theft of any self-propelled vehicle that runs on land surface and not on rails, such as sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, trail bikes, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts and motorized wheelchairs

● Clery Definitions: Motor Vehicle Theft

Example One:

A faculty member's car is reported stolen from a campus parking garage and is later recovered a block off campus. Include one on-campus Motor Vehicle Theft.



Clery Definitions: Arson

Arson

- Willful or malicious burning or the willful or malicious attempt to burn structure, vehicle, or personal property of one's self or another
- Any fire that investigation determines to meet the UCR definition of Arson regardless of the value of any property damage

Per 2016 Clery Handbook:

“Some jurisdictions have specific rules that state that a fire is not to be classified as Arson unless and until a fire marshal makes a determination of malicious burning. The *Clery Act's* Arson definition does not require that any findings be made by a fire official before classifying an incident.”



Clery Definitions: Arson

Some questions to ask:

- Was it attempted or completed?
- What was the source of the fire?
- What the fire accidental or purposely set?
- What was damaged or destroyed?
- Was there an investigation to determine if an arson occurred?

● Clery Definitions: Arson

Example One:

A resident student sets fire to his couch in the quad in celebration of a school basketball victory. Investigators determine that the incident was Arson. Include this as one Arson in the non-campus category.

Example Two:

A student is seen setting fire to a paper advertisement on an on-campus dormitory bulletin board. Investigation determines that the student willfully set fire to the paper.



Clery Definitions: Hate Crimes

Hate Crimes

Any of the above crimes, any other crime causing bodily injury, and the crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that manifests evidence that the victim was intentionally selected because of the perpetrators bias.

Was there evidence...

- of hate motivation? and
- that the victim was selected because of actual/perceived race, gender, religion, national origin, disability, sexual identity or sexual orientation?

●
**Clery
Definitions:
Dating
Violence
(42 U.S.C.
13925(a))**

The term “dating violence” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim;
and

(B) The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of:

- i. The length of the relationship
- ii. The type of relationship
- iii. The frequency of interaction between the persons involved in the relationship



Clery Definitions: Dating Violence

- (i) Dating violence includes, *but is not limited to*, sexual or physical abuse or the threat of such abuse
- (ii) Dating violence does not include acts covered under the definition of domestic violence
- For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

● Clery Definitions: Dating Violence

Example One:

A female student cuts her ex-boyfriend with a knife during an altercation in an on-campus dining hall. Include this as one incident of on-campus Dating Violence and one on-campus Aggravated Assault.

Example Two:

A female student reports that her boyfriend forced her into nonconsensual sex in her on-campus dorm room. Include one Rape in both the on-campus category and the on-campus student housing facility category, and one incident of Dating Violence in both the on-campus category and the on-campus student housing facility category.

● Clery Definitions: Dating Violence

Example Three:

After a party on campus, John walked back to his apartment in a non-campus housing complex with Matt, whom he has hooked up with a few times over the past month. When they reached John's apartment, it became clear that Matt was angry that John had been talking with other men at the party, causing Matt to punch two holes in the wall and threaten to beat John if he sees him flirting with any other men on campus. John now fears for his safety around Matt. Include one incident of non-campus Dating Violence for the threat of physical abuse.

●
**Clery
Definitions:
Dating
Violence
(42 U.S.C.
13925(a))**

The term “domestic violence” includes felony or misdemeanor crimes 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 a spouse or intimate partner,
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred OR
- 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. **(DC Code includes roommates in definition of Domestic Violence).**

- **Clery Definitions:**

Domestic Violence (42 U.S.C. 13925(a))

Example One:

An employee's wife is waiting for her husband outside of the Mary Graydon Center. She attacks her husband with a knife when he exits the building. Include this as one on-campus incident of Domestic Violence and one on-campus Aggravated Assault.

Example Two:

A father argues with his son at a basketball game in the on-campus stadium. He eventually hits his son, breaking his jaw. Include this as one on-campus incident of Domestic Violence and one Aggravated Assault.

●
**Clery
Definitions:
Stalking
(42 U.S.C.
13925(a))**

Stalking

The term “stalking” means engaging in a:

- course of conduct
- directed at a specific person
- that would cause a reasonable person to—
 - (A) fear for the person’s safety or the safety of others; or
 - (B) suffer substantial emotional distress

●
**Clery
Definitions:
Stalking
(42 U.S.C.
13925(a))**

For the purpose of this definition—

- (i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means—follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- (ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- (iii) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

●
**Clery
Definitions:
Stalking
(42 U.S.C.
13925(a))**

- For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting
- Record each report of Stalking as occurring at only the first location within the institution's Clery Act geography in which either the perpetrator engaged in the Stalking course of conduct or the victim first became aware of the Stalking

- **Clery Definitions:**
Stalking (42 U.S.C. 13925(a))

Example One:

A female student reported that she is afraid for her safety because her ex-boyfriend has been sending harassing emails to her private email account over the past several weeks. She opened the first five emails in her off-campus apartment. However, earlier that day she opened another email on her mobile phone while walking on campus. She came directly to the Campus Police to report the behavior. The location of the ex-boyfriend when he was sending the harassing messages is unknown. Include this as one on-campus Stalking because the first incident in the course of conduct to occur on Clery Act geography was the victim reading the email on-campus.

- **Clery Definitions:**
Stalking (42 U.S.C. 13925(a))


Example Two:

A male student reports that his ex-girlfriend has been sending him harassing text messages. The ex-girlfriend attends another university 200 miles away. While at home over summer break, the ex-girlfriend showed up at the student's house every day asking if he has a new girlfriend at school. Now that he has returned to school, she sends him daily text messages threatening to "check-in" on him on-campus. The ex-girlfriend sends these text messages late at night and the victim receives them when he is inside his on-campus dorm room. Include one incident of Stalking in both the on-campus category and in the on-campus student housing facility category if the male student fears for his safety as a result of this behavior.

- **Clery Definitions:
Stalking (42 U.S.C. 13925(a))**


Example Three:

A female student reports that she is being followed by a man she met at her job at a café off-campus. He began showing up at the café and would not leave her alone. Since then she has also noticed him following her around campus and she fears for her safety. Include this as one incident of Stalking on-campus since the first occurrence on Clery Act geography occurred when the victim noticed the perpetrator following her on-campus.



Resources for Victims of Crimes: Civil Protection Orders in D.C.

- A civil protection order (CPO) is a civil order from the DC Court that protects you from abuse by a current or former spouse, domestic partner, intimate/dating partner, relative (by blood or marriage/domestic partnership), housemate, someone you have a child in common with, or someone who is/was in a relationship with someone who you are/were in a relationship with. It also protects victims of stalking, sexual assault, or sexual abuse who do NOT have the type of relationship described above.
- Temporary (ex parte) Protection Orders
A temporary protection order can be issued the day that you file your petition without the abuser being present in court - (this is what is meant by an ex parte order). The judge can give you this temporary order if the judge believes that the safety or welfare of you or your household member is in immediate danger from the abuser.
- The first temporary protection order that you get can last up to 14 days. Once you return to court, the judge can extend the temporary protection order for an additional 14 day periods (or for a longer period if both parties consent) until the final court hearing or trial is completed.



Resources for Victims of Crimes: Civil Protection Orders in D.C.

Civil Protection Orders

A final protection order can be issued by a judge after one of the following happens:

- There is a court hearing where you and the abuser both appear and present evidence and testimony to the judge, or
- There is a court hearing where only you appear -- the abuser fails to appear even though you can prove he was properly served with notice of the court date, or
- In court, the abuser consents to the protection order being issued.
- It may be possible to obtain an Emergency Temporary Protective Order (ETPO), which is good for up to 5 days. If you are in an emergency situation and wish to file for an ETPO when the intake centers are not open, call the police and they will put you in contact with a SAFE advocate who will explain the process of obtaining an ETPO.
- The American University Police Department, Dean of Students Office, and/or the Health Promotion & Advocacy Center can assist you in filing a Civil Protection Order and support you along the way.
- Please note that speaking to law enforcement does not, in any way, obligate you to file for a Temporary Civil Protection Order.



Clery Definitions: Arrests and Referrals

The following are reportable only if there are violations of local law which result in an arrest or referral to Student Conduct or Human Resources. In situations involving arrests and referrals, only the arrests will be counted.

- **WEAPON LAW VIOLATION** – The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons.
- **DRUG ABUSE VIOLATION**– Violations of state and local laws relating to the unlawful possession of sale, use, growing, manufacturing, and making of controlled substances.
- **LIQUOR LAW VIOLATION**–The violation of laws or ordinances prohibiting; the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or public intoxication.

● Clery Definitions: Arrests and Referrals

Example One:

In an on-campus student housing facility room three underage students and a non-student are found drinking alcohol in violation of state law. The students are referred for disciplinary action, while the non-student is given a written citation. Include three referrals for Liquor Law Violations in both the on-campus category and in the on-campus student housing facility category as well as one arrest for a Liquor Law Violation.

Example Two:

A party at the Berkshire Apartments, in a unit leased directly through the University, is busted, and 30 students are both arrested and referred for disciplinary action for state Liquor Law Violations by campus police. Include this as 30 on campus arrests for Liquor Law Violations.

Example Three:

A 21-year-old student is referred for disciplinary action for possessing a beer at an on-campus residential facility on a “dry” campus. Do not include this incident in your Clery Act statistics because no violation of the law occurred.

● Clery Definitions: Arrests and Referrals

Example Four:

A resident assistant (RA) has the duty of loading disciplinary information into an electronic database. She enters the names of 15 students who were referred for disciplinary action as a result of being at an on-campus party where there was underage drinking in violation of state law. The RA's supervisor begins the disciplinary action process by reviewing the information in the database. She determines that five of those students were present in a location where illegal drinking took place but that these five students did not violate any liquor laws. Nothing more is done in terms of disciplinary action for those five individuals. The disciplinary process continues for the remaining 10 individuals who were at the party. Include this as 15 referrals for disciplinary action in the on-campus category because 15 students were referred for underage drinking.

●
**The CSA
Disclosure
Form Part 5
Section 3:
Reportable
and Occurred
To/From**

- This section is used to detail when an incident was reported to you
- This section is also used to detail when an incident occurred or is alleged to have occurred
- This information is used for timely warnings, the crime log and to a lesser extent statistics in the Annual Security report

● The CSA Disclosure Form: Part 5: Section 3: Reported and Occurred To/From

3.	This Incident				
When Was it Reported?					
Month:	Day:	Year:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Unknown
When Did It Occur?					
Month:	Day:	Year:	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	<input type="checkbox"/> Unknown



Timing is Critical

The law requires that the crime be reported for the calendar year in which it was first reported to a Campus Security Authority – not when it occurred, not when it was reported to police

●
**The CSA
Disclosure
Form Part 5
Section 4:
Relationship
to the
University**

- This section is used to capture if the location where the incident took place was in the control or possession of the University or any sponsored or recognized programs or entities
- It is important to complete this section as best as possible as the information in this section may result in a timely warning to the University community in addition to inclusion of data in the Annual Security Report

● The CSA Disclosure Form: Part 5: Section 4: Relationship to the University

4.	Relationship to the University
a. Did the incident occur in a building or on property owned, controlled or leased by the University?	<input type="checkbox"/> Yes (specify) <input type="checkbox"/> No <input type="checkbox"/> Unknown
b. Did the incident occur in a building or on property owned, controlled or leased by a recognized student organization	<input type="checkbox"/> Yes (specify) <input type="checkbox"/> No <input type="checkbox"/> Unknown
c. Did the incident occur at a University sponsored event?	<input type="checkbox"/> Yes (specify) <input type="checkbox"/> No <input type="checkbox"/> Unknown

● The CSA Disclosure Form: Part 5: Section 5: Incident Location

This section is used to capture the name of the location where the incident took place

5.	Incident Location (Please Print the Name and Address or Location Where Incident Occurred)

The CSA Disclosure Form: Part 5: Section 6: Type of Location

This section is used to capture the type of location where the incident took place.

This information will be used to determine if or how to count the report data in the Annual Security report as well as determine if a timely warning is necessary.

6. Additional Information [Check all that apply and identify to the extent possible – see location definitions on attached sheet]			
<input type="checkbox"/> On Campus Property	<input type="checkbox"/> Dormitory or Residential Facility	<input type="checkbox"/> Indoors	<input type="checkbox"/> Parking Lot <input type="checkbox"/> Street
<input type="checkbox"/> Non Campus Property	<input type="checkbox"/> Non-Residential Facility/Building	<input type="checkbox"/> Outdoors	<input type="checkbox"/> Sidewalk <input type="checkbox"/> Field
<input type="checkbox"/> Public Property	<input type="checkbox"/> Unknown	<input type="checkbox"/> Unknown	<input type="checkbox"/> Other (Specify Below)
<input type="checkbox"/> Unknown			<input type="text"/>



Importance of Location

A crime must be reported if it occurred:

- On campus
- In on-campus student residences (even if privately owned & operated)
- Public property immediately adjacent to an accessible from campus (e.g. roads, parking lots, sidewalks)
- On certain off-campus property . . .



On Campus

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

This now includes AU offices at 3201 New Mexico Avenue, NW, D.C.



On Campus (Resident Facility)

(SUBSET OF “ON CAMPUS” STATISTICS)

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This now includes the University leased apartments at 4201 Massachusetts Avenue (Berkshire Apartments).



Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.



Importance of Location

Under the law, some off-campus locations are deemed so closely related to the University that crimes occurring at those locations are included in campus crime statistics.

Examples: Crimes occurring at AU owned or controlled facilities “frequently used by students”



Importance of Location

These off-campus properties are termed “non-campus property,” defined by law to include:

- Property owned or controlled by American University
- Property owned or controlled by a student organization registered with American University

For AU’s main campus, non-campus properties (as defined above) are the following:

- Greenberg Theatre and AU offices at 4200 Wisconsin Avenue, NW, D.C.
- The Brandywine building at 4000 Brandywine Street, NW, D.C.
- 4401 Connecticut Ave, NW Washington, DC
- Airlie 6809 at Airlie Road, Warrenton, VA 20187



Importance of Location

Incidents should also be disclosed to the Clery Compliance Coordinator if they occurred in:

- Property (to include individual rooms and hotel rooms, etc.) leased or rented directly by the University or through a third-party on behalf of the University and is frequented by students;
- Property controlled by the University during short-stay "away" trips involving students and in support of the University's educational purposes (including research trips, study programs, and/or athletic events where the arrangements are made by the University and the space is controlled by the University).

These locations are considered to be non-campus properties for the purposes of Clery.

● Don't Include Crimes Not Connected to American University

Examples:

A student tells you about a crime that occurred at a different college before he transferred to AU; or


A student reports an assault that happened while she was away from campus and not involved in a campus activity – e.g., in another state on spring break, on vacation, or at a summer job with a private company outside of AU

● DO Tell the Student About Reporting Options, or Refer For Help

Examples:

A student tells you that she was raped by another student at her off-campus apartment.

Although the crime did not occur at a location covered by Clery reporting, the accused student IS subject University disciplinary action for this off-campus conduct. In addition, the victim is eligible for campus assistance and resources.



The CSA Disclosure Form Part 5 Section 7: Narrative of Incident

- This section should be used to document everything that was disclosed to a CSA regarding the incident.
- While you are not required to investigate crimes, it is important to have the basic information regarding the incident so that an informed decision can be made on how to handle the data. Nuances in what occurred can determine how to classify and respond to reports.
 - Ex: The theft of a laptop from a locked single occupancy dorm room in which no FM work orders were placed will be counted as a Burglary. The theft of a laptop from an open area such as MGC Tavern will be counted as a Theft.

● The CSA Disclosure Form: Part 5: Section 7: Narrative of Incident

7.	Brief Narrative Description of the Incident

● The CSA Disclosure Form: Part 5: Section 8: Hate Crime Supplemental Information

This section is used to document any specific hate or biases associated with the incident

8.	Hate Crime Information (for above incident – with or without injury) 1. If the victim was intentionally selected because of their actual or perceived Race, Gender, Religion, Sexual Orientation, Ethnicity, National Origin, Gender Identity or Disability of the victim, please indicate the category of prejudice (check all boxes that apply). 2. Check the 'Not a Hate Crime' box if the victim was not selected based on any of these categories.
<input type="checkbox"/> Not a Hate Crime	<input type="checkbox"/> Racial <input type="checkbox"/> Religious <input type="checkbox"/> Ethnicity <input type="checkbox"/> Gender Identity <input type="checkbox"/> Gender <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Disability <input type="checkbox"/> National Origin <input type="checkbox"/> Involved Bodily Injury

● Clery Definitions: Hate Crimes

Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reported:

- *Race*. A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- *Religion*. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Clery Definitions: Hate Crimes

- *Sexual Orientation.* A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- *Gender.* A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- *Gender Identity.* A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Clery Definitions: Hate Crimes

- *Ethnicity.* A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- *National Origin.* A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- *Disability.* A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.



Clery Definitions: Hate Crimes

Hate crimes to property, questions:

- Was the target personal property, a personal residence, house of worship, or ethnic organization?
- Did the incident involve any expression of hatred (e.g. graffiti, comments) re: race, gender, ethnicity, religion, sexual orientation, or disability?
- Did any personal injury result from the incident?

*Report ANY vandalism to property of a religious, ethnic, gay or lesbian organization as a hate crime

● Clery Definitions: Hate Crimes

Example One:

For a fraternity prank, two students forcibly bring a developmentally disabled student back to their house on campus. They shave the student's head, spelling out the word "retard" in his remaining hair. They record the incident on their cell phones and post it on the fraternity website, all the while mocking his disability and his slurred-speech protests. Include this as one on-campus Simple Assault characterized by Disability bias.

Example Two:

A transgender woman was leaving the campus bookstore when three men walking toward her said, "Hey, what's your problem? Huh?" She kept walking, trying to ignore them. However, as they got close, one yelled "We don't want no she-males around here!" and a second one knocked her to the ground. Include this as one on-campus Simple Assault characterized by Gender Identity bias.

● Clery Definitions: Hate Crimes

Example Three:

Two students are walking on campus, speaking Spanish. Five other white students surround them, shove them and throw them to the ground, shouting “You’re in America. This is our country. We speak English here! Go back to your own country if you don’t like it!” Include this as two on-campus Simple Assaults characterized by National Origin.

Example Four:

The office of the Arab-American Student Center on the third floor of the campus student union contains both Arabic and English writing on the outside of the door. One night the office is vandalized, with anti-Arab threats and disparaging anti-Arab messages. Include this as one on-campus Destruction/Damage/Vandalism of Property incident characterized by Ethnicity bias.

● Clery Definitions: Hate Crimes

Example Five:

Several students call the campus security office to report swastikas spray-painted on the hallway walls of an on-campus student housing facility on the floor where members of a Jewish student group live. The spray-painting follows a week of escalating tension between some Jewish and non-Jewish students over news about the Israeli-Palestinian conflict. Campus security personnel investigate and, based on the evidence, conclude that a Hate Crime was committed. Include this as one on-campus Intimidation characterized by religious bias and one on-campus student housing facility Intimidation characterized by religious bias.

Example Six:

Several students call the campus security office to report swastikas spray-painted on the walls in a hallway of an on-campus student housing facility. Campus security personnel investigate but cannot find conclusive evidence that the markings were bias-motivated. Do not include this incident as a Hate Crime in your Clery Act statistics.

● The CSA Disclosure Form: Part 5: Section 9: Signature and Contact Information

This section helps determine who submitted the disclosure and provides contact information for them in the event a follow up conversation is needed

9.	Completed and Submitted By:	
Printed Name:	Signature:	Date:
Department:	Telephone:	Email:



What Your Disclosures Are Used For

- Annual Security Report
- Crime Log
- Timely Warnings
- Crime Statistics



Daily Crime Log

The American University Police Department maintains a daily crime log, which is written in an easily understood format and describes the nature of the crime, date the crime was reported, date and time the crime occurred, general location of the crime, and disposition of the complaint, if known.

Reports are entered or updated within two business days after receiving the information. The log records virtually all crimes reported to the Police Department. There are times, however, when information may be withheld from the log. If there is clear and convincing evidence that releasing such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, that information may be withheld until the adverse effect is no longer likely to occur.

AU's Crime Log can be found at:

<https://www.american.edu/finance/publicsafety/upload/2021-pdf-working-copy.pdf>

Report #	Nature-Classification	Location	Date/Time Reported	Occurred From	Occurred To	Disposition
140553	Theft	Off Campus	7/11/2014 16:38	7/11/2014 13:45	7/11/2014 14:50	Case has been forwarded to MPD
140554	Trespassing	Mary Graydon Center-Inside	7/13/2014 6:21	7/13/2014 5:29	7/13/2014 6:13	Barring issued
140555	Aggravated Assault-no known threat to AU community	Nebraska Hall-Outside	7/13/2014 3:11	7/13/2014 2:58	7/13/2014 3:03	Case has been forwarded to MPD
140556	Vandalism, Attempted Arson, Arson	South Side Residence Halls	7/14/2014 6:28	7/14/2014 4:00	7/14/2014 6:20	Pending
140558	Vandalism	Sports Center Elevator	7/16/2014 9:03	7/16/2014 4:58	7/16/2014 7:00	Pending
140559	Harassment via Fax	Battelle Building-Inside	7/16/2014 13:59	6/19/2014 7:19	7/16/2014 13:59	Pending
140561	Defacing Property	Katzen Parking Area	7/17/2014 9:43	7/17/2014 8:04	7/17/2014 9:46	Pending
140562	Defacing Property	Sports Center Elevator	7/18/2014 5:22	7/17/2014 20:41	7/18/2014 5:22	Pending
140563	Trespassing	Kay Spiritual Life Center-Inside	7/18/2014 16:15	7/18/2014 16:10	7/18/2014 16:36	Barring Issued
140564	Theft	Anderson Hall-Inside	7/19/2014 1:16	7/18/2014 23:30	7/19/2014 1:15	Pending
140567	Theft	Bender Library-Inside	7/21/2014 15:48	7/21/2014 15:30	7/21/2014 15:45	Pending
140572	Disorderly Conduct-Defacing Property	Katzen Arts Center-Outside	7/26/2014 2:05	7/26/2014 2:05	7/26/2014 2:09	Pending
140573	Disorderly Conduct	Katzen Arts Center-Outside	7/26/2014 2:52	7/26/2014 2:51	7/26/2014 2:52	Barring issued
140574	Defacing Property	Katzen Arts Center-Outside	7/26/2014 11:14	7/26/2014 0:00	7/26/2014 2:53	Pending
140575	Theft	Mary Graydon Center-Inside	7/27/2014 19:35	7/27/2014 19:25	7/27/2014 19:34	Pending



Annual Security Report

This publication contains information to aid in the cooperative effort of creating a safer campus. It contains specific information on safety and security, crime prevention, patrol operations and breadth of authority, policies relating to reporting crime, campus disciplinary procedures, and crime statistics for the three previous calendar years. These statistics reflect reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by American University, and on public property that is immediately adjacent to and accessible from the campus.

This publication is posted on American University's website by October 1 each year. We notify all students, staff, and faculty of the website via email as well as through informational postings within the campus. You can obtain this report online at <https://www.american.edu/finance/publicsafety/annual-security-and-fire-reports-clery.cfm>

ANNUAL SECURITY REPORT

October 1, 2014



AMERICAN UNIVERSITY
WASHINGTON, DC

Department of Public Safety
4400 Massachusetts Avenue NW
Washington, DC 20016



Timely Warning

In addition to AU's statistical disclosure, we are mandated to provide "Timely Warning" to the campus community.

These warnings enable AUPD to share information with the community about criminal activity as well as assist in obtaining information that may help close a case.

The American University Police Department can issue timely warnings for any Clery Act crime that occurs within our Clery geography that was:

- Reported to campus security authorities or local police agencies; and
- Is considered by AU to represent a serious or continuing threat to students and employees.



Timely Warning

- Timely Warnings are issued at the discretion of the AVP of University Police and Emergency Management or his designee
- They can be disseminated through paper flyers, website posting (AUPD webpage) and/or e-mail
- Contain information regarding the criminal activity, suspect descriptions (if applicable) as well as contacts and safety tips
- Often, Timely Warnings are implemented based on information we receive from our Campus Security Authorities
- The sooner we know about a situation, the more helpful Timely Warnings can be
- REMEMBER: Let us know as soon as you know!
- Timely Warnings can be found at:
<https://www.american.edu/finance/publicsafety/crime-alerts.cfm>



CRIME ALERT

Off Campus Residence

Release Date: 09/02/2014

Incident:

On Saturday, August 30, at approximately 11:30pm., a forcible sex offense occurred at an off campus student residence, the location of which is unknown.

The following was reported to the Department of Public Safety:

A female student was sexually assaulted after stating that she did not consent to intercourse. The victim was sexually assaulted again by the same suspect several minutes later.

Suspect Descriptions:

The suspect is known to the victim and an investigation is ongoing.

Make a Confidential Tip Through the Department of Public Safety Webpage at:

<http://www.american.edu/finance/publicsafety/tips.cfm>

If you have information relating to this incident, or witness suspicious activity, please call the Department of Public Safety at 202-885-3636 or 911 for the Metropolitan Police Department.

Safety Tips

- Walk in groups whenever possible and look out for each other.
- Avoid isolated and dark areas.
- Carry your cell phone and keep it accessible.
- If you are approached, take note of the person's appearance, clothing and anything unusual that will help identify the suspect.
- Be aware of the emergency telephones (yellow boxes on pillars, blue light phone towers, and red telephones) located on campus, in building lobbies, elevators, and in parking lots.
- Do not let anyone follow you into the building, or admit anyone as a guest unless they are your guest.

General Tips

- Report any suspicious activity or suspicious individuals to the Department of Public Safety.
- Program AU Public Safety into your cell phone for emergencies: 202-885-3636.
- The Department of Public Safety provides escorts, twenty-four hours a day/seven days a week, for community members to and from university owned property. To arrange for an escort, call 202-885-2527 or use a blue light or red emergency phone.
- The sexual assault prevention coordinator (SAPC) serves to develop and implement prevention and education programs for the AU community about sexual assault, dating violence, and stalking. The SAPC is also available to provide resources and referrals for survivors of sexual assault and can assist survivors in contacting counselors or a victim advocate when requested. The SAPC can be reached at 202-885-3055 and is a confidential resource.
- For information about resources available to victims/survivors of sexual assault, please visit the Wellness Center website at: <http://www.american.edu/oc/wellness/sexual-assault-resources.cfm>

If you would like a copy of this alert, please visit <http://www.american.edu/finance/publicsafety/crimealerts.cfm>

The American University Department of Public Safety (AUDPS) urges the campus community when news are reported to AUDPS or the Metropolitan Police Department (MPD) which the University believes represent a potential threat to its students or employees, to cooperate and assist with the Justice City Division of Campus Security Policy and Campus Crime Statistics Act. The University uses its best efforts to provide information that is both accurate and helpful, but community members should recognize that the University is able to relay information only as it is reported to AUDPS from MPD. Community members are encouraged to report external incidents to AUDPS to assist in the effective implementation of this program.

Emergency: 202-885-3636



Emergency Notifications

AU is required to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

An “**immediate**” threat as used here encompasses an **imminent or impending threat**

The university operates a campus notification system, AU Alert, which will provide immediate text alerts and updates to students, faculty, and staff, with information and instructions, if there is an emergency. The American University Police Department will use these text alerts to notify the campus community of the nature of the emergency and procedures to follow.



Emergency Notifications

Some examples are:

Outbreak of meningitis, norovirus or other serious illness, earthquake, gas leak, armed intruder, rioting

**Report all emergencies to the American
University Police Department immediately at
202-885-3636**



Emergency Response

American University is dedicated to providing a safe and secure environment for its campus community.

In the event of a campus-wide emergency, the university's detailed emergency preparedness plan provides notification instructions and operating procedures at <https://www.american.edu/emergency/>

The Web site also contains numerous resources for emergency planning, e.g., shelter-in-place and mass-care procedures.

Once such an emergency has occurred and the emergency preparedness plan has been activated, the Emergency Response Team (ERT) will oversee the response teams conducting recovery and restoration operations.

The ERT will fulfill many operational functions during an emergency and is the primary vehicle for implementing and managing the emergency response.



**Thank
You**