

# Jeanne Clery Campus Security Act

## 821.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## 821.2 POLICY

The CSU Police Department, San Luis Obispo encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092 (f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any CSU Police Department, San Luis Obispo facility. Reports will be accepted anonymously, by phone or via e-mail.

It is the policy of the CSU Police Department, San Luis Obispo to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the CSU Police Department, San Luis Obispo and other Clery Act stakeholders at Cal Poly.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

## 821.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the CSU Police Department, San Luis Obispo establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures in coordination with other relevant campus entities. (20 USC § 1092 (f)(1)(J)(i) and (iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
  1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092 (f)(1)(C)(ii)),
  2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092 (f)(1)(G)),
  3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092 (f)(1)(J)).

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4. Notify the CSU Police Department, San Luis Obispo of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092 (f)(1)(F)).
  5. Notify the CSU Police Department, San Luis Obispo of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes (20 USC § 1092 (f)(3)).
- (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092 (f)(1)(D)).
  - (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092 (f)(1)(E)).
  - (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape and other sex offenses, and what to do if a sex offense occurs, including who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092 (f)(8)(B)).
  - (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations, in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

### **821.4 RECORDS COLLECTION AND RETENTION**

The Records Manager is responsible for maintaining CSU Police Department, San Luis Obispo statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092 (f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092 (f)(1)(F)(i)):
  1. Murder
  2. Sex offenses, forcible or non-forcible
  3. Robbery
  4. Aggravated assault
  5. Burglary

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6. Motor vehicle theft
  7. Manslaughter
  8. Arson
  9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092 (f)(1)(F)(ii)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092 (f)(7) and 34 CFR 668.46 (c)(7)). The statistics will be categorized separately as offenses that occur (20 USC § 1092 (f)(12) and 34 CFR 668.46 (c)(4)):
1. On campus.
  2. In or on a non-campus building or property.
  3. On public property.
  4. In dormitories or other on-campus, residential, student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the CSU Police Department, San Luis Obispo (34 CFR 668.46(c)(2)).
- (e) Statistics will include the three most recent calendar years (20 USC § 1092 (f)(1)(F); 34 CFR 668.46(c)).
- (f) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092 (f)(7)).

#### 821.4.1 CRIME LOG

The Patrol Watch Commander is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092 (f)(4) and 34 CFR 668.46(f)):

- (a) The daily crime log will record all crimes reported to the CSU Police Department, San Luis Obispo, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.

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- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police or security department.
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
  - 1. Disclosure of the information is prohibited by law.
  - 2. Disclosure would jeopardize the confidentiality of the victim.
  - 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, that may cause a suspect to flee or evade detection, or that could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

### **821.5 INFORMATION DISSEMINATION**

It is the responsibility of the Chief of Police to ensure that the required Clery Act disclosures are properly collected from campus administration and community members in accordance with institution procedures and published in the Annual Security Report. This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092 (f)(3) and 34 CFR 668.46(e) and (g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes.
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092 (f)(1); 34 CFR 668.46 (b)). This report will include, but is not limited to, the following:
  - 1. Crime statistics
  - 2. Crime and emergency reporting procedures
  - 3. Policies concerning security of and access to campus facilities
  - 4. Crime and sexual assault prevention programs
  - 5. Enforcement policies related to alcohol and illegal drugs
  - 6. Locations where the campus community can obtain information about registered sex offenders
  - 7. Emergency response and evacuation procedures
  - 8. Missing student notification procedures

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