Campus Security Authority Reference Manual

CLERY ACT REPORTING

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Authored by: University Compliance
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Clery Act Reporting

INTRODUCTION

The purpose of the Clery Act is to provide the campus community with accurate, complete, and timely information about crime and the safety of the campus environment so that they can make informed decisions to keep themselves safe.

The federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires institutions of higher education, receiving federal student aid, to report specified crime statistics on college campuses and to provide other safety and crime information to members of the campus community.

The Clery Act requires universities to report campus crime statistics to the Department of Education (ED) on an annual basis. At Prairie View University, the Prairie View University Police Department (PVPD) gathers and compiles the statistical information from Campus Security Authorities for Clery reporting. This manual provides guidance to employees and other individuals associated with Prairie View University who has responsibilities under the Clery Act.

A Campus Security Authority (CSA) is a Clery-specific term that encompasses the following groups of individuals and organizations associated with an institution whose functions involve significant responsibility for student and campus activities: security and law enforcement officers, special events security staff, deans (or other senior student administrative personnel), coaches, residence hall staff, physicians or nurses in a campus health center, overseers and advisors to student clubs and organizations, and staff involved in student discipline and campus judicial proceedings. Professional and pastoral counselors are exempt from the reporting requirement while working within the scope of a license or certification.

CSA’s have an important role in complying with the Clery Act. CSA crime reports are used by the school to:

- Fulfill its responsibility to annually disclose Clery crime statistics, and
- To issue timely warnings for Clery crimes that pose a serious or continuing threat to the campus community.

According to the 2014 ED Handbook, “although every institution wants its campus community to report criminal incidents to law enforcement, we know that this doesn’t always happen. Even at institutions with a police department on campus, a student who is the victim of a crime may be more inclined to report it to someone other than the campus police. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be campus security authorities.”

Department of Education Clery Act Handbook
CSA RESPONSIBILITY

Under Clery, a crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn’t matter whether or not the individuals involved in the crime or reporting the crime, are associated with the institution. If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

What you must disclose, therefore, are statistics from reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to disclose the statistic. If you are in doubt as to whether a crime has been reported, rely on the judgment of law enforcement professionals.

If someone tells you about a crime or an incident that may be a crime, you must record the information on a Crime Statistic Report Form and submit the report to the Prairie View Police Department in a timely manner.

It is very important to provide as much information as possible on the form including personally identifying information, if it is available, to aid law enforcement and to categorize the crime. If a victim requests confidentiality, tell the person you are required to report the incident as an anonymous statistic but will not identify anyone involved if the victim wishes to remain anonymous. Other laws (such as Title IX), however, may require that you reveal details about the incident. If you need further guidance about your Title IX obligations contact MS .Alexia Taylor, Prairie View A&M University Title IX Coordinator.

Sample CSA Statement:

“As part of my position as a campus security authority, I am required to report non-personally identifiable details of this incident to University officials for data gathering. My report will contain only the information you provide. Do you have any questions? Would you like to see a copy of the report and help me fill it out?”

*** Forms are on the Prairie View A&M Police Department website ***
***Completed Forms should be mailed as soon as possible ***

TO: Zena Stephens  
PVAMU Chief of Police  
Box 519 MS# 1430  
Prairie View, TX 77446

➢ Let the person know about options for reporting to Police.
➢ A person who talks to you does not have to talk to the Police.
What Must Be Reported

• Type of Crime
• Location of Crime- provides a detailed description as police will have to categorize as follows:
  - On Campus
  - On Campus, in residence halls
  - On public property adjacent to campus
  - On non-campus property owned or controlled by the University or a recognized student organization
• Time
  - Date and Time the crime or incident occurred.
  - Date and Time when the person reported it to you
• Description of the incident

Helpful Information

• Name of the Victim (if the victim wishes to be identified)
• Identities of any known suspects or witnesses
• Use of any weapon in the commission of the crime
• Any injuries involved
• Get as accurate and complete a description of what happened as you can

Note: Please remember
  ○ Your job is to report the information the person is willing to tell you
  ○ The decision to identify someone is not yours to make
  ○ You do not have to know the crime classification; just indicate the crime that seems most likely or possible. The police will make the final determination and classify the crimes
  ○ You don’t have to prove what happened or who was a fault
  ○ You are not supposed to find the perpetrator

Criminal Offenses That Are Required To 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.

Robbery: The taking/attempts 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.
**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 that could cause serious personal injury is used.

**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. (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, 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.

**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 intemperate 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.)
Criminal offenses listed above should be reported on the form below:

<table>
<thead>
<tr>
<th>PRAIRIE VIEW A&amp;M UNIVERSITY</th>
<th>CSA ____________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRIME STATISTIC REPORT FORM</td>
<td>DATE____________________</td>
</tr>
</tbody>
</table>

Crime reported by: ___________________________ Phone Number: ___________________________

Classification (see definitions above): ___________________________ Date Incident Occurred: __________

Brief description of the incident: ________________________________________________________________

Check the appropriate answer to the following questions:

- Did the crime occur in a building or on the street?  Building: _______ Street: __________
- Did the crime occur on PVAMU owned, controlled, or leased property?  Yes: ____ No: ____
- Did the crime occur at a University-sponsored activity or event? Yes: ____ No: ____

**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 of giving consent.

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

**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.

**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 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 or physical incapacity.

**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.

TO: Zena Stephens
PVAMU Chief of Police
Box 519 MS# 1430
Prairie View, TX 77446
Sex Offenses – Non-forcible

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent. Texas State Law: Sexual assault for anyone to intentionally or knowingly penetrate a person under age 17, other than his spouse. The actor has an affirmative defense if he is not more than three years older than the victim, who is at least age 14.

**Sex Offense crime should be reported on form below:**

PRAIRIE VIEW UNIVERSITY
CRIME STATISTIC REPORT FORM (Sexual Offense)  CSA_________________
DATE________________

Crime reported by: ________________________________ Phone Number______________________
Classification (see definitions above): __________ Date Incident Occurred: __________
Stranger or Acquaintance: __________________________ Location: ____________________________
Where either the survivor or the assailant under the influence of drugs or alcohol? Yes______ No_____
Brief description of the incident: ________________________________________________________________

Check the appropriate answer to the following questions:

Did the crime occur in a building or on the street? Building: __________ Street: __________
Did the crime occur on PVAMU owned, controlled, or leased property? Yes:______ No: ______
Did the crime occur at a University-sponsored activity or event? Yes:______ No: ______

TO: Zena Stephens
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HATE CRIMES

A hate or bias related 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/bias crime. Hate crimes are required to be reported 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 (see definitions above) and larceny, vandalism, 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 Clery Act requires that the statistic be reported as a hate crime.

If a hate (bias) related crime was reported to you, please fill out the Crime Statistic Report Form and then complete the following information about the type of bias involved in the crime.

| Type of Crime (List classification as defined above): ________________________________ |
| Type of Bias (circle one): |
| Race | Religion | Ethnicity | Gender | Sexual Orientation | Disability |
**EMERGENCY RESPONSE**

All members of the Prairie View community are required to immediately notify the Prairie View University Police Department at phone number (936) 261-1375 or **911** of any situation or incident on campus that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students and/or employees on campus. The Police Department is responsible for responding to such situations to assess the potential threat and for summoning the necessary resources to mitigate, investigate, and/or document any situation that may pose a significant emergency or danger.

If the Police Department determines that the situation does in fact pose a threat to the community, it will immediately notify the University Crisis Management Team. This team will work with the Police Department to notify the campus community, or the appropriate segments of the community that may be affected by the situation.

**FIRE SAFETY**

If a member of the Prairie View community finds evidence that a fire occurred and has been extinguished, and the person is not sure whether the Prairie View University Police Department has already responded, the Prairie View University Police Department should be notified immediately. For example, if a housekeeper finds evidence of a fire in a trashcan in the hallway of a residence hall, he/she should not touch the trashcan and should report the incident to the University Police Department immediately and wait for an officer’s response. The officer will document the incident prior to removing the trash can from the area.

**MISSING STUDENTS**

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should **immediately** notify the Prairie View University Police Department at (936) 261-1375. The Police Department will generate a missing person report and initiate an investigation.
VICTIM ASSISTANCE
In addition to filing a CSA Crime Statistic Report, it is important to offer options and referrals for necessary services. Below you will find contact information for basic referrals.

HOTLINE NUMBERS
Child & Elderly Abuse 800-252-5400
Family Law 800-777-3247
National Domestic Violence 800-799-7233
Texas Association Against Sexual Assault 512-474-7190
Texas Council On Family Violence 800-525-1978
Texas Crime Stoppers 800-252-8477
Texas Runaway 888-580-4357
Texas Rural Legal Aid 800-369-0574

ANGER MANAGEMENT
Comprehensive Therapies 800-369-0574

CHILD ABUSE AND NEGLECT
Child Protective Services 800-252-5400

CLOTHING
WARM (After 10am) 936-372-5173
Focusing Families 979-826-0000
St. Bartholomew’s Episcopal 979-826-

**Crime prevention Specialist**

Hempstead PD

979-826-3332

**Crime prevention Specialist**

To be announced – Prairie View PD

979-857-3521

To be announced – Prairie View PD

979-857-4313

Waller PD

936-372-2525

**DOMESTIC VIOLENCE ADVOCACY**

Katy Christian Ministries – Domestic Abuse Center

281-391-4357

**COUNSELING**

**Comprehensive Therapies**

24hrs Call line for help, Counseling for entire family, Safe Escapes for victims when they are at counseling

GW Counseling Programs & Guidance Service

281-451-6616

Pastor Mark Kremer, M. DIV - Faith United Church

979-826-4662

Certified Faith Based Counselor has offered individual and martial counseling from a Christian perspective for over 10 years. He has a limited of appointments available each month.

**LEGAL ADVICE**

Women’s Advocacy Project - Family Violence Legal Line

800-374-HOPE

**SUPPORT GROUP**

Faith United Church

979-826-4662
**DRUG & ALCOHOL COUNSELING**

Austin Alcohol & Drug Education 832-721-5925

**FOOD ASSISTANCE**

Angel Food Ministries 979-826-4662

**MARRIAGE & FAMILY COUNSELING**

COMPREHENSIVE THERAPIES 979-826-6700

DR. RICHARD MCWHORTER 713-922-4420

GW COUNSELING PROGRAMS & GUIDANCE SERVICES 936-857-3749

Mental Health Services to Children & Families in Crisis 281-261-0083

FAMILY SERVICES OF GREATER HOUSTON

**LEGAL ADVICE**

Women’s Advocacy Project- Sexual Assault 888-296-SAFE(7233)

Legal Line

**HELP FOR VICTIMS OF SEXUAL ASSAULT**

Non-Emergency 281-391-5262

24-Hour Crisis Hotline 281-693-RAPE

**ADVOCACY**

Katy Christian Ministries Sexual Assault Center

Non-Emergency 281-391-5262

24-Hour Crisis Hotline 281-693-RAPE

**MEDICAL ATTENTION**

Prairie View A & M University

Owens Franklin Health Center 936-261-1410