

# University of Missouri –Kansas City

## Campus Security Authority Training

Jeanne Clery Disclosure of Campus Security Policy  
and Campus Crime Statistics Act

# What is the Clery Act?

- Jeanne Clery, a Lehigh University freshman, was raped and murdered in her college dormitory in 1986. In 1986 there were no standards for campus crime reporting. Her parents Connie and Howard Clery lobbied for policy changes that would eventually be known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act).
- The Clery Act is a consumer protection law that aims to provide transparency around campus crime policy and statistics.

# What is the Clery Act?

- The Clery Act requires colleges and universities that receive federal funding to disseminate a public Annual Fire Safety and Security Report (ASR) prior to October 1 of each year.
- The ASR must include statistics of campus crime for the preceding 3 calendar years, plus details about efforts taken to improve campus safety. Institutions that have student housing are required to provide information on fire safety and fire related statistics.
- The ASR includes policy statements regarding crime reporting, facility security and access, law enforcement authority, alcohol and drug abuse, and the prevention/response to sexual assault, domestic violence, dating violence, and stalking.

# Who is a Campus Security Authority?

A Campus Security Authority (CSA) has an important role in ensuring that UMKC complies with the Clery Act. CSA crime reports are used by UMKC to:

- Fulfill its responsibility to annually disclose accurate crime statistics.
- To issue or facilitate the issuance of timely warnings-crime notification or emergency alerts (UMKC Alerts) for crimes that pose a serious or continuing threat to the health or safety of the campus community.

CSA's as defined by the Department of Education are:

- Any individual who has a responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring an entrance into a UMKC building).
- 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 a Campus Security Authority

- Dean of students who oversees student housing, student center or student extracurricular activities.
- Director of athletics, all coaches (including part-time employees and graduate assistants).
- Faculty, Staff or Volunteer advisor to a student organization.
- Residence Hall employees (Area Coordinators, Hall Coordinators, Assistants, Desk Attendants).
- Coordinator of Greek Affairs.
- Title IX Coordinator and assistants.
- An ombudsperson (including student ombudspersons).
- Director of campus health or counseling center.
- Victim advocates or others responsible for providing advocacy services.
- Members of sexual assault response teams or sexual assault advocates.
- Contracted security personnel.

\*\*Faculty members who do not have any responsibility for student or campus activity beyond the classroom, clerical staff, cafeteria and janitorial staff are not considered campus security authorities.

# What does a Campus Security Authority Do?

- The function of a CSA is to report to the UMKC Police Department any of the Clery Act crimes that he or she receives. A CSA may also report sexual assault, domestic violence, dating violence and stalking to the Office of Civil Rights and Title IX.
- CSA's are responsible for reporting allegations of Clery Act crimes that are reported to them in their capacity as a CSA. This means that CSA's are NOT responsible for 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.
- A CSA would generally receive a report of a Clery Act crime through a one-on-one meeting with an individual, or when an individual directly seeks out someone they view as an official of the university.

# What does a Campus Security Authority Do?

- UMKC wants its campus community to report criminal incidents to the UMKC Police Department, but we know that doesn't always happen. A student who is a victim of a crime may report it to someone other than UMKCPD.
  - For example, a victim of a criminal offense may turn to their Residence Hall Coordinator/Advisor, Residence Hall front desk staff, Student Organization Advisor, Athletic Coach, or the Dean of Students. For this reason, the Clery Act requires UMKC to collect crime reports from a variety of individuals.
- Under the Clery Act, a crime is "reported" when it is brought to the attention of a campus security authority, UMKCPD, or local law enforcement by a victim, witness, other third party or even the offender. Victims of the crime or those reporting the crime do not have to be associated with UMKC. A victim of a crime may be a student, employee, volunteer or visitor of UMKC. What is important is that the crime occurred on property owned or controlled by UMKC, or on public property within the campus, or immediately adjacent to and accessible from the campus. This is referred to as "UMKC's Clery Act Geography."

# What shouldn't a Campus Security Authority Do?

- All “alleged” Clery Act crimes should be reported. It is not necessary for the crime to have been investigated by the police nor must a finding of guilt or responsibility be made before reporting the crime.
- A CSA is not responsible for determining authoritatively whether a crime took place – that is the function of law enforcement. If a Clery Act crime is reported to you as a CSA, immediately report the incident.
- A CSA should not try to apprehend the alleged perpetrator of the crime. That too is the responsibility of law enforcement.
- A CSA is not responsible for trying to convince a victim to contact law enforcement if the victim chooses not to do so.

# UMKC's Clery Act Geography

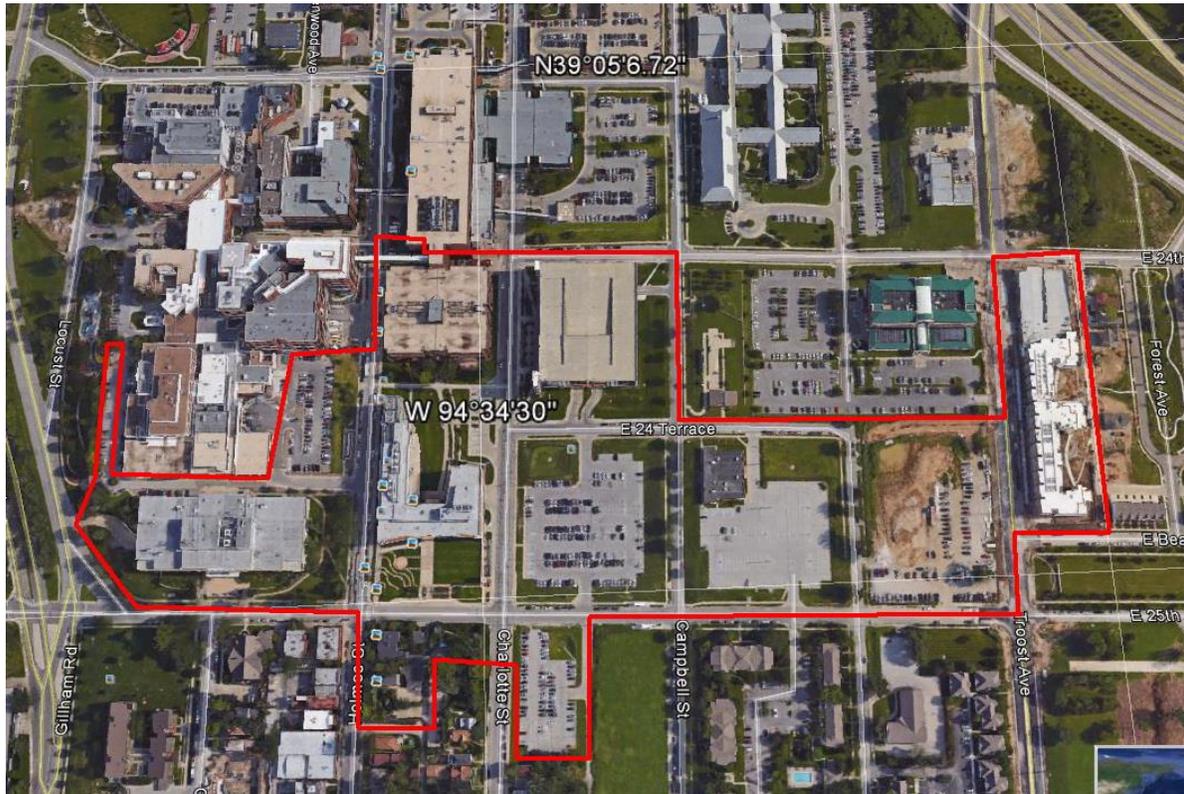
All alleged incidents of Clery Act crimes that occur on UMKC's geography are to be reported. There are three categories of geography, and it is important to have a basic understanding of all three. However, as a CSA, if you are unsure of the location, whether an incident is a Clery Act crime, or even if it's criminal in nature, it should be reported. UMKC officials will determine the location and Clery Act classification.

- On-Campus- All property owned or controlled by UMKC that is located within one mile of the campus border and used by UMKC in direct support of, or in a manner related to the institution's educational purposes. Any building or property that is owned by UMKC but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- Non-Campus- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or a building or property used in direct support of, or in relation to, the institutions educational purposes, is frequently used by students, and is outside of the one-mile radius of the campus border. Most non-campus locations at UMKC belong to fraternities and sororities officially recognized by UMKC.
- Public Property- Generally refers to a public road, sidewalk, bike path, park, parking lot, or waterway that runs through campus, or is directly adjacent to campus.

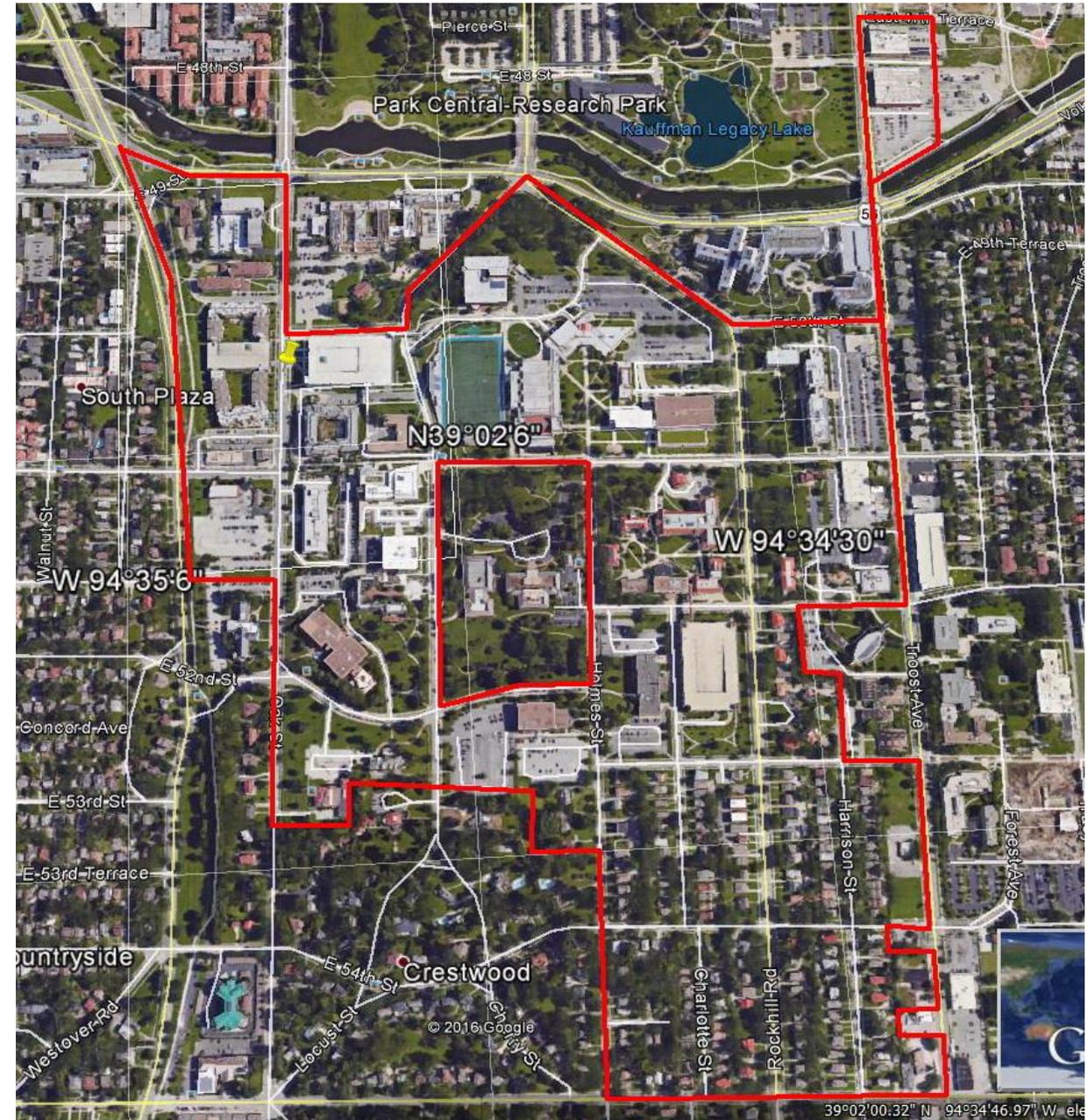
The maps provided are for reference only.

The red outline represents UMKC campus border. All buildings and property within the border are "On-Campus" Clery Geography. When in doubt, report it and let UMKCPD decide the proper geography category.

Hospital Hill Campus



Volker Campus



# Clery Act Crimes

- The following crimes are “Clery Act” crimes as defined by the Department of Education.
- All of the following crimes that a CSA receives a report of should be reported to the UMKC Police Department or The Office of Civil Rights and Title IX.
- The reporting criteria for The Clery Act is that the crime occurred within UMKC’s Clery Act geography. When in doubt, report it and let UMKC officials decide the correct geography classification.

# Definitions of Reportable Clery Act Crimes

- **Criminal Homicide:** Manslaughter by Negligence: The killing of another person through gross negligence.
- **Criminal Homicide:** Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
- **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.
  - A. **Rape** – The 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. This offense includes the rape of both males and females.
  - B. **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
  - C. **Incest**-Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - D. **Statutory Rape**-Non-Forcible sexual intercourse with a person who is under the statutory age of consent.

# Definitions of Reportable Clergy Act Crimes

- **Robbery:** 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.
- **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.)
- **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 felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned; including joyriding.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

# Definitions of Reportable Clery Act Crimes

- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

# Definitions of Reportable Clery Act Crimes

- **Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, 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. This would include the following categories:
  - Incidents between persons who are spouses
  - Incidents between persons who are former spouses
  - Incidents between persons who have a child in common regardless of whether or not they have been married or have resided together in the past
  - Incidents between persons (of any age) related by blood
  - Incidents between persons (of any age) related by marriage, excluding spouses
  - Incidents between persons, not married, but presently residing together
  - Incidents between persons, not married, but who have resided together in the past
  - Incidents between persons who are or have been in a continuing social relationship of a romantic or intimate nature

# Definitions of Reportable Clery Act Crimes

- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or safety of others, or to suffer substantial emotional distress. For the purpose of this definition "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. "Substantial emotional distress" means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.
- **Hate Crime:** A crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, or national origin and disability.
- All Clery Act crimes previously defined, as well as the crimes of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property, are reported under Clery Act requirements if it is determined the victim was intentionally selected because of the perpetrator's bias against the victim.

# Definitions of Reportable Clery Act Crimes

- **Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another, including attempted larcenies; embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **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.
- **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.
- **Destruction/Damage/Vandalism of Property (Except "Arson"):** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

# Definitions of Reportable Clergy Act Crimes

- **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).
- **Drug Abuse Violations:** Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and production of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Weapon Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

# Documentation is an important part of the Clery Act

- Crime reports should include personally identifying information if available. This is important for law enforcement purposes and to avoid double counting crimes.
  - If a victim does not want the report to go any further you should explain that as a CSA you are required to submit the report for statistical purposes, but it can be submitted without identifying the victim.
- A CSA report of a Clery Act crime does not need to automatically result in the initiation of a police or disciplinary investigation if the victim does not want to pursue this action.
- Once a CSA receives a report of a Clery Act crime, it should be immediately reported.
- Failing to report a Clery Act crime prohibits UMKC from fulfilling its obligation under the law, assessing whether a timely warning – crime notification or UMKC Alert is appropriate, and campus community members might not have the information they need to stay safe on campus.

# Where should a CSA report a Clery Act crime?

- CSA's should report Clery Act Crimes to:

University of Missouri-Kansas City Police Department  
5005 Oak St. (lower level of Cherry St. Parking Garage)  
816-235-1515

A police officer will meet with you and take the information for the report or come to your location.

- CSA's may also file an online report which will be directly submitted to the UMKC Police Department.

[Campus Security Authority Incident Reporting Form](#)

# Where should a CSA report a Clery Act crime?

- A CSA who receives a report of a sexual assault, domestic violence, dating violence or stalking may also report directly to the Title IX Office or through the online report form.

Director of Office of Affirmative Action  
5115 Oak Street  
Administrative Center 212  
Kansas City, MO 64112  
816-235-6910

[Title IX Online Incident Report](#)

# Additional Resources

- For more detailed information about the Clery Act the Department of Education has published [The Handbook for Campus Safety and Security Reporting 2016 Edition](#).
- Questions may be directed to UMKC's Clery Compliance Coordinator at [clerycomplianceoffice@umkc.edu](mailto:clerycomplianceoffice@umkc.edu) or 816-235-1515.